

**MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 25, 2014 – 7:30 PM
CITY HALL – COUNCIL CHAMBER**

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

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

Council Members Absent: None

Others Present: City Manager Brock, City Clerk Smith, Assistant City Manager Boyer, Directors Gardiner, Geinzer, Lasley, Randle, Police Chief Nebus and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Joni Hubert led the pledge of allegiance.

Mayor Brickner stated that he is having difficulty with his voice tonight and stated that Mayor Pro-Tem Bruce will run the meeting.

APPROVAL OF AGENDA

MOTION by Massey, support by Lerner, to approve the agenda as published.

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING SEPTEMBER 2014 AS OVARIAN CANCER AWARENESS MONTH

**PROCLAMATION
Ovarian Cancer Awareness Month
September 2014
Read by: Councilmember Knol**

WHEREAS, ovarian cancer is one of the most common cancers among women, and the American Cancer Society estimates that in the United States in 2014 about 22,000 new cases of ovarian cancer will be diagnosed and there will be about 15,000 deaths from the disease; and

WHEREAS, ovarian cancer, which is rarely caught in the early stages, ranks fifth in cancer deaths among women, accounting for more deaths than any other cancer of the reproductive system; and

WHEREAS, a woman's risk of getting ovarian cancer during her lifetime is about 1 in 72 and 183,000 women in the United States are currently living with the disease; and

WHEREAS, increased public awareness of the symptoms and risk factors of ovarian cancer, which include a family history of other types of genetically-related cancers, will enhance chances of early detection and increase survival rates; and

WHEREAS, more ovarian cancer research will help to develop better diagnostic tools and improved therapies, thereby offering women the opportunity to win their battle against this most deadly of all gynecologic cancers.

NOW, THEREFORE, BE IT RESOLVED that I, Barry Brickner, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim September 2014 as **Ovarian Cancer Awareness Month** in the City of Farmington Hills and encourage every woman to become educated about the symptoms and risk factors of ovarian cancer.

Ms. Elaine Greenberg and Andrea Tama accepted the proclamation and thanked City Council.

PRESENTATION FROM AMERICAN RED CROSS DONOR REPRESENTATIVE, GERRY ABEJURO ON THE UPCOMING BATTLE OF THE BADGES BLOOD DRIVE AT THE WILLIAM COSTICK CENTER

Mr. Abejuro announced that the Annual Battle of the Badges Blood Drive will be held at the Costick Center on September 2, 2014. There will be voting sheets available so everyone can choose whether they want to give on behalf of the Police Department or the Fire Department. Appointments are not necessary but it is recommended. Mr. Abejuro stated that the Red Cross is in urgent need of people to donate in order meet the demands of the local hospitals. They are hoping for a strong turnout of at least 50 to 55 donors on September 2, 2014.

ENERGY AND ENVIRONMENTAL SUSTAINABILITY “TIP OF THE MONTH”

Commission for Energy and Environmental Sustainability

Tip of the Month

August 25, 2014

Read by Randy Bruce

Five millions dollars – that is what’s on the line in the Georgetown University Energy Prize competition. The Greater Farmington Community has been selected as one of 52 quarterfinalists to compete for \$5 million to promote and implement continued energy efficiency measures in a way that benefits the community.

A team made up of individuals from the City of Farmington Hills, City of Farmington, and Farmington Public Schools is currently working to develop the Community’s Energy Savings Plan, which is due in November. If the Community’s plan is selected as a semifinalist, the Community will compete over a two-year period to reduce residential and municipal energy use.

In order to win, our Community needs your input. Please take a moment to respond to the survey available at www.sustainablefh.com. Your feedback will help the Project Team build the winning plan. If you don’t have a computer, a printed survey will be available at public facilities located throughout the community.

With the help of community residents, businesses, and nonprofits, we can win the Georgetown University Energy Prize and position the Greater Farmington Community among the most sustainable and energy efficient areas in the United States.

To take the survey, or for more tips and information, go to www.sustainablefh.com.

CORRESPONDENCE

The following correspondence was acknowledged regarding the following:

- Wellspring Church and the “illegal immigrant” children coming to that Church.

- Piles of dirt being left along 13 Mile Road where the County had installed lights. It was noted that sidewalks will be replaced this week in that area and the landscaping will follow with the dirt piles being taken care of at that time.
- Garbage and long grass at the exit and entrance ramps from I-696. The Mayor noted that the State is supposed to cut the grass three times a year and City Manager Brock will contact the State on this issue.

CONSENT AGENDA

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

Roll Call Vote:

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

MOTION CARRIED 7-0

PUBLIC QUESTIONS AND COMMENTS

None

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following announcements were made:

- Mayor Brickner thanked the Parks and Recreation for their work this weekend at an event featuring Tony Hawk at the Riley Skateboard Park at the Founders Sports Park on Saturday, August 23, 2014.

CITY MANAGER UPDATE

City Manager Brock provided the following update:

- Follow up regarding the resident who spoke at the last City Council meeting regarding a sewer lead to his house. He stated that the sewer lead was built and that the resident could connect to it at anytime, but that there would be a fee involved.
- E-mails received regarding a sewer back-up in early May affecting 4 homes. The homeowners have contacted their insurance companies he is hoping that there will be a resolution for each homeowner.
- City Manager Brock and Mayor Brickner both received a letter from State Senator Glen Anderson who has introduced legislation to eliminate the current fireworks legislation.
- Farmington Road from 10 Mile to 11 Mile is scheduled for pavement work either this week or next week.
- 14 Mile is closed at Northwestern and Middlebelt in both directions and Northwestern is down to one lane. An alternative route is advised.
- Patriots Day will be held on September 11, 2014 from 6:00 to 7:30 at Riley Park.
- September 4, 2014 the Fire Department will offer a First Aid, CPR and AED class.

UNFINISHED BUSINESS

CONSIDERATION OF ENACTMENT OF ORDINANCE C-6-2014 AMENDING CHAPTER 34, "ZONING" TO ADD SECTION 34-3.1.34, "GRAND RIVER CORRIDOR OVERLAY 1 DISTRICT," AND TO AMEND THE ZONING MAP TO ESTABLISH THE DISTRICT LOCATED ALONG GRAND RIVER AVENUE FROM MIDDLEBELT ROAD TO COLWELL STREET, ZONING TEXT AND MAP AMENDMENT 3, 2014; AND APPROVAL OF SUMMARY FOR PUBLICATION

Planning and Community Development Director Gardiner stated that the City Council introduced an Ordinance establishing the Grand River Corridor Overlay 1 District on August 11, 2014. At that time City Council requested a change in the ordinance to remove the requirement to meet LEED Silver Certified standards for buildings that are developed under this ordinance and instead to encourage this level of certification. City Attorney Joppich has made those changes and the revised ordinance is before Council for consideration this evening.

Councilmember Steckloff stated that she has reviewed the Master Plan and in many places it refers to environmental sustainability and LEED Certified Standards pertaining to this area. She asked how it affects the Master Plan if this requirement is removed from the ordinance.

Director Gardiner explained that the Master Plan is a guide, and he does not believe that this ordinance is contrary to the Master Plan.

City Attorney Joppich concurred that the Master Plan is a guide. He added that there are also time periods when a Master Plan is reviewed for incorporation into an ordinance, so City Council could amend the ordinance in the future to require LEED Certified Standards in the future.

Councilmember Steckloff urged City Council to look at this issue again.

Councilmember Lerner stated that the Grand River Corridor Authority was formed to improve Grand River and discussion was held about making it easier to do business and build in this area. He feels that the overlay district is a great idea with encouraging LEED Certified Standards.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-6-2014 amending Chapter 34, "Zoning" to add section 34-3.1.34, "Grand River Corridor Overlay 1 District," and to amend the Zoning Map to establish the district located along Grand River Avenue from Middlebelt Road to Colwell Street (Zoning Text and Map Amendment 3, 2014); and summary for publication.

Roll Call Vote:

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

MOTION CARRIED 6-1

NEW BUSINESS:

CONSIDERATION OF ADOPTION OF A RESOLUTION BALANCING ACT 51 ROAD DOLLARS WITH LOCAL MILLAGE OF UP TO 2 MILLS EVERY YEAR FOR THE NEXT 10 YEARS

City Manager Brock stated that this resolution was suggested by Councilmember Knol and initiated from conversation City Council had when discussing the ballot proposal for a road millage. He explained that the resolution confirms that each budget year staff will consider the amount of any increased monies allocated through ACT 51 to the city and reduce the millage, if approved by the voters in November, by the equivalent of the amount of the increase in ACT 51 money

MOTION by Knol, support by Massey, that the City Council of Farmington Hills hereby approves the following resolution regarding Balancing Act 51 Road Dollars with Local Millage of up to 2 Mills Every Year for the Next 10 Years.

Roll Call Vote:

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

MOTION CARRIED 7-0

**BALANCING ACT 51 ROAD DOLLARS WITH LOCAL MILLAGE OF UP TO 2 MILLS EVERY YEAR FOR THE NEXT 10 YEARS
RESOLUTION NO. R-142-14**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on the 25th day of August 2014, at 7:30 o'clock p.m., with those present and absent being,

PRESENT: BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY AND STECKLOFF
ABSENT: NONE

the following resolution was offered by Councilmember Knol and supported by Councilmember Massey:

WHEREAS, The City of Farmington Hills each year receives an allocation of funds dedicated for road work within the City through Public Act 51 monies administered at the State level, and

WHEREAS, these Act 51 funds are based on incoming revenues from various sources including tax on gas and diesel and legislative action to adjust the amount of money distributed through a set formula, and

WHEREAS, this amount is subject to change each year depending on revenues and legislative action, and

WHEREAS, the need for investment in all types of roads in Farmington Hills and across the State is well documented and agreed upon by most, and

WHEREAS, while the State has added some money into the ACT 51 formula this year to off-set the local costs of snow/ice removal and pothole repair as a result of an extreme Winter, this \$329,000 locally did nothing to address the condition of roads other than pothole repair, and

WHEREAS, The City of Farmington Hills City Council and administration is desirous of improving the condition of the major and local road network in the city for the benefit of those who travel the roads and has therefore placed before the local electorate a millage ballot question to approve up to 2 mills each year for 10 years, and

WHEREAS, the State may add additional money to the ACT 51 fund eligible for distribution to local road agencies but has not as of this date,

NOW, THEREFORE BE IT RESOLVED, that if the City of Farmington Hills receives additional money from ACT 51 distribution in future years, due to a passage of a state-wide tax increase, the City Council of Farmington Hills hereby resolves that each budget year it will consider the amount of any increased monies allocated through ACT 51 to the city and reduce the millage (if approved by the voters on the November 4, 2014 ballot) by the equivalent of the amount of the increase in ACT 51 money, and further, that the City Council directs administration to factor this into budget preparation so that the millage rate levied will be set accordingly each year.

CONSIDERATION OF APPROVAL OF AWARD BID FOR CONSTRUCTION OF THE RILEY ARCHERY RANGE TO MERIDIAN CONTRACTING GROUP IN THE AMOUNT OF \$49,670.00 CMR 8-14-82

Bryan Farmer, Deputy Director of Special Services, mentioned that staff had identified a location for an archery range in Heritage Park, and last year Panasonic contacted the City stating they would like to contribute money to the City. He stated that the idea of an Archery Range was mentioned and Panasonic donated \$9,500 toward the project. He added that Mr. George Riley also donated another \$1,500 towards the project and \$20,000 had been dedicated for this purpose as part of the Parks and Recreation millage. Deputy Director Farmer stated that the archery program has been very popular in Farmington Hills since 2011 with every class and camp offered filling up. He added that the Department of Natural Resources (DNR) rules will be followed on the range and he expects it to be very successful.

Mayor Pro-Tem Bruce asked if the equipment is rented or if participants can bring their own equipment. He also inquired about the architecture and ability to capture stray arrows.

Deputy Director Farmer responded that people can bring their own or rent. He stated that several professionals were consulted with regard to the design and he explained how it was designed to accommodate stray arrows. Upon Council's request, Mr. Farmer stated that he would furnish a rendering of the proposed archery range to Council together with the city ordinance relating to archer ranges.

MOTION by Massey, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Meridian Contracting Group for construction of the Riley Archery Range in the amount of \$49,670.00 (with an additional allowance of 10%, \$4,967.00 for contingency).

Roll Call Vote:

Yeas: BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND
STECKLOFF
Nays: NONE

Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

CONSIDERATION OF APPROVAL OF AWARD OF PROPOSAL FOR AS-NEEDED REALTOR SERVICES TO GLOBAL REALTY FOR A PERIOD OF THREE (3) YEAR'S WITH POSSIBLE EXTENSIONS CMR 8-14-84

Central Services Director Lasley stated that the City has acquired several properties through foreclosure that can be sold and added back to the tax rolls and the City is in need of a professional to help sell those properties. The recommendation is to contract with Global Realty for a period of up to five (5) years. He discussed the bid specifications required and noted that Global Realty maintains commercial clients but also specializes in residential realty. He stated that they excellent references and currently provides similar services to Redford Township.

Councilmember Lerner commented that the report indicates that when this proposal was advertised on MITN over 400 firms were notified and only 4 responded. He suggested that MITN may not be the best place to advertise this particular search and suggested postponing action and mailing the bid specifications to the local real estate companies to see if they would be interested in bidding.

Director Lasley stated that the bid was advertised quite extensively on the city's website and it is noted that any company wanting to do business with the City of Farmington Hills has to register on the MITN system. He stated that 5% is very competitive as many realtor services are 6% or higher.

Assistant City Manager Boyer clarified that local realtors were contacted and sent bid specifications.

City Manager Brock stated that one possibility why realtors may not have been interested is because the City does not have that many properties to be sold. Mr. Boyer confirmed that the City has 6 vacant lots.

Mayor Pro-Tem Bruce asked if there is a clause in the contract that would allow the City to get out of the contract early if desired.

Director Lasley confirmed that there is such a clause.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby authorizes the City Manager to enter into an "as needed" agreement with Global Realty, based on their proposed fee schedule, for a period of three (3) years with optional renewal for two (2) additional years following, under the same terms and conditions through mutual consent by The City of Farmington Hills and Global Realty.

Global Realty Proposed Fee Schedule:

Sales - Properties of \$50,000+ flat fee of 5% and \$49,999 or below (\$2,100 or \$900 to Global Realty and \$1,200 to selling agent)
Title Search - \$150

MOTION CARRIED 6-1 (Lerner opposed)

CONSENT AGENDA

RECOMMENDED APPROVAL OF SUBMISSIONS OF AN APPLICATION TO THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES TO OBTAIN A COMMUNITY FORESTRY GRANT CMR 8-14-83

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby authorizes the submittal of an application to the Michigan Department of Natural Resources to obtain a Community Forestry Grant for tree purchase and planting within the public right-of-way and at selected park lands.

Roll Call Vote:

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

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF SETTING A PUBLIC HEARING DATE OF SEPTEMBER 22, 2014 FOR THE GRAND RIVER CORRIDOR IMPROVEMENT AUTHORITY DEVELOPMENT AND TAX INCREMENT FINANCE PLAN

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby approves setting a Public Hearing date of September 22, 2014 for the Grand River Corridor Improvement Authority Development and Tax Increment Finance Plan.

Roll Call Vote:

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

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF SETTING A PUBLIC HEARING DATE OF SEPTEMBER 22, 2014 TO CONSIDER THE ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT DISTRICT AND CONSIDERATION OF AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR CEP BIOCOAT, LLC

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby approves setting a Public Hearing date of September 22, 2014 to consider the establishment of an Industrial Development District and consideration of an Industrial Facilities Exemption Certificate for CEP BioCoat, LLC.

Roll Call Vote:

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

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE COLLECTIVE BARGAINING AGREEMENT FOR A.F.S.C.M.E. COUNCIL 25, LOCAL 1456 CMR 8-14-85

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and the Director of Human Resources to execute a new agreement with A.F.S.C.M.E. Council 25, Local 1456, in accordance with the terms and conditions outlined in the agreement.

Roll Call Vote:

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

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE COLLECTIVE BARGAINING AGREEMENT FOR FARMINGTON HILLS LIEUTENANTS AND SERGEANTS ASSOCIATION (POLC) CMR 8-14-86

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and the Director of Human Resources to execute a new Agreement with the Farmington Hills Lieutenants and Sergeants Association (POLC), in accordance with the terms and conditions outlined in the agreement.

Roll Call Vote:

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

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF AUGUST 11, 2014

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby approves the City Council Regular Meeting Minutes of August 11, 2014 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of September 8, 2014.

ADJOURNMENT

Mayor Brickner adjourned the regular City Council meeting at 8:40 p.m.

Respectfully submitted,

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

Pamela B. Smith, City Clerk