

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING (VIA TELECONFERENCE)
MARCH 23, 2020 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett via teleconference at 7:30pm.

Council Members Present: Barnett, Boleware, Bridges, Knol, Massey, Newlin and Steckloff

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Mondora, Monico and Schnackel, Fire Chief Unruh and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Mayor Barnett led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

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

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

MOTION by Massey, support by Newlin, to amend the agenda to add the following:

- New Business, Item #4a, Consideration of authorizing the City Manager to notify Oakland County of the City's intent to opt in to their plan for waiving on-line payment fees and revenue sharing for the period of March 25, 2020 through April 30, 2020.
- Consent Agenda, Item #14, Consideration of Award of Contract for the Edythe Drive Project to Springline Excavating, LLC, in the amount of \$1,153,151.10.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

PRESENTATION ON 2020 LOCAL ROAD PROGRAM

Karen Mondora, Director of Public Services, provided an update on the upcoming 2020 local road projects and noted that the recommendations for awarding the contracts for the projects discussed are on tonight's consent agenda for City Council consideration.

It was suggested that staff consider webinars or zoom meetings or video the informational meetings to put on the website during construction for these road projects. Director Mondora stated that they have looked into that but for now have put out quite an extensive FAQ's that she feels covers most questions and they will have on-site staff presence during construction. She noted the FAQ's are already posted to the city website and have been mailed to each affected resident.

PROCLAMATION RECOGNIZING MARCH 22-28, 2020 AS SEVERE WEATHER AWARENESS WEEK:

Councilmember Massey read the following proclamation into the record:

**PROCLAMATION
Severe Weather Awareness Week
March 22 – 28, 2020**

WHEREAS, Governor Gretchen Whitmer and Oakland County Executive David Coulter have declared the week of March 22 – 28, 2020 as Severe Weather Awareness Week in Michigan; and

WHEREAS, the Oakland County Homeland Security Division will be engaged in various public education efforts during Severe Weather Awareness Week to help minimize the loss of life and destruction of property that can result from severe weather; and

WHEREAS, to further raise the awareness level of severe weather safety and to promote tornado safety preparedness, Oakland County will conduct a special test of its Outdoor Warning System sirens on **Wednesday, March 25, 2020 at 1:00 p.m.**

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim March 22 – 28, 2020 as **Severe Weather Awareness Week** in Farmington Hills and encourage all residents, schools, and businesses to test their severe weather action plans to ensure the safety of everyone in our community.

CORRESPONDENCE

Mayor Barnett acknowledged correspondence from a resident regarding Fonson Construction, which was provided to staff and Director Mondora has responded. She asked Director Mondora to comment on her response.

Director Mondora explained that the city negotiated to the satisfaction of the city final completion of the Independence Commons project and Fonson has since successfully completed another project for the city without any issues. She noted that the city's engineering division has also modified its contract language that she feels with help to alleviate any future issues.

CONSENT AGENDA

MOTION by Massey, support by Newlin, to approve the Consent Agenda Items #5-12 and #14 as published.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

MOTION by Massey, support by Newlin, to approve the Consent Agenda Items #13 as published.

Roll Call Vote:

Yeas: BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: NONE
Abstentions: BARNETT AND STECKLOFF

MOTION CARRIED 5-0-0-2.

CONSENT AGENDA ITEMS FOR DISCUSSION

There was no consent agenda items discussed.

PUBLIC QUESTIONS AND COMMENTS

Mayor Barnett read the following comments into the record submitted via e-mail from Mr. Tom DeWard:

Probably already expressed but it is time for the City and residents to come together to help those in need during this difficult time.

First, depending on how the Federal government responds with a stimulus package, some may be receiving direct deposits or checks in the near future. To some, this will be a windfall as you may still be working or you are being paid in full for the time away from your normal work. To others, the relief may be inadequate or nothing at all.

A suggestion, find a way to get funds to those truly in need. People are generous. Those that receive a windfall could donate a part or all of the funds received to a fund administered in a way to help the most vulnerable. Existing charities and churches could be called upon to help distribute the funds as the needs are determined.

The idea of the stimulus is not only to get funds to those in need but to stimulate the economy. So for those receiving the windfall and donating to the fund, the maximum will be achieved. Food and other essentials will be purchased as opposed to an increase in a savings account.

Sure there are obstacles and I am not suggesting the City establish the fund but to pull together known resources to make this work. If we pull together we can make this work. Inaction is not acceptable during this critical time.

Second, as of March 13, 2020, there are 13 subdivisions where the residents have not claimed the refunds due them under the provisions of the millage issue passed in November, 2018. These refunds are due residents where all or a portion of the special assessment was paid in advance. So only a small fraction of the residents are entitled to

a refund. The amount not yet claimed is just over \$200,000.00 for the following Special Assessment districts:

*Hunter's Pte. Sub
Woodbine Sub
Glenbrook Road
Holly Hills Farms Rd,
Springland Road
Staman Acres Road
Stratton Hill Road
Lakehills Drive
Orchard West Road
Woodbrook Road
Independence Commons
Briar Hill Road
Hollywood/Westhill Woods/Tarbusi Garden*

I encourage the City to make every effort to get these funds to those entitled. Perhaps letters are not enough. It has been nearly 4 months since the original letters went out at least for Independence Commons. Given the current health care crisis, personal visits are not feasible but a simple phone call might work. I assume some current owners don't understand they are entitled to the refunds because the assessment was paid by a former owner. A simple explanation would help.

Perhaps some entitled to the refunds are those currently experiencing financial difficulties. For others it will be a windfall.

Tom DeWard

There were no further call-in public comments or questions.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following City Council comments and announcements were made:

- CARES of Farmington Hills is supplying food to families on Tuesday, Thursday, Friday and Saturday from 9:30am to 2:30pm. Donations to CARES can be made on their website at www.caresfh.org.
- Thank you to City Manager Boyer for his leadership during this challenging time

CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- Updates regarding the city's status during the current Governor Executive Order can be found on the city's website from the home page.
- Meals on Wheels is being delivered twice a week
- City Hall is providing essential services only and the city hotline is 248.871-2410.

NEW BUSINESS

CONSIDERATION OF ADOPTION OF A RESOLUTION DECLARING LOCAL STATE OF EMERGENCY (COVID-19).

Mayor Barnett explained the purpose and need of for the local state of emergency and that City Council is required in order for the Order issued by the Mayor previously to extend beyond 7 days.

**CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN**

RESOLUTION DECLARING LOCAL STATE OF EMERGENCY
(COVID-19)

RESOLUTION NO. R-66-20

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on March 23, 2020, at 7:30 o'clock p.m., Eastern Daylight Savings Time, with those present and absent being,

PRESENT: Barnett, Boleware, Bridges, Knol, Massey, Newlin and Steckloff
ABSENT: None

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

PREAMBLE:

A. The President of the United States, the Governor of the State of Michigan, and the Oakland County Executive have all declared a State of Emergency, and federal, state, and county orders, directives, guidelines, and recommendations, including from the Centers for Disease Control ("CDC"), have been issued in an effort to control the COVID-19 Coronavirus pandemic declared by the World Health Organization (WHO).

B. These federal, state, and county orders, directives, guidelines, and recommendations have included closing business establishments; cancelling, postponing, and limiting the numbers at gatherings of people; postponing or limiting the number of persons required to physically attend public meetings; and calling for appropriate steps to be taken by local governments in an effort to control the spread of COVID-19.

C. These federal, state, and county orders, directives, guidelines, and recommendations have been changed or updated on a frequent basis, and further changes or updates are expected. Most recently, on March 18, 2020, the Governor issued Emergency Executive Order 2020-15 (EO 2020-15), temporarily authorizing remote participation in public meetings and hearings as a suspension of the rules and procedures for physical presence at meetings and hearings of public bodies under the Open Meetings Act.

D. COVID-19, and the possible exposure to persons afflicted with it, constitutes a clear and present danger to the health, safety, and welfare of City personnel and persons doing business with or residing in the City.

E. Under the State of Michigan's Emergency Management Act, MCL 30.410(d), and also under Chapter 10 of the Farmington Hills City Code, the Mayor has declared a Local State of Emergency due to COVID-19.

F. Under the Emergency Management Act, the Mayor's Declaration of a Local State of Emergency is limited to seven (7) days without City Council consent.

G. The City Council agrees with the Mayor's Declaration and finds it appropriate to extend such Declaration until its termination as set forth herein and has further determined that certain additional emergency measures and actions should be taken or authorized.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DECLARED by the City Council of the City of Farmington Hills, Oakland County, Michigan, that there is a Local State of Emergency in the City due to COVID-19, on the basis of the States of Emergency already declared by the President of the United States, the Governor of the State of Michigan, and the Oakland County Executive.

IT IS FURTHER RESOLVED AND DECLARED THAT:

1. The Mayor's appointment of Lt. James Neufeld of the Farmington Hills Fire Department as the Emergency Management Coordinator under the Emergency Operations Plan is hereby confirmed and approved.

2. Except for legally required meetings and necessary exceptions that absolutely require physical presence, and subject to restrictions approved by the Mayor, City owned or occupied buildings are to continue to be closed to the public, with the City Manager authorized and directed to continue to determine and provide public notice of this closure and the manner in which the public may communicate with City offices, which shall continue to be staffed by City personnel in a manner and at a level determined by the City Manager.

3. The City Council authorizes the City Manager to take appropriate measures, in his discretion, to respond to or protect City citizens, businesses, and personnel from the declared State of Emergency by adopting and enforcing all appropriate measures, including but not limited to:

- a. Taking actions necessary to comply with or implement a federal, state, or county order or directive that is binding on the City.
- b. Limiting City meetings and functions to those required by law.
- c. Extending deadlines for City responses to submissions and applications for City approvals, permits, and inspections.
- d. Temporarily releasing all non-essential City personnel from reporting to the City offices for work.
- e. Approve the payment of bills after additional approval of the City Treasurer as necessary to avoid interest, penalties, or delinquency.
- f. Authorize temporary employees or contractors, equipment rental, supply and material purchases, and necessary contracts.
- g. Cancelling, postponing, or establishing emergency rules for any public meeting of a City board, commission, or committee (not including City Council).

4. For public meetings that are subject to the Open Meetings Act, the number of persons physically attending should be documented and limited, to the extent possible and legal, to protect the health and safety of persons that do attend by the following measures:

- a. The City will make reasonable efforts to implement the authority provided in the Governor's Emergency Executive Order 2020-15 to allow remote participation in public meetings and hearings.
- b. Persons that do physically attend a meeting shall be required to provide their name, address, and an email address or phone number, to the extent possible and legal, for follow-up contact in the event someone at that meeting tests positive for COVID-19.

IT Services before City Council for approval once the formal agreement amendment has been prepared and submitted to the City.

Attorney Joppich explained that the city has an agreement with Oakland County with regard to on-line payments and associated fees and revenue sharing and has received a request from the County to deviate from this agreement and waive all on-line fees due to COVID-19. He further explained that due to desire to activate this quickly, there is not document at this time to provide to City Council amending the current agreement and the first amendment would be brought back to City Council for formal approval at a later date.

City Manager Boyer added that the goal is to make it easier for people to conduct business on-line and keep them from having to appear in person to conduct business.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

CONSENT AGENDA

RECOMMENDED APPROVAL OF SETTING CITY COUNCIL BUDGET STUDY SESSION MEETING DATES OF MAY 4 AND 5, 2020 AT 6:00PM AT CITY HALL.

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby approves City Council Budget Study Session meeting dates of May 4 and 5, 2020 for 6:00pm at City Hall.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE HATHAWAY STREET RECONSTRUCTION PROJECT TO ALL STAR POWER, INC. IN THE AMOUNT OF \$1,267,353.50. CMR 3-20-38

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Hathaway Street Reconstruction Project to the lowest competent bidder, All Star Power, Inc., in the amount of \$1,267,353.50; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE STONE CREEK AND WESTLAKE SUBDIVISION REHABILITATION PROGRAM TO FONSON COMPANY, INC. IN THE AMOUNT OF \$11,253,189.26. CMR 3-20-39

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Stone Creek and Westlake Subdivision Rehabilitation Program to the lowest competent bidder, Fonson Company, Inc., in the amount of \$11,253,189.26; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE STONEWOOD COURT ROAD REHABILITATION PROJECT TO NAGLE PAVING COMPANY IN THE AMOUNT OF \$1,141,073.72. CMR 3-20-40

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Stonewood Court Road Rehabilitation Project to the lowest competent bidder, Nagle Paving Company, in the amount of \$1,141,073.72; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE CORA AVENUE AND HAYNES STREET ROAD RECONSTRUCTION PROJECT TO HMC, LLC IN THE AMOUNT OF \$1,307,014.25. CMR 3-20-41

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Cora Avenue & Haynes Street Road Reconstruction Project to the lowest competent bidder, HMC, LLC, in the amount of \$1,307,014.25; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE CANTERBURY WEST REHABILITATION PROJECT TO ANGLIN CIVIL, LLC IN THE AMOUNT OF \$834,047.11. CMR 3-20-42

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Canterbury West Rehabilitation Project to the lowest competent bidder, Anglin Civil, LLC, in the amount of \$834,047.11 ; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE BELFAST STREET GRAVEL ROAD CONVERSION PROJECT TO ASPHALT SPECIALISTS, INC. IN THE AMOUNT OF \$487,775. CMR 3-20-43

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Belfast Street Gravel Road Conversion Project to the lowest competent bidder, Asphalt Specialists, Inc., in the amount of \$487,775.00; and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF COMMUNITY CENTER RENOVATION BID PACK #4 TO VARIOUS CONTRACTORS IN THE TOTAL AMOUNT OF \$3,193,768. CMR 3-20-44

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby authorizes the City Manager and Colasanti Construction Services to approve contracts, in the following amounts for the Community Center Renovation Bid Pack #4:

Item	Award Amount	Contractor(s)
Earthwork	\$780,520	Cortis Brothers Trucking & Excavating-Marine City, MI
Asphalt Paving	\$1,327,040	Nagle Paving-Novi, MI
Landscaping	\$190,555	W.H. Canon-Romulus, MI
Concrete Site Work	\$313,394	DSP Constructors-Novi, MI
Electrical Site Work	\$419,281	Rauhorn Electric-Bruce Township, MI
Construction Management Services-including Bonds, Insurance and Fee	\$102,362	Colasanti Construction Services
Bid Pack #4 Design & Construction Contingency	\$60,616	Colasanti Construction Services
BID PACK #3 TOTAL	\$3,193,768	

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
 Nays: NONE
 Absent: NONE
 Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE EDYTHE DRIVE PROJECT TO SPRINGLINE EXCAVATING, LLC, IN THE AMOUNT OF \$1,153,151.10.

MOTION by Massey, support by Newlin, that the City Council of Farmington Hills hereby awards the Edythe Drive Project to the lowest competent bidder, Springline Excavating, LLC, in the amount of \$1,153,151.10, and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk are authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
 Nays: NONE
 Absent: NONE
 Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF MARCH 16, 2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of March 16, 2020.

Roll Call Vote:

Yeas: BOLEWARE, BRIDGES, KNOL, MASSEY, AND NEWLIN
Nays: NONE
Absent: NONE
Abstentions: BARNETT AND STECKLOFF

MOTION CARRIED 5-0-0-2.

ADDITIONS TO AGENDA

None

ADJOURNMENT

MOTION by Massey, support by Newlin, to adjourn the regular session City Council meeting at 8:17pm.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk