

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
CITY HALL – COMMUNITY ROOM
AUGUST 22, 2016 – 6:00PM

The Study Session meeting of the Farmington Hills City Council was called to order by Mayor Massey at 6:00pm.

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

Council Members Absent: Bruce

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Gajda, Mondora, Police Chief Nebus, Fire Chief Unruh and City Attorney Joppich

COMMUNITY EMERGENCY RESPONSE TEAM (C.E.R.T.)

Mayor Massey explained that the Emergency Preparedness Commission (EPC) would like to move in the direction of having a Community Emergency Response Team (C.E.R.T.). He stated that the EPC members have been teaching C.E.R.T. Modules and there has been a lot of interest with 92 participants attending one of the sessions. He added that other communities have a C.E.R.T. and both the Police and Fire Chiefs are present to provide input as they have experience with such groups.

Mayor Massey introduced EPC Members Tutak and York who were here to discuss this issue.

Mr. Tutak explained that after 9-11 the Citizens Corps was established to make sure that citizens were more prepared. He noted that the focus was on personal responsibility as city personnel and first responders could not possibly take care of everyone in the event of a large disaster. The idea was to offer training and first aid and emergency skills with a goal to engage the community as a whole.

Mr. Tutak discussed C.E.R.T. which is a training program that prepares you to help yourself, your family and your neighbors in the event of a disaster by preparing individuals and giving individuals an opportunity to assist first responders by joining a local C.E.R.T.

Mr. Tutak went on to discuss the various teams established throughout Michigan, the goals and what is involved in basic CERT training, training priorities and modified and supplemental trainings.

Mr. Tutak further explained that the proposal would be to have the local C.E.R.T. operate under the direction and control of a Fire or Police Coordinator, provide for criminal history background checks for all team members, with records and other administrative functions handled by volunteer members and team members would have no police powers. He added that C.E.R.T. members would only be deployed by the Fire or Police Coordinator under which they are directed.

Mayor Massey stated that the EPC is suggesting that everyone is trained on an all-hazard approach. He added that Farmington currently utilizes EPC members for such things as crowd control for the Founders Festival. Mr. Massey asked Fire Chief Unruh for his comments as he previously worked for the City of Livonia who has a C.E.R.T.

Fire Chief Unruh commented that he has seen various teams in action for such things as crowd control or helping with paperwork and credentials and he feels that a local C.E.R.T. would best fall under the

direction of the Fire Department and its Emergency Operation Center. He added that it would be important for all involved to be engaged in the training modules offered and the Fire Department is open to that.

Police Chief Nebus commented that he feels the background checks and training is a good idea. One of his concerns was that perhaps the teams would not stay busy enough to last; but he feels some of the uses discussed such as crowd control would be a good fit. He feels there are other areas such as searches where additional training is required.

City Manager Boyer added that each department has certain responsibilities during an emergency and he could see where a local C.E.R.T. could assist with sheltering responsibilities and animals, etc.

Fire Chief Unruh added that often runners are also needed during disasters and that is another area where C.E.R.T. members could assist.

Councilmember Lerner stated that overall he felt this was a good idea. He questioned if there was a plan in place to keep skills current. He also questioned the city's liability.

Mr. Tutak stated that the City could offer supplemental training, but typically once the members are certified, they would not attend any of the basic trainings over again. He stated that there is currently no re-certification; however, that could be included as part of the program.

Mr. Lerner felt it was important to include ongoing training.

Councilmember Rich stated that she spent a week in Mississippi after Hurricane Katrina and it would have been great to be more prepared as a volunteer. She likes the idea of a local C.E.R.T.

Attorney Joppich stated that from a liability standpoint, it would depend on all of the circumstances; but as presented the members would be representatives of the City and appears that governmental immunity would apply in most cases. Where that would not apply, the City also has insurance.

Attorney Joppich added that the program should be clearly defined and stated that it is under the control of the City. He suggested that any program is officially approved by a resolution of City Council.

Councilmember Bridges supported the idea and agreed with ongoing training and suggested that the comments of the Fire and Police Chief are considered and included as part of the program details.

There was consensus amongst City Council to have Mr. Tutak and Mr. York develop a proposed program to submit to City Council for consideration.

City Manager Boyer added that input will be received from Fire Chief Unruh and Police Chief Nebus in development of the proposed program.

NON-RESIDENTIAL AND OFF-SITE BENEFIT SPECIAL ASSESSMENT POLICIES

Assistant City Manager Mekjian explained that in going through the special assessment process, staff has been discussing how to best handle special assessments for non-residential districts. He introduced City Assessor Matt Dingman to discuss the issue.

City Assessor Dingman stated that engineering requested information on the best way to handle non-residential special assessment districts in determining the units of benefit for each property. He explained

that since there is no uniform property size and properties are influenced by different market factors for non-residential, using the straight front-footage calculation that is used for residential districts could cause great disproportions and he felt that using land area would be best; however, this method has not been tested in the courts.

Mr. Dingman stated that what he is proposing is to use a blended combination of utilizing front footage and land area with the City Assessor having judgment over how to weigh those two factors.

Mr. Dingmans added that there is a commercial area that has been requesting road improvements so staff is looking for some direction from Council to create a policy to address these areas.

Karen Mondora, Director of Public Services, showed a district with varying lot sizes and the issues they are attempting to address with this policy.

Councilmember Lerner inquired if building size was considered.

Mr. Dingman stated that it was not as there could be a vacant parcel so only land size and frontage would be considered when deciding the unit of benefit.

Councilmember Bridges inquired the rationale for the special assessment and if it would be initiated by the City or requested by a commercial district.

Mr. Dingman stated that the policy would be the same regardless if it was directed by the City or requested. He added that the City has had a commercial district come to them requesting road improvements.

Mayor Massey clarified that the policy being discussed tonight is only about how the improvements would be paid for and not how the district comes forth for consideration. He inquired if the policy would have any bearing on current MTT filings.

Attorney Joppich stated that this policy would stand on its own if challenged as to the formula.

Mayor Pro-Tem Knol commented that the formula makes sense and questioned if other communities were using a similar method.

Mr. Dingman responded that that the City has some of the oldest commercial/industrial areas and other cities have not yet had to address the issue. He noted that many meetings have been held with staff and the City Attorney to discuss the best method and the Assessor's manual indicates that land area is one method used in determining special assessment districts.

Mayor Massey felt the proposed method was the most fair and equitable. Councilmember Steckloff agreed and was glad this was being reviewed.

Councilmember Bridges inquired if there was any financial commitment from the City required.

City Manager Boyer responded that this was a question for Council to decide.

Mayor Massey added that the City Charter states that the City can provide up to 20% of the costs and Council would have to make a decision at the time each district is reviewed.

Mayor Massey stated that the method used for residential special assessment districts was proven to be most equitable, but this is a new method for non-residential areas and he questioned if the City Attorney felt this was fair and equitable.

Attorney Joppich stated that he is comfortable with the proposed policy and feels that it has a good chance to withstand any challenge as it takes into account equity, fairness, benefit and uniformity within a district. He added that with each district the City would also have to look at proportionality.

Councilmember Lerner mentioned that some commercial uses have larger, heavier vehicles and it could be argued the use is not proportionate.

Assessor Dingman responded that any method could be challenged so staff has tried to develop a method they believe to be most fair and equitable.

Councilmember Rich asked Community Development Director Khalfani Stephens how this proposed method has been received by commercial/industrial districts.

Mr. Stephens responded that he feels this is the best scenario. He has been discussing this issue with commercial areas as this was being developed and while nobody wants to pay more, he feels they understand the methodology and they want the roads, water and sewer maintained.

There as consensus amongst Council to have staff move forward with developing this policy to bring before Council for consideration.

ADJOURNMENT:

The study session meeting adjourned at 7:10pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Smith', written over a horizontal line.

Pamela B. Smith, City Clerk