

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL MEETING  
JANUARY 25, 2021 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was held electronically and called to order by Mayor Barnett at 7:36pm.

During roll call, Council members were asked to state their location from where they are attending the meeting remotely.

Council Members Present: Vicki Barnett, Farmington Hills, Michigan  
Jackie Boleware, Farmington Hills, Michigan  
Michael Bridges, Farmington Hills, Michigan  
Valerie Knol, Farmington Hills, Michigan  
Ken Massey, Farmington Hills, Michigan  
Mary Newlin, Farmington Hills, Michigan  
Matthew Strickfaden, Farmington Hills, Michigan

Council Members Absent: None

Others Present: Acting City Manager Mekjian, City Clerk Smith, Directors Gardiner, Mondora and Schnackel, and City Attorney Joppich

**PLEDGE OF ALLEGIANCE**

Mayor Barnett led the pledge of allegiance.

**APPROVAL OF REGULAR SESSION MEETING AGENDA**

MOTION by Massey, support by Bridges, to approve the agenda with the addition of item #4A. Resolution regarding Temporary Outdoor Sales Event License.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

**ADMINISTRATION OF OATH TO NEWLY APPOINTED CITY COUNCIL MEMBER**

City Clerk Smith administered the oath of office to newly appointed City Council member Matthew Strickfaden.

**CORRESPONDENCE**

Mayor Barnett acknowledged an email received regarding interaction with the city's Police Department, which has been sent onto the Acting City Manager and City Attorney for follow-up.

**CONSENT AGENDA**

MOTION by Massey, support by Bridges, to approve the Consent Agenda items #6 through #8, as read.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Bridges, support by Knol, to approve the Consent Agenda items #9 and #10, as read.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

**PUBLIC QUESTIONS AND COMMENTS**

Joe LaRussa, Farmington City Council Member, acknowledged members of the Broadband Task Force for their contributions to the report that was presented at the study session earlier this evening.

The following residents spoke in favor of municipal broadband:

Edward Scott, Kiltartan Street  
Tony Coury, Westerleigh Road  
Eddie Gurney, Peppermill Drive

Mayor Barnett read the following email into the record from Larry Cannell:

*I reviewed the 2-Nov-2020 "Feasibility Report for a Community Network." The detailed analysis in this report is outstanding.*

*Below are questions and comments that may help the councils discuss this report:*

- *The breakeven threshold is my main concern. In my opinion, 46% seems like a lofty goal.*
  - *Q: How many years does the business have to get to 46% penetration to have a chance of being sustainable?*
- *The report states: "Farmington looks to be too small to support a standalone ISP that doesn't also include Farmington Hills. The breakeven penetration needed to make an ISP work in Farmington is 72% - an unachievably high goal."*
  - *Q: Would the breakeven penetration drop below 46% if we also partnered other cities (e.g., Southfield or Novi)?*
- *Q: Will the market dynamics change significantly if we waited a few years?*
  - *Please speculate on the viability of running a community network in five years, or ten years.*
- *The concept of customers contributing \$3,500 is intriguing.*
  - *Q: Why was \$3,500 chosen?*
  - *Q: If customers contributed more than \$3,500 would this lower the breakeven threshold?*

- *Q: Could small businesses (other than apartment buildings) invest in the network?*
- *Q: Is it viable to have a community network without telephone service?*
  - *Who uses a landline today (in five years)?*
  - *Telephone service seems to come with numerous hassles and more onsite customer visits.*

### **COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS**

The following comments and announcements were made:

- Welcome to newly appointed Councilmember Matthew Strickfaden.

### **CITY MANAGER UPDATE**

Acting City Manager Mekjian provided the following update:

- A COVID-19 Town Hall will be held virtually on February 1<sup>st</sup> at 8pm. Questions for the panel can be sent to [covidquest@fhgov.com](mailto:covidquest@fhgov.com) by 12noon on February 1, 2021.
- Reminded residents of the current snow policy for plowing residential streets with the anticipated snow fall.
- Property tax bills are due by February 17, 2021. City Hall remains closed to the public but there are various options for paying taxes including on-line, mailing them in or using the city hall drop boxes.

### **NEW BUSINESS**

#### **CONSIDERATION OF APPROVAL OF REAPPOINTMENTS AND APPOINTMENT TO VARIOUS BOARDS AND COMMISSIONS.**

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to reappoint and appoint the following individuals to various City Boards and Commissions:

#### **Board of Review**

	<b>Length of Term:</b>	<b>Term ending:</b>
Shaun Toupin	3 years	February 1, 2024
Paul Wolfert	Unexpired term	February 1, 2023

#### **Building Board of Appeals**

	<b>Length of Term:</b>	<b>Term ending:</b>
Roberta Nebus	3 years	February 1, 2024

#### **Commission on Children, Youth & Families**

	<b>Length of Term:</b>	<b>Term ending:</b>
Edward Cherkinsky	3 years	February 1, 2024
Adam Whitfield	3 years	February 1, 2024
Bette Rose	3 years	February 1, 2024

#### **Commission on Community Health**

	<b>Length of Term:</b>	<b>Term ending:</b>
Cheryl Patel	3 years	February 1, 2024
Eunice Jeffries	3 years	February 1, 2024
Charles Starkman	3 years	February 1, 2024

#### **Committee to Increase Voter Participation**

	<b>Length of Term:</b>	<b>Term ending:</b>
Susan Simonenko	3 years	February 1, 2024

Dennis Hubbard	3 years	February 1, 2024
Aimee Ergas	3 years	February 1, 2024

**Corridor Improvement Authority**

Bill Smith	<b>Length of Term:</b> 4 years	<b>Term ending:</b> February 1, 2025
Jasdeep Mann	4 years	February 1, 2025

**Economic Development Corporation**

William Hartsock	<b>Length of Term:</b> 6 years	<b>Term ending:</b> February 1, 2027
Sam Slaughter	6 years	February 1, 2027

**Emergency Preparedness Commission**

Roger Avie	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
MaryEllen Hopfe	3 years	February 1, 2024
Joel Sloan	3 years	February 1, 2024
Irwin Moyna	Unexpired Term	February 1, 2023

**Farmington Area Arts Commission**

Joy Gradin	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
Sean Deason	3 years	February 1, 2024
Ted Hadfield	3 years	February 1, 2024
Jeffrey Dutka	Unexpired term	February 1, 2023

**Farmington Area Commission on Aging**

Katherine Marshall	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
Karina Weglarz	3 years	February 1, 2024
Linda Lee	3 years	February 1, 2024

**Farmington Community Library Board**

Renee Murphy	<b>Length of Term:</b> 4 years	<b>Term ending:</b> February 1, 2025
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**Farmington Hills Beautification Commission**

Jennifer Chinn	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
Carol Kurth	3 years	February 1, 2024

**Fire Board of Appeals**

Roberta Nebus	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
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**Historical Commission**

James Hulett	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
John Scott	3 years	February 1, 2024

**Historic District Commission**

John Trafelet	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
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**Housing Rehabilitation Loan Board**

Dara Gaucher	<b>Length of Term:</b> 2 years	<b>Term ending:</b> February 1, 2023
Brande Smith	2 years	February 1, 2023

**International Property Maintenance Board**

Roberta Nebus	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
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**Parks and Recreation Commission**

Larry Hutchinson	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
Amy Hall	3 years	February 1, 2024
Cheryl Ruffolo	3 years	February 1, 2024

**Planning Commission**

Barry Brickner	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
John Trafelet	3 years	February 1, 2024
Steve Stimson	3 years	February 1, 2024

**Zoning Board of Appeals**

Dennis King	<b>Length of Term:</b> 3 years	<b>Term ending:</b> February 1, 2024
Daniel Vergun	3 years	February 1, 2024
Michael O'Connell	3 years	February 1, 2024

**Commission on Community Health**

Jeanette Carney	<b>Length of Term:</b> Unexpired term	<b>Term ending:</b> February 1, 2023
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**Board of Review**

Andrew Exline - Alternate	<b>Length of Term:</b> Unexpired Term	<b>Term ending:</b> February 1, 2022
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**Historical Commission**

Michael Mathis	<b>Length of Term:</b> Unexpired Term	<b>Term ending:</b> February 1, 2023
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Roll Call Vote:

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

MOTION CARRIED 7-0.

**CONSIDERATION OF APPROVAL OF REQUEST FOR EXTENSION OF FINAL APPROVAL OF PRELIMINARY PLAN FOR WHISPERING MEADOWS ESTATES (SITE CONDOMINIUM PLAN 1, 2013)**

Ed Gardiner, Director of Planning and Community Development, explained that final preliminary approval was originally granted for this project that proposed to subdivide 6 or 7 lots into 6 lots on Howard Road. He noted that final preliminary approval is granted by City Code for a period of two years and since it has been beyond that time, an extension of the final approval is required in order for the developer to continue the project.

John Pastor, proponent, explained that at the time of final approval for the preliminary plan, his company was busy with other projects and while they should have been aware of the 2-year time frame, they are ready now to complete the project either this year or next depending on sales. In response to City Council, he responded that he did not anticipate that another extension would be needed.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the request for extension of final approval of preliminary plan for Whispering Meadows Estates (Site Condominium Plan 1, 2013).

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

**RESOLUTION REGARDING TEMPORARY OUTDOOR SALES EVENT LICENSE.**

Director Gardiner explained that City Council previously adopted a resolution to allow for temporary outdoor sales, particularly for restaurants, but also other establishment, that would allow for outdoor sales to be approved administratively in light of the pandemic. He stated that the resolution expired October 31, 2020 and staff is proposing adoption of the attached resolution that would extend the approval process established previously with the exception of barber shops and beauty salons that have been removed from the resolution per the State's objection when initially included.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON HILLS

**RESOLUTION NO. R-17-21**

**RESOLUTION REGARDING TEMPORARY OUTDOOR SALES EVENT LICENSE  
AUTHORIZATION AND REQUIREMENTS FOR REOPENING CERTAIN BUSINESSES  
DURING THE COVID-19 PANDEMIC**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, attended remotely and held electronically from the City Council Chambers on January 15, 2021, at 7:30 o'clock p.m., with those present and absent being:

PRESENT: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

ABSENT: NONE

The following preamble and resolution were offered by Councilperson Knol and supported by Councilperson Massey:

**WHEREAS**, on March 10, 2020, the Governor issued Executive Order 2020-4, declaring a State of Emergency across the State of Michigan relating to the novel Coronavirus 19, or COVID-19; and

**WHEREAS**, throughout 2020, the State of Michigan and the City of Farmington Hills has issued various emergency declarations, resolutions, orders, and rules relating to the Coronavirus pandemic, some of which included temporary state restrictions on the use of places of public accommodation, which resulted in the closure of restaurants and bars across the state, including in the City; and

**WHEREAS**, at one point in time during 2020, the state relaxed its restrictions and allowed places of public accommodation, such as bars and restaurants, to partially re-open, at which time the City adopted Resolution R-108-20, dated June 8, 2020, temporarily authorizing the extension of certain permitted uses into outdoor spaces not otherwise allowed to be used for such businesses, because of—and only because of—the occupancy limitations and social distancing requirements necessary to respond to the COVID-19 pandemic; and

**WHEREAS**, in November, 2020, the State of Michigan experienced a high and rapidly increasing rate of spread of COVID-19, and the Michigan Department of Health and Human Services (“MDHH”) issued an order that implemented state restrictions that resulted in restaurant and bar businesses in the City to again either close their business or be open only for limited outdoor service and carry-out service and also affected the operations of other businesses in the City; and

**WHEREAS**, on January 22, 2021, the Director of the Michigan Department of Health and Human Services issued an order that relaxed the restrictions on food service establishments again permitting the gradual and partial reopening of food service establishments within the City subject to limitations on occupancy, requirements for social distancing, and other restrictions; and

**WHEREAS**, based on the above developments since the adoption of Resolution R-108-20 and the reasons and explanations provided in said Resolution, and also recognizing that the temporary authorizations provided under that Resolution expired just prior to the November, 2020 MDHH order referenced above, the City Council wishes to renew and re-adopt the temporary authorizations provided under Resolution R-108-20 for the extension of certain permitted uses into outdoor spaces not otherwise allowed to be used, because of—and only because of—the occupancy limitations and social distancing requirements necessary to respond to the COVID-19 pandemic, and for no other purpose or duration.

**NOW THEREFORE, IT IS THEREFORE RESOLVED** that City Council renews, restates, and re-adopts paragraphs 1-8 of its Resolution R-108-20 herein by this reference and as if fully set forth herein, except it shall not apply to barber shops and beauty salons and except for subparagraph 4.d and paragraph 5 which are amended and restated to read as follows:

4.d. A license approved under this Resolution shall expire and the permitted temporary outdoor business uses shall immediately cease and be discontinued on the same date that the authorizations set forth in this Resolution are no longer effective or are revoked (see paragraph 5).

5. The authorizations set forth in this Resolution shall remain effective until: (a) the State of Michigan discontinues occupancy limitations and social distancing requirements relating to the pandemic conditions in Michigan as to all of the businesses listed in paragraph 4 of this Resolution; (b) the City adopts an ordinance or ordinances relating to the subject matter of this Resolution; or (c) the City Council revokes or amends this Resolution. If the State of Michigan discontinues occupancy limitations and social distancing requirements as to some, but not all of the types of businesses listed in paragraph 4 of this Resolution, then this Resolution shall only remain effective as to those businesses that remain subject to such State restrictions.

AYES: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

NAYES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN         )  
  ) ss.  
COUNTY OF OAKLAND     )

**CONSIDERATION OF APPEAL OF A FREEDOM OF INFORMATION ACT (FOIA) REQUEST DATED NOVEMBER 17, 2020.**

Carlito Young, Attorney, explained that the City received an appeal to the redaction of certain information when fulfilling a FOIA request for a Police Report. He explained that the information redacted was found to be potentially inculpatory and potentially embarrassing to the individual in question and was essentially “hear say” as the person requesting the FOIA who was the other party involved in the incident did not wish to press charges. Due to this fact, the responding Police Officers had no reason to further investigate the case or question witnesses so there was nobody to corroborate the statements made.

Attorney Young indicated that it is his opinion after reviewing the circumstances involved, that the Police Department had a legitimate basis to redact certain aspects of the Police Report. He noted that the person filing the appeal could file a lawsuit arguing that the comments made are not private, but he feels the City if Council chooses to affirm the decision of the Police Department, would have a good case to support their decision.

Attorney Young outlined City Council’s options for this matter that included affirming the Police Department’s decision to redact all personal contact information, as well as certain statements made, from the Police Report or to affirm the decision to redact only the personal contact information and reverse the Police Department’s decision to redact the portions of the report detailing the alleged incident.

It was noted that the person filing the appeal was sent information regarding the meeting but was not present to speak.



MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby affirms the Police Department's redaction of the portions of the report describing the other person's alleged comments, statements and contact information at issue in this FOIA appeal for the following reasons:

1. FOIA's exemptions provide support to redact the material in the Police Department's October 17, 2020 police report.
2. The legal precedent supports redacting an individual's contact information and potentially embarrassing or humiliating information contained in the police report.

Some members of Council expressed the desire for more information from the person filing the appeal as well as the Police Officers involved.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby approves tabling the consideration of appeal of a Freedom of Information Act (FOIA) Request dated November 17, 2020 to the next City Council Meeting in order to obtain further information.

Roll Call Vote:

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

MOTION CARRIED 5-2.

#### **CONSENT AGENDA**

#### **RECOMMENDED APPROVAL OF CHANGES TO THE CITY OF FARMINGTON HILLS FACILITY USE POLICY. CMR 1-21-13**

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves changes to the City of Farmington Hills Facility Use Policy.

Roll Call Vote:

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

MOTION CARRIED 7-0.

#### **RECOMMENDED APPROVAL OF AGREEMENT WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION (MDOT) FOR THE PAVEMENT RECONSTRUCTION PROJECT ON ELEVEN MILE ROAD BETWEEN MIDDLEBELT AND INKSTER ROAD. CMR 1-21-14**

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the Acting City Manager and City Clerk to enter into Agreement #20-5492 on behalf of the City with the Michigan Department of Transportation for the reconstruction and resurfacing of Eleven Mile Road between Middlebelt Road and Inkster Road.

Roll Call Vote:

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

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF PURCHASE OF F550 HOOK-LOADING DUMP TRUCK AND ADDITIONAL ATTACHMENTS WITH TRUCK AND TRAILER SPECIALTIES FOR AN AMOUNT NOT TO EXCEED \$69,000, AND PURCHASE OF TRUCK CHASSIS WITH SIGNATURE FORD IN THE AMOUNT OF \$43,046. CMR 1-21-15**

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby authorizes the Acting City Manager to issue a purchase order to Truck and Trailer Specialties of Dutton, MI for an amount not to exceed \$69,000.00 for the purchase of F550 hook-loading dump truck and additional attachments; and

IT IS FURTHER RESOLVED, that the City Council authorizes the Acting City Manager to issue a purchase order to Signature Ford of Owosso, Michigan for a total of \$43,046.00 for the purchase of a F550 truck chassis.

Roll Call Vote:

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

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF JANUARY 11, 2021.**

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of January 11, 2021.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF JANUARY 11, 2021.**

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of January 11, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY AND NEWLIN

Nays: NONE  
Absent: NONE  
Abstentions: STRICKFADEN

MOTION CARRIED 6-0-0-1.

**ADDITIONS TO AGENDA**

**ADJOURNMENT**

MOTION by Bridges, support by Strickfaden, to adjourn the regular session City Council meeting at 8:59pm.

Roll Call Vote:

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

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk