

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
JANUARY 27, 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 at 7:30p.m.

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 and Randle Seimer, Police Chief Nebus and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Dr. Bob Herrera, Farmington Public School Superintendent, led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

MOTION by Bridges, support by Massey, to approve the regular session meeting agenda as amended with the removal of Consent Agenda item #11 - Recommended approval of award of bid for gasoline and diesel fuel.

MOTION CARRIED 7-0.

SUSTAINABLE FARMINGTON HILLS TIP OF THE MONTH

The following Tip of the Month was read by Councilmember Bridges:

Sustainable Farmington Hills
Tip of the Month
January 2020

“Plastic debris makes up about 80% of the litter on Great Lakes shorelines. Nearly 22 million pounds enter the Great Lakes each year—more than half of which pours into Lake Michigan, according to estimates calculated by the Rochester Institute of Technology. Regardless of size, as plastics linger in the water, they continue to break down from exposure to sunlight and abrasive waves.” So what can you do to help eliminate plastic waste?

1. When going to the grocery store or farmers market bring your own reusable bags.
2. When purchasing food, such as cereal, pasta, and rice from bulk bins. You can fill a reusable bag or container. It will save you money and unnecessary packaging.
3. Try to pack your lunch in reusable containers and bags. Also, consider packing fresh fruits and veggies instead of products that come in single serving cups.

For more tips and information please visit www.sustainablefh.com

PROCLAMATION HONORING AND THANKING POLICE CHIEF CHARLES NEBUS FOR EXEMPLARY SERVICE TO THE CITIZENS OF FARMINGTON HILLS

The following Proclamation was read by Councilmember Massey and accepted by Police Chief Nebus:

PROCLAMATION
Police Chief Charles Nebus
In Recognition of Exemplary Service to the Citizens of Farmington Hills

- WHEREAS,** Charles Nebus served the City of Farmington Hills with honor and distinction as a member of the Police Department for 40 years, and as the Chief of Police for ten years; and
- WHEREAS,** under his leadership, the Farmington Hills Police Department achieved prestigious full accreditation status from the Michigan Association of Chiefs of Police, and the City was consistently ranked as one of the Safest Cities in Michigan and the United States, was designated as the 22nd Safest U.S. City to Raise a Child, and was named in the Top Five Safest Cities to Retire in the U.S.; and
- WHEREAS,** Chief Nebus exemplified the proud tradition of the Police Department and honorably represented all those who courageously served our community during his time in the Patrol Division, Juvenile Section, Crime Prevention Section, Special Patrol Operations Team, Detective Section, Administrative Division, and Investigative Bureau; and
- WHEREAS,** Chief Nebus played a pivotal role in promoting a sense of cooperation and understanding between our residents and the Police Department, in reducing crime to historically low levels, and in reinforcing the Police Department's strong commitment to delivering superior police services without prejudice or partiality; and
- WHEREAS,** Chief Nebus is the Past President of both the Oakland County Chiefs of Police and the Southeast Michigan Chiefs of Police, served for six years as the Farmington Public Safety Director, and was an instructor for over 32 years at the Oakland Police Academy; and
- WHEREAS,** he is a graduate of the Michigan State Police Academy, the Northwestern University School of Police Staff and Command, and the FBI National Academy, and holds a Bachelor's Degree in Criminal Justice from Madonna University, and a Master's Degree in Interdisciplinary Technology from Eastern Michigan University; and
- WHEREAS,** during his extensive and distinguished law enforcement career, Chief Nebus received over 60 awards and citations, and was known for his stellar reputation as a professional, a gentleman, and a role model for members of the Police Department.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby honor and thank **Police Chief Charles Nebus** for his loyal

service to the people of our City, and encourage everyone to respect and recognize the work of this highly dedicated individual.

Chief Nebus thanked the Mayor and City Council and staff for their support. He congratulated the new Police Chief, Jeff King, and spoke on his ability to lead the Police Department.

Mayor and Council congratulated Police Chief Nebus for his many years of service to the City. Mayor Barnett congratulated and introduced the newly appointed Police Chief, Jeff King, who was in the audience.

CORRESPONDENCE

The following correspondence was acknowledged:

Emails from a resident that was part of current litigation so could not be discussed
Correspondence on traffic issues on Middlebelt between 12 and 13 Mile Roads from a Woodcreek resident. This was provided to the City Clerk and City Manager for review.

CONSENT AGENDA

MOTION by Massey, support by Boleware, to approve the Consent Agenda as read (item #11 was removed above and not read as part of the consent agenda)

Roll Call Vote:

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

MOTION CARRIED 7-0.

CONSENT AGENDA ITEMS FOR DISCUSSION

There was no consent agenda items discussed.

PUBLIC QUESTIONS AND COMMENTS

Dr. Bob Herrera, Farmington Public Schools Superintendent spoke regarding the Farmington Public School bond proposal that is on March 10th Presidential Primary ballot.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following comments/announcements were made:

- Thank you to the Department of Public Services for efforts during the last snow storm
- India Fest was held at the Farmington Hills Manor this past Saturday
- Residents are able to view on the city website a live map showing the route for the city plows during a snow storm.
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CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- Police and Fire will be hosting a CPR and Narcan training February 3rd from 6pm to 9pm at City Hall

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF AUTHORIZING THE GRAVEL ROAD CONVERSION TO HARD SURFACE PAVEMENT FOR MUER COVE DRIVE AND MIRLON DRIVE SOUTH OF THE MINNOW POND DRAIN. CMR 1-20-11

Karen Mondora, Director of Public Services, explained the scope of the project and process under the city's Gravel Road Conversion Policy. She noted that ultimately there were 77% of the residents in favor of the proposed paving project.

Mayor Barnett opened the public hearing.

Myrna Proctor, Mirlon Drive, spoke of the peacefulness of the area and the ambience that she enjoyed and stated that she likes the gravel roads. She expressed concern that the vote did not include the entire subdivision and therefore did not have a majority in favor of the project. She requested that Mirlon was removed from the scope of the project or at least that the pavement is cut short of her house and the neighbor to her south as that neighbor also was not in favor of the paving project.

Cynthia Rose, Mirlon, stated that she was surprised that only a portion of the subdivision was to be paved and was in favor of paving the entire subdivision. She inquired whether water and sewer would be required prior to paving. She felt that property values could decrease if the entire subdivision was not paved.

Brad Hieb, Muer Cove, noted that there was an overwhelming majority of residents in favor of the paving project and it was his understanding that the necessary infrastructure was already in place.

Kirk Horvet, Mirlon, commented on the issue with snowplowing gravel roads and the gravel mixed in the snow that ends up in driveways that needs to be shoveled. He felt the pavement would help with that issue. He expressed that he was in favor of the project.

Tanya McCue, Mirlon, commented that two of the homes that voted no for the paving project do not have city water.

Erin Firment, York Ridge, questioned why the city could not look at each street separately and determine the majority by street.

Barb Acho, Muer Cove, expressed she is in favor of the project.

Barry Goldstrom, Mirlon, express that he is in favor of the paving project.

William Poirier, Muer Cove, briefly discussed the pros and cons of the project and clarified that there was a majority in favor of the paving on Mirlon.

Don Timmer, Muer Cove, stated that his street voted and paid for city water and he is in favor of paving the roads. He does not feel that the residents who are not in favor of the project that live on Mirlon should prohibit the project from moving forward for Muer Cove residents.

There being no further comments, Mayor Barnett closed the public hearing.

Discussion was held on connecting to city water and sewer and excluding the 2 homes from the project as requested by Ms. Proctor.

Director Mondora explained that water and sewer is not a requirement of paving; however, staff does use that as an opportunity to review areas and determine whether it is cost effective to put in at that time and then any recommendation is brought forth to City Council for consideration as part of the project. There is no obligation for residents to connect to the utilities unless there is a need or desire to do so.

James Cubera, City Engineer, noted that there is water main on Mirlon that stops short of the creek so there are two homes that currently do not have city water.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby authorizes the conversion of Muer Cove Drive and Mirlon Drive south of the Minnow Pond Drain from gravel to hard surface; and

IT IS FURTHER RESOLVED, that City Council authorizes City staff to identify a specific project schedule for this conversion consistent with the Capital Improvement Program and within the City's Local Road budget and also accounting for any specific issues presented by this conversion; and

IT IS FURTHER RESOLVED, that the two lots at 29766 Mirlon and 29732 Mirlon are removed from the project area.

MOTION CARRIED 7-0.

NEW BUSINESS
CONSIDERATION OF APPROVAL OF APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

MOTION by Massey, support by Bridges, 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:

Brownfield Redevelopment Authority

	Length of Term:	Term ending:
Dave Boyer	3 years	February 1, 2023
George Curran III	3 years	February 1, 2023
Tom Wilkinson	3 years	February 1, 2023

Commission on Children, Youth & Families

	Length of Term:	Term ending:
Diane Hague	3 years	February 1, 2023

Commission on Community Health

	Length of Term:	Term ending:
Joseph Curran	3 years	February 1, 2023
Fareeha Shuttari	3 years	February 1, 2023

Committee to Increase Voter Participation

	Length of Term:	Term ending:
Laureen Thornhill	3 years	February 1, 2023

Economic Development Corporation

Scott Elliott	Length of Term: 6 years	Term ending: February 1, 2026
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Emergency Preparedness Commission

Paul Szymusiak	Length of Term: 3 years	Term ending: February 1, 2023
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Farmington Area Arts Commission

Lesa Ferencz	Length of Term: 3 years	Term ending: February 1, 2023
Celeste McDermott	3 years	February 1, 2023

Farmington Area Commission on Aging

Mary Buchan	Length of Term: 3 years	Term ending: February 1, 2023
Chuck Collins	3 years	February 1, 2023
Julie McCowan	3 years	February 1, 2023

Farmington Hills Beautification Commission

Kathie Brown	Length of Term: 3 years	Term ending: February 1, 2023
Betti Pool	3 years	February 1, 2023
Rita Roberts	3 years	February 1, 2023

Historical Commission

Lee Cox	Length of Term: 3 years	Term ending: February 1, 2023
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Historic District Commission

Lisa Martin	Length of Term: 3 years	Term ending: February 1, 2023
Bryan Brincat	3 years	February 1, 2023

Housing Rehabilitation Loan Board

Samuel Ramsey III	Length of Term: 2 years	Term ending: February 1, 2022
John Goshorn	2 years	February 1, 2022
Tracy Clark	2 years	February 1, 2022

Parks and Recreation Commission

Judy Antishin	Length of Term: 3 years	Term ending: February 1, 2023
Larry Winkelman	3 years	February 1, 2023
Steve Stimson	3 years	February 1, 2023

Planning Commission

Dale Countegan	Length of Term: 3 years	Term ending: February 1, 2023
Chris McRae	3 years	February 1, 2023

Steven Schwartz 3 years February 1, 2023

Zoning Board of Appeals

	Length of Term:	Term ending:
Daniel Irvin - alternate	3 years	February 1, 2023
Erik Lindquist	3 years	February 1, 2023
Brian Rich	3 years	February 1, 2023

Grand River Corridor Improvement Authority

	Length of Term:	Term ending:
Samantha Seimer	Vacancy	February 1, 2023

MOTION CARRIED 7-0.

CONSIDERATION OF ADOPTION OF A RESOLUTION TO REVOKE THE EMERGENCY ACCESS SECURITY GATE REQUIREMENT PERTAINING TO THE KIMBERLY GARDENS SUBDIVISION SITE CONDOMINIUM 1, 1999.

City Manager Boyer explained that the city has received a request from the Condominium Association responsible for maintaining the gate requesting for the gate to be removed.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS

RESOLUTION AMENDING RESOLUTION R-100-01 TO REVOKE THE EMERGENCY ACCESS SECURITY GATE REQUIREMENT PERTAINING TO KIMBERLY GARDENS SUBDIVISION SITE CONDOMINIUM 1, 1999

RESOLUTION NO. R-23-20

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on January 27, 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 Newlin and supported by Councilperson Steckloff:

WHEREAS, on May 15, 2001, City Council adopted Resolution R-100-01 approving the final preliminary plan for Kimberly Gardens Subdivision Site Condominium 1, 1999, which included the following contingency: "That there be emergency access only to Belfast with a remote control breakaway security gate that shall be installed prior to any of the homes being occupied;" and

WHEREAS, during the course of meetings with City Staff and a public hearing on December 9, 2019 regarding the paving of Belfast Street, a number of residents living along Belfast and in the Kimberly Gardens Subdivision expressed their opinions regarding the proposed removal of the emergency gate between Belfast and Kimberly Gardens Subdivision, most of whom were in favor or did not object; and

WHEREAS, on December 18, 2019, the President of the Kimberly Gardens Condominium Association issued a letter on behalf of the Kimberly Gardens residents asking City Council to revoke its prior requirement for a breakaway gate established by R-100-01; and

WHEREAS, on January 13, 2020, the President of Kimberly Gardens Condominium Association appeared before City Council, personally, to reinforce his request for removal of the gate requirement; and

WHEREAS, City Staff and the Fire Marshal have indicated a preference for unrestricted access and removal of the gate from a public health, safety and welfare standpoint.

NOW, THEREFORE, IT IS HEREBY RESOLVED that, based upon the above considerations, City Council hereby amends its Resolution R-100-01, dated May 15, 2001, to revoke and eliminate the requirement “that there be emergency access only to Belfast with a remote control breakaway security gate that shall be installed prior to any of the homes being occupied,” and directs the City Planning and Community Development Department and Public Services Department to place a certified copy of this Resolution in their respective official site plan and engineering plan files pertaining to the Kimberly Gardens Subdivision Site Condominium Plan 1, 1999 as an addendum to such plans.

AYES: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STECKLOFF
NAYES: NONE
ABSENT: NONE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED JANUARY 27, 2020.

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE AMENDING THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 29, “TAXATION,” ARTICLE II. “REAL ESTATE TAX EXEMPTION FOR HOUSING DEVELOPMENTS FOR THE ELDERLY,” DIVISION 2, “PROVISIONS PERTAINING TO SPECIFIC DEVELOPMENTS,” SECTION 29-40.3, “FREEDOM SQUARE APARTMENTS,” TO MODIFY THE TERM OF THE EXEMPTION AND THE AMOUNT OF SERVICE CHARGE PAID IN LIEU OF TAXES. CMR 1-20-12

Matt Dingman, City Assessor, explained that in 1990 the city approved an ordinance providing an exemption to Ad Valorem taxes for Freedom Square Apartments in exchange for Payment in Lieu of Taxes (PILT) for essential services under the State Housing and Development Act of 1966. The Act is designed to incentivize low-income housing. He noted that the PILT is set to expire in September of 2022 or when the MSDHA loan is paid off; however, the property owners have contacted the city requesting to refinance their MSHDA loan with a new HUD loan to make needed repairs and upgrades to the property. The property owners have requested an extension of the PILT. The City attorney and staff have reviewed the essential services along with ordinance language before City Council this evening that would modify the term of the exemption and amount of service charge paid in lieu of taxes.

MOTION by Boleware, support by Massey, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance amending the Farmington Hills Code of Ordinances, Chapter 29, “Taxation,” Article II. “Real Estate Tax Exemption for Housing Developments for the Elderly,” Division 2, “Provisions Pertaining to Specific Developments,” Section 29-40.3, “Freedom Square Apartments,” to modify the term of the exemption and the amount of service charge paid in lieu of taxes.

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 RESCHEDULING THE MARCH 9, 2020 CITY COUNCIL MEETING TO MARCH 16, 2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby reschedules the regular City Council meeting of March 9, 2020 to March 16, 2020.

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 AMENDED ZONING BOARD OF APPEALS BYLAWS.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the amended Zoning Board of Appeals bylaws as approved by the Board of Appeals at their meeting held January 14, 2020.

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 PROPOSAL FOR MUNICIPAL BROADBAND NETWORK ASSESSMENT AND FEASIBILITY ANALYSIS TO CCG CONSULTING WITH FINLEY ENGINEERING IN THE AMOUNT OF \$50,250. CMR 1-20-13

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby authorizes the City Manager to approve a contract with CCG Consulting w/ Finley Engineering for a Municipal Broadband Network Assessment and Feasibility Analysis in the amount of \$50,250.

Roll Call Vote:

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

MOTION CARRIED 7-0.

ACKNOWLEDGMENT OF QUARTERLY INVESTMENT REPORT AND FY 2019/20 SECOND QUARTER FINANCIAL SUMMARY REPORT.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby acknowledges the Quarterly Investment Report and FY 2019/20 Second Quarter Financial Summary Report.

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 CITY COUNCIL GOALS SESSION MEETING MINUTES OF JANUARY 11, 2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council goals session meeting minutes of January 11, 2020.

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 STUDY SESSION MEETING MINUTES OF JANUARY 13, 2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of January 13, 2020.

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 JANUARY 13, 2020.

MOTION by Massey, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of January 13, 2020.

Roll Call Vote:

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

MOTION CARRIED 7-0.

CLOSED SESSION

CONSIDERATION OF APPROVAL TO ENTER INTO A CLOSED SESSION TO DISCUSS THE COLLECTIVE BARGAINING AGREEMENT FOR POLICE OFFICERS ASSOCIATION OF MICHIGAN AND PENDING LITIGATION *ELEANOR MOSS V CITY OF FARMINGTON HILLS, ET. AL.* (NOTE: COUNCIL MAY RETURN TO OPEN SESSION IMMEDIATELY FOLLOWING THE CLOSED SESSION).

MOTION by Massey, support by Knol, to approve entering into a closed session to discuss the Collective Bargaining Agreement for Police Officers Association of Michigan and pending litigation *Eleanor Moss v City of Farmington Hills, et. al.*

Roll Call Vote:

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

MOTION CARRIED 7-0.

City Council returned to regular session immediately following the closed session at 9:55pm.

City Attorney Joppich explained that the City Attorney's Office discussed with City Council in closed session their recommendation regarding the case of Moss v City of Farmington Hills, et. al. City Council is being asked to determine whether they wish for the attorneys to proceed in the manner recommended by their office with respect to the results of the case evaluation at this time.

MOTION by Knol, support by Massey, to proceed with responding to the case evaluation results in the manner recommended by the City Attorney.

MOTION CARRIED 7-0.

ADJOURNMENT

MOTION by Bridges, support by Massey, to adjourn the regular session meeting at 9:58pm.

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk