

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 8, 2016 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

Prior to the regular meeting, City Council participated in A.L.I.C.E. training in conjunction with the Farmington Hills Police Department at 6pm in the Community Room at City Hall.

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, Massey, Rich and Steckloff

Council Members Absent: Lerner

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Lasley and Schnackel, Police Chief Nebus, City Attorney Gillam

PLEDGE OF ALLEGIANCE

Michael Lasley, Direct of Central Services, led the pledge of allegiance.

APPROVAL OF AGENDA

MOTION by Bridges, support by Bruce, to approve the agenda as amended with the addition of item #6a. Consideration of approval of appointment of voting delegate for the Michigan Municipal League Annual Meeting on September 14, 2016.

MOTION CARRIED 6-0.

PROCLAMATION HONORING CENTRAL SERVICES DIRECTOR MICHAEL LASLEY

The following proclamation was read by Mayor Massey and accepted by Michael Lasley, Director of Central Services:

PROCLAMATION

Central Services Director Michael Lasley

In Recognition of 28 Years of Service to the City of Farmington Hills

WHEREAS, Michael Lasley devoted his time, energy, and considerable talent to serving the City of Farmington Hills for over 28 years; and

WHEREAS, Michael Lasley was hired as a Purchasing Agent in 1987, became the Purchasing Manager in 1989, and then was promoted to the newly-created position of Director of Central Services in 1995; and

WHEREAS, Michael Lasley previously served as a Purchasing Agent and Administrative Assistant to the City Manager in Madison Heights, and also served as the Purchasing Manager for CME Corporation in Mount Pleasant; and

WHEREAS, he holds a Bachelor of Business Administration from Saginaw Valley State University, where he was an All American and member of the National

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Association of Intercollegiate Athletics National Championship Indoor Track Team; and

WHEREAS, Michael Lasley is a Certified Professional Public Buyer, created the Michigan Intergovernmental Trade Network e-procurement system, and is active in the Michigan Public Purchasing Officers Association, where he served as President and Board Member and received the Marvin F. Klang Award, the highest honor given to Michigan's purchasing professionals; and

WHEREAS, during his time with the City, Michael Lasley served as a Board member with the Employee Retirement System, worked as an Election precinct captain, and received an Outstanding Employee Award; and

WHEREAS, Michael Lasley was known for his determination, his strong principles, and his attention to detail as he created the City's first computer network, designed the City's first website, managed major building projects, directed cooperative bidding activities, and saved the City millions of dollars through his purchasing knowledge and professional dedication.

NOW, THEREFORE, BE IT RESOLVED that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby honor and thank Michael Lasley for his distinguished career in public service and encourage everyone in Farmington Hills to take the opportunity to recognize and applaud the work of this highly accomplished individual.

EMERGENCY PREPAREDNESS COMMISSION "TIP OF THE MONTH"

The following Tip of the Month was read by Irwin Moyna, member of the Emergency Preparedness Commission:

**City of Farmington Hills
EMERGENCY PREPAREDNESS COMMISSION
Tip of the Month
August 2016**

In August the Emergency Preparedness Commission is reminding all families with school age children to make sure they update their children's emergency contact information on file with their schools, and to review emergency procedures with their families, should an event happen while their children are at school, or on their way to and from school.

Our children are exposed to a lot of alarming and sometimes alarming information on a daily basis, especially from television. Your words and actions can provide reassurance while also easing their fears. It is important to engage your child and discuss what they see and hear. When you do, be sure to present a realistic picture that is both honest and manageable. Children are not helpless, especially when given tools to help manage their own environment.

It is very reassuring to see how much time and effort the city's Police Department and the schools have put forth, working together to create protocols that help ensure the safety of our children. Remember, even if you don't have children of your own, our community's children belong to us all, and we should all keep a protective eye out as we see children playing and traveling on our streets and playgrounds.

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

UPDATE FROM REGIONAL TRANSIT AUTHORITY

Tiffany Gunter, Deputy CEO and Chief Operating Officer of the Authority, reviewed the Regional Transit Authority's Regional Master Transit Plan developed to provide for an equitable and sustainable transit vision that connects Wayne, Washtenaw, Oakland and Macomb counties. She reviewed why this plan was different from the last many failed attempts at a regional transit plan, which included the chance to place a question on the November ballot for funding.

Ms. Gunter discussed the various types of transit proposed as part of the plan that included the following:

- Bus Rapid Transit
- Regional Rail Service
- Cross-County Connectors
- Commuter Express
- Airport Express
- New/Extended Local Services
- Street Car Service
- Paratransit/Mobility Management

Ms. Gunter added that they want the system to be easy to use and are reviewing options for a swipe card system where users could use only one card for the entire system or use their cell phone or credit card. She stated that the regional transit plan will support 67,800 regional jobs and add \$6 billion gross regional product and support an increase in personal income of \$4.4 billion.

Mayor Pro-Tem Knol inquired what additional lines or services the City of Farmington Hills will be getting from this plan and who will be operating those lines, DDOT or SMART.

Ms. Gunter responded that most of the lines are existing lines and the improvements for Farmington Hills would include an increase in the span of services as well as frequency and some infrastructure enhancements. She noted that RTA would be overseeing the operators, which would still be DDOT and SMART.

Mayor Pro-Tem Knol inquired why RTA would not operate the services themselves and eliminate DDOT and SMART and questioned whether RTA would be the entity to resolve any issues or disagreements between the operators.

Ms. Gunter explained that they reviewed the option of a cooperative model that would include current operators versus a consolidation model and discovered that as long as all involved are working towards the same goal of a seamless network, the cooperative model can work. She stated that RTA would oversee any issues and that she has seen overwhelming cooperation between the two organizations. She added that there will be intergovernmental agreements in place and they will be working on each corridor as its own project and is confident that this plan can work.

Councilmember Rich stated that she is thrilled this issue will be on the ballot as she feels the economic prosperity for the region will help the economic prosperity in Farmington Hills. She spoke to the current lack of transportation outside of normal business hours and the lack of transportation in general as one of the reasons why so many disabled persons are not employed. She feels funding this plan is very important and had some questions on the paratransit/mobility management portion of the plan.

Ms. Gunter explained that they would be looking to have SMART to be the fiduciary in this area as they have worked with the community partnership programs and many of the smaller providers in the area and work with those providers to determine the gaps in the current system and how to build upon the systems based upon the current needs and going forward.

Councilmember Bridges commented that he likes the plan as the goal of the RTA is for a seamless service plan working with current providers and the plan takes advantage of existing infrastructure and adding to that to make it more efficient.

Councilmember Bruce commented that he is a firm believer in mass transit and feels it is a shame that it does not exist here and although there are no new lines for Farmington Hills, the plan will allow Farmington Hills residents more options to use existing lines.

Councilmember Steckloff stated that transit is an embarrassment in this area, especially for millennials trying to get to and from downtown Detroit. She feels the plan is a great starting point and hopes that it open up more options in the future. She asked Ms. Gunter to explain the 85% return on investment rule.

Ms. Gunter explained that 85% of whatever is collected in a specific county must be refunded back to that county by way of transportation.

Mayor Massey inquired if this plan would eliminate the city's current dial-a-ride system. Ms. Gunter assured Council that there would be no degradation of services due to the plan, only enhancements.

Mayor Massey reiterated that while there are no new lines proposed for Farmington Hills, there will be expanded services, hours and infrastructure enhancements. He inquired if the SMART millage would be eliminated if the proposed millage that will be on the November ballot for 1.2 billion is approved by the voters.

Ms. Gunter responded that the proposed millage would be an additional \$1.2 million millage over and above the SMART millage.

Mayor Massey how the dedicated lanes for the Rapid Bus Transit plan would be accomplished.

Ms. Gunter explained that they have committees for each corridor and MDOT is working with them on this issue. She noted that most corridors have a fairly large median and the plan is to use a portion of the median and have narrower traffic lanes but not to eliminate any lanes.

Mayor Massey thanked Ms. Gunter for the update.

CORRESPONDENCE

There was no correspondence.

CONSENT AGENDA

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

Roll Call Vote:

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

Nays: NONE

Absent: LERNER

Abstentions: NONE

MOTION CARRIED 6-0.

PUBLIC QUESTIONS AND COMMENTS

Brian Rich, YMCA Board of Directors Chair, introduce the new YMCA Director, Kyle Anderson.

Mr. Anderson discussed the YMCA programs and stated that he looks forward to working with the City to improve the facility and programs in order to continue to invest in the community.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following comments and announcements were made:

- Councilmember Rich commented on the Sierra Club Tour and excellent job that Lydia Camel-Macklin did in providing information on the City Hall building that was one of the stops on the tour.
- Mayor Massey stated that the Farmington SAFE Softball Tournament fundraising event is scheduled for Saturday August 13, 2016 at Founders Sport Park starting at 9am. He encouraged people to come out and cheer on the teams.

CITY MANAGER UPDATE

City Manager Boyer provided the following:

- The Costick Center will continue to be open as a cooling station during the hot weather
- An update on the 8 Mile Road construction

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-4-2016 TO AMEND THE FARMINGTON HILLS CITY CODE BY AMENDING CHAPTER 7, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE VIII, "SINGLE-FAMILY RENTAL DWELLINGS," SECTION 7-349, "INSPECTION PROCEDURES," TO ALLOW FOR INSPECTIONS ONLY AS PERMITTED BY LAW; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Charmaine Kettler-Schmult stated that the proposed ordinance amendment was brought to City Council first at their study session on July 11th and then was introduced by City Council at their July 25, 2016 meeting. She stated that there have been no changes to the ordinance since introduced by Council.

Mayor Massey explained that the ordinance amendment as proposed clarified the inspection process.

MOTION by Rich, support by Bruce, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-4-2016 to amend the Farmington Hills City Code by amending Chapter 7, "Buildings and Building Regulations," Article VIII, "Single-Family Rental Dwellings," Section 7-349, "Inspection Procedures," to allow for inspections only as permitted by law; and approval of summary for publication.

Roll Call Vote:

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

MOTION CARRIED 6-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT WITH COMCAST OF COLORADO/FLOIDA/MICHIGAN/NEW MEXICO/PENNSYLVANIA/WASHINGTON, LLC.

Attorney Gillam referred to the memo provided to Council by Attorney Dvovre that explained that under the Uniform Video Service Local Franchise Act, the City is not authorized to deny or negotiate the provisions of a proposed franchise but only provide a notice of incompleteness with a certain time frame and to approve within 30 days of receiving a complete franchise proposal. He noted that when first submitted, the Comcast proposal was not complete, but has since been completed and he would recommend that the City Council approve by way of resolution the proposed franchise agreement. Attorney Gillam noted that the City is not required to approve the franchise and that it would automatically be approved per the Act after the 30 days; however, the action of adopting the resolution to approve the franchise confirming the franchise and PEG fees to be paid as well as reserving other rights for the City.

Councilmember Bridges inquire when Comcast expressed interest in coming into the City and if they are making an investment in the city by way of infrastructure and what was driving that interest.

Attorney Gillam responded that the application for the franchise agreement was received July 6, 2016.

Kyle Mazurek, Manager for External Affairs, explained that they are making an investment in the city due to the growth on the commercial side and demand in that area. He noted that the initial investment for the commercial will allow them to eventually open this up to residential areas as well.

Councilmember Bridges expressed the need for more competition and more choice when it comes to cable service in the community. He inquired if there has been an audit review of the fees collected by the City or any other community.

Attorney Gillam stated that he believes other communities have done such an audit but is not sure if this has been done in Farmington Hills.

City Manager Boyer added that to his knowledge an audit has not been done in the last 4 years. He added the cable provides do not provide the City with the number of subscribers but only dollar amounts.

MOTION by Knol, support by Bridges, to adopt the following resolution:

RESOLUTION NO. R-126-16
STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS

RESOLUTION GRANTING APPROVAL OF UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT WITH COMCAST OF COLORADO/ FLORIDA/MICHIGAN/NEW MEXICO/PENNSYLVANIA/WASHINGTON, LLC

At a regular meeting of the City Council of the City of Farmington Hills ("City"), County of Oakland, State of Michigan, held in the City Council Chambers on August 8, 2016, at 7:30 PM, with those present and absent being:

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

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The following preamble and Resolution were offered by Councilperson Knol and supported by Councilperson Bridges.

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

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

WHEREAS, on July 6, 2016, a proposed Video Franchise with the City as the Franchising Entity was filed with the City Clerk by Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC ("Comcast") as the Video Service Provider ("Franchise"), with the amount of the annual video service provider fee in Section VI.A.ii, and the PEG Fee in Section VIII.A.1, left blank for the City to determine and complete; and

WHEREAS, the annual video service provider fee that is payable under the City's Video Franchises with Michigan Bell Telephone Company d/b/a AT&T Michigan, and Bright House Networks, LLC, is five percent (5%) of gross revenue; and

WHEREAS, the annual fee that is payable as support for the cost of PEG access facilities and services under the City's Video Franchises with Michigan Bell Telephone Company d/b/a AT&T Michigan, and Bright House Networks, LLC, is two percent (2%) of gross revenue; and

WHEREAS, Section 6 of the Act requires the annual video service provider fee and fee that is payable as support for the cost of PEG access facilities and services required by the City to be applicable to all video service providers; and

WHEREAS, pursuant to Section (3)2 of the Act, which required the City to notify Comcast as to the completeness of the Franchise within 15 business days after it was filed, on July 20, 2016, the City Attorney notified Comcast that Attachment 1 of the Franchise was incomplete because it did not specify the date Comcast expects to provide video service in the City; and

WHEREAS, in a corrected Attachment 1 dated July 21, 2016, and received by the City Clerk, Comcast completed its Franchise by designating October 2, 2017, as the date Comcast expects to provide video service in the City; and

WHEREAS, Section 3(3) of the Act requires the City to approve a Franchise within 30 days of it being complete; and

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

NOW THEREFORE, BE IT RESOLVED that the City finds that the Franchise is complete and meets the technical requirements of the Act, and solely for that reason, the City hereby approves and authorizes and directs the Mayor to sign the Franchise with Comcast, and the Attachment 1 signed by Comcast on July 21, 2016, with the annual video service provider fee in Section VI.A.ii, to be five percent (5%) of gross revenue, and the annual fee that is payable as support for the cost of PEG access facilities and services in Section VIII.A.1 to be two percent (2%) of gross revenue.

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BE IT FURTHER RESOLVED that on page 8 of the Franchise, the City Clerk shall be designated to receive notices, on page 9 the "Date submitted" shall be completed by insertion of the date the City Clerk received the Replacement Attachment 1, with the "Date completed and approved" to be completed by inserting August 8, 2016, and that the following language shall be inserted below the "Date completed and approved;" line:

Determination of completeness and approval and authority for this Franchise Agreement to be signed was by adoption of a Resolution by the City Council at a meeting on August 8, 2016.

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

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

BE IT FURTHER RESOLVED that the City Clerk shall provide a copy of this Resolution to Comcast by one of the methods for Notice in Section XV of the Franchise.

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

RESOLUTION DECLARED ADOPTED AUGUST 8, 2016.

CONSIDERATION OF APPROVAL OF APPOINTMENT OF VOTING DELEGATE FOR THE MICHIGAN MUNICIPAL LEAGUE ANNUAL MEETING ON SEPTEMBER 14, 2016.

Mayor Massey explained that this item was added to the agenda as Council needs to select a voting delegate for the MML Annual Meeting in September and the deadline is prior to the next scheduled Council meeting. He inquired if any members planned on attending the meeting.

Councilmember Bruce indicated that he would be attending.

MOTION by Bridges, support by Rich, that the City Council of Farmington Hills hereby confirms the appointment of Randy Bruce as voting delegate for the Michigan Municipal League Annual Meeting on September 14, 2016.

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF BIDS FOR NATURE CENTER RENOVATIONS AND RELATED SERVICES TO VARIOUS CONTRACTORS IN THE TOTAL AMOUNT OF \$67,707.00. CMR 8-16-90

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MOTION by Steckloff, 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 Nature Center Renovations and Related Services:

Item	Award Amount	Contractor(s)
NESHAP (asbestos) Survey	\$1,200	BDS Environmental (Quoted Separately)
Demolition – General	\$4,400	DKI
Glass & Glazing (Doors & Windows)	\$15,800	Meridian
Roofing & Skylight Inspection	\$1,290	Meridian
Carpentry	\$4,200	Meridian
Painting	\$5,350	Meridian
Flooring	\$10,800	Cipriano
Electrical	\$1,800	Meridian
Pre-Construction Services, Design, Engineering, General Conditions, Specialty Items and Overhead	\$17,367	Cunningham-Limp w/ Sidock Group
Project Contingency	\$5,500	Allowance
Total Project	\$67,707	

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF EXTENSION OF BID AWARDS TO REPAIR GOLF COURSE AND MAINTENANCE BUILDING PARKING LOTS TO PAVEX COMPANY IN AN AMOUNT NOT TO EXCEED \$150,000.00. CMR 8-16-91

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 Pavex Company to repair the golf course and golf maintenance building parking lots in an amount not to exceed \$150,000 in accordance with all terms and conditions set forth in the 2015 bids for Asphalt Repair and Replacement and As Needed Construction Service bid awards.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF REQUEST FOR CONTINUED EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CODE.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves the continued employment under Section 10.01A of the City Code, for Jason McDonald, Detective in the Investigative Division and Lindsey South, Patrol Officer in the Patrol Division, who intend to marry on September 2, 2016.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CODE.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Code for Elizabeth Pappas as a Camp Aide/Special Event Aide in the Special Services Department. Elizabeth Pappas is the daughter of Marybeth Pappas, who is a Department Aide in the Special Services Department.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF JULY 25, 2016.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves the study session meeting minutes of July 25, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF JULY 25, 2016.

MOTION by Steckloff, support by Bridges, that the City Council of Farmington Hills hereby approves the regular meeting minutes of July 25, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0.

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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 8:58pm.

Respectfully submitted,



Pamela B. Smith, City Clerk