

APPROVED 6/13/2016

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
MAY 23, 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, Assistant City Manager Mekjian and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Red Cross Representative Gertrude Smith led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

PRESENTATION FROM AMERICAN RED CROSS DONOR REPRESENTATIVES GERRY ABEJURO AND GERTRUDE SMITH, REGARDING THE UPCOMING BLOOD DRIVE AT THE WILLIAM COSTICK CENTER ON JUNE 2, 2016.

Gertrude Smith, Red Cross Representative, thanked City Council for their continued support and press release regarding the upcoming community-wide blood drive being held at the Costick Center on June 2, 2016 from 8am until 8pm. She mentioned that at the last blood drive held in Farmington Hills, they exceeded their goal and thanked the community for that support. She explained that donors could pre-register on line and answer the questions on line the morning of the blood drive to expedite their experience. She once again thanked Council for their continued support.

PROCLAMATION RECOGNIZING JUNE 1-7, 2016 AS CPR AND AED AWARENESS WEEK

The following proclamation was read by Councilmember Rich and accepted by James Etzin, Fire Department:

**CPR and AED Awareness Week
June 1–7, 2016**

WHEREAS, sudden cardiac arrest is a leading cause of death with over 424,000 out-of-hospital cases occurring every year in the United States; and

WHEREAS, when someone has a cardiac arrest, survival depends upon immediately receiving cardiopulmonary resuscitation (CPR) from someone nearby with survival rates dropping as much as ten percent for every minute that passes without intervention; and

WHEREAS, the average survival rate of sudden cardiac arrest is 10.6% and survival with good neurologic function is 8.3%, but nearly one in three victims survives when the arrest is witnessed by a bystander and treated with CPR and an Automated External Defibrillator (AED); and

WHEREAS, the American Heart Association urges all individuals to learn Hands-Only CPR to increase the likelihood of being able to perform this life-saving resuscitation method that maintains vital blood flow to the heart and brain; and

WHEREAS, effective Hands-Only CPR can be taught in less than thirty minutes, AEDs are safe and easy to operate, and trained individuals can often preserve the life of a heart attack victim until emergency responders arrive.

NOW, THEREFORE, BE IT RESOLVED that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim June 1 – 7, 2016 as **CPR and AED Awareness Week** in the City of Farmington Hills and call upon all citizens to recognize and acknowledge that early intervention using CPR and AEDs in cases of sudden cardiac arrest increases the chances of survival and a better quality of life.

CORRESPONDENCE

Mayor Massey acknowledged correspondence received with regard to another agenda item, the award of contract for the Independence Commons road project that will be discussed later this evening.

CONSENT AGENDA

MOTION by Bruce, support by Lerner, to approve Consent Agenda items #7, 10 and 11 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Lerner, support by Rich, to approve Consent Agenda items #8 and 9 as submitted.

Roll Call Vote:

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

MOTION CARRIED 5-0-0-2.

PUBLIC QUESTIONS AND COMMENTS

Suzanne Zimmerman, animal advocate, stated that she was asked a few months ago by City Manager Boyer how many feral cats there were in the City and she stated that based on an article she read with regard to how many there were in the United States, she calculated that there could potentially be approximately 732 feral cats in Farmington Hills. She stated that she personally trapped 28 cats and/or kittens in less than one square mile and in one month sterilized 639 cats. She read a portion of the State Penal Code and questioned why the City's Zoning Ordinance had forced a homeowner to destroy 3 shelters on their property for these feral cats. She feels that is a form of abuse and wanted to know why this was done.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following Council Member comments or announcements were made:

- Councilmember Rich's Walk and Talk will be held Sunday, June 12th at 1:30pm at the Library
- Rouge River Rescue was held this past Saturday and there was a very large turn-out for that event
- The Memorial Day Parade is scheduled for Monday, May 30th at 10am.

CITY MANAGER UPDATE

There was no City Manager update at this time.

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-3-2016, GRANTING CONSUMERS ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, POWER AND AUTHORITY TO LAY, MAINTAIN AND OPERATE GAS MAINS, PIPES AND SERVICES AND TO DO A LOCAL GAS BUSINESS IN THE CITY OF FARMINGTON HILLS; AND APPROVAL OF SUMMARY FOR PUBLICATION.

City Attorney Joppich explained that this Ordinance was before Council at their last meeting at which time Attorney Dove made a presentation and mentioned that there may be possible changes/clarifications made to the Ordinance when it was brought back for Enactment. Council has received a memo from Attorney Dove explaining the changes based on discussions between himself and the Attorney for Consumers Energy. Attorney Joppich explained the purpose of the Ordinance and confirmed that the version before Council this evening is the final Ordinance based on the discussions and input from Consumers Energy.

MOTION by Bridges, support by Rich, that the City Council of Farmington Hills hereby approves the enactment of Ordinance C-3-2016, granting Consumers Energy Company, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the City of Farmington Hills, Oakland County, Michigan, for a period of thirty (30) years; and approval of summary for publication.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF AWARD OF CONTRACT FOR THE INDEPENDENCE COMMONS SUBDIVISION ROAD REHABILITATION PROJECT, SAD C-345 TO FONSON COMPANY, INC., IN THE AMOUNT OF \$6,925,271.43. CMR 5-16-55

Assistant City Manager Mekjian explained the history of approval for the road improvement project and noted that the assessment roll was approved on April 11, 2016 for the concrete option and before Council this evening is consideration of the contract for that project to the lowest, qualified bidder Fonson Company, Inc.

Councilmember Steckloff mentioned that she has spent some time in the subdivision to view the road conditions and had questioned if another Paser rating could be done. Staff indicated that they would not

be doing another analysis and rating of the roads but he believes the roads have become even worse since the winter and wondered if staff felt the roads had worsened since that time.

Mayor Massey clarified that the district and project has been discussed and approved and the assessment roll was confirmed and the only issue before Council this evening is with regard to the award of contract for the project and he asked that all questions are limited to that issue only.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves the Independence Commons Subdivision Road Rehabilitation Project S.A.D. C-345 be awarded to the lowest competent bidder, Fonson Company, Inc., in the amount of \$6,925,271.43 for the concrete option; and further authorizes the City Manager and the City Clerk to execute the contract on behalf of the City.

Councilmember Rich stated that she was also out in the neighborhood to review the roads and while she realizes the project is costing the residents a lot of money; she feels the city would be negligent if they did not award the contract for this project and get this project done.

Councilmember Steckloff echoed those remarks and commented on the poor condition of the roads. She stated that she feels for the residents, but the roads will only get worse and it will only cost more to fix the roads in the future.

Councilmember Bridges stated that he will be voting against the award of contract. He agrees that the roads are in need of repair, but will be voting no at this time.

Councilmember Lerner commented that this has been a tough issue, but tonight the only issue being considered is the award of contract.

MOTION CARRIED 6-1 (Bridges opposed)

NEW BUSINESS

CONSIDERATION OF APPROVAL OF A REQUEST FROM MEXIACHI, INC. FOR THE TRANSFER OF LOCATION FOR A 2015 CLASS C LIQUOR LICENSE WITH SUNDAY SALES (PM), SPECIFIC PURPOSE (FOOD) AND DANCE-ENTERTAINMENT PERMITS TO 28990 ORCHARD LAKE ROAD (CAMELIA'S MEXICAN GRILL).

City Clerk Smith stated that this is a transfer of location of an existing liquor licensed business. The business, employees, management and menu are to remain the same and it is only a request to change locations. She mentioned that Mr. Flores is present from Camelia's this evening.

Mr. Flores commented that his home is in Farmington Hills and his business and he thanked City Council for their consideration.

Councilmember Bridges inquired about their new location and commented on the great food provided by Camelia's. Mr. Flores stated that the new location is on Orchard Lake Road in the building that used to be Kerby's Coney Island.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby recommends approval to the Michigan Liquor Control Commission for the request from Mexiach, Inc. for the transfer of location of a 2015 Class C Liquor License with Sunday Sales (PM), Specific Purpose (Food) and Dance-Entertainment permits to be located at 28990 Orchard Lake Road, Farmington Hills, MI.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF BID FOR STUDIO & REMOTE PRODUCTION EQUIPMENT TO TELSISTEMS IN THE AMOUNT OF \$70,474.50. CMR 5-16-56

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for studio and remote video production equipment to TelSystems in the amount of \$70,474.50.

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 CITY COUNCIL BUDGET STUDY SESSION MINUTES OF MAY 2, 2016.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby approves the budget study session meeting minutes of May 2, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 5-0-0-2.

RECOMMENDED APPROVAL OF CITY COUNCIL BUDGET STUDY SESSION MINUTES OF MAY 4, 2016.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby approves the budget study session meeting minutes of May 4, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 5-0-0-2.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 9, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the study session meeting minutes of May 9, 2016 as submitted.

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 REGULAR MEETING MINUTES OF MAY 9, 2016.

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the regular meeting minutes of May 9, 2016 as submitted.

Roll Call Vote:

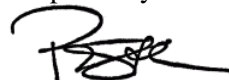
Yeas: BRIDGES, BRUCE, KNOL, LERNER, MASSEY, RICH AND STECKLOFF
Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0.

ADJOURNMENT

The City Council meeting was adjourned at 8:18p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk