

AGENDA
CITY COUNCIL STUDY SESSION
JANUARY 9, 2023 - 6:00PM
CITY OF FARMINGTON HILLS
CITY HALL – COMMUNITY ROOM
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
Telephone: 248-871-2410 Website: www.fhgov.com

1. Call Study Session to Order
2. Roll Call
3. Update from Sport Facilities Companies on the Special Services Facilities and Operations Study
4. Discussion on Revised Planned Unit Development Plan 3, 2021 – 32680 Northwestern Highway
5. Adjourn Study Session

Respectfully submitted,

Pamela B. Smith, City Clerk

Reviewed by:

Gary Mekjian, City Manager

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/accommodations will be made. Thank you.



Inter-Office Correspondence

DATE: December 13, 2022 (January 9, 2023)
TO: Gary Mekjian, City Manager
FROM: Charmaine Kettler-Schmult, Director of Planning and Community Development
SUBJECT: Revised Planned Unit Development (“PUD”) 3, 2021

Applicant: NWH Holdings, LLC (Robert Asmar)
Owner: NWH Holdings, LLC (Robert Asmar)
Sidwell: 22-23-02-126-130
Zoning: B-2, Community Business and B-3, General Business
Master Plan: Multiple-Family Residential and Non-Center Type Business
Location: 32680 Northwestern Highway

Description:

The applicant has submitted for City Council consideration **Revised PUD Plan 3, 2021** to develop a 5.53-acre parcel located at 32680 Northwestern Highway. The application proposes to use the site for a 217-unit multiple-family residential structure with a central courtyard, and underground and surface parking.

Please see Giffels Webster’s review **attached** for a review of the plans and accounting of the deviations from the Zoning Ordinance sought.

Procedural Background:

- February 18, 2021 – Planning Commission qualifies PUD (5-3)
- April 22, 2021 – Planning Commission sets PUD plan for public hearing (5-3)
- July 15, 2021 – Planning Commission holds public hearing on PUD plan and postpones request to August 19, 2021 (9-0) August 19, 2021 – Revised plans presented to Planning Commission—Commission further postpones request to a date uncertain (5-1)
- June 16, 2022 – Revised plans presented to Planning Commission-Commission sets revised PUD plan for public hearing (6-2)
- July 21, 2022 – Commission postpones request to August 18, 2022 (8-0)

- August 18, 2022 – Commission postpones request to September 15, 2022 (8-0)
- September 15, 2022 - Planning Commission holds public hearing on revised PUD plan and recommends PUD plan approval to City Council (7-2) ([minutes](#))
- October 24, 2022 – City Council holds public hearing on revised PUD plan and postpones request to a date uncertain (4-3) ([minutes](#))

Summary of Zoning Deviations Sought:

- Permit multiple-family residential uses within B-2 and B-3 Districts at a density of 543 rooms where 230 rooms is the maximum density permitted in the RC-3 District.
- Permit the height of the multiple-family structure to be 55 feet where 50 is the maximum height permitted.
- Permit a 54.47-foot east side yard setback (from residential) where a minimum 75-foot setback is required.
- Permit 365 parking spaces for the site where 436 spaces are required.

Planning Commission Conditions:

The Planning Commission’s September 15, 2022, motion recommending approval of the PUD plan to City Council passed subject to the following conditions:

- Green roofs, if structurally feasible.
- Underground water storage requirements as set forth in the June 7, 2022, Environmental Review [[attached](#)], setting forth the requirements of proper water storage on the premises, including providing calculation details for the underground detention system.
- Higher density of landscape material will be used on the east side of the building, including taller trees that will be green year-round such as arborvitae, and taller deciduous plants, to act as a blockade between the residential condominiums to the east and this project, and in addition, if required by ordinance and/or staff, a six foot screen wall. The screen wall does not eliminate or reduce the requirement for taller trees and landscaping including shrubs as described.
- Bicycle parking and EV stations be provided, with EV infrastructure installed in the parking structure and elsewhere as appropriate.

Plan Revisions Following October 24, 2022, City Council Meeting:

The revised plans submitted for this evening’s study session consist of two (2) sheets: C-3.0 and C-3.0A. A noteworthy difference between the previous plans and revised plans before you tonight is that the applicant is now showing two (2) alternative surface parking configurations for the site. On Sheet C-3.0, the parking proposed is essentially the same as when the plan was recommended by the Planning Commission, as it provides 365 spaces where 426 are required. On Sheet C-3.0A, by contrast, the parking proposed shows a number of additional land-banked spaces along the east and south sides of the site, which would result in 411 spaces where 426 are required. Therefore, under the alternative shown on Sheet C-3.0A, the applicant would be just 15 spaces short of meeting the parking requirements of the Zoning Ordinance.

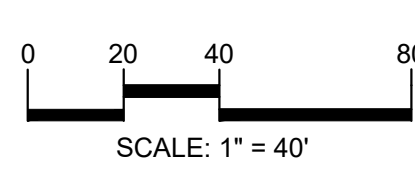
Action Requested:

No formal action is requested. The purpose of this study session item is to discuss the application and provide feedback to the applicants.

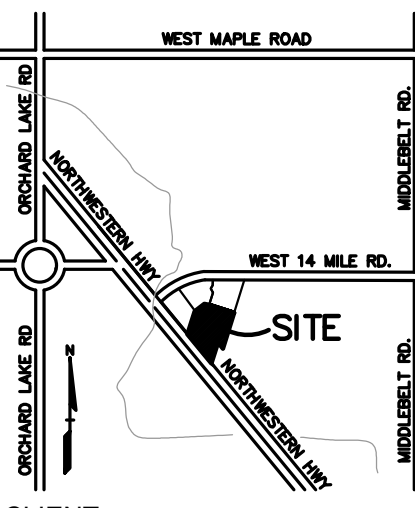
Department Authorization by: Charmaine Kettler-Schmult, Director of Planning and Community Development
Prepared by: Erik Perdonik, City Planner

Attachments:

- **Revised PUD Plan 3, 2021, dated December 16, 2022 (two (2) sheets)**
- **Giffels Webster's review, dated December 21, 2022**
- **September 15, 2022, Planning Commission meeting minutes**
- **October 24, 2022, City Council meeting minutes**
- **Environmental review, dated June 7, 2022**



CAUTION!
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CLIENT
NWH HOLDINGS, LLC
32825 NORTHWESTERN HIGHWAY
FARMINGTON HILLS, MICHIGAN 48326

PROJECT TITLE
STONEFIELD OF FARMINGTON HILLS
3080 NORTHWESTERN HIGHWAY
FARMINGTON HILLS, MICHIGAN 48326

REVISIONS

PER CITY COMMENTS	04-23-2021
REVISED SUBMITTAL	05-28-2021
REVISED SUBMITTAL	08-02-2021
REVISED SUBMITTAL	04-07-2022
REVISED SUBMITTAL	05-19-2022
REVISED SUBMITTAL	07-18-2022
CC STUDY SESSION	12-16-2022

ORIGINAL ISSUE DATE:
MARCH 18, 2020

DRAWING TITLE
PRELIMINARY SITE PLAN

PEA JOB NO.	2020-0129
P.M.	JPB
DN.	JKS
DES.	JDS
DRAWING NUMBER:	

LEGEND

● IRON FOUND	⊗ BRASS PLUG SET	⊙ SEC. CORNER FOUND
⊗ IRON SET	⊗ MONUMENT FOUND	⊙ R. RECORDED
⊗ NAL FOUND	⊗ NAL & CAP SET	⊙ M. MEASURED
⊗ NAL & CAP SET		⊙ C. CALCULATED

EXISTING

- OH-ELEC: ELEC. PHONE OR CABLE TV O.H. LINE, POLE & GUY WIRE
- UG-CATV: UNDERGROUND CABLE TV, CATV PEDESTAL
- UG-PHONE: TELEPHONE U.G. CABLE, PEDESTAL & MANHOLE
- UG-ELEC: ELECTRIC U.G. CABLE, MANHOLE, METER & HANDHOLE
- GAS: GAS MAIN, VALVE & GAS LINE MARKER
- WATER: WATERMAIN, HYD., GATE VALVE, TAPPING BLEWIE & VALVE
- SEWER: SANITARY SEWER, CLEANOUT & MANHOLE
- COMBINED: COMBINED SEWER & MANHOLE
- POST: SQUARE, ROUND & BEEHIVE CATCH BASIN, YARD DRAIN POST INDICATOR VALVE
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- SPOT: SPOT ELEVATION
- CONTOUR: CONTOUR LINE
- FENCE: FENCE
- GUARD: GUARD RAIL
- STREET: STREET LIGHT
- SIGN: SIGN

PROPOSED

- CONC.: CONCRETE
- ASPH.: ASPHALT
- GRAVEL: GRAVEL SHOULDER
- WETLAND: WETLAND
- 310: 310 HEAVY FLOW DUTY ONLY
- STD: STD DUTY STRENGTH

FLOODPLAIN NOTE:
BY GRAPHICAL PLOTTING, SITE IS WITHIN ZONE "X". AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NUMBER 26125C0513F, DATED SEPTEMBER 29, 2006.

SITE DATA TABLE (STONEFIELD OF FARMINGTON HILLS):

SITE AREA:
PARCEL AREA = 5.54 ACRES (241,108 SF)
PUD BOUNDARY = 5.03 ACRES (219,471 SF)
EXISTING ZONING = B-2 & B-3 COMMUNITY BUSINESS DISTRICT
PARCEL ID: 22-23-02-126-130

SETBACKS (BASED ON B-2 REQUIREMENTS):

	REQUIRED	PROVIDED
FRONT (NW HIGHWAY):	75 FEET	96.15 FEET
SIDE YARD (WEST):	20 FEET	49.77 FEET
SIDE YARD (EAST):	75 FEET	50.74 FEET (ADJACENT TO RESIDENTIAL ZONE) (+)
SIDE YARD (NORTH):	20 FEET	60.93 FEET

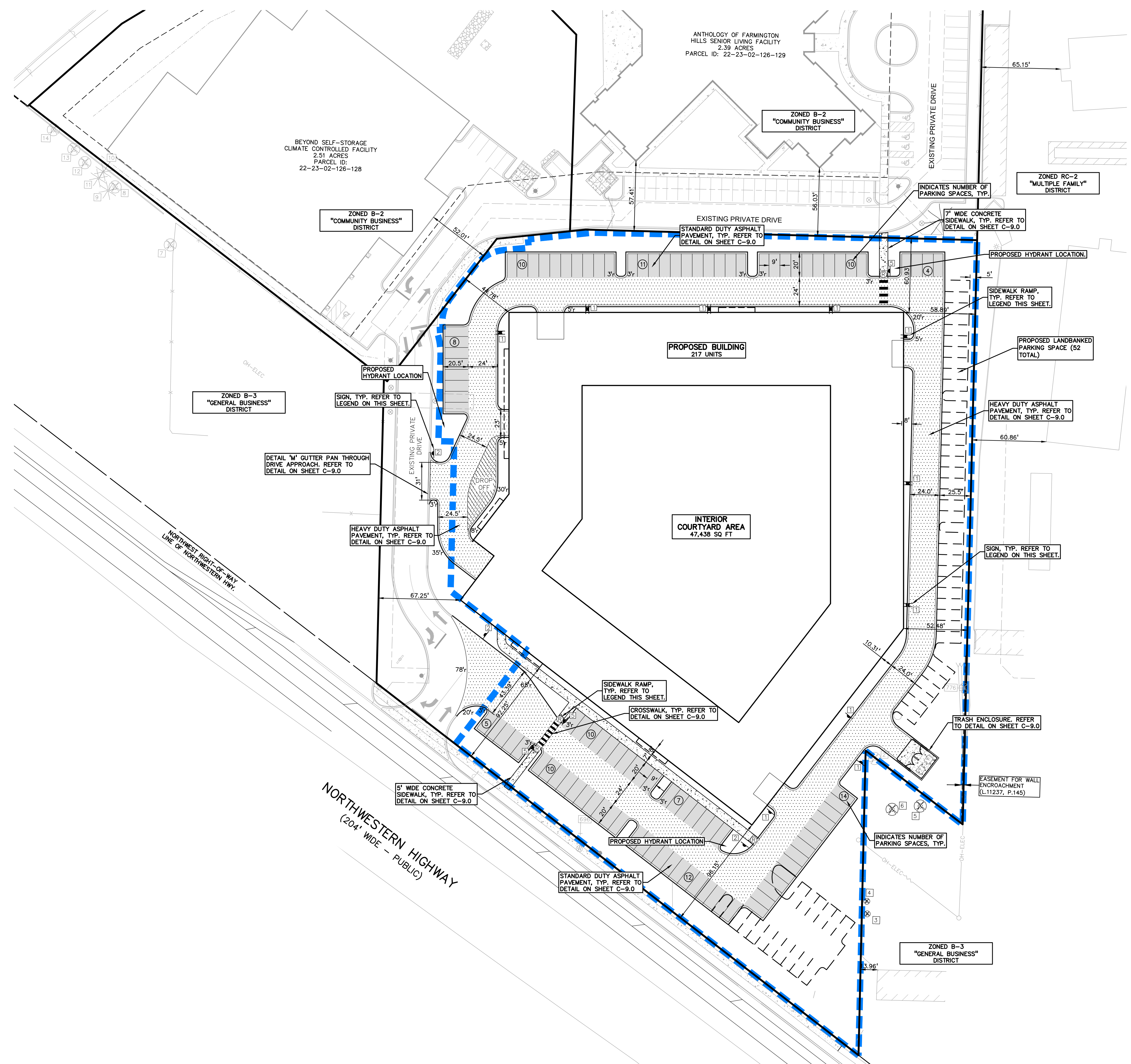
BUILDING INFORMATION (BASED ON B-2 REQUIREMENTS):
BUILDING FOOTPRINT = ±63,540 SQ. FT. (DOES NOT INCLUDE UPPER STORIES)
MAXIMUM BUILDING HEIGHT ALLOWED = 50 FEET
PROPOSED BUILDING HEIGHT = 55'-0" (+)
BUILDING COVERAGE = 28.95% (63540 / 219471)
PERCENT OPEN SPACE (WITHOUT INTERIOR COURTYARD AND WITH LANDBANKED PARKING) = 16.80% (36872 / 219471)
PERCENT OPEN SPACE (WITH INTERIOR COURTYARD AND WITH LANDBANKED PARKING) = 38.42% (84310 / 219471)
PERCENT OPEN SPACE (WITH INTERIOR COURTYARD AND WITHOUT LANDBANKED PARKING) = 43.46% (95393 / 219471)
PERCENT OPEN SPACE (WITHOUT INTERIOR COURTYARD AND WITHOUT LANDBANKED PARKING) = 21.85% (47955 / 219471)

DENSITY (PER ORDINANCE):
PERMITTED PER RC-3 REQUIREMENTS = 230 ROOMS
PROPOSED = 543 ROOMS (+); ((112 x 2) + (101 x 3) + (4 x 4))

PARKING CALCULATIONS:
217 UNITS; (112-1 BEDROOM UNITS, 101-2 BEDROOM UNITS AND 4-3 BEDROOM UNITS)
PARKING REQUIRED (PER ZONING ORDINANCE) = 2 SPACES FOR 1 AND 2 BEDROOM UNITS; 2.5 SPACE FOR 3 BEDROOM UNITS
REQUIRED PARKING = ((112+101) UNITS x 2 SPACES) + (4 UNITS x 2.5 SPACES) = 426 SPACES
PARKING PROVIDED = 95 SURFACE SPACES + 52 LANDBANKED PARKING + 284 COVERED SPACES = 411 (INC. 9 BARRIER FREE SPACES) (+)
PROPOSED PARKING RATIO = 411 SPACE/217 UNITS = 1.95 SPACES/UNIT

(+) INDICATES THAT A DEVIATION FROM THE ZONING ORDINANCE REQUIREMENT IS BEING REQUESTED AS A PART OF THE PUD APPROVAL.

DEVIATIONS REQUESTED:
HEIGHT: 50' PERMITTED; 55' PROPOSED = 5' DEVIATION
SETBACK (SIDE): 75' REQUIRED; 52.48' PROPOSED = 22.52' DEVIATION
PARKING: 426 REQUIRED; 411 PROVIDED = 15 SPACE DEVIATION
DENSITY: 543 PERMITTED; 230 ROOMS PROPOSED = 313 ROOM DEVIATION



--- PROPOSED PUD BOUNDARY

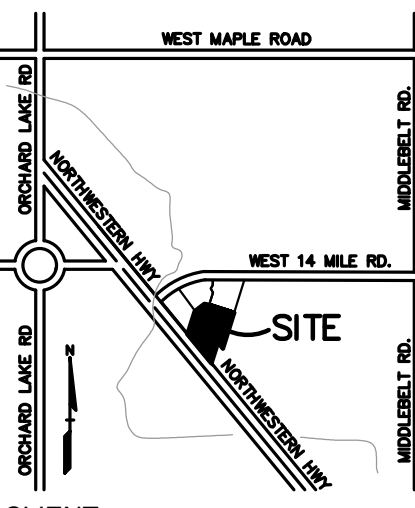
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0 20 40 80
SCALE: 1" = 40'



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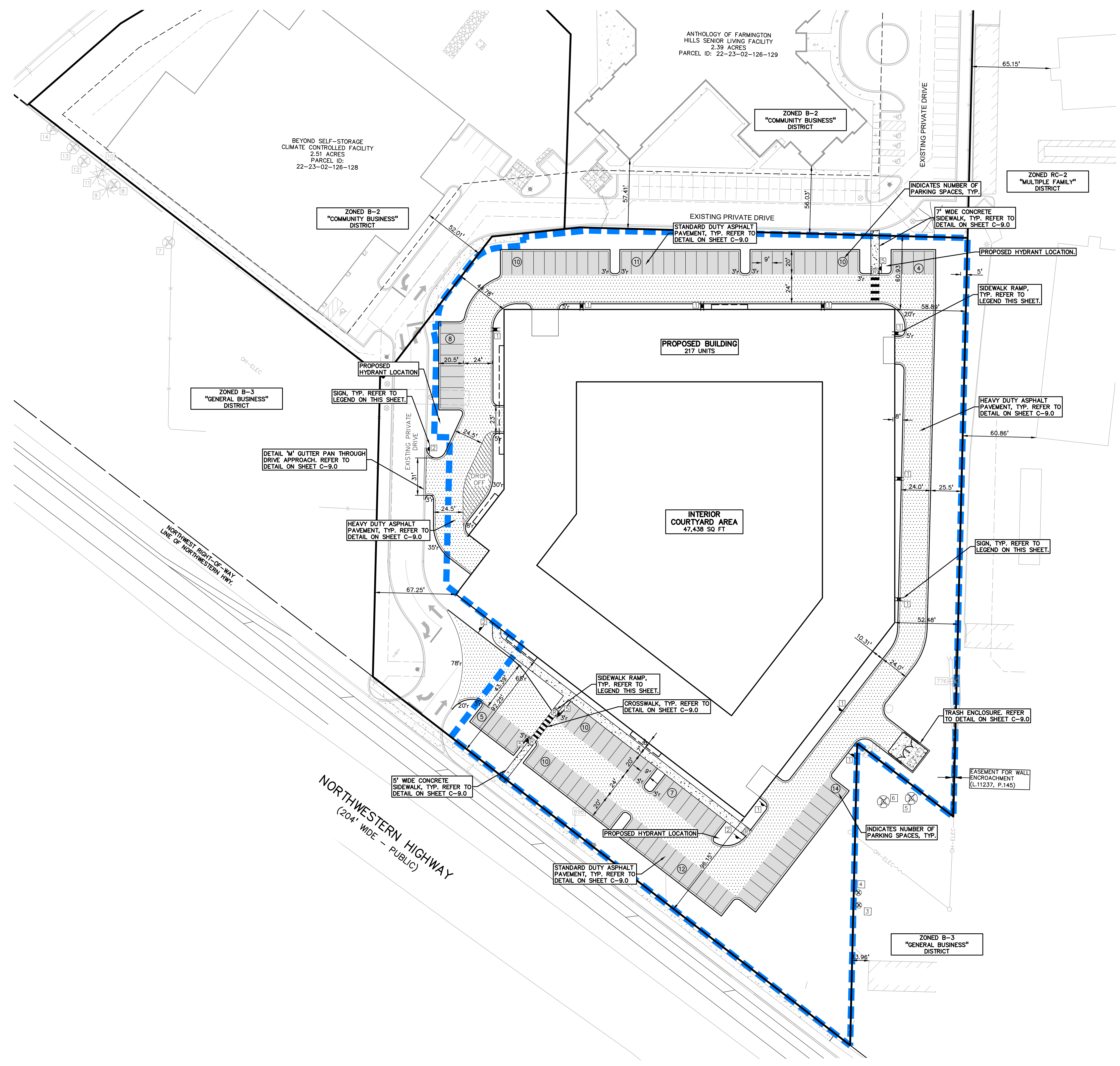
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PARKING: 426 REQUIRED; 365 PROVIDED =	61 SPACE DEVIATION	
DENSITY: 543 PERMITTED; 230 ROOMS PROPOSED =	313 ROOM DEVIATION	

■ ■ ■ ■ ■ PROPOSED PUD BOUNDARY



December 21, 2022

Farmington Hills Planning Commission
31555 W 11 Mile Rd
Farmington Hills, MI 48336

PUD – Final Determination

Case: PUD 3, 2021
Site: 32680 Northwestern Highway (Parcel ID 22-23-02-126-130)
Applicant: NWH Holdings, LLC/Robert Asmar
Plan Date: revised 12/16/2022
Zoning: B-2 Community Business and B-3 General Business

We have completed a review of the application for PUD qualification referenced above and a summary of our findings is below. Items in **bold** require specific action by the Applicant. Items in *italics* can be addressed administratively.



SUMMARY OF FINDINGS

Existing Conditions

1. **Zoning.** The site is currently zoned a mix of B-2 and B-3.
2. **Existing site.** The site is 5.53 acres and is mostly vacant, having been formerly occupied by all or parts of several commercial buildings. The site has no wetlands or other notable natural features.
3. **Adjacent Properties.**

Direction	Zoning	Land Use
North	B-2 w/ PUD (Northpoint)	Senior housing
East	B-3/RC-2 Multiple Family	Commercial/multi-family
South	B-3	Commercial
West	B-2/B-3 w/ PUD (Northpoint)	Commercial

4. **Site configuration and access.** The site is proposed to be accessed from a single driveway, shared with the Northpoint PUD, which occupies the land to the west and north.

PUD Qualification:

Under Section 34-3.20.2, the Planning Commission may make a determination that the site qualifies for a PUD based on the following criteria and procedures. **At its meeting on February 18, 2021, the Planning Commission granted preliminary PUD qualification approval to the site, citing the plan’s compliance with all objective viii of Section 34-3.20.2.E. (see discussion of E below). At the time, planning commissioners generally did not take issue with the proposed use, but several expressed reservations about the scale of the use, particularly its density and height. The PUD was also reviewed by the Planning Commission at its meeting of August 19, 2021, and again June 16, 2022; both times, a recommendation was postponed to provide an opportunity for the applicant to amend the plan in response to discussion at the meeting. The motion to postpone included non-binding advice to the applicant to reduce height and overall density, and increase the east side setback. Density and building height have been reduced since the June meeting. The applicant is seeking final PUD qualification, but is not seeking site plan approval concurrent with final qualification. Preliminary approval is not a guarantee of final approval.**

Criteria for qualifications. In order for a zoning lot to qualify for the Planned Unit Development option, the zoning lot shall either be located within an overlay district or other area designated in this chapter as qualifying for the PUD option, or it must be demonstrated that all of the following criteria will be met as to the zoning lot:

- A. The PUD option may be effectuated in any zoning district.
- B. The use of this option shall not be for the sole purpose of avoiding the applicable zoning requirements. Any permission given for any activity or building or use not normally permitted shall result in an improvement to the public health, safety and welfare in the area affected.
The proposed use—apartments—is not permitted in the B-2 or B-3 districts, though the portion of the site zoned B-2 is planned for multiple-family residential on the Future Land Use map.
- C. The PUD shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards. Problems or constraints presented by applicable zoning provisions shall be identified in the PUD application.

Asserted financial problems shall be substantiated with appraisals of the property as currently regulated and as proposed to be regulated.

The applicant is proposing significantly more density than is permitted in any of the three RC multiple-family districts (more than twice the permitted density of the RC-3 district). The applicant's narrative provides rationale behind the proposed density, essentially averring that a denser development serves as a step-down to the RC-2 district to the east from the commercial uses and regional thoroughfare to the south and east.

- D. The Planned Unit Development option may be effectuated only when the proposed land use will not materially add service and facility loads beyond those contemplated in the Future Land Use Plan unless the proponent can demonstrate to the sole satisfaction of the city that such added loads will be accommodated or mitigated by the proponent as part of the Planned Unit Development.

The number of apartment units proposed on the site clearly exceeds the number of multi-family units that could be built under other multi-family zoning; the site's current commercial designation (primarily B-2) supports uses with a wide array of traffic demands. Nevertheless, this is a large number of units. The applicant provided a traffic study in 2021; we defer to engineering for a review of its findings, and also note that the number of units has increased in the meantime. The complex would utilize the same access point to Northwestern Highway as the rest of the Northpoint PUD; there is not a vehicular connection from the apartments to 14 Mile or the senior housing parking lot.

- E. The Planned Unit Development must meet, as a minimum, one of the following objectives of the city (bold items are those directly addressed in the applicant's original narrative):

- i. **To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses.**

Open space is primarily found on the site in the courtyard commons, though the narrative calls attention to an intent to create a dense buffer to the east and utilize green roofs and landscaping on the building's various tiers to mitigate its overall impact. Plans now show the buffer to the east.

- ii. **To permanently establish land use patterns which are compatible or which will protect existing or planned uses.**

The Future Land Use map does identify the northern portion of this property as multiple-family residential. As the planning commission considers the proposed use's compatibility with surrounding uses, the proposed scale of the use should feature prominently in the discussion.

- iii. To accept dedication or set aside open space areas in perpetuity.
- iv. To provide alternative uses for parcels which can provide transition buffers to residential areas.
- v. **To guarantee the provision of a public improvement which could not otherwise be required that would further the public health, safety, or welfare, protect existing or future uses from the impact of a proposed use, or alleviate an existing or potential problem relating to public facilities.**

The applicant’s narrative cites the access management benefit of the single driveway to Northwestern Highway, versus the separate driveways that previously served the individual commercial sites here.

vi. To promote the goals and objectives of the Master Plan for Land Use.

As noted above, the future land use map does call for multiple-family residential on the B-2 portion of the property, leaving a commercial liner along Northwestern Highway. The proposed project introduces this use, though at a higher density than permitted elsewhere in the city.

vii. To foster the aesthetic appearance of the city through quality building design and site development, the provision of trees and landscaping beyond minimum requirements; the preservation of unique and/or historic sites or structures; and the provision of open space or other desirable features of a site beyond minimum requirements.

The applicant notes that the building is designed to create a gateway appearance for the city, fosters further walkability in the area, and is designed not to look monolithic (some conceptual illustrations were provided, though the planning commission is not making any decision on these or any other aspect of the site plan at this time). Building materials are also cited toward meeting this objective. If this PUD is approved, the PUD Agreement should include reference to proposed exemplary design and materials (including brick masonry and fiber cement products, and the green roof elements mentioned above) that are proposed and require that they be a part of the development.

viii. To bring about redevelopment of sites where an orderly change of use is determined to be desirable.

The applicant’s narrative calls attention to the large number of commercial buildings in the area that are not occupied, or listed for lease or sale, noting that an influx of residents to the area would increase the pool of potential patrons for remaining businesses. The planning commission cited this objective in its motion to grant preliminary PUD qualification.

*Though only one objective must be met by the plan, the applicant’s original narrative directly addressed objectives i, ii, and v.-viii. **At the preliminary qualification stage, the motion to grant preliminary qualification cited only objective viii.***

- F. The PUD shall not be allowed solely as a means of increasing density or as a substitute for a variance request; such objectives should be pursued through the normal zoning process by requesting a zoning change or variance.

An increase in density is certainly sought by the applicant. Given that the proposed use is not permitted in the underlying district, it appears that the request is not made solely to avoid a variance. However, several deviations from ordinance standards would be requested to facilitate the conceptual plan.

G. Request for qualification:

- i. Any person owning or controlling land in the city may make application for consideration of a Planned Unit Development. Unless otherwise provided, such application shall be made by

submitting a request for a preliminary determination as to whether or not a parcel qualifies for the PUD option.

- ii. A request shall be submitted to the city. The submission shall include the information required by subparagraph iii. below.
- iii. Based on the documentation submitted, the planning commission shall make a preliminary determination as to whether or not a parcel qualifies for the PUD option under the provisions of Section 34-3.20.2 above. A preliminary determination that the parcel qualifies will not assure a favorable recommendation or approval of the PUD option, but is intended only to provide an initial indication as to whether the applicant should proceed to prepare a PUD plan upon which a final determination would be based. The submittal must include the following:
 - a. Substantiation that the criteria set forth in Section 34-3.20.2 above, are or will be met.
 - b. A schematic land use plan containing enough detail to explain the function of open space; the location of land use areas, streets providing access to the site, pedestrian and vehicular circulation within the site; dwelling unit density and types; and buildings or floor areas contemplated.
 - c. A plan for the protection of natural features. In those instances where such protection is not an objective of the PUD option, the plan need not be submitted.
- iv. The planning commission shall approve or deny the applicant's request for qualification. Whether approved or denied, the applicant may then proceed to prepare a PUD plan upon which a final determination will be based.

The applicant has submitted a narrative describing the use, addressing the objectives of 34-3.20.2, and a conceptual plan, including a breakdown of the number and types of units sought.

Request for final determination. Per Section 34-3.20.5.B, the following must be submitted when seeking final determination of PUD qualification:

a. A boundary survey of the exact acreage being requested done by a registered land surveyor or civil engineer (scale not smaller than one inch equals one hundred (100) feet).	Y
b. A topographic map of the entire area at a contour interval of not more than two (2) feet. This map shall indicate all major stands of trees, bodies of water, wetlands and unbuildable areas (scale: not smaller than one inch equals one hundred (100) feet).	Y
c. A proposed land use plan indicating the following at a scale no smaller than one inch equals one hundred (100) feet (1" = 100'):	Y
(1) Land use areas represented by the zoning districts enumerated in Section 34-3.1.1 through Section 34-3.1.30 of this chapter.	*
(2) Vehicular circulation including major drives and location of vehicular access. Preliminary proposals as to cross sections and as to public or private streets shall be made.	Y

(3) Transition treatment, including minimum building setbacks to land adjoining the PUD and between different land use areas within the PUD.	Y
(4) The general location of nonresidential buildings and parking areas, estimated floor areas, building coverage and number of stories or height.	Y
(5) The general location of residential unit types and densities and lot sizes by area.	Y
(6) A tree location survey as set forth in Section 34-5.18, Tree Protection, Removal and Replacement.	Y
(7) The location of all wetlands, water and watercourses and proposed water detention areas.	Y
(8) The boundaries of open space areas that are to be preserved and reserved and an indication of the proposed ownership thereof.	Y
(9) A schematic landscape treatment plan for open space areas, streets and border/transition areas to adjoining properties.	Y
d. A preliminary grading plan, indicating the extent of grading and delineating any areas which are not to be graded or disturbed.	Y
e. An indication of the contemplated water distribution, storm and sanitary sewer plan.	Y
f. A written statement explaining in detail the full intent of the applicant, indicating the type of dwelling units or uses contemplated and resultant population, floor area, parking and supporting documentation, including the intended schedule of development.	Y

* The applicant is proposing only a multi-family residential use for the full site.

The applicant has submitted a package meeting the minimum requirements for final determination. As noted above, this is not a submission for site plan, landscape plan, and tree protection plan approval; all of these will need to be submitted with full detail if the City Council grants a final determination that the site qualifies for a PUD.

Conceptual Site Plan & Use:

- 1. Summary of Proposed Use.** The planning commission is not assessing the site plan in detail; the applicant will return with a full site plan. However, the conceptual plans and illustrations provided by the applicant provide an indication of the type of site plan the planning commission can expect if preliminary qualification is granted. The applicant is proposing to construct a 217-unit apartment building around two courtyard commons (earlier conceptual plans had 200 and 253 units, respectively). Access to the site would be from Northwestern Highway, via the same driveway that serves Northpoint Storage. The ground floor of the building is devoted to indoor parking, with all living units on the floors above. The parking lot has been re-configured to eliminate long dead-end aisles and the spaces along the eastern property line.
- 2. Density.** The parcel is 241,095 square feet. Density is determined by the number of rooms. To determine the number of rooms, the following standard (Section 34-3.5.2.F.) is applied:

Efficiency unit: 1 room

One-bedroom unit: 2 rooms

Two-bedroom unit: 3 rooms

Three-bedroom unit: 4 rooms

The applicant has reduced the number of proposed units from 253 to 217, and number of each type has been adjusted to 112 one-bedroom units (224 rooms), 101 two-bedroom units (303 rooms), and 4 three-bedroom units (16 rooms) with a total of **543 rooms**, based on the standard above (514 rooms in the initial plan, 505 on the first revision, 633 on the last version). The following densities are permitted under conventional zoning:

District	Lot Area/sq ft	Rooms permitted
RC-1	1,900	126 rooms
RC-2	1,400	172 rooms
RC-3	1,050	230 rooms

The proposed density is about 2.36 times that of the densest multiple-family district in the city. Density has been decreased from the last iteration of the conceptual plan.

3. **Master Plan.** The master plan’s Future Land Use map designates the portion of the site zoned B-2 as multiple-family residential, and the portion zoned B-3 as non-center-type business. The B-3 portion of the property is consistent with this designation; the B-2 portion is not. The property is not addressed on the residential density map, though it is adjacent to a high-density area, which is described as consistent with the RC districts. The site is not part of any special planning area.

Non-Center-Type Business is described as follows in the Master Plan: *“Non-Center Type Business uses are those that are not compatible with shopping centers and that could have an undesirable impact on abutting residential areas. They include most automobile-oriented uses and outdoor uses; e.g. those that have the greatest impact beyond their boundaries in terms of either traffic generation, noise or appearance. These are the uses that are permitted within the B-3 General Business District.”* Generally speaking, the category anticipates stand-alone sites rather than a planned, walkable environment.

2. **Dimensional Standards.** Generally, it appears that the applicant would be seeking relief from the maximum height (55 ft vs 50 ft) and east side setback standards (52.48 ft vs 75 ft) of the underlying districts. The height of the building has been reduced from previous versions of the plan, from 69 feet to 55 feet.
3. **Parking.** 436 spaces are required for the proposed unit counts (the plan says 426, but seems to have missed the 10 spaces for the 3-bedroom units); 365 spaces are proposed (a ratio of 1.68 spaces per unit), which requires relief from ordinance standards.
4. **Trees and Preliminary Landscaping.** The preliminary landscaping plan correctly accounts for replacement and parking lot tree requirements. Where the east property line was previously lined with parking spaces, the plan has removed these and now proposes a landscape buffer area between this development and the multi-family complex to the east. **The Planning Commission and City Council may wish to discuss additional landscaping, particularly along the north, east, and south property lines, as a condition of PUD qualification; details of such additional screening could be finalized at site plan review.**
5. **Bicycles and EVs.** We previously called attention to the lack of a labeled bicycle parking area (preferably within the garage), and electric vehicle parking spaces. The narrative now refers to bike

storage as an amenity. Providing adequate bike storage could mitigate some of the impact of the deviation from parking requirements sought by the applicant. Electric vehicle spaces will be essential to ensuring the property’s future marketability to renters; their location can be addressed at site plan review.

6. Requirements of the B-2 and B-3 districts:

Standard	B-2 Requirement	B-3 Requirement
Lot Size	--	--
Lot width	--	--
Lot coverage	--	--
Front setback	75 ft	25 ft
Rear setback	20 ft	20 ft
Side setback	20 ft	10 ft
Residential setback	75 ft	20 ft
Side street setback	75 ft	25 ft
Building height	Max. 50 ft/3 stories	Max. 50 ft/3 stories
Front yard open space	20%	50%

Considerations for the Planning Commission and City Council

As this is a planned unit development, and the applicant is seeking some substantial deviations from ordinance standards, the Planning Commission and City Council may wish to discuss with the applicant project elements that bring greater benefit to the wider community such as art or gateway elements on the site that would be visible to pedestrians and motorists traveling in the adjacent right-of-way, public amenities such as a wider sidewalk to accommodate more users, benches along the public sidewalk, greater landscaping in the right-of-way, public art in the right-of-way, or other items.

Relief from Ordinance Standards

Per the application materials, relief is sought from the following ordinance standards:

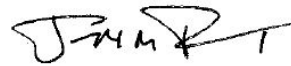
1. **Height:** Proposed maximum height is 55 feet, where 50 feet is permitted in the underlying district (a deviation of 5 feet).
2. **East side setback (to residential):** 52.48 feet is proposed where the underlying district requires 75 feet (a deviation of 22.52 feet).
3. **Density.** The plan does not specify a base district for density standards. 543 rooms are proposed; the maximum number of rooms permitted in the RC-3 district is 230 (a deviation of 313 rooms).
4. **Parking.** 365 spaces are proposed where 436 are required (a deviation of 71 spaces)

We are available to answer questions.

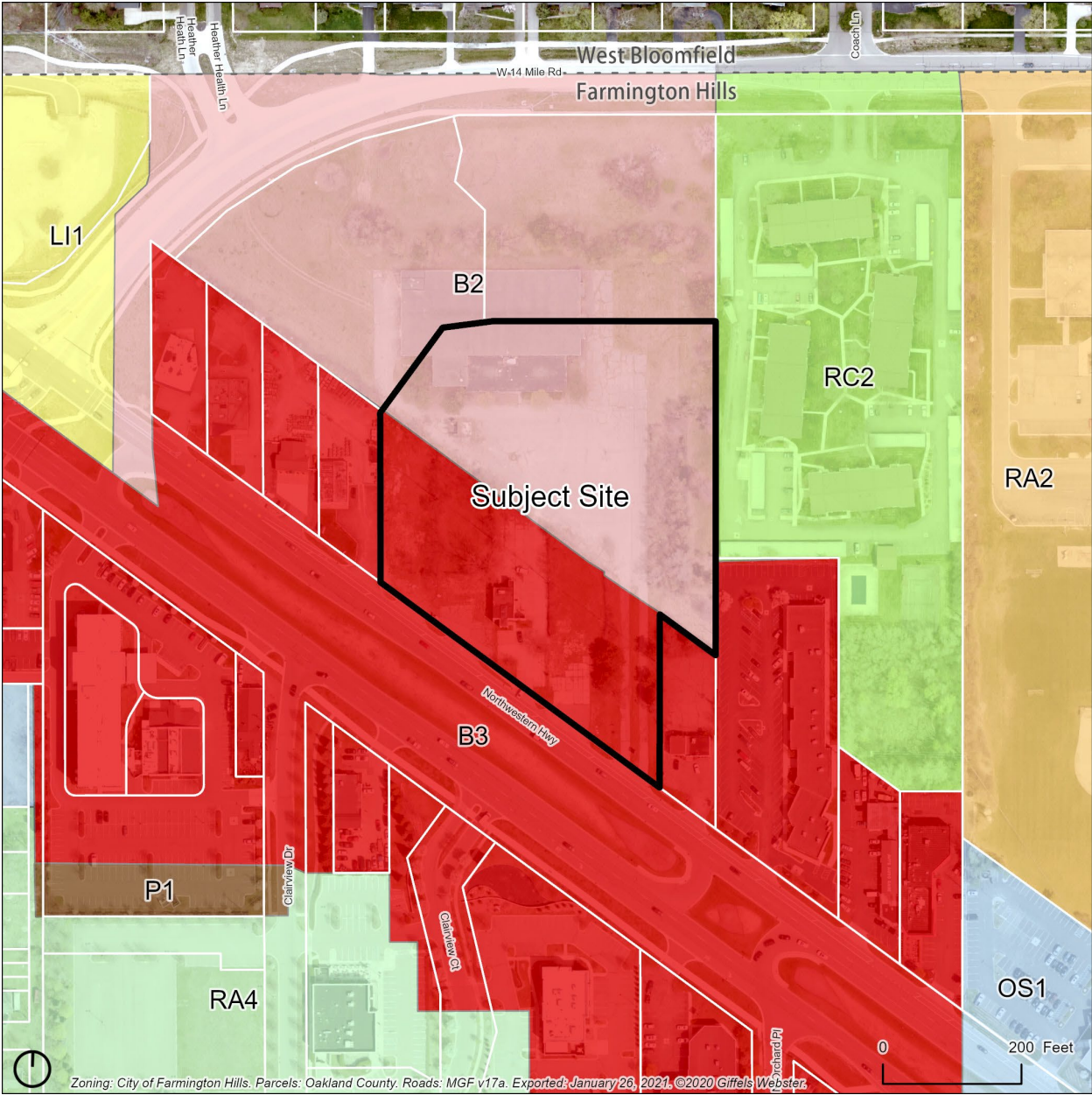
Respectfully,
Giffels Webster



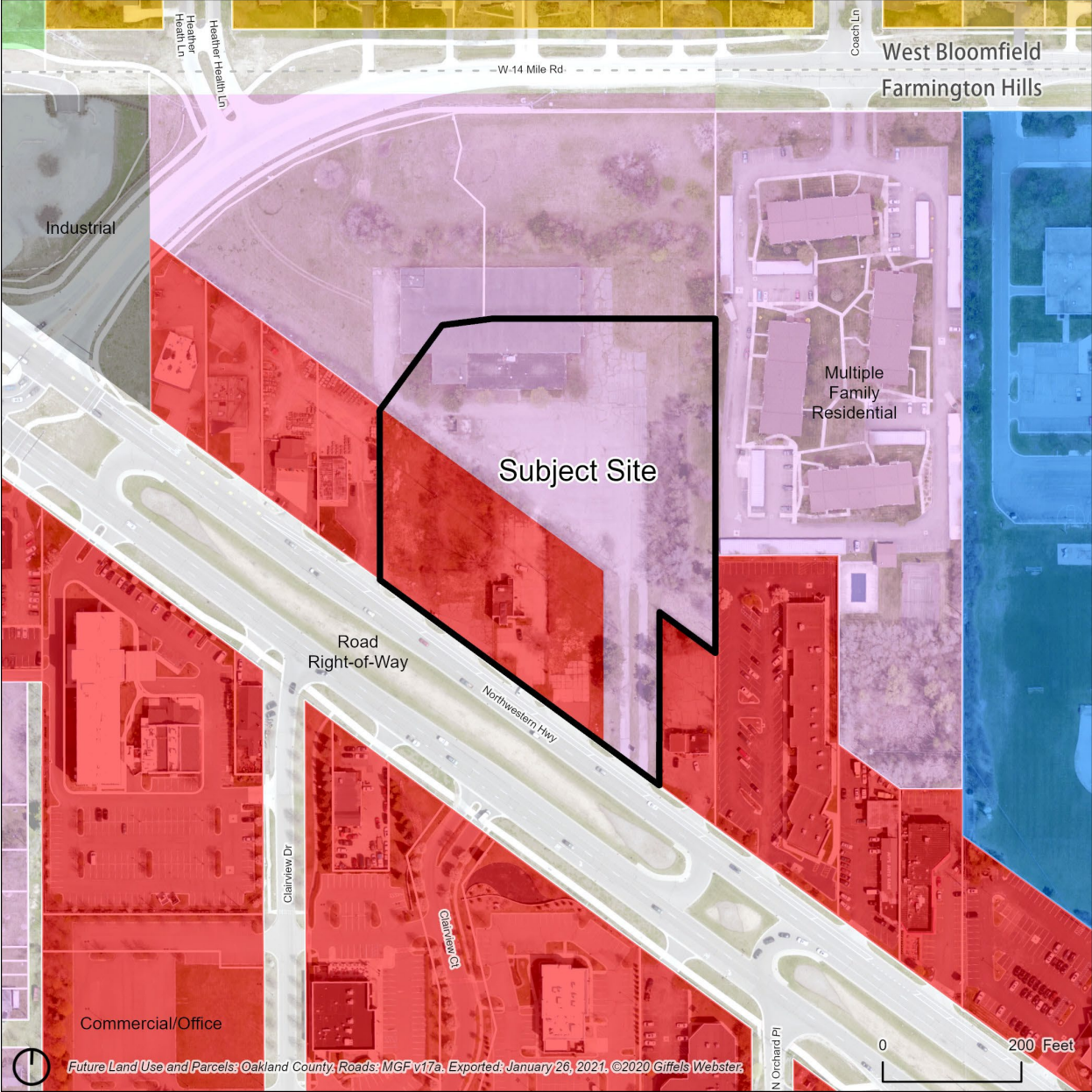
Rod Arroyo, AICP
 Partner



Joe Tangari, AICP
 Senior Planner



Current zoning



Master Plan designations for this area.



Future Land Use and Parcels: Oakland County, Roads: MGF v17a: Exported: January 26, 2021. ©2020 Giffels Webster.

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
SEPTEMBER 15, 2022, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:30 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Mantey, Stimson, Trafelet,

Commissioners Absent: Varga, Ware

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant
Tangari, Staff Engineer Alexander

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as presented.

MOTION carried unanimously by voice vote.

PUBLIC HEARING

A. REVISED PUD PLAN 3, 2021

LOCATION: 32680 Northwestern Hwy
PARCEL I.D.: 23-02-126-130
PROPOSAL: Construction of a multiple-family apartment building in B-2,
Community Business and B-3, General Business Districts
ACTION REQUESTED: Recommendation to City Council
APPLICANT: Robert Asmar, NWH Holdings, LLC,
OWNER: NWH Holdings, LLC

Applicant presentation

Keith Phillips, Think Shop Architects, 1420 Washington Blvd., Suite 430, Detroit MI, and Jim Butler, PEA Group, 1849 Pond Run, Auburn Hills MI, were present on behalf of this application for recommendation for Final Determination to City Council for Revised PUD Plan 3, 2021.

Utilizing a PowerPoint present and a 3-D model (passed around the Commission, and then given back to the applicants), the applicants provided the following information.

Regarding changes to the plan:

- After their last meeting, the applicants re-evaluated their plan, especially relative to some of the issues that were brought up related to height and density. The height was lowered from 69' high to 55' high, by lowering the building into the ground, with ~260 parking spaces provided below the building. The rest of the parking will be surface parking.
- The number of units was reduced from 253 to 217 units.

- The layout remained the same as with previous renditions, with a single access point off Northwestern Highway, and 360 degree circulation around the building. There were 4 access points into the garage all the way around the building.
- The applicants were in conversation with the Fire Marshal regarding circulation and access, and they believed that the Fire Marshal was now comfortable with the plan. Several dead end areas had been removed from the site.
- The reduction in units allowed a courtyard expansion.
- The concept was to try to keep a clean building, and conceal parking with two thirds of the parking below grade.
- The density was comparative to the units across Northwestern, as well as what was going on in neighboring communities.
- They were trying to provide as many amenities on the site as possible.

Regarding the design:

- Lowering the height lessened the impact on neighboring developments; a height deviation of 5' (instead of the previous 18') was requested.
- They tried to break up the massing with building materials, and by enlarging the courtyard by moving parking underground. They were asking for a deviation of 71' parking spaces. They were providing 1.7 parking spaces per unit (instead of the required 2.5 spaces per unit).

In response to a question, the applicants said the 55' height included the parapet, which was 4' tall.

Consultant Report

Referencing his August 9, 2022 memorandum, Planning Consultant Tangari reviewed this request for final PUD qualification:

Regarding PUD qualification, under Section 34-3.20.2, the Planning Commission may make a determination that the site qualifies for a PUD based on ordinance criteria and procedures. At its meeting on February 18, 2021, the Planning Commission granted preliminary PUD qualification approval to the site, citing the plan's compliance with all objective viii of Section 34-3.20.2.E. At the time, Planning Commissioners generally did not take issue with the proposed use, but several expressed reservations about the scale of the use, particularly its density and height. The PUD was also reviewed by the Planning Commission at its meeting of August 19, 2021, and again June 16, 2022; both times, a recommendation was postponed to provide an opportunity for the applicant to amend the plan in response to discussion at the meeting. The motion to postpone included non-binding advice to the applicant to reduce height and overall density, and increase the east side setback. Density and building height had been reduced since the June meeting. The applicant was seeking final PUD qualification, but was not seeking site plan approval concurrent with final qualification. Preliminary approval was not a guarantee of final approval.

In response to questions, Planning Consultant Tangari explained that the Commission would be making a recommendation 1) regarding the use as multi-family residential and 2) on the requested deviations from the ordinance. If there were things the Planning Commission wanted in terms of materials, design, etc., those could be conditions of a recommended approval.

As this was a Planned Unit Development (PUD), and the applicant was seeking some substantial deviations from ordinance standards, the Planning Commission and City Council may wish to discuss with the applicant project elements that bring greater benefit to the wider community such as art or gateway elements on the site that would be visible to pedestrians and motorists traveling in the adjacent

right-of-way, public amenities such as a wider sidewalk to accommodate more users, benches along the public sidewalk, greater landscaping in the right-of-way, public art in the right-of-way, or other items.

City Attorney Schultz explained further that the Planning Commission would be making a recommendation regarding the concept plan presented this evening. If the PUD was approved by City Council the final plans would have to be substantially similar to what was presented. If the final site plan conformed to the PUD agreement and the concept plan, the Planning Commission would have to approve it. Now was the time to list any outstanding concerns or attach conditions.

After reviewing the application against the criteria for PUD qualification in the ordinance (pages 2-7 of the review letter), and reviewing the concept site plan and use (p. 6-8 of the review letter) Planning Consultant Tangari listed outstanding issues as follows:

Relief from Ordinance Standards

Per the application materials, relief was sought from the following ordinance standards:

1. Height: Proposed maximum height of 55', where 50' was permitted in the underlying district (a deviation of 5').
2. East side setback (to residential): 54.47' was proposed where the underlying district requires 75' (a deviation of 20.53').
3. Density. The plan does not specify a base district for density standards. 543 rooms are proposed; the maximum number of rooms permitted in the RC-3 district was 230 rooms (a deviation of 313 rooms).
4. Parking. 365 spaces are proposed where 436 were required (a deviation of 71 spaces). This was a ratio of 1.68 spaces per unit; the Emerson across Northwestern was approved for 1.65 spaces per unit.

If City Council did grant final PUD qualification with the requested deviations, a PUD agreement would be formalized, and the final site plan would come back to the Planning Commission for further review.

Other issues:

- The Planning Commission and Council might want to discuss additional landscaping as a condition of PUD qualification.
- Bike storage could potentially mitigate some of the impact of the deviation from parking requirements.
- Electrical Vehicle charging stations will be essential to future marketability; the location of such stations could be discussed at final site plan review.
- The applicants had changed the architectural appearance in response to previous conversations; the Commission should decide whether the changes are acceptable or if other changes are desired.

Commission discussion

Commissioner Mantey was concerned that green roofs were not mentioned in the environmental review; the applicants had mentioned green roofs in earlier iterations.

Commissioner Mantey said he saw demand for an increase in rooms in order to work at home. He was not too worried about the parking.

Commissioner Brickner noted that the applicants were comparing their design to The Emerson, across Northwestern, in terms of height and density. City Planner Perdonik agreed, while noting The Emerson

was on more acreage. The Emerson was 53' high, and had ~113 rooms per acre. This proposal had ~98 rooms per acre.

In response to a question from Chair Countegan, and noting that only Objective viii. under Section 34-3.20.2.E was listed as being met in the original motion for preliminary qualification, Planning Consultant Tangari explained that a PUD became a zoning district in and of itself, and the applicant was not obligated to develop the property under the B-2 or B-3 districts. The applicant was allowed to propose residential use with the underlying commercial zoning.

Additionally, this proposal was not comparable to any of the multifamily districts in the zoning ordinance. The proposal was similar to The Emerson, which was recently approved in the area, located in one of the most built-up commercial areas in the City. There was not a lot of density that was comparable to this density in the City in general.

Chair Countegan opened the public hearing for public comment. Seeing that no public indicated they wished to speak, Chair Countegan closed the public hearing and brought the matter back to the Commission for discussion and/or a motion.

Commissioner Mantey was concerned with the over use of the PUD process. Hopefully with the Master Plan update, fewer PUD developments would be necessary. He was disappointed that this proposal only meets one of eight objectives listed in the ordinance, which was: *To bring about redevelopment of sites where an orderly change of use is determined to be desirable*. If the green roofs were provided, they would fall under Objective i.: *To permanently preserve open space or natural features because of their exceptional characteristics or because they can provide a permanent transition or buffer between land uses*. He asked that this be discussed during site plan review.

Commissioner Brickner noted that the May 2022 plans in his packet did not show the modifications being discussed this evening. He did think residential apartments were a good use, and the development acted as a buffer. His main concern was regarding the residential condominiums to the east. The greenbelt between this development and the condominiums should include taller trees that offered year-round green buffering, and more landscaping should be included. Regarding density, he hoped there was enough parking. The density was higher than normal but lower than The Emerson across the street. Recommendations by the City's consultants and staff should be included in any approving recommendation.

Commissioner Stimson said if a green roof was desired, it should be included in tonight's motion.

Commissioner Mantey said he did not want to include a green roof as a requirement, because he was unsure of its practicality.

Commissioner Stimson thought the project was too dense for this property, and too tall when it was so close to residential developments. The Emerson did not have the issue of being close to a residential complex. At a minimum, the side next to the residential development should be one less floor to make up for the too-close setback. With one less floor on the residential side, the angle to the top of the building would be the same as if the building were set back 75'. With the proposed height, the setback would be 28% closer than what would normally be allowed.

Commissioner Stimson said he liked the idea of an apartment complex, but this proposal was too massive for the small piece of land and the setbacks from the residential were too close.

Commissioner Trafelet thought the plan was improved from what was previously presented, but he agreed that the proposal was too tall and too dense. He also wanted to require more trees on the eastern side and a masonry wall.

Planning Consultant Tangari said a wall would be required on the eastern side and additional landscaping could be required as well. A 6' screen wall was typical, which would screen the parking from the neighboring use. Again, enhanced landscaping could be required. A solid evergreen screen could also be required, with deciduous trees planted in front of that.

Chair Countegan asked about any environmental aspect argument that had been made or envisioned when the project was first submitted.

Mr. Phillips said the idea was to help mitigate any environmental impacts the building might have. The entire parking structure had a green roof on it; this became the interior courtyard. They were slowing stormwater flow into the system. They had never eliminated environmental mitigation from the project, but instead had reportioned the environmental mitigation aspects to different parts of the building.

Chair Countegan asked if any baseline environmental studies had been done on the property. Mr. Butler said a Phase I environmental study had been done, and the site was clean.

Chair Countegan said he was comfortable with the project going forward, in terms of density, height, and the location of the building on the property. The Planning Commission had initiated a PUD qualification. Redevelopment was good, and there was comparable development in the proximity of this proposed development that had been successful. While there were impacts on neighbors, any time there was change there was going to be an impact, and it was up to the Planning Commission to help mitigate those effects and make sure the City was doing its best to establish good neighbors and good neighborhoods.

Chair Countegan said the issues of height, density and setback reflected a sense of the current trends, including people working from home and converting bedrooms to offices. As part of the current master planning process the Commission would be discussing how units such as these will be used in the future. He was not overly concerned about the density and he trusted the developers regarding parking – they were the ones risking capital. Again, he was in favor of moving forward.

MOTION by Stimson, support by Trafelet, that the Planning Commission recommend to City Council that PUD Plan 3, 2021, dated May 18, 2022, submitted by NWH Holdings, LLC, **BE DENIED**, for the following reasons:

- Exceeding height and density restrictions, and the setback on the east side.

Motion discussion:

Commissioner Brickner said that using a PUD would allow the Commission to put further conditions on the proposal, in order to protect the residential development to the east and to mitigate other concerns. For too long this property had been undeveloped, and an apartment building was a good use of the site. This proposal would bring something to the community rather than detract from it. He would not support the motion.

Chair Countegan said he would not support the motion.

Motion failed 2-5. (Aspinall, Brickner, Countegan, Grant, Mantey opposed).

Motion by Brickner, support by Aspinall, to recommend to City Council that PUD Plan 3, 2021, dated May 18, 2022, submitted by NWH Holdings, LLC, **BE APPROVED**, because the plans are consistent with the goals, objectives, and policies of the Master Plan and applicable provisions of the Planned Unit Development Option in Section 34-3.20 of the Zoning Ordinance, SUBJECT TO:

1. Modifications of Zoning Ordinance requirements as indicated on the proposed plan.
2. Further modifications of Zoning Ordinance requirements as follows:
 - Height not to exceed 55' in any location on the building.
 - Density not to exceed 217 units in the building.
 - At least 365 parking spaces be provided.
 - Side yard on the east side of the building be no less than 54'.
3. The following conditions:
 - Green roofs if structurally feasible.
 - Underground water storage requirements as set forth on the June 7, 2022 Environmental Review, setting forth the requirements of proper water storage on the premises, including providing calculations details for the underground detention system.
 - Higher density of landscape material will be used on the east side of the building, including taller trees that will be green year round such as arbor vitae, and taller deciduous plants, to act as a blockade between the residential condominiums to the east and this project, and in addition, if required by ordinance and/or staff, a six foot screen wall. The screen wall does not eliminate or reduce the requirement for taller trees and landscaping including shrubs as described.
 - Bicycle parking and EV stations be provided, with EV infrastructure installed in the parking structure and elsewhere as appropriate.

And with the following finding:

The Planning Commission finds that the PUD qualifies under Section 34-3.20.2.E., objectives vii and viii.
vi.: To promote the goals and objectives of the Master Plan for Land Use.
viii: To bring about redevelopment of sites where an orderly change of use is determined to be desirable.

Motion carried 7-2 (Stimson, Trafelet opposed).

REGULAR MEETING

A. ZONING TEXT AMENDMENT 1, 2022

CHAPTER OF CODE:	34, Zoning Ordinance
PROPOSED AMENDMENT:	Amend the time period that recreational equipment or trailers may be parked on a residential premises during loading or unloading.
ACTION REQUESTED:	Set for public hearing
SECTIONS:	34-5.7.1 and 34-5.74

City Planner Perdonik gave the background for this zoning text amendment request. The Planning Commission was being asked to look into the reasonableness of the 24 hour period and see whether the City was in line with other communities. The norm in several other communities was 72 hours. Other communities were silent on this issue.

The question was whether 24 hours placed an undue hardship on people to clean their recreational equipment and prep it for storage. The ordinance should strike a balance between not allowing a recreational vehicle to become a permanent fixture of the neighborhood, but still give people the flexibility to do what they need to do when they're coming and going on vacation.

The requirement for 72 hours *cumulatively over 5 days* actually clarified the requirement in terms of enforcement. The language was written to prevent gaming the ordinance, and emerged as best practice as written and experienced by other communities.

MOTION by Grant, support by Stimson, that Zoning Text Amendment 1, 2022 be set for public hearing for the Planning Commission's next available regular meeting.

Motion carried by voice vote.

APPROVAL OF MINUTES August 18, 2022 Special and Regular meetings

MOTION by Brickner, support by Trafelet, to approve the August 18, 2022 Special Meeting and Regular Meeting minutes as submitted.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

Cynthia Lukotch, 35263 Edythe Drive, spoke in favor of the zoning text amendment just discussed and set for public hearing. She supported the 72 hour requirement.

COMMISSIONERS' COMMENTS

The Commission discussed the new roundabout design relative to vehicles making left turns out of the Hunters Square Shopping Center.

Commissioner Grant supported the proposed change in the time frame allowing people more than 24 hours to take care of their recreational equipment after returning home from trips.

ADJOURNMENT

MOTION by Trafelet, support by Brickner, to adjourn the meeting at 8:45pm.

MOTION carried unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

APPROVED 11/14/2022

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
CITY HALL – COUNCIL CHAMBER
OCTOBER 24, 2022 – 7:30 PM

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

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

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Brockway, Kettler-Schmult, Mondora, Monico and Skrobola, Police Chief King and City Attorney Saarela

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 as published.

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING NOVEMBER 2022 AS LUNG CANCER AWARENESS MONTH

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF REVISED PLANNED UNIT DEVELOPMENT PLAN 3, 2021 LOCATED AT 32680 NORTHWESTERN HIGHWAY.

Charmaine Kettler-Schmult, Director of Planning and Community Development, provided an overview of the proposed revised PUD plan and noted that the Planning Commission held their public hearing on this plan and unanimously recommended approval to City Council.

Councilmember Bruce disclosed that when he was not sitting on Council he had met with Mr. Asmar as an adviser for no monetary exchange and also spoke at the Planning Commission meeting as a resident on behalf of the project. He added that he spoke with the City Attorney to make sure there was no conflict of interest with him voting on this issue this evening and the City Attorney indicated that because there was not monetary consideration and he was a private citizen at the time of the consultation, there was no conflict of interest.

Councilmember Bridges stated that he felt Dr. Bruce should recuse himself from voting on this project.

Beth Saarela, City Attorney, spoke to the standards of a conflict of interest that included monetary exchange and it had been confirmed there was no monetary exchange

Jim Butler, representing NWH Holdings, LLC, and project architect provided an overview of the revised PUD plan that included a 4-story 217 unit luxury apartment building 55 feet in height with 365 parking spaces. He noted that 264 spaces would be under the building. The design of the project was an interpretation of what is happening along Northwestern Highway and will have common courtyards, high-intensity roofing and they feel will be the “greenest” building in the community. They are also providing for electric vehicle (EV) parking and additional spots for future EV parking if needed. The amenities were discussed that included walking/biking areas.

Deviations from the ordinance requirements included:

- Height of the building is proposed at 55 feet where 50 feet is the maximum height permitted
- East side setback requirement – 54.47 feet is proposed where 75 feet is the minimum required
- Density of the project – a density of 543 rooms is proposed where 230 rooms is the maximum density permitted
- Parking requirements – 365 spaces proposed where 436 spaces would be required

Council asked questions of the developer and architect with regard to the height, square footage of the units and units per acre and how this project compares to The Emerson project across the street. In the discussions, the following concerns were mentioned:

- The request is for development of apartments and owner-occupied condominiums would be preferred
- Lack of parking spaces and the desire to add additional parking by decreasing the density of the project rather than eliminating green space/landscape
- The height of the building dwarfing what is seen going north on Northwestern Highway
- The project having a negative impact on condominiums and schools in the area

It was noted that additional parking could be provided; however, the developer took direction from the Planning Commission to instead increase landscaping. Mr. Butler added that reducing the number of rooms would not work economically for the project and with the market he believes they could only reduce the number of units to 210.

Council also mentioned that the developer has been before the Planning Commission several times where the Commission required many concessions to the original plan and all of the changes were based on feedback from the Planning Commission. It was pointed out the developer could increase parking and reduce landscaping on the site and there would still be sufficient landscaping for the project.

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

MOTION by Massey, support by Boleware, that the application for approval of revised PUD Plan 3, 2021, dated July 18, 2022, is denied because it does not meet all provisions set forth in Section 34-3.20 of the Zoning Ordinance and the proposed development will adversely affect the public health, welfare, and safety for the following reasons:

- It is not in the best interest of the City
- The close proximity to the owner-occupied units to the east based on the setback deviation that would impact those condominiums
- The density of the project
- Preference for owner-occupied condominiums

MOTION by Bridges, support by Knol, that the City Council of Farmington Hills hereby tables the Revised Planned Unit Development Plan 3, 2021 located at 32680 Northwestern Highway.

Mayor Barnett clarified that a motion to table takes precedent and is not debatable.

MOTION CARRIED 4-3 (Barnett, Bruce and Massey opposed)

It was suggested to the developer that they consider the following revisions to their plan to bring back to City Council for consideration:

- Step down the eastern portion of the development to 3-stories that would reduce density and there would be no need to include more parking
- Include owner-occupied condominiums in the development

The architect expressed concern over the process and time they have already spent revising their plan based on feedback from the Planning Commission.

Mayor Barnett explained the PUD approval process and suggested the developer and architect communicate with the Director of Planning and Community Development on their next steps.

ADJOURNMENT

MOTION by Bridges, support by Bruce, to adjourn the regular session City Council meeting at 10:02pm.

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk



DEPARTMENT OF PUBLIC SERVICES
KAREN MONDORA, P.E., DIRECTOR

City of Farmington Hills
Environmental Review

Project Name: Revised PUD Plan 3

Address: 32680 Northwestern Hwy
Project Job #: 02-21-65 – 22-23-02-126-130
Plan Dated: 04-07-2022

Plan Received: 06-02-2022
Review #: 1
Review Date: 06-07-2022

As requested, I have conducted a plan review of the above reference engineering plans. I have the following comments:

1. There is opportunity for low impact development best management practices to address storm water quality. These techniques include: porous pavement, infiltration trenches, and bioretention/rain gardens. The low impact development techniques would minimize the volume of storm water runoff and provide storm water quality treatment.
2. Provide calculations and details for the storm water quality manufactured treatment units. These units must be approved by the New Jersey Department of Environmental Protection (NJDEP). Use the Oakland County Stormwater standards for sizing of water quality flow.
3. Provide calculations and details for the underground detention system.

Respectfully submitted,

A handwritten signature in blue ink that reads 'Tyler Sonoga'.

Tyler Sonoga
Civil/Environmental Engineer
Department of Public Services

cc: City of Farmington Hills, J. Cubera

AGENDA
CITY COUNCIL MEETING
JANUARY 9, 2023 – 7:30PM
CITY OF FARMINGTON HILLS
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
Telephone: 248-871-2410 Website: www.fhgov.com
Cable TV: Spectrum – Channel 203; AT&T – Channel 99
YouTube Channel: <https://www.youtube.com/user/FHChannel8>

REQUESTS TO SPEAK: Anyone requesting to speak before Council on any agenda item other than an advertised public hearing issue must complete and turn in to the City Clerk a blue, Public Participation Registration Form (located in the wall rack by the south door entering the council chambers).

REGULAR SESSION MEETING BEGINS AT 7:30P.M. IN THE CITY COUNCIL CHAMBER

STUDY SESSION (6:00 P.M. Community Room – See Separate Agenda)

REGULAR SESSION MEETING

CALL REGULAR SESSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Approval of regular session meeting agenda
2. Introduction of new Human Resources Director Lori Brown

CORRESPONDENCE

CONSENT AGENDA - (See Items No. 6 - 19)

All items listed under Consent Agenda are considered routine, administrative, or non-controversial by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Council Member or citizen so requests, in which event the items may be removed from the Consent Agenda for consideration.

CONSENT AGENDA ITEMS FOR DISCUSSION

PUBLIC QUESTIONS AND COMMENTS

Limited to five (5) minutes for any item of City business not on the agenda.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

CITY MANAGER UPDATE

PUBLIC HEARING:

3. Public hearing and consideration of approval of the INTRODUCTION of an ordinance to amend the Farmington Hills Code of Ordinances, Chapter 34, “Zoning,” Article 5.0, “Site Standards,” Section 5.7, “Recreational Equipment or Trailers,” in order to revise the time period during which recreational equipment or trailers may be parked in residential districts for loading, unloading and maintenance.

UNFINISHED BUSINESS:

4. Consideration of approval of the ENACTMENT of Ordinance C-1-2023 to amend the Farmington Hills City Code, Chapter 4, “Alcoholic Liquors,” Article I, “In General,” and Article II, “Licensing,” to revise application requirements and procedures for the approval of new on-premises liquor licenses; and approval of summary for publication.

NEW BUSINESS:

5. Consideration of approval of the INTRODUCTION of an ordinance to amend the Farmington Hills Code of Ordinances, Chapter 2, to provide for amendment of retirement benefits and retiree healthcare benefits in accordance with applicable collective bargaining agreements and to extend consistent benefits to exempt and executive employees of the City. [CMR 1-23-01](#)

CONSENT AGENDA:

6. Recommended approval of Collective Bargaining Agreement for AFSCME Local 1456. [CMR 1-23-02](#)
7. Recommended approval of amendment to City Manager Employment Agreement. [CMR 1-23-03](#)
8. Recommended approval of support for the City of Farmington's Resolution 12-22-033 that establishes a commercial truck turn prohibition from northbound Farmington Road to eastbound Grand River Avenue and establishes a detour route for commercial truck traffic. [CMR 1-23-04](#)
9. Recommended approval of Solid Waste Services Contract Amendment with GFL Environmental, Inc. for the purpose of adding a trash cart option. [CMR 1-23-05](#)
10. Recommended approval of extension of agreement for 2023 Spring/Summer Citywide Planting Program to Crimboli Nursery Inc. [CMR 1-23-06](#)
11. Recommended approval of award of bid for window washing at City Hall to Global Building Maintenance for an estimated amount of \$10,000 per year with extensions. [CMR 1-23-07](#)
12. Recommended approval of award of bid for 2023 As-Needed Fence Repair Program to RMD Holdings in the amount not to exceed \$50,000 per year with extensions. [CMR 1-23-08](#)
13. Recommended approval of award of proposal for Copier and Printer Management to Applied Innovations with Great American Financial Services for a five-year period in an approximate amount of \$155,000 per year with extensions. [CMR 1-23-09](#)
14. Recommended approval of award of proposal to BS&A for implementation and subscription of an Enterprise Resource Planning Solution in an initial amount of \$490,265 with extensions, and approval of award of proposal to Andrews Technology (UKG) for implementation and subscription of an Advanced Time and Attendance solution in an initial amount of \$85,340 with extensions. [CMR 1-23-10](#)
15. Recommended approval of purchase of F550 hook-loading dump truck, additional attachments and salt spreader with Truck and Trailer Specialties in an amount not to exceed \$103,000, and purchase of F550 truck chassis with Lunghamer Ford in the amount of \$57,503. [CMR 1-23-11](#)
16. Recommended approval of purchase of Infrastructure, Implementation and Cloud Software Subscription for Disaster Recovery as a Service to Access Interactive in the amount of \$77,481 for one year with extensions; and initial set up of the system in the amount of \$27,720. [CMR 1-23-12](#)
17. Recommended approval of setting the goals session meeting date of [January 21, 2023](#) and joint meeting date of [January 25, 2023](#).
18. Recommended approval of City Council [study session meeting minutes](#) of December 12, 2022.
19. Recommended approval of City Council [regular session meeting minutes](#) of December 12, 2022.

ADDITIONS TO AGENDA

20. Attorney Report

ADJOURNMENT

Respectfully submitted,

Pamela B. Smith, City Clerk

Reviewed by:

Gary Mekjian, City Manager

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/ accommodations will be made.



Inter-Office Correspondence

DATE: December 13, 2022 (January 9, 2023)

TO: Gary Mekjian, City Manager

FROM: Charmaine Kettler-Schmult, Director of Planning and Community Development

SUBJECT: Zoning Text Amendment (“ZTA”) 1, 2022 – Storage of Recreational Equipment or Trailers

Description:

The Planning Commission has forwarded draft [ZTA 1, 2022](#), for City Council consideration. Draft ZTA 1, 2022, proposes to amend Chapter 34, “Zoning,” “Article 5.0, “Site Standards,” Section 5.7, “Storage of Recreational Equipment or Trailers,” in order to increase the time period during which recreational equipment or trailers may be parked in residential zoning districts for loading, unloading, and maintenance, from twenty-four (24) to seventy-two (72) hours.

Background Information:

At the request of the City Manager’s Office, Planning Division staff researched whether the City’s current twenty-four (24)-hour limit on parking recreational equipment and trailers in residential zoning districts for loading, unloading, and maintenance is consistent with the time limits of nearby municipalities. The findings are briefly summarized in the table below:

Municipality	Time Limit
Canton Township	72 hrs
City of Livonia	72 hrs
City of Novi	72 hrs
City of Southfield	72 hrs
City of Troy	48 hrs
West Bloomfield Township	None specified

Four (4) of the six (6) communities in the sample have a seventy-two (72)-hour time limit. Staff did not find another local community with a twenty-four (24)-hour time limit. In this light, after hearing public comment in favor of the amendment, the Planning Commission unanimously agreed that a seventy-two (72)-hour time limit is more reasonable and consistent with other communities’ limit than the City’s current twenty-four (24)-hour time limit.

ZTA 1, 2022, has been reviewed by the City Attorney’s Office.



Inter-Office Correspondence

Procedural History:

- September 15, 2022 – ZTA 1, 2022, introduced to Planning Commission – following one (1) public comment in favor of the amendment, Commission passes a motion (7-0) to set the ZTA 1, 2022, for public hearing for the next available agenda ([minutes](#))
- November 17, 2022 – Planning Commission held a public hearing on ZTA 1, 2022 – following one (1) public comment in favor of the amendment, Commission passes a motion (8-0) to recommend to City Council that ZTA 1, 2022, be adopted ([minutes](#))

Action requested: Following a public hearing ([public hearing notice attached](#)), the following motion is suggested:

RESOLVE that City Council approve the INTRODUCTION of Zoning Text Amendment 1, 2022.

Prepared by: Erik Perdonik, City Planner

Department Authorization: Charmaine Kettler-Schmult, Director of Planning and Community Development

Attachments:

- [Zoning Text Amendment 1, 2022](#)
- [September 15, 2022, Planning Commission Regular Meeting Minutes](#)
- [November 17, 2022, Planning Commission Regular Meeting Minutes](#)
- [Public Hearing Notice](#)

ORDINANCE NO. C-_____ -2022

CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 5.0, "SITE STANDARDS," SECTION 5.7, "RECREATIONAL EQUIPMENT OR TRAILERS," IN ORDER TO REVISE THE TIME PERIOD DURING WHICH RECREATIONAL EQUIPMENT OR TRAILERS MAY BE PARKED IN RESIDENTIAL DISTRICTS FOR LOADING, UNLOADING, AND MAINTENANCE.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 34, "Zoning," Article 5, "Site Standards," Section 5.7, "Recreational Equipment or Trailers," is amended as follows:

34-5.7. STORAGE OF RECREATIONAL EQUIPMENT OR TRAILERS

The parking or storage of any recreational equipment or trailer in any residential district shall be subject to the following:

1. No recreational equipment or trailer shall be parked or stored on any lot in a residential district except in a garage or carport or beyond the nearest portion of a building to a street; provided, however, that such equipment may be parked anywhere on residential premises for period of time not to exceed seventy-two (72) hours cumulatively in any five (5)-day period for the purpose of loading, unloading, or maintenance. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or any location not approved for such use.
2. [Unchanged]
3. [Unchanged]
4. In a one-family residential condominium development, such equipment or trailers shall be stored only to the rear of any building and shall not be permitted between the sides of buildings or between a building and any private road or street, provided, however, that such equipment may be parked anywhere on the premises for a period of time not to exceed seventy-two (72) hours cumulatively in any five (5)-day period for the purpose of loading, unloading, or maintenance. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in a residential district.

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the ____ day of _____, 2022, the original of which is on file in my office.

PAMELA B. SMITH, City Clerk
City of Farmington Hills

DRAFT

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
SEPTEMBER 15, 2022, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:30 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Mantey, Stimson, Trafelet,

Commissioners Absent: Varga, Ware

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant Tangari, Staff Engineer Alexander

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as presented.

MOTION carried unanimously by voice vote.

PUBLIC HEARING

A.

REGULAR MEETING

A. ZONING TEXT AMENDMENT 1, 2022

CHAPTER OF CODE: 34, Zoning Ordinance

PROPOSED AMENDMENT: Amend the time period that recreational equipment or trailers may be parked on a residential premises during loading or unloading.

ACTION REQUESTED: Set for public hearing

SECTIONS: 34-5.7.1 and 34-5.74

City Planner Perdonik gave the background for this zoning text amendment request. The Planning Commission was being asked to look into the reasonableness of the 24 hour period and see whether the City was in line with other communities. The norm in several other communities was 72 hours. Other communities were silent on this issue.

The question was whether 24 hours placed an undue hardship on people to clean their recreational equipment and prep it for storage. The ordinance should strike a balance between not allowing a recreational vehicle to become a permanent fixture of the neighborhood, but still give people the flexibility to do what they need to do when they're coming and going on vacation.

The requirement for 72 hours *cumulatively over 5 days* actually clarified the requirement in terms of enforcement. The language was written to prevent gaming the ordinance, and emerged as best practice as written and experienced by other communities.

MOTION by Grant, support by Stimson, that Zoning Text Amendment 1, 2022 be set for public hearing for the Planning Commission's next available regular meeting.

Motion carried by voice vote.

APPROVAL OF MINUTES August 18, 2022 Special and Regular meetings

MOTION by Brickner, support by Trafelet, to approve the August 18, 2022 Special Meeting and Regular Meeting minutes as submitted.

Motion carried unanimously by voice vote.

PUBLIC COMMENT

Cynthia Lukotch, 35263 Edythe Drive, spoke in favor of the zoning text amendment just discussed and set for public hearing. She supported the 72-hour requirement.

COMMISSIONERS' COMMENTS

Commissioner Grant supported the proposed change in the time frame allowing people more than 24 hours to take care of their recreational equipment after returning home from trips.

ADJOURNMENT

MOTION by Trafelet, support by Brickner, to adjourn the meeting at 8:45pm.

MOTION carried unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

As explained at the September meeting, the reasonableness of the current 24-hour limit was called into question. Upon researching the issue, staff found no other instances of 24-hour limits locally; the norm that emerged was 72 hours.

Chair Countegan opened the public hearing.

Cynthia Lukotch, 35263 Edythe Drive, spoke in favor of this zoning text amendment. 24 hours was too short a time, and the change to 72 hours would be very helpful.

Seeing that no other public indicated they wished to speak, Chair Countegan brought the issue back to the Commission for discussion and/or a motion.

MOTION by Trafelet, support by Stimson, to recommend approval to City Council Zoning Text Amendment 1, 2022, which proposes to amend Chapter 34, “Zoning”, Article 5.0 “Site Standards,” Section 5.7. “Recreational Equipment or Trailers,” to revise the time period during which recreational equipment or trailers may be parked in residential districts for loading, unloading and maintenance.

Motion passed by voice vote.

APPROVAL OF MINUTES September 15, 2022, Special and Regular meetings

MOTION by Aspinall, support by Trafelet, to approve the September 15, 2022 Special Meeting and Regular Meeting minutes as submitted.

Motion passed by voice vote.

PUBLIC COMMENT

None

COMMISSIONERS’ COMMENTS

None

ADJOURNMENT

MOTION by Stimson, support by Trafelet, to adjourn the meeting at 8:10pm.

MOTION carried unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

**CITY OF FARMINGTON HILLS
CITY COUNCIL PUBLIC HEARING NOTICE**

www.fhgov.com

DATE: January 9, 2023
TIME: 7:30 P.M.
PLACE: Farmington Hills City Hall, City Council Chambers
31555 Eleven Mile Rd., Farmington Hills, MI 48336
ITEM: Zoning Text Amendment 1, 2022

THE FARMINGTON HILLS CITY COUNCIL WILL GIVE FORMAL CONSIDERATION TO A PROPOSED ZONING TEXT AMENDMENT TO THE FARMINGTON HILLS CODE OF ORDINANCES, BY ADMENDING CHAPTER 34, "ZONING", ARTICLE V, "SITE STANDARDS," SECTION 7, "STORAGE OF RECREATIONAL EQUIPMENT OR TRAILERS," SUBSECTIONS 1 AND 4, TO REVISE THE TIME PERIOD THAT RECREATIONAL EQUIPMENT OR TRAILERS MAY BE PARKED ON A RESIDENTIAL PREMISES DURING LOADING OR UNLOADING.

Any interested person is invited to comment on the request in person at the scheduled hearing, or written comments may be submitted to the City of Farmington Hills Planning Office at 31555 W. Eleven Mile Road, Farmington Hills, Michigan 48336, or eperdonik@fhgov.com, prior to the hearing. The application may be reviewed at the Planning Office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

Charmaine Kettler-Schmult
Director of Planning & Community Development
Email: ckettler@fhgov.com
Phone: (248) 871-2540
Publish: December 22, 2022

Procedures for accommodations for persons with disabilities:

The City will be following its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 871-2410 at least two (2) working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

ORDINANCE C-1-2023

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

AN ORDINANCE TO AMEND THE FARMINGTON HILLS CITY CODE BY AMENDING CHAPTER 4, "ALCOHOLIC LIQUORS," ARTICLE I, "IN GENERAL," AND ARTICLE II, "LICENSING," TO REVISE APPLICATION REQUIREMENTS AND PROCEDURES FOR THE APPROVAL OF NEW ON-PREMISES LIQUOR LICENSES.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 4, "Alcoholic Liquors," Article I, "In General," Section 4-1, "Definitions," is hereby amended to add a definition for "On-Premises License" and to amend the last sentence of said section as follows:

On-premises license means a liquor license to sell alcoholic liquor and/or beer and/or wine and/or spirits at retail for consumption on the licensed premises, including Class C, tavern, resort, club, hotel, brewpub, and micro brewer licenses.

* * *

The definitions contained in the Michigan Liquor Control Code of 1998 Public Act 58 of 1998, as amended (the "Act"), and in the Administrative Rules of the Michigan Liquor Control Commission (the "Rules") are hereby adopted and incorporated by reference to the extent they are not included in the above definitions and, for purposes of article 2 of this Chapter, to the extent the definitions in the Act or Rules are different from any of the above definitions, such definitions are adopted, incorporated herein by reference, and replace those stated above.

Section 2 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 4, "Alcoholic Liquors," Article II, "Licensing," is hereby amended to read as follows:

ARTICLE II. - LICENSING

Sec. 4-40. - Number of licenses permitted.

The city council may establish by resolution the number of establishments within the city in which alcoholic liquor and/or beer and/or wine and/or spirits may be sold for consumption on the premises shall be permitted. The number of such establishments may be less, but in no case greater than the number of such establishments permitted by law of this state.

Sec. 4-41. - State license.

No person shall engage in the business of selling alcoholic liquor, beer, wine or spirits for consumption on the premises of the business in the City of Farmington Hills without first obtaining an on-premises license therefor, as required by this article and the statutes of the State of Michigan.

Sec. 4-42. - Council approval.

No person shall sell alcoholic liquor, beer, wine or spirits for consumption on the premises within the City of Farmington Hills without first having obtained the approval of the city council of the application for the license as required by this article and the statutes of the State of Michigan.

Sec. 4-43. - Use of license in connection with restaurant operation required.

The council shall not approve any new application for a license to sell alcoholic liquor and/or beer and/or wine and/or spirits for consumption on the premises unless the use of the license shall be in connection with and incidental to a bona fide restaurant operation. The determination as to whether such operation exists or will exist shall be made by the council and a decision by a majority thereof shall be conclusive.

Sec. 4-44. - Application for on-premises license.

(a) In addition to such application(s) as may be required by the Michigan Liquor Control Commission for licensing by the State of Michigan, every applicant for an on-premises license shall submit an application, along with all additional documents required under this article.

(b) A separate application shall be filed in writing with the city clerk and forwarded to the departments of police, fire, planning and community development, and treasurer/finance; the application shall be signed by the applicant, if an individual, or by a duly authorized agent thereof, if a partnership, corporation, or a limited liability company, verified by oath or affidavit, and shall contain the following sworn statements and information:

(1) The name, age and address of the applicant in the case of an individual; or, in the case of a partnership, the name and address of each partner shall be provided, and a copy of any partnership agreement attached; in the case of a privately-held corporation, the articles of incorporation, the objects for which organized, proof of the corporation's active status and good standing with the state of Michigan, the names and addresses of the officers, directors, and stockholders who own ten (10) percent or more of the corporate stock; or in the case of a limited liability company, the names and addresses of all members, managers, and assignees of membership interests shall be provided, and a copy of the articles of organization, and proof of the company's active status and good standing with the state of Michigan.

(2) For all individual applicants and for all partners, officers, directors, members and managers of non-individual applicants, the citizenship of the person, his

or her place of birth, and, if a naturalized citizen, the time and place of his or her naturalization.

(3) The character of business of the applicant, and the length of time the applicant and its partners, members, managers, officers, and directors have been in business of that character and in a business involving the sale of alcoholic liquor and/or beer and/or wine and/or spirits for consumption on or off the premises.

(4) The type of license and any permits desired.(5) The address and legal description of the premises or place of business which is to be operated under such license.

(6) A statement whether applicant has operated or made application for a similar or another license on any premises other than described in this application, and the disposition of such license or application.

(7) A statement as to the applicant's character, experience, and financial ability to meet the obligations and business undertakings for which the license is to be issued, including a statement that the applicant and its officers, directors, managers, members, and partners, if any, have never been convicted for a violation of any laws or ordinances regarding the sale of alcoholic liquor or of a felony and are not disqualified to receive a license by reason of any matter of thing contained in this article or the laws of the State of Michigan.

(8) A statement that the applicant will not violate any of the laws of the State of Michigan or of the United States or any ordinances of the City of Farmington Hills or the administrative rules of any regulatory agency in the conduct of its business.

(9) An accurate record and history, for the immediate preceding five (5) years, of any liquor license complaint violations by the applicant, by a corporation or entity the applicant has worked for or had a substantial interest in, by a parent or subsidiary corporation of the applicant, or by any officers, directors, managers, members, and partners of the applicant.

(10) The application shall be accompanied by building and site plans showing the entire structure and premises, and in particular the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities, and where appropriate, adequate plans for sound barriers and noise control.

(11) A complete copy of a fully executed deed, lease, or rental agreement, including any amendments, addendums, exhibits and other materials attached thereto, providing the applicant the exclusive right of use, occupancy, and possession of the proposed licensed premises, including use for the on-premises sale and consumption of alcoholic liquor by the applicant.

(12) The total cost in dollars to be expended by the licensee for the licensed premises.

(13) The menu for the proposed licensed establishment, together with a breakdown of the anticipated revenues from food and nonalcoholic beverages, alcoholic beverages and other revenues.

(13) Any other information determined by the City Clerk to be pertinent to the applicant and its application for the City's approval of an on-premises license.

(c) In the event of a change in any of the data or information required or furnished to the City under this section after an on-premises license has been issued, the holder of the on-premises license shall notify the City Clerk of each such change within ten (10) days after such change occurs.

Sec. 4-45. - Restrictions on licenses—Persons.

No such license shall be issued to:

(1) A person whose license has been revoked or not renewed for cause under this article or under a comparable city ordinance or state law, whether in Michigan or elsewhere.

(2) A person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.

(3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.

(4) A corporation, other than a public corporation, if any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than ten (10) percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.

(5) A limited liability company, if any member, manager or assignee owning a ten (10) percent membership interest or more would not be eligible to receive a license hereunder for any reason.

(6) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses qualifications similar to those required of the licensee.

(7) A person who has been convicted of a crime punishable by imprisonment in excess of one (1) year under the law under which he or she was convicted; a crime involving theft, dishonesty or false statement (including tax evasion) regardless of punishment; or has been convicted of a crime or found responsible for a violation of any federal or state law or Administration Rules of the Michigan Liquor Control Commission concerning the manufacture, possession or sale of alcoholic liquor, or similar violation of another state or country.

(8) A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued.

(9) Any law enforcement official or any member of the council, or to any such official having interest in any way, either directly or indirectly, in manufacture, sale or distribution of alcoholic liquor.

Sec. 4-46. - Same—Premises.

No on-premises license shall be issued to operate at a premises:

(1) Where there exists a violation of the applicable building, electrical, mechanical, plumbing, fire prevention, or property maintenance codes, applicable zoning regulations, or applicable public health regulations.

(2) Unless the sale of beer, wine or spirits is shown to be in connection with and incidental to a bona fide restaurant operation (see also Section 4-41).

(3) Where it is determined that the premises do not, or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, noise or nuisance control, or such new construction or remodeling as proposed would not be completed.

(4) Where council determines that the location proposed for a licensed liquor establishment will have an adverse effect on the health, safety, and welfare of the community, with consideration given to traffic safety conditions, the impact of the establishment on city policing and code enforcement activities, accessibility to major streets or highways, distance from public or private schools, proximity to other similarly situated licensed liquor facilities, impact on adjacent residential districts, zoning classifications and the availability of parking.

(5) Where council determines that the licensed premises will not sufficiently or satisfactorily benefit the community, with consideration given to the effects or impact that the issuance of the license will have upon the economic development of the city or surrounding area, the public need or convenience for the issuance of the liquor license for the business facility at the location proposed, the character and extent of investment in improvements to the building, premises, and general area, and such other considerations as the council may deem proper.

Sec. 4-47. - Term of license.

Approval of a license shall be for a period of one (1) year subject to review by the council upon continued compliance with the regulations of this article. Approval of a license shall be with the understanding that any necessary remodeling or new construction for the use of the license shall be completed within six (6) months of the action of the council or the Michigan Liquor Control Commission approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction may subject the license to revocation.

Sec. 4-48. - Annual license review.

The council may undertake a review of any license at any time for purposes of making recommendations to the Michigan Liquor Control Commission regarding renewal of said licenses. Council shall consider whether a licensed establishment has been operated during the existing license year in a manner consistent with the provisions of this chapter and all other applicable laws and regulations and whether continued operation of the licensed establishment is reasonably likely to affect adversely investment in real property in the neighborhood of the establishment, and this consideration shall include, inter alia, entertainment, events or promotions, and whether impact upon the neighborhood is otherwise contrary to the peace, order and tranquility of the community.

Sec. 4-49. - Revocation of license.

Each establishment within the city for which a liquor license is granted shall be operated and maintained in accordance with all applicable laws and regulations, and in a clean and sanitary manner, meeting the approval of the health department. Upon any violation of this section or any section of this chapter, the council may, after notice and hearing, request the Liquor Control Commission to revoke such license as hereinafter provided.

Sec. 4-50. - Procedure for recommendation of nonrenewal or revocation.

(a) Before filing any objection to renewal or request for revocation of a license with the Michigan Liquor Control Commission, council shall serve the licensee by first class mail, mailed not less than ten (10) days prior to hearing, with notice of a hearing, which notice shall contain the following:

- (1) Notice of proposed action.
- (2) Reasons for the proposed action.
- (3) Date, time and place of hearing.
- (4) A statement that the licensee may present evidence, any testimony, and confront adverse witnesses and has the right to be represented by counsel.

(b) Said hearing shall be open to the public and notice of said public hearing shall be mailed to each residence within three hundred (300) feet of the property of the licensed establishment and shall be published in a newspaper of general circulation in the City of Farmington Hills.

(c) Following hearing, the council shall submit to the license holder and the commission a written statement of its findings and determination.

(d) No license shall be recommended for revocation or nonrenewal except by a roll call vote of five (5) members of the council.

Sec. 4-51. - Criteria for nonrenewal or revocation.

The council may recommend nonrenewal or revocation of a license to the Michigan Liquor Control Commission upon a determination by it that, based upon a preponderance of the evidence presented at public hearing, any of the following exists:

- (1) Violation of any of the restrictions on licenses set forth in sections 4-45 and/or 4-46, or any provision of this chapter or any other law or ordinance or statute and the Administrative Rules or provision of the Michigan Liquor Control Code of 1998, as amended.
- (2) Maintenance of a nuisance upon the premises, including, but not limited to, any of the following:
 - a. Existing violations of building, zoning, health, fire prevention, property maintenance, or regulatory codes.
 - b. A pattern of patron conduct in the neighborhood of the licensed establishment which is in violation of the law and/or disturbs the peace, order and tranquility of the neighborhood.
 - c. Failure to maintain the grounds and exterior of the licensed establishment, including litter, debris, refuse blowing or being deposited on adjoining properties.
 - d. Entertainment without a permit and/or entertainment which disturbs the peace, order and tranquility of the neighborhood.
 - e. Any advertising, promotion or activity which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed establishment.
- (3) A material change in those conditions, statements, or representations contained in the written application by the licensee, upon which the city council based its approval of an on-premises license, when that change is found, in the judgment of the city council, to be contrary to the best interest of the city residents or to constitute a basis upon which an on-premises license may be denied under sections 4-45, 4-46, and 4-53 of this article.
- (4) A holder of a license or permit has been convicted of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (5) The premises do not or will not reasonably soon have adequate off-street parking, lighting, refuse disposal facilities, screening, noise or nuisance control where a nuisance does or will exist.
- (6) A violation of any section of this chapter or of the rules and regulations of the liquor control commission. Sec. 4-52. - License approval procedure.

City Council may deny an application for an on-premises license on the basis of an applicant's failure to comply with the requirements of this article, for any of the reasons provided under this article, or for any other reason within its lawful discretion. No license under this chapter shall be approved unless approved by a roll call vote of five (5) members of the council.

Sec. 4-53. - Approval of city departments.

Before the approval of the council is given of the issuance, renewal or transfer of a liquor license, the application for such issuance, renewal or transfer shall be referred to the following city departments: Planning and community development, police, fire and treasurer/finance. The written report of all such departments certifying compliance with all applicable laws and regulations shall be received by the city clerk before such application shall be approved by the council.

Sec. 4-54. - Payment of obligations to city.

All personal property taxes and all real property taxes and all other obligations due and payable to the city shall be paid which relate to any premises for which a liquor license is sought to be used before the council shall approve the issuance, transfer or renewal of such license.

Sec. 4-55. - Discretion of council.

Nothing in this chapter shall be construed to require the council to approve any application nor to limit the discretion granted to the council by law or by Section 501 of Public Act 58 of 1998 (MCL 436.1501), as amended.

Sec. 4-56. - Reserved.

Section 3 of the Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect and the Farmington Hills Ordinance Code shall remain in full force and effect amended only as specified above.

Section 4 of the Ordinance. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5 of the Ordinance. Savings.

The amendment of the Farmington Hills Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Farmington Hills Code of Ordinances set forth in this Ordinance.

Section 6 of the Ordinance. Effective Date.

The provisions of this Ordinance are ordered to take effect twenty-one (21) days after enactment.

Section 7 of the Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the ____ day of _____, 2023 and ordered to be given publication in the manner prescribed by law.

Ayes:
Nays:
Abstentions:
Absent:

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the ____ day of _____, 2023, the original of which is on file in my office.

PAMELA B. SMITH, City Clerk
City of Farmington Hills

SUMMARY
ORDINANCE NO. C-1-2023
CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN

NOTICE OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CITY CODE BY AMENDING CHAPTER 4, "ALCOHOLIC LIQUORS," ARTICLE I, "IN GENERAL," AND ARTICLE II, "LICENSING," TO REVISE APPLICATION REQUIREMENTS AND PROCEDURES FOR THE APPROVAL OF NEW ON-PREMISES LIQUOR LICENSES.

A full copy of the Ordinance is on file in the Clerk's Office for public review between the hours of 8:30am and 4:30pm Monday through Friday.

Sections 1-2, Ordinance Amendment

Section 3, Repealer

Section 4, Severability

Section 5, Savings

Section 6, Effective Date

Section 7, Enactment

The provisions of this Ordinance are ordered to take effect twenty-one (21) days after enactment.

PAMELA B. SMITH, City Clerk

REPORT TO THE CITY COUNCIL FROM THE CITY MANAGER – JANUARY 9TH, 2023

SUBJECT: Introduction and First Reading of the revised Pension Ordinance (AFSCME and 47th District Court)

ADMINISTRATIVE SUMMARY:

The City Council is considering the approval of a collective bargaining agreement with AFSCME, which includes the re-establishment of a Defined Benefit Pension program.

Also, as indicated to the City Council in the latter half of 2022, the 47th District Court Administrator, Stacy Parke, requested on behalf of the Court leadership, to have retirement benefit changes extended to 47th District Court General Exempt employees.

The attached draft ordinance was written in collaboration by our retirement legal experts Ice Miller of Indianapolis, Indiana and has been reviewed by Michael VanOverbeke of VanOverbeke, Michaud & Timmony of Detroit Michigan, and reflects all of the updates included in the aforementioned agreement, including:

- **The re-opening of Defined Pension Benefits to AFSCME, as well as to 47th District Court employees (who are all General Exempt employees)** – namely pension multipliers, maximum benefit levels, and eligibility requirements.
- **The establishment of the new Retiree Health Care Stipend**, which will provide a guaranteed monthly amount of \$200 (singles)/\$400 doubles, to be placed into Tier 2 retiree Health Care Savings Accounts (so as to be a pre-tax benefit). This benefit is being funded by way of reductions in the City’s contributions to AFSCME employees’ Retiree Health Care Savings Accounts (and similar reductions of the 47th District Court’s contributions to their employee’s retiree health care savings accounts) while active with the City, which will allow the City to pre-fund the new Stipend in the City’s Retiree Health Care Fund, leveraging long-term compounded investment returns to assist in the funding of this new benefit.
- **The ability for employees to purchase prior credited service with the City** (from their date of full-time employment to the date the City Council approved of the new benefit levels), where the employee may choose to purchase these service credits provided that they 100% of the benefit liability, to be calculated by the City’s Actuary, GRS. The process of educating our employees will be taking place throughout January 2023, and the one-time “window” for the calculation and purchase of prior service credits will be completed by June 2023. We are proposing to update this section to reflect a second City-provided GRS costing, that can be further augmented by a third GRS costing, and to require that employees select their purchase of prior credited service amount from one of the GRS costings that the employee requests.
- **Public Act 88.** The proposed ordinance extends Public Act 88 reciprocity provisions for retirement benefits to AFSCME and the General Exempt employees of the 47th District Court

that were recently adopted by the City Council for COAM, POAM, Dispatch, IAFF, Teamsters, and General Exempt employee groups by way of Pension Ordinance Amendments adopted by City Council on December 12th, 2022. It should be noted that this provision will **NOT** allow service credits with other governments to be applied to the calculation of a Farmington Hills retiree's Pension Benefit. Rather, these credits will only be applied to the employee's vesting and qualifications to draw a Pension Benefit.

Costing: the above benefit changes have been costed by way of our Actuary's (GRS) Supplemental Studies, which were provided to the City Council last week.

The costing provided by GRS indicates that the City, when viewed together with all of the other employee units, is not estimated to cause any increase in expenditures as a result of the changes in Retirement Benefits included in this attached Ordinance. The cost estimates indicate that the City could see significant savings over the long-term, exceeding \$160,000 per year.

Furthermore the City will enjoy enhanced recruitment and retention as a result of the adoption of this Ordinance.

RECOMMENDATION:

That the City Council introduce the above Ordinance for a First Reading; with Second Reading and Adoption to occur at the City Council's January 23, 2023 meeting.

Submitted by: Thomas C. Skrobola, Finance Director/Treasurer

Reviewed by: Joseph Valentine, Assistant City Manager/Interim HR Director and Gary Mekjian, City Manager

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 2 - ADMINISTRATION, ARTICLE V. EMPLOYEE BENEFITS, DIVISION 2 - EMPLOYEES RETIREMENT SYSTEM, AND DIVISION 3 - MEDICAL BENEFITS, TO PROVIDE FOR AMENDMENT OF RETIREMENT BENEFITS AND RETIREE HEALTHCARE BENEFITS IN ACCORDANCE WITH APPLICABLE COLLECTIVE BARGAINING AGREEMENTS AND TO EXTEND CONSISTENT BENEFITS TO EXEMPT AND EXECUTIVE EMPLOYEES OF THE CITY.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance.

The Farmington Hills City Code, Chapter 2, "Administration," Article V, "Employee Benefits," Division 2, "Employees Retirement System," and Division 3, "Medical Benefits," is hereby amended to amend existing Sections 2-281, 2-282, 2-290, 2-301, and 2-370 as follows:

DIVISION 2. – EMPLOYEES RETIREMENT SYSTEM

Sec. 2-281. Excluded positions.

Excluded positions are:

- (a) Positions filled by part-time or temporary employees.
- (b) Positions which are compensated on a basis not subject to the withholding of federal income taxes or FICA taxes by the city or to existing fringe benefits provided by the city.
- (c) Any position held by a retired member.
- (d) Paid call back firefighters.
- (e) Positions, other than judgeships, for which less than half (1/2) the public compensation is paid by the city.
- (f) Any position held by a person who is included by law, by action of the city council, by collective bargaining agreement or by individual employment agreement in any other pension or retirement plan by reason of the compensation paid by the city, except the Federal Old Age, Survivors and Disability Insurance Program.
- (g) ~~Employees of Benefit Groups A that are hired on or after July 1, 2006., and employees of Benefit Group J that are hired on or after September 1, 2015. In lieu of membership in the retirement system, such employees shall participate in the defined contribution plan. Contribution rates in the defined contribution plan for the employer and employee will be calculated on base pay, as that term is defined in the defined contribution plan document. Employees will contribute five (5) percent of base pay and the city/court will contribute ten (10) percent of the employee's base pay into the~~

~~defined contribution plan. Employees shall be fifty (50) percent vested in the city's/court's contributions to the defined contribution plan after three (3) full years of employment with the city/court, seventy five (75) percent vested after five (5) full years of employment, and one hundred (100) percent vested after seven (7) full years of employment.~~

- ~~(h)~~ (g) Employees of the following Benefit Groups that were hired on or after a date certain were provided membership in the defined contribution plan for a period of time in lieu of membership in the retirement system. These employees are excluded from membership in the retirement system for such period of defined contribution plan participation except as to service credit for vesting and retirement eligibility purposes as provided in section 2-290: (i) Benefit Groups E or G that were hired on or after July 1, 2006 for such period of employment prior to October 10, 2022; (ii) employees of Benefit Group D that were hired on or after January 1, 2007 for such period of employment prior to August 15, 2022; (iii) employees of Benefit Group T that were hired on or after January 1, 2008 for such period of employment prior to October 10, 2022; (iv) employees of Benefit Group A that were hired on or after July 1, 2006 for such period of employment prior to [the date of adoption by City Council]; and (v) employees of Benefit Group J that were hired on or after September 1, 2015 for such period of employment prior to [the date of adoption by City Council];

Sec. 2-282. Termination of membership.

- (a) An individual shall cease to be a member of the retirement system upon termination of employment or upon becoming employed in an excluded position. Upon reemployment by the city in an included position entitling the employee to membership, the individual shall again become a member.
- ~~(b) A former employee from Benefit Group A who withdrew his or her accumulated member contributions prior to reemployment, shall participate in the defined contribution plan in lieu of membership in the retirement system (as provided in subsection 2-281(h)).~~
- (eb) Except for members of Benefit Groups C, F and P, an individual whose retirement system membership terminates before retirement shall not qualify for any of the medical benefits provided by the city and the retirement system, ~~to individuals whose retirement system membership continued until retirement.~~

Sec. 2-290. Credited service—Earned.

- (a) Service rendered by a member while included in the membership of the retirement system shall be credited to the member's individual credited service account in accordance with rules the retirement board shall prescribe. Service shall be in calendar months. For employees whose regular work schedule is based on eight-hour days and forty (40) hours a week, ten (10) or more days of paid service during a calendar month will qualify a member for credited service for that calendar month. For employees whose regular work schedule is based on ten-hour days and forty (40) hours a week, eight (8) or more days of paid service during a calendar month will qualify a member for credited service for that calendar month. For employees whose regular work schedule is based on forty-eight (48) hours a week, seven (7) or more days of paid service during a calendar month will qualify a member for credited service for that calendar month. No credit will be given to a member for a calendar month during which the member has fewer than the minimum qualified days of paid service

as provided herein. In no case shall a member receive more than one (1) year of credited service for all service rendered by the member during any one (1) calendar year. Solely for purposes of (i) vesting as provided in section 2-285; (ii) determining benefit eligibility as provided in sections 2-321, 2-340 and 2-410; or (iii) qualification for retiree healthcare stipends as provided in section 2-702(b); service rendered by a member while included in the membership of the defined contribution plan shall be credited to the member's individual credited service account in accordance with rules the retirement board shall prescribe consistent with the provisions in this section.

(b) Employees described in subsection 2-281~~(f)~~(g) ("eligible employees") shall have a one-time opportunity, from April 1, 2023 through May 1, 2023, to elect to purchase all or a portion of the employee's period of defined contribution plan participation as service credited to the member's individual credited service account for all purposes under the retirement system ("purchase of prior service credits" or "PPSC"). The period of credited service eligible for purchase includes only periods of personal service rendered the city (breaks in service may not be purchased), up to the date that the employee begins participation in the retirement system. The starting date for the period of credited service eligible for purchase begins on each employee's date of hire as a full-time employee with the city and ends on the applicable date for the identified Benefit Groups in Section 2-281~~(f)~~(g) (less any breaks in service or other periods during which the employee did not render personal service to the city).

(c) The following rules apply to a PPSC:

- (1) Any eligible employee who wants to make a PPSC must complete and sign a costing request form and return it to the city no later than January 20, 2023. An employee may request up to ~~two (2)~~ three (3) costings. The City will pay for the first two costings. If an employee chooses to select a ~~second-third~~ costing, the employee will be required to provide the City, along with the costing request form, a receipt of funds deposited with the City to pay for the second costing, in the amount of \$200.00.
- (2) For each employee who timely submits a completed costing request form to the city, the actuary will make cost calculations which will indicate the cost that the employee would pay, based on the employee's election of the prior service credits, to be included on the costing request form. The employee's elected prior service credits shall be no greater than the period of defined contribution plan participation for which the employee is eligible. The actuary will provide completed PPSC cost calculations to employees no later than March 31, 2023.
- (3) From April 1, 2023 through May 1, 2023, eligible employees who received a PPSC cost calculation and want to make a PPSC must complete and submit to the city an irrevocable PPSC election form, which will include identification of the source of assets that will be used for the purchase, as well as the number of years of credited service purchased elected by the employee. If the employee elects to purchase less than the entire period of credited service eligible for purchase, credited service purchased shall in that case be in 1 year increments. The employee must elect an amount of PPSC as indicated on a PPSC cost calculation

provided in accordance with section 2-290(c)(2). The election to make a PPSC is irrevocable, and this election window is a one-time opportunity to complete a PPSC.

- (4) The PPSC payment may be completed by means of a lump sum payment from any of the following sources:
 - A. A direct trustee-to-trustee transfer from the member's defined contribution plan vested accounts;
 - B. A direct rollover of an eligible rollover distribution from a qualified plan described in section 401(a) or 403(a) of the Internal Revenue Code, including after-tax employee contributions; an annuity contract described in section 403(b) of the Internal Revenue Code, excluding after-tax employee contributions; an eligible plan under section 457(b) of the Internal Revenue Code, which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state;
 - C. A direct trustee-to-trustee transfer from a Code Section 457(b) governmental plan or a Code Section 403(b) plan;
 - D. An after-tax lump sum payment; or
 - E. A combination of the above.
- (5) The PPSC payment will be subject to any applicable limits under Section 415 of the Internal Revenue Code.
- (6) The PPSC payment must be received by the retirement system no later than June 30, 2023. If an employee chooses to transfer assets from the employee's defined contribution plan vested accounts, the transfer would be completed ~~on~~ no later than June 30, 2023. If the assets in the employee's defined contribution plan vested accounts exceeds the PPSC cost, the excess assets will remain in the employee's accounts in the defined contribution plan.
- (7) Upon completion of the PPSC payment, a member shall be entitled to the credited service purchased in the retirement system that occurred within the period of defined contribution plan participation covered by the PPSC.

Sec. 2-301. Other Governmental Service

- (a) A member who has 30 months or more of credited service and who has attained the age but has not met the service requirements for age and service retirement from the Retirement System shall be entitled to use his or her credited service previously acquired as a member of governmental unit retirement systems in meeting the service requirements for the Member's applicable benefit group. If the member has had a break in governmental employment for a period longer than 20 years, his or her service rendered in the employ of the governmental units prior to his or her last break in service shall not be used in satisfying the service requirement for age and service retirement from the Retirement System. Credited service acquired in a governmental unit in which

the member was previously employed shall not be used in determining the amount of his or her retirement benefit allowance payable by the Retirement System.

(b) A member who leaves the employ of the City, has not vested in the Retirement System as provided section 2-285, and enters the employ of another governmental unit, shall be entitled to a retirement benefit allowance payable by the Retirement System subject to the following conditions:

- (1) The member has 30 months or more of credited service acquired in the employ of the City.
- (2) The member does not withdraw his or her accumulated member contributions from the Retirement System or if the member has withdrawn the accumulated member contributions, the member deposits with the Retirement System the amount withdrawn together with interest compounded annually at the rate in effect for the Retirement System; the deposit to be made within 20 years after the date the member becomes employed by the succeeding governmental unit.
- (3) The member enters the employ of each succeeding governmental unit within 20 years after the date of leaving the employ of each preceding governmental unit.
- (4) The member's credited service in force with the Retirement System plus the member's credited service acquired in the employ of preceding and/or succeeding governmental units equals or exceeds the minimum credited service required for age and service retirement in the Retirement System.
- (5) The retirement allowance payable by the Retirement System shall be determined at the time the member ceased to be a member of the Retirement System, upon the basis of the retirement allowance formula, the member's credited service, and the former member's final average salary at the time of separation of employment with the City.

(6) The member must provide the City with proof of the member's credited service acquired in the employ of preceding and/or succeeding governmental units, in a manner, form, and time that is in accordance with City policy.

~~(6)~~(7) Payment of the retirement allowance shall begin on the first day of the second calendar month immediately following the month in which proper written application is filed with the Retirement Board on or after attainment of 60 years of age.

(c) As used in this Section:

- (1) "Governmental unit" means the state of Michigan to the extent the employees of the state are covered under an applicable employees retirement system; and any county, city, village, township or school district of the first class; any separate corporation or instrumentality established by 1 or more counties, cities or villages, as permitted by law; any corporation or instrumentality supported in most part by counties, cities and villages, or any of them; any public corporation charged by law with the performance of a governmental function and whose jurisdiction is coextensive with 1 or more counties, cities and villages. In case of doubt, the Board shall determine eligible credited service in force in a governmental unit in accordance with the provisions of the Reciprocal Retirement Act, PA 88 of 1091, as amended (MCL 38.1101, et seq.).

(2) "Retirement system" means the retirement, pension or annuity system, plan or fund under which a governmental unit covers its employees. The term "retirement system" shall not include the federal social security old-age survivors' and disability insurance program.

(d) The provisions of this section do not apply to qualification for retiree health care benefits in Division 3 of this Article.

Sec. 2-370. Form of payment of a pension.

A member or vested former member may elect to have pension payments made under any one (1), and only one (1), of the following forms of payment, except that form of payment D may be elected in conjunction with any other form of payment.

The election and naming of a survivor beneficiary must be made on a form furnished by and filed with the retirement system prior to the date the first pension payment is made. An election of form of payment may not be changed on or after the date the first pension payment is made. A named survivor beneficiary may not be changed on or after the date the first pension payment is made, except that a named survivor beneficiary may be changed, or may be more than one (1) person, only if form of payment SL is elected. A named survivor beneficiary must have an insurable interest in the life of the member or vested former member when named. Payment shall be made under form of payment SL if there is not a timely election of another form of payment.

The amount of pension under forms of payment A, B, C and D shall have the same actuarial present value, computed as of the effective date of the pension, as the amount of pension under form of payment SL.

Form of payment SL—Straight life pension. The retired member is paid a pension for life under form of payment SL. All payments stop upon the death of the retired member.

Form of payment A—Life payments with full continuation to survivor beneficiary. The retired member is paid a reduced pension for life under form of payment A. Upon the death of the retired member during the lifetime of the named survivor beneficiary, the named survivor beneficiary is paid a pension until death in the same amount the retired member was receiving. Should the named survivor beneficiary die before the retired member, the retired member's pension shall be recomputed (pop-up) to a straight life pension (form of payment SL).

Form of payment B—Life payments with three-quarters ($\frac{3}{4}$) continuation to survivor beneficiary. The retired member is paid a reduced pension for life under form of payment B. Upon the death of the retired member during the lifetime of the named survivor beneficiary, the named survivor beneficiary is paid a pension until death of three-quarters ($\frac{3}{4}$) the amount the retired member was receiving. Should the named survivor beneficiary die before the retired member, the retired member's pension shall be recomputed (pop-up) to a straight life pension (form of payment SL).

Form of payment C—Life payments with one-half ($\frac{1}{2}$) continuation to survivor beneficiary. The retired member is paid a reduced pension for life under form of payment C. Upon the death of the retired member during the lifetime of the named survivor beneficiary, the named survivor beneficiary is paid a pension until death of one-half ($\frac{1}{2}$) the amount the retired member was receiving. Should the named survivor beneficiary die before the retired member, the retired

member's pension shall be recomputed (pop-up) to a straight life pension (form of payment SL).

Form of payment D—Life payments with annuity withdrawal. The retired member is paid at retirement the retired member's accumulated member contributions, as defined by city policy or collective bargaining agreement; and a reduced pension for life thereafter under form of payment D. Contributions made pursuant to section 2-300(b), as well as any other contributions deposited to purchase credited service, shall not be refunded. The pension shall be reduced by the amount for which the actuarial present value shall be equal to the amount of accumulated member contributions withdrawn. The actuarial present value of the pension reduction shall be computed using (i) the mortality tables and blending percentages adopted by the retirement board for this purpose; and (ii) the interest rate prescribed by the following:

(a) Benefit Group A and J – The interest rate established by the Board of Trustees using the PBGC formula, except as prescribed below:

- i. For retirements that begin on or after July 1, 2023: 2.5%
- ii. For retirements that begin on or after July 1, 2024: 2.5%
- iii. For retirements that begin on or after July 1, 2025: 2.7%
- iv. For retirements that begin on or after July 1, 2026: 3.3%
- v. For retirements that begin on or after July 1, 2027: 3.9%
- vi. For retirements that begin on or after July 1, 2028: 4.5%
- vii. For retirements that begin on or after July 1, 2029: 5.1%
- viii. For retirements that begin on or after July 1, 2030: 5.7%
- ix. For retirements that begin on or after July 1, 2031: 6.0%

(b) Benefit Group C – For members promoted into Benefit Group C prior to December 31, 2023, the interest rate shall be equal to 2%, or the interest rate established by the Board of Trustees using the PBGC formula, whichever is lower. For members promoted into Benefit Group C on or after January 1, 2024, the interest rate shall be equal to 6%.

(c) Benefit Groups D, E, G, & T – The interest rate shall be in accordance with the following schedule established by the Board of Trustees, except as prescribed below:

- i. For retirements that begin on or after July 1, 2023: 1.5%

(d) Benefit Groups D, E, G, P & T – The interest rate shall be in accordance with the following schedule established by the Board of Trustees, except as prescribed below:

- x. For retirements that begin on or after July 1, 2024: 2.1%
- xi. For retirements that begin on or after July 1, 2025: 2.7%
- xii. For retirements that begin on or after July 1, 2026: 3.3%
- xiii. For retirements that begin on or after July 1, 2027: 3.9%
- xiv. For retirements that begin on or after July 1, 2028: 4.5%
- xv. For retirements that begin on or after July 1, 2029: 5.1%
- xvi. For retirements that begin on or after July 1, 2030: 5.7%
- xvii. For retirements that begin on or after July 1, 2031: 6.0%

- (e) Benefit Group F - For members hired prior to June 1, 2008, and for retirements that occur between July 1, 2023, and July 1, 2033, the interest rate shall be equal to 2%, or the interest rate established by the Board of Trustees using the PBGC formula, whichever is lower. For members hired on or after July 1, 2008, the interest rate shall be equal to 6% effective July 1, 2022.

If form of payment D is elected in conjunction with form of payment SL, the reduced form of payment D pension will stop upon the death of the retired member. If form of payment D is elected in conjunction with form of payment A or form of payment B or form of payment C, the reduced form of payment D pension will be further reduced for the election of form of payment A, B or C. Upon the death of the retired member during the lifetime of the named survivor beneficiary, the named survivor beneficiary is paid a pension until death equal to the applicable fraction of the amount the retired member was receiving. Should the survivor beneficiary die before the retired member, the retired member's pension shall be recomputed (pop-up) to a reduced form of payment D straight life pension.

A form of payment D election shall be made on a form furnished by and filed with retirement system. The elected refund shall be paid by the later of (i) thirty (30) days after the date of retirement and (ii) sixty (60) days after the filing with the retirement system of a valid election for such refund. Payments shall be made in accordance with and subject to Internal Revenue Code rules and regulations.

Section 2 of Ordinance.

The Farmington Hills City Code, Chapter 2, "Administration," Article V, "Employee Benefits," Division 3, "Medical Benefits," is hereby amended to amend and renumber existing Section 2-704 (now 2-707) to read as follows:

DIVISION 3. – MEDICAL BENEFITS

Sec. 2-7074. Retirement health savings plan.

- (a) A retirement health savings (RHS) plan is herein created for employees hired on or after the dates provided in the below table. In lieu of the retiree medical insurance benefits provided in this division, such employees shall participate in the retirement health savings plan as adopted by the city. The city shall contribute the below employer contribution amounts into the individual RHS member accounts for each full month of credited service. The term service is defined in article V, division 2, section 2-270(t) of the Code of Ordinances for each affected employee. Employees shall contribute on an annual basis one and five-tenths (1.5) percent of the employee's annual salary. Employees may make additional voluntary contributions to the RHS plan in accordance with the terms and conditions of the RHS plan. Employees shall be fifty (50) percent vested in the city's contributions to the RHS plan after three (3) full years of employment with the city, seventy-five (75) percent vested after five (5) full years of employment, and one hundred (100) percent vested after seven (7) full years of employment.

Benefit Group	Hire Date (Employed on or after)	Employer Contribution	Mandatory Employee Contribution
A	Hired on or after July 1, 2006	Eff.7/1/06: \$1,200 annually - \$100/mo. Eff.7/1/08: \$1,500 annually - \$125/mo. Eff.7/1/17: \$1,750 annually - \$145.83/mo. <u>Eff. 1/9/23: \$1,400 annually - \$116.66/mo.</u>	1.5% of annual salary
E or G	Hired on or after January 1, 2006	Eff.7/1/06: \$1,200 annually - \$100/mo. Eff.7/1/08: \$1,500 annually - \$125/mo. Eff.7/1/17: \$1,750 annually - \$145.83/mo. Eff. 7/1/22: \$1,400 annually - \$116.67/mo.	1.5% of annual salary
D	Hired on or after January 1, 2007	Eff.1/1/07: \$1,200 annually - \$100/mo. Eff. 7/1/22: \$960 annually - \$80/mo.	1.5% of annual salary
T	Hired on or after January 1, 2008	Eff.7/1/06: \$1,200 annually - \$100/mo. Eff.7/1/08: \$1,500 annually - \$125/mo. Eff.7/1/17: \$1,750 annually - \$145.83/mo. Eff. 7/1/22: \$1,400 annually - \$116.67/mo.	1.5% of annual salary
F	Hired on or after July 1, 2008	Eff.7/1/08 \$1,500 annually - \$125/mo. Eff.7/1/17: \$1,750 annually - \$145.83/mo. Eff. 7/1/22: \$1,400 annually - \$116.67/mo.	1.5% of annual salary
P	Hired on or after January 1, 2008	Eff.7/1/06: \$1,500 annually - \$125/mo. Eff.7/1/14: \$1,700 annually - \$142/mo. Eff.7/1/16: \$2,500 annually - \$208.33/mo. Eff. 7/1/22: \$2,000 annually - \$166.67/mo.	1.5% of annual salary

C	Hired on or after <u>January 1, 2008</u>	Eff. 7/1/06: \$1,500 annually - \$125/mo. Eff. 7/1/17: \$2,700 annually - \$225/mo. Eff. 7/1/22: \$2,160 annually - \$180/mo.	1.5% of annual salary
<u>J</u>	<u>Hired on or after September 1, 2015</u>	<u>Eff. 1/23/23: \$1,400 annually - \$116.66/mo.</u>	<u>1.5% of annual salary</u>

(b) Effective on the dates provided below, employees that participate in the retirement health savings plan, shall upon retirement, receive a retiree health care stipend credited to their RHS Plan Account for each full calendar month after retirement in the amount \$200/month for singles and \$400/month for doubles/families for those employees who, at the time of retirement, have and meet the following applicable requirements:

Benefit Group	Effective Date	Eligibility Requirement
D	August 15, 2022	Attained 60 years of age with 15 or more years of credited service
T, E, G & F	October 10, 2022	Attained 60 years of age with 15 or more years of credited service
P	August 15, 2022	25 or more years of credited service
C	August 15, 2022	Attained 50 years of age with 25 or more years of credited service, or 30 or more years of service regardless of age
<u>A</u>	<u>January 9, 2023</u>	<u>Attained 60 years of age with 15 or more years of credited service</u>
<u>J</u>	<u>January 23, 2023</u>	<u>Attained 60 years of age with 15 or more years of credited service</u>

(c) For purposes of meeting the credited service requirement for the retiree health care stipend in subsection (b) only, the employee shall be entitled to use his or her credited service in force previously acquired as a member of governmental unit retirement systems as otherwise defined and qualified under the Reciprocal Retirement Act, PA 88 of 1961, as amended (MCL 38.1101 et seq.).

(d) The city may prefund the retiree health care stipend in Retiree Health Care Trust Fund. The city shall also make an annual verification of single or double/family status in such manner as they deem appropriate.

Introduced:
Adopted:
Effective:
Published:

_____, City Clerk
City of Farmington Hills

REPORT TO THE CITY COUNCIL FROM THE CITY MANAGER**January 9, 2023****SUBJECT: Collective Bargaining Agreement with AFSCME Local 1456****ADMINISTRATIVE SUMMARY:**

- * The City had previously reached settlements with all of its bargaining unions except AFSCME in 2022, which converted retirement benefits from a Defined Contribution to Defined Benefit retirement program.
- * The AFSCME union contacted the City seeking to negotiate similar terms.
- * It's worth noting that the City has seen a significant increase in outside applicants applying for vacant positions since deciding to reinstate the defined benefit pension in the summer of 2022.
- * The City and the Union signed a tentative settlement on December 9, 2022 and this settlement was subsequently ratified by the Union membership.
- * It is recommended that the City Council approve the terms and conditions tentatively agreed to which include the provisions of our current labor contract, as amended by the provisions of parties' tentative settlement.
- * The terms and conditions of the contract settlement contain changes to the retirement provisions and holiday provisions consistent with all other bargaining units.

RECOMMENDATION:

In view of the collective bargaining that has taken place and the tentative settlement outlined herein, it is hereby recommended that the following resolution be adopted by the City Council.

Resolve that the City Manager and the Assistant City Manager be authorized to execute a modified Agreement with the AFSCME Local 1456, in accordance with the terms and conditions in the Tentative Settlement Agreement ratified by the parties and outlined herein, being City Manager's Report dated January 9, 2023.

Prepared by: Joseph Valentine, Assistant City Manager

Reviewed by: Thomas Skrobola, Finance Director/Treasurer

Approved by: Gary Mekjian
City Manager

**SUMMARY OF SIGNIFICANT REVISIONS
TO COLLECTIVE BARGAINING AGREEMENT**

**SUMMARY OF MAJOR ISSUES FROM CONTRACT SETTLEMENT
City of Farmington Hills and AFSCME Local 1456
January 9, 2023**

1. To amend Article VIII Retirement and Insurance, Section 801 A to include the following:

Tier 2 Defined Benefit Pension Program. Effective (on the ratification date by the City), employees hired after July 1, 2006 shall no longer participate in the 401(a) Defined Contribution (DC) retirement program and shall begin participation in the Tier 2 Defined Benefit (DB) Pension Program. Normal retirement shall be at sixty (60) or more years of age with eight (8) or more years of service or fifty-five (55) years of age if the sum of their age and years of service is greater than or equal to eighty (80). Pension benefit shall be two point eight (2.8%) of average final compensation for the first twenty-five (25) years of service and one (1.0%) percent for each year thereafter with the total benefit not to exceed seventy-five (75%) percent of average final compensation.

Employee contributions into the Tier 2 DB plan shall be 4.5% of base pay.

2. To amend Article VIII Retirement and Insurance, Section 801 (B) 2 to include the following:

Effective (on the ratification date by the City) the interest rate used to determine the reduction in retirement allowance for the Annuity Withdrawal Retirement Option shall be based on the following schedule:

- i. For retirements that begin on or after July 1, 2023: 2.5%
- ii. For retirements that begin on or after July 1, 2024: 2.5%
- iii. For retirements that begin on or after July 1, 2025: 2.7%
- iv. For retirements that begin on or after July 1, 2026: 3.3%
- v. For retirements that begin on or after July 1, 2027: 3.9%
- vi. For retirements that begin on or after July 1, 2028: 4.5%
- vii. For retirements that begin on or after July 1, 2029: 5.1%
- viii. For retirements that begin on or after July 1, 2030: 5.7%
- ix. For retirements that begin on or after July 1, 2031: 6.0%

3. To amend Article VIII Retirement and Insurance, Section 803 to include a new paragraph F as follows:

Effective (on the ratification date by the City) employees hired after 7/1/2006 will receive a Retiree Health Care Stipend of \$200 (single)/\$400 (double) per month in retirement to be deposited into their Retiree Health Care Savings Account.

4. To amend Article VIII Retirement and Insurance, Section 803 (E) to include the following:
Effective (on the ratification date by the City) the City will contribute \$1,400 annually; \$116.66 for each month of credited service.
5. To amend Section 701 A. Holidays to replace the floating holiday Columbus Day with a new floating holiday of Juneteenth. The floating holiday of Juneteenth may be used during the following fiscal year.

REPORT FROM THE CITY MANAGER TO CITY COUNCIL**January 9, 2023****SUBJECT: Amendment to City Manager Employment Agreement****ADMINISTRATIVE SUMMARY**

- Over the course of the last several months, City Council has ratified labor agreements with all bargaining units as well as non-union administration and executive level employees.
- At its December 12, 2022 meeting, City Council enacted ordinance C-4-2022 to amend retirement benefits and retiree healthcare benefit provisions of the City Code in accordance with those collective bargaining agreements and to extend consistent benefits to exempt and executive employees of the City, which included:
 - Ceasing City contributions to defined contribution (401a) pension accounts;
 - Re-establishing defined benefit pension benefits;
 - Providing the opportunity to purchase prior service credits for full-time work with the City prior to the re-establishment of defined pension benefits;
 - Adding a retiree health care stipend defined benefit in retirement that the City would pre-fund with contributions to the City's Retiree Health Care Fund;
 - A corresponding 20% reduction in City contributions to existing employee Retiree Health Care Savings Accounts to offset the pre-funding of the Retiree Health Care Stipend.
- With the closing of the defined contribution pension benefits, and to be consistent with all other bargaining agreements, as well as those offered to exempt and executive employees under the amended City Code, the City's pension attorney is recommending that City Council also adopt the language below to amend the City Manager Employment Agreement.
- Historically, under sections 3, 4, and 10 of the City Managers Employment Agreement, the City Manager retirement benefits (pension and retiree health care) have been the same as those provided for non-union executive level civilian employees of the City.
- All costing and actuarial calculations were included in the information previously provided to City Council during executive sessions and have not changed.

RECOMMENDATION

In view of the above, it is resolved that Section 4 of the City Manager Employment Agreement shall be amended by the City's pension attorney and City Attorney to remove and replace **all** current text in Section 4 of the Agreement with the following text, and the Mayor is hereby authorized to execute said amendment to the Agreement:

Effective January 9, 2023, the City Manager shall resume active membership in the City's Employee Retirement System. Such membership is mandated by the City as of the effective date and not by the City Manager's election. As of this effective date, the City will cease any City contributions that were made to ICMA-RC. Additionally, as

of this effective date, the City shall commence contributions to the City Employee Retirement System on behalf of City Manager, in conformance with the provisions of the City Code establishing the system presently in effect or as may be amended from time to time.

Prepared by: Thomas Skrobola, Finance Director

Reviewed by: Gary Mekjian, CM

Approved by: Gary Mekjian, CM

REPORT FROM THE CITY MANAGER TO CITY COUNCIL – January 9, 2023

SUBJECT: Consideration of a Motion of Support for the City of Farmington’s Resolution 12-22-033 that establishes a commercial truck turn prohibition from northbound Farmington Road to eastbound Grand River Avenue and establishes a detour route for commercial truck traffic.

Administrative Summary

- The City of Farmington has adopted Resolution 12-22-033 that prohibits commercial truck traffic from turning onto eastbound Grand River Avenue from northbound Farmington Road.
- This resolution also establishes a truck detour route that utilizes City of Farmington, City of Farmington Hills, Road Commission for Oakland County and Michigan Department of Transportation roadways as an alternative route.
- The Michigan Department of Transportation and the Road Commission for Oakland County have consented to establishing the Truck Route Detour as well as allowing for the installation of the necessary signage.
- This truck turn prohibition is necessary due to the geometrics of the Farmington Road/Grand River intersection. This intersection is skewed, and the tight turning radius and limited visibility makes it difficult to complete the northbound to eastbound turn with a large vehicle.
- The City of Farmington Hills has reserved the right to revoke the use of City roads as part of the detour route should it cause undue deterioration of the roadway or generate negative impacts to the Community.
- This plan of action was recommended by the Transportation Improvement Association of Michigan (TIA) based on data collected and crash history. The City’s Traffic Engineer has also reviewed the proposed truck route detour and concurs with the TIA’s findings.
- The City of Farmington is responsible for all costs including permits and necessary signing.

RECOMMENDATION

IT IS THEREFORE RECOMMENDED, that the City Council of the City of Farmington Hills support Resolution 12-22-033 as approved by the City of Farmington that establishes a truck turn prohibition from northbound Farmington Road to eastbound Grand River Avenue and establishes a detour route for commercial truck traffic.

Support Documentation

The City of Farmington in an effort to improve pedestrian safety and motorist safety finds that it is necessary to initiate a truck detour route prohibiting commercial motor vehicles from turning right from northbound Farmington Road to east bound Grand River Avenue due to the tight turning radius and limited visibility. Deliveries to local businesses will be permitted. Establishing the truck route detour, using Freedom Road, Orchard Lake Road and Grand River is intended to improve safety in the downtown area.

The Truck Detour Route will include the use of City of Farmington, Farmington Hills & Road Commission of Oakland County roads. The necessary signage to establish the truck route detour will be placed accordingly and all costs will be the responsibility of the City of Farmington (see attached map).

The City of Farmington Hills has reserved the right to revoke permitting of the truck route detour of Freedom Road should the traffic volumes become detrimental to the condition of Freedom Road or the detour route has a negative impact to the community.

This truck turn restriction and detour route is supported by a study conducted by the Transportation Improvement Association (TIA). TIA collected vehicle classification counts and reviewed three years of crash data which identified 30 crashes in total with 6 crashes involving trucks traveling northbound to eastbound at this intersection. These truck crashes caused damage outside the roadway to street poles, fences and infrastructure. There were also 3 pedestrian crashes recorded at this intersection, 2 of which resulted in injuries. TIA's study indicates that the frequency of northbound right turns at Grand River Avenue is relatively low. However, the geometry is insufficient for larger multi-unit trucks to cleanly make the movement.

To improve safety, it is recommended that the turn restriction be supported and that the proposed detour route utilizing Freedom Road, which is under the jurisdiction of the City of Farmington Hills, be approved by City Council.

Prepared by: Mark S. Saksewski P.E., Senior Traffic Engineer
Reviewed by: James Cubera P.E., City Engineer
Departmental Authorization by: Karen Mondora P.E., Director of Public Services
Approval by: Gary Mekjian P.E., City Manager

CITY OF FARMINGTON

OAKLAND COUNTY, MICHIGAN

RESOLUTION NO. 12-22-033

**RESOLUTION TO PROHIBIT TRUCKS AND OTHER COMMERCIAL VEHICLES,
EXCEPT LOCAL DELIVERIES, ON FARMINGTON ROAD
FROM FREEDOM ROAD TO GRAND RIVER AVENUE**

At a meeting of the City Council of the City of Farmington, Oakland County, Michigan, held on the 5th day of December, 2022, at the City Hall, 23600 Liberty Street, Farmington, Michigan 48335.

PRESENT: Balk, Bowman, LaRussa, Schneemann, Taylor

ABSENT: None

The following resolution was offered by Councilmember Balk, and seconded by Councilmember Taylor:

WHEREAS, the City of Farmington has embarked upon the Farmington Road Streetscape that was initially planned in 2013, which will promote traffic calming features and improved pedestrian walkability in the downtown area.

WHEREAS, the City of Farmington in an effort to improve pedestrian safety and motorist safety not only within this corridor but community wide finds that it is necessary to initiate a Truck Detour Route prohibiting Commercial Motor Vehicles from traveling north of Freedom Road on Farmington Road and prohibiting Commercial Motor Vehicles turning right from northbound Farmington Road to east bound Grand River Avenue due to the tight turning radius and limited visibility. Deliveries to local businesses will be permitted. Establishing the Truck Route Detour, using Freedom Road, Orchard Lake Road and Grand River will improve safety in the downtown area.

WHEREAS, the Truck Detour Route will include the use of Michigan Department of Transportation (MDOT), City of Farmington, City of Farmington Hills & Road Commission of Oakland County (RCOC) major roads as the Truck Route Detour. Signage for the Truck Route Detour will be placed within the roads under the jurisdiction of Michigan Department of Transportation (M-5, Grand River), Road Commission of Oakland County (Farmington Road, Orchard Lake Road), City of Farmington Hills (9 Mile Road, Freedom Road), and the City of Farmington. The City of Farmington Hills may reserve the right to revoke permitting of the Truck Route Detour use of the major roads under their jurisdiction if the traffic volumes become detrimental to those roads.

WHEREAS, the City of Farmington Hills Traffic Engineer has found that the Truck Route Detour will improve pedestrian and motorist safety in downtown Farmington as the limited right-of-way and pavement geometrics make it challenging for large trucks to complete the turn from northbound Farmington to eastbound Grand River. The current level of Commercial Motor Vehicle traffic is not expected to significantly impact the lifespan of roads under the jurisdiction of Farmington Hills. MDOT, RCOC and the City of Farmington Hills (with support of a resolution) have consented to the placement of Truck Route Detour signage being placed within their respective Right of Way.

NOW, THEREFORE BE IT RESOLVED, that in the interest of public safety the City of Farmington to reduce the potential safety risk that trucks and other commercial vehicles pose to pedestrian traffic, all trucks and commercial vehicles, except local deliveries, shall be required to adhere to a Truck Detour Route that prohibits trucks and other commercial vehicles from traveling north of Freedom Road on Farmington Road and turning right from northbound Farmington Road to eastbound Grand River Avenue, as set forth in the attached Route Map.

Freedom Road on Farmington Road and turning right from northbound Farmington Road to eastbound Grand River Avenue, as set forth in the attached Route Map.

BE IT FURTHER RESOLVED, that the City of Farmington supports and is responsible for all costs associated with the installation of signage, applying for appropriate permits from MDOT, RCOC and the City of Farmington Hills. to give notice of the prohibition of trucks and other commercial vehicles, except local deliveries, from traveling north of Freedom Road on Farmington Road and from turning right from northbound Farmington Road to eastbound grand River Avenue.

ROLL CALL

Ayes: Balk, Bowman, LaRussa, Schneemann, Taylor

Nays: None

Absent: None

MOTION CARRIED UNANIMOUSLY.

I, Mary Mullison, the duly-qualified Clerk of the City of Farmington, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Farmington at a duly-called meeting held on December 5, 2022, a copy of which is on file in my office.



MARY J. MULLISON
Clerk, City of Farmington

FARMINGTON RD. TRUCK ROUTE MAP

Key

- Existing Route
- Planned Route
- Alternate Route
- Planned Sign #

¼ Mile

- #1 - SEMI-TRUCKS NO HIGH-1 TURN AT GD RIVER FOLLOW BY-PASS
- #2 - TRUCK BY-PASS
- #3 - TRUCK BY-PASS
- #4 - TRUCK BY-PASS
- #5 - TRUCK BY-PASS ENDS
- #6 - SEMI-TRUCKS NO RIGHT TURN AT GD RIVER OR SEMI-TRUCKS MUST TURN LEFT AT GD RIVER
- #7 - SEMI-TRUCKS NO RIGHT TURN (SYMBOLIC)



REPORT FROM THE CITY MANAGER TO CITY COUNCIL – JANUARY 9, 2023

SUBJECT: Solid Waste Services Contract Amendment – Cart Plus Option

Administrative Summary

- On March 28, 2022, City Council awarded a solid waste collection and disposal contract with Green For Life (GFL) Environmental. GFL began providing this service effective July 1, 2022.
- This contract affords the City the right and option, upon providing GFL written notice during the first three (3) years of the contract, to add “Cart Plus” services to the Agreement.
- Cart-plus services allows the City to require GFL to provide and deploy 96-gallon wheeled trash carts to each single family residential unit that receives curbside collection services. In addition to the trash carts, residents can continue to place 35-gallon or smaller containers of trash and/or bulk items as necessary.
- Trash carts are becoming an industry best practice that is popular with residents and service providers alike. They provide a cleaner, safer, and more convenient option for residential solid waste collection. Several communities including Novi, Northville, Redford Township, and Dearborn have successfully implemented a cart-plus collection system.
- If the City exercises this cart-plus option, it also triggers a contract extension upon written request by GFL.
- The current Agreement allows the City to provide 120-day notice to GFL to initiation the Cart-plus option. In the interest of current supply chain issues, it is our intent to give an extended period-of-time so that GFL can acquire the appropriate trucks to successfully provide this service to the City’s residents.
- The recommendation of City staff and RRRASOC is to amend the current contract with GFL Environmental to include the Carts Plus option that will take effect no later than July 1, 2024. All other terms, conditions, specifications, and provisions remain unchanged.

RECOMMENDATION

IT IS RESOLVED, that the attached contract amendment be approved and that the City Manager and City Clerk be authorized to sign on behalf of the City of Farmington Hills.

Support Documentation

The City’s existing Solid Waste, Yard Waste, and Recycling Collection and Disposal Agreement with GFL Environmental was approved in 2022. This contract agreement includes an option for the City to elect cart—plus service. Solid waste hauling companies increasingly prefer that customers use carts as the primary receptacle for trash. Carts allow for automated or semi-automated cart collection that is safer for the contractor’s employees that service the City. They reduce the risk of fatal, serious, and chronic injuries. Carts plus programs are also safer and more convenient for homeowners while allowing for a cleaner, more uniform appearance on trash day.

Report from the City Manager to City Council – January 9, 2023
Solid Waste Services Amendment

The contract stipulates a 120-day notice to GFL. Considering supply chain issues, the City is providing extended notice for GFL to acquire the necessary collection vehicles.

Prepared by: Karen Mondora, PE, Director, Department of Public Services
Derrick Schueller, Superintendent of Public Works

Departmental Authorization: Karen Mondora, PE, Director, Department of Public Services
Kelly Monico, Director, Department of Central Services

Approved by: Gary Mekjian, PE, City Manager



**CONTRACT #2313
AMENDMENT 1
SOLID WASTE, YARD WASTE, RECYCLING COLLECTION AND DISPOSAL AGREEMENT**

This Contract Amendment is made to Contract Number 2313 this _____ day of _____, 202__, (“Effective Date”) by and between the City of Farmington Hills, 31555 W. 11 Mile Road, Farmington Hills, hereinafter called the “City” and GFL Environmental USA, Inc., 26999 Central Park Blvd., Suite 200, Southfield, MI 48076-4145 “Contractor”. The purpose of this amendment is to signify of acceptance of Alternate 1 -Residential Rate with Refuse and Recycling Carts as offered in proposal #rfp-fh-21-22-2313.

1. The conditions, specifications and provisions shall remain in their entirety.
2. The following additions to service shall be executed and fully deployed no later than July 1, 2024.

Note Year 1 is defined as July 1, 2022 to June 30, 2023, Year 2 is July 1, 2023 to June 30, 2024 and so forth.

Alternate 1: Residential Rate with Refuse and Recycling Carts. Contractor-provided 64 gallon or 96-gallon refuse carts; Recycling with Contractor-provided recycling carts; Homeowner-provided yard waste bags/containers; bulky items. Selected contractor maintains ownership of the carts and will be responsible for maintenance/replacement.

Year 1	Year 2	Year 3	Year 4	Year 5
\$155.88	\$159.00	\$162.18	\$165.42	\$168.73
Year 6 Option	Year 7 Option	Year 8 Option		
\$172.10	\$175.55	\$179.06		

3. Once carts are deployed the City agrees to tend the agreement per terms outlined in section 3.C. of the original contract.
4. The Contractor shall continue to maintain the City’s insurance requirements provided below. All insurance carriers must be acceptable to the City and licensed and admitted to do business in the State of Michigan. A new certificate of insurance shall be provided to THE CITY each year at the time of policy renewal. The Contractor shall not allow for any lapse of insurance coverage in the amounts shown below. Failure of the Contractor to maintain the required insurance shall be grounds for Agreement cancellation.

01. Workers' Compensation Insurance: The Contractor shall procure and maintain during the life of this Agreement, Workers' Compensation Insurance, including employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
02. Commercial General Liability and Motor Vehicle Insurance: The Contractor shall procure and maintain during the life of the blanket purchase order, Commercial General Liability and Commercial Motor Vehicle Insurance on an "Occurrence Basis" with limits of liability not less than \$3,000,000.00 (two million dollars) per occurrence, Personal Injury, Bodily Injury, and Property Damage. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations Liability; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent; (E) Deletion of all Explosion, Collapse and Underground (XCU) Exclusions, if applicable.
03. Pollution/Environmental Insurance. Contractor shall procure and maintain during the life of the blanket purchase order, Pollution /Environmental Liability Coverage on an "Occurrence Basis" and with limits of liability not less than \$3,000,000.00 (three million dollars) per occurrence.
04. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following shall be Additional Insureds: "The CITY, all elected and appointed officials, all employees, consultants and volunteers." This coverage shall be primary to the Additional Insureds, and not contributing with any other insurance or similar protection available to the Additional Insureds, whether other available coverage is primary, contributing or excess.
05. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the following. "It is understood and agreed that Sixty (60) days Advance Written Notice of Cancellation, Non-Renewal, Reduction and/or Material Change shall be sent to the City of Farmington Hills, 31555 Eleven Mile, Farmington Hills, MI 48336, attention City Manager."

CITY OF FARMINGTON HILLS - MUNICIPALITY

WITNESSES

_____ **BY: Gary Mekjian, City Manager/Date**

_____ **BY: Pam Smith, City Clerk/Date**

GFL ENVIRONMENTAL USA, INC

WITNESSES

_____ BY _____
Contractor/Date

_____ BY _____
Contractor/Date

REPORT FROM THE CITY MANAGER TO CITY COUNCIL – JANUARY 9, 2023

SUBJECT: 2023 SPRING/SUMMER CITYWIDE PLANTING PROGRAM-EXTENSION OF AGREEMENT.

ADMINISTRATIVE SUMMARY

- The Spring/Summer Citywide Planting Program has been prepared for the installation and maintenance of trees in locations throughout the City.
- Sealed bids were solicited, available from the City’s e-Procurement website MITN, publicly opened and read aloud on February 27, 2019. Notification was sent to three hundred twelve (312) vendors with three (3) responding. On March 11, 2019, City Council awarded Crimboli Nursery as the lowest, most qualified bidder.
- Crimboli Nursery has formally offered to extend their pricing, terms & conditions for another year. City staff reviewed the current market and found this agreement still competitive. This office worked with Crimboli nursery for the last four years and was very satisfied with their work. In addition, the City staff received positive references from Livonia, Ann Arbor and Royal Oak staff for similar work.
- The program calls for the planting of a variety of trees in city parks and along roadsides.
- The funding for this program is available through the Public Tree Fund and the Citywide Beautification Fund.
- The trees and their installation are under warranty for two years.
- The Spring/Summer Citywide Planting Program was prepared by the Community Development Office in conjunction with City staff and citizen requests.

ORIGINAL BID TABULATION

Company	City/State	Bid
Crimboli Nursery Inc.	Canton, MI	\$82,050.00
Pro-Mo Lawn Maintenance LLC	Sterling Heights, MI	\$104,313.00
Superior Wholesale Landscape Supply	Ypsilanti, MI	\$147,985.73*

*Bid total corrected due to a mathematical error by contractor.

RECOMMENDATION

RESOLVE the approval and extension of the agreement with Crimboli Nursery Inc., for the 2023 Spring/Summer Citywide Planting Program; and

FURTHER RESOLVE the authorization of the City Manager and City Clerk to prepare and execute the extension of the agreement on behalf of the City of Farmington Hills and issue a purchase order for the same.

Reviewed by: Kelly Monico, Director of Central Services
 Departmental Authorization: Charmaine Kettler-Schmult, Director of Planning and Community Development
 Approved by: Gary Mekjian, City Manager

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
January 9, 2023

SUBJECT: AWARD OF BID FOR WINDOW WASHING – CITY HALL

ADMINISTRATIVE SUMMARY

- An invitation to bid (ITB) was advertised, available on the MITN e-procurement system and after one postponement to encourage bidding, publicly opened on Tuesday, December 7, 2022, for Window Washing at City Hall. Notification was sent to ninety-five (95) vendors (including twenty-nine (29) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled) with two (2) vendors responding.
- The bid specifications pricing included cost for cleaning the interior and exterior of the windows for City Hall. The bid also included pricing for time and materials so other city owned building may benefit from the pricing as needed.
- Department of Public Services and Central Services evaluated and reviewed the responses, and it was determined that the lowest qualified bidder is Global Building Maintenance. References were checked and staff is satisfied with the responses.
- The bid provides pricing for one (1) year with the option to extend the pricing for four (4) additional one (1) year terms upon mutual consent between the City and the vendors. Global Building Maintenance will have a 5% increase beginning in year two (2).
- Funding for this service is budgeted and available in the building maintenance accounts for City Hall.

BID TABULATION – SEE ATTACHMENT

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to approve purchase orders for window washing to Global Building Maintenance (woman owned) for an estimated amount of \$10,000.00 per year with one or more administration-approved extension not to exceed a total of four (4) additional one year extensions under the same terms and conditions upon mutual consent by the City and vendor.

Prepared by: Michelle Aranowski, Senior Buyer
Reviewed by: Tammy Gushard, Senior Engineer
Reviewed by: Karen Mondora, Director of Public Services
Reviewed by: Kelly Monico Director of Central Services
Approved by: Gary Mekjian, City Manager

City of Farmington Hills
 itb-fh-22-23-2366
 Window Washing City Hall
 Opened 12/07/2022

RECOMMEND FOR AWARD

Description	Saber Window Cleaning (dba) Transparent Window Cleaning Auburn Hills, MI	Global Building Maintenance Redford, MI
City Hall First Floor Interior Window Washing- Spring	\$ 2,100.00	\$ 1,800.00
City Hall Second Floor Interior Window Washing –Spring	\$ 3,200.00	\$ 2,700.00
City Hall First Floor Exterior Window Washing- Spring	\$ 1,250.00	\$ 1,150.00
City Hall Second Floor Exterior Window Washing –Spring	\$ 1,800.00	\$ 1,850.00
City Hall First Floor Exterior Window Washing- Fall	\$ 1,250.00	\$ 1,150.00
City Hall Second Floor Exterior Window Washing -Fall	\$ 1,800.00	\$ 1,850.00
TOTAL	\$ 11,400.00	\$ 10,500.00
Labor per hour straight time will be invoices at \$___ per hr	\$ 75.00	\$ 75.00
Materials will be invoiced at contractor cost + ___%	10%	20%
% increase per year beginning at year 2 (can be renewed up to 4 times)	3%	5%

Bid Notification was sent to 95 contractors. We received zero (0) "No-Bids."

REPORT FROM THE CITY MANAGER TO CITY COUNCIL - January 9, 2023

SUBJECT: Award of Bid – 2023 As-Needed Fence Repair Program

ADMINISTRATIVE SUMMARY:

- The As-Needed Fence Repair Program was publicly advertised and competitively bid on the MITN e-procurement system and opened on November 29, 2022. Notification was sent to several vendors (including one hundred fifty (150) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled).
- This contracted service will provide repair to the existing City-owned fences at various locations throughout the City's Major and Local Road system.
- The bid provides pricing for a one-year period with provisions for up to four one-year extensions through mutual consent between the City and the contractor.
- Funding for this program is provided in the Major and Local Road Maintenance accounts.
- The bid process provided unit prices for a wide variety of parts and services that may be required throughout the life of the contract (see attached bid tab). The quantities of the different parts bid were estimates for bid comparison and evaluation only. Service and parts will be as needed up to the annual budget.
- While Green Machine Fence of Algonac, Michigan has the lowest bid in year one, RMD Holdings of Richmond, Michigan has the lowest overall bid which includes years two through five. In addition, the DPW was unable to verify the references as provided by Green Machine Fence.
- The contractor recommended for award, RMD Holdings, has worked for the City in the past, providing similar services and has proven to be professional and reliable.

RECOMMENDATION:

IT IS RESOLVED, that the City Council of Farmington Hills authorize the City Manager to issue a purchase order to RMD Holdings in the amount not-to-exceed \$50,000 per year with one or more administration-approved extensions not to exceed a total of four (4) additional years, under the same terms and conditions, through mutual consent by the City of Farmington Hills and the vendor for the As-Needed Fence Repair Program.

SUPPORT DOCUMENTATION:

The City is responsible for the maintenance and repair of several thousand feet of various types of fences along the Major and Local road public right-of-way. These fences have been installed to protect pedestrians and bicycles traveling our sidewalk system from falling off the walkways onto steep slopes or into streams and ditches. These fences include wooden split-rail, chain-linked, and ornamental-type fences and from time-to-time require repair or replacement. This type of as-needed contract allows the DPW to repair or replace the damaged fences quickly and more efficiently.

Prepared by: Derrick Schueller, DPW Superintendent
Michelle Aranowski, Senior Buyer

Departmental Authorization: Karen Mondora, P.E., Director, Department of Public Services
Kelly Monico, Director, Department of Central Services

Approved by: Gary Mekjian, P.E., City Manager

City of Farmington Hills:
itb-fh-22-23-2367
AS NEED FENCE INSTALLATION & REPAIR PROGRAM
Opened 11/29/2022

Item	Description	Unit	Qty	Decima LLC Detroit, MI			RMD Holdings, Ltd. dba Nationwide Construction Group Richmond, MI			Green Machine Fence Algonac, MI		
General Items:												
1	Remove fence all types	LFT	1000	\$ 16.00	\$16,000.00	\$ 5.15	\$5,150.00	\$ 7.50	\$7,500.00			
2	4' chain link complete 1' to 50'	LFT	200	\$ 80.00	\$16,000.00	\$ 25.04	\$5,008.00	\$ 23.00	\$4,600.00			
3	4' chain link complete 51' and up	LFT	500	\$ 80.00	\$40,000.00	\$ 25.04	\$12,520.00	\$ 21.00	\$10,500.00			
4	4' chain link terminal complete	EACH	25	\$ 188.00	\$4,700.00	\$ 231.49	\$5,787.25	\$ 45.00	\$1,125.00			
5	6' chain link complete 1' to 50'	LFT	200	\$ 91.00	\$18,200.00	\$ 31.41	\$6,282.00	\$ 26.00	\$5,200.00			
6	6' chain link complete 51' and up	LFT	500	\$ 91.00	\$45,500.00	\$ 31.41	\$15,705.00	\$ 24.00	\$12,000.00			
7	6' chain link terminal complete	EACH	25	\$ 200.00	\$5,000.00	\$ 261.61	\$6,540.25	\$ 60.00	\$1,500.00			
8	4' chain link vinyl complete 1' to 50'	LFT	200	\$ 41.00	\$8,200.00	\$ 31.29	\$6,258.00	\$ 26.00	\$5,200.00			
9	4' chain link vinyl complete 51' and up	LFT	500	\$ 41.00	\$20,500.00	\$ 31.29	\$15,645.00	\$ 24.00	\$12,000.00			
10	4' chain link vinyl terminal complete	EACH	25	\$ 188.00	\$4,700.00	\$ 282.79	\$7,069.75	\$ 50.00	\$1,250.00			
11	6' chain link vinyl complete 1' to 50'	LFT	200	\$ 46.00	\$9,200.00	\$ 40.43	\$8,086.00	\$ 29.00	\$5,800.00			
12	6' chain link vinyl complete 51' and up	LFT	500	\$ 45.00	\$22,500.00	\$ 40.43	\$20,215.00	\$ 27.00	\$13,500.00			
13	6' chain link vinyl terminal complete	EACH	25	\$ 200.00	\$5,000.00	\$ 339.13	\$8,478.25	\$ 60.00	\$1,500.00			
14	4' ornamental fence complete 1' to 50'	LFT	200	\$ 103.00	\$20,600.00	\$ 36.59	\$7,318.00	\$ 58.00	\$11,600.00			
15	4' ornamental fence complete 51' and up	LFT	500	\$ 103.00	\$51,500.00	\$ 36.59	\$18,295.00	\$ 51.00	\$25,500.00			
16	4' ornamental fence gate per foot	LFT	25	\$ 236.00	\$5,900.00	\$ 145.72	\$3,643.00	\$ 150.00	\$3,750.00			
17	6' ornamental fence complete 1' to 50'	LFT	200	\$ 104.00	\$20,800.00	\$ 46.90	\$9,380.00	\$ 68.00	\$13,600.00			
18	6' ornamental fence complete 51' and up	LFT	500	\$ 104.00	\$52,000.00	\$ 46.90	\$23,450.00	\$ 59.00	\$29,500.00			
19	6' ornamental fence gate per foot	LFT	25	\$ 309.00	\$7,725.00	\$ 166.95	\$4,173.75	\$ 200.00	\$5,000.00			
20	6' wood fence any type 1' to 50'	LFT	200	\$ 71.00	\$14,200.00	\$ 39.02	\$7,804.00	\$ 38.00	\$7,600.00			
21	6' wood fence any type 51' and up	LFT	500	\$ 71.00	\$35,500.00	\$ 39.02	\$19,510.00	\$ 34.00	\$17,000.00			
22	2 & 3 rail split rail wood 1' to 50'	LFT	200	\$ 54.00	\$10,800.00	\$ 19.98	\$3,996.00	\$ 32.00	\$6,400.00			
23	2 & 3 rail split rail wood 51' and up	LFT	500	\$ 54.00	\$27,000.00	\$ 19.98	\$9,990.00	\$ 25.00	\$12,500.00			
24	3 rail white vinyl board rail fence 1' to 50'	LFT	200	\$ 54.00	\$10,800.00	\$ 26.10	\$5,220.00	\$ 45.00	\$9,000.00			
25	3 rail white vinyl board rail fence 51' and up	LFT	500	\$ 54.00	\$27,000.00	\$ 26.10	\$13,050.00	\$ 32.00	\$16,000.00			
26	3 rail white vinyl board rail fence gate per foot	LFT	25	\$ 204.00	\$5,100.00	\$ 143.41	\$3,585.25	\$ 75.00	\$1,875.00			
27	3 rail tan vinyl board rail fence 1' to 50'	LFT	200	\$ 58.00	\$11,600.00	\$ 27.44	\$5,488.00	\$ 45.00	\$9,000.00			
28	3 rail tan vinyl board rail fence 51' and up	LFT	500	\$ 55.00	\$27,500.00	\$ 27.44	\$13,720.00	\$ 38.00	\$19,000.00			
29	3 rail tan vinyl board rail fence gate per foot	LFT	15	\$ 206.00	\$3,090.00	\$ 171.48	\$2,572.20	\$ 80.00	\$1,200.00			
30	asphalt break per hold	EACH	10	\$ 944.00	\$9,440.00	\$ 51.47	\$514.70	\$ 50.00	\$500.00			
31	concrete break per hold	EACH	10	\$ 944.00	\$9,440.00	\$ 51.47	\$514.70	\$ 75.00	\$750.00			
32	anchor bolts on bridge	EACH	10	\$ 177.00	\$1,770.00	\$ 16.62	\$166.20	\$ 8.00	\$80.00			
33	restoration per site	EACH	5	\$1,170.00	\$5,850.00	\$1,258.82	\$6,294.10	\$ 400.00	\$2,000.00			
34	2 person crew	HR	20	\$ 295.00	\$5,900.00	\$ 242.65	\$4,853.00	\$ 175.00	\$3,500.00			
TOTAL GENERAL ITEMS					\$579,015.00		\$286,282.40		\$277,030.00			
Schedule for Pricing for and and/or shoulder closure			Per hour	Weekday	Weekend	Sunday/Holiday	Weekday	Weekend	Sunday/Holiday	Weekday	Weekend	Sunday/Holiday
One-man crew			1	\$150.00	\$200.00	\$250.00	\$125.00	\$187.50	\$250.00	\$100.00	\$150.00	\$175.00
Two-man crew			1	\$250.00	\$325.00	\$350.00	\$242.65	\$364.00	\$485.30	\$275.00	\$325.00	\$420.00
Additional Traffic Controller			1	\$50.00	\$70.00	\$85.00	\$125.00	\$187.50	\$250.00	\$75.00	\$120.00	\$150.00
Emergency call in charge			1	\$185.00	\$225.00	\$250.00	\$125.00	\$187.50	\$250.00	\$50.00	\$75.00	\$100.00

City of Farmington Hills:
itb-fh-22-23-2367
AS NEED FENCE INSTALLATION & REPAIR PROGRAM
Opened 11/29/2022

Item	Description	Unit	Qty	Decima LLC Detroit, MI			RMD Holdings, Ltd. dba Nationwide Construction Group Richmond, MI			Green Machine Fence Algonac, MI		
	Optional-Non Maintained Setup/pickup		1	\$150.00	\$200.00	\$250.00	\$125.00	\$187.50	\$250.00	\$100.00	\$150.00	\$175.00
	Shoulder Closure		1	\$150.00	\$200.00	\$250.00	\$125.00	\$187.50	\$250.00	\$150.00	\$225.00	\$300.00
	Single Lane Closure		1	\$200.00	\$225.00	\$250.00	\$125.00	\$187.50	\$250.00	\$350.00	\$420.00	\$500.00
	Multilane Closure		1	\$200.00	\$225.00	\$250.00	\$125.00	\$187.50	\$250.00	\$600.00	\$800.00	\$1,000.00
INCREASE "X" % PER YEAR BEGIIINNIG AT YEAR 2					20%		10%		15%			

Bid notification was sent to over 559 contractors. We received zero (0) "No-Bids."
Red font indicates a corrected total

REPORT FROM THE CITY MANAGER TO CITY COUNCIL

January 9, 2023

SUBJECT: AWARD OF PROPOSAL FOR COPIER AND PRINTER MANAGEMENT**ADMINISTRATIVE SUMMARY**

- Sealed proposals were advertised, available on the MITN e-procurement website, publicly opened and read aloud on November 17, 2022 for copier and printer management. Request for Proposals (RFP's) were sent to thirty-eight (38) vendors including seven (7) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled). Five responses were received with one of those responses rejected as "non-responsive." This RFP was a cooperative effort between the City & 47th DC with extension offered to MITN Cooperative members. The past awarded agreement was also extendable and was utilized by 500+ agencies throughout Michigan.
- In 2012 the City began utilizing a managed copier & printer program which eliminated dozens of desktop printers and consolidated many machines in to less expensive units that were multi-functional with faxing, scanning, printing & copying built-in, but still utilize single-function desktop printers where security or technology requires. Currently the City & 47th DC have ninety-seven devices. Both the City & 47th DC continue to evaluate need & phase out units as usage allows. Historically printers & copiers are obtained on a five year lease arrangement with service and maintenance covered under a cost per copy agreement. The City spends approximately \$155,000 per year on copier & printer management.
- The copier industry has been in transition over the past several years. Local representation is being eliminated leaving few representatives & service agents locally to provide help when needed. The City has experienced challenges in the past, suffering poor customer service due to vendor set-up and flexibility making it difficult to keep copy equipment working efficiently. It wasn't uncommon for a repair to take 2-4 days for a technician to arrive and weeks for replacement parts to arrive. For this reason the City made excellent customer service paramount to award and determined a best value RFP process was the best option.
- The RFP requested information regarding firm qualifications, equipment & customer service approach along with pricing. Pricing was requested for single-function devices, mono-function devices & wide-format devices from 25-pages per minute (PPM) to 65 PPM. Each PPM range contains black/white printing/copying, color printing/copying, wide-format printing and pricing for costs per copy (CPC). Each device can be configure with options such as duplexing, faxing, stapling, hole punching, etc. In addition vendors were asked to supply pricing on their full-line catalog of goods & services to allow for flexibility in product & service selection for the City, 47DC and any extending agencies.
- City & 47th DC staff evaluated all proposals based on relevant work experience & qualifications, narrative of customer service approach & equipment offering, fees and references. Staff narrowed the field and conducted interviews with the two (2) highest point totals (Applied Innovations & Toshiba) Staff determined Applied Innovations to be the best value & most qualified vendor. Their rate structure was competitive, their proposal was excellent, their knowledge of current technology was extensive, their ideas for additional printer consolidation were creative and their commitment to customer service was demonstrated by the many glowing references from Michigan agencies. Applied Innovations has been providing outstanding service for the City of Farmington Hills for the past ten (10) years and City & 47th DC staff are confident in their ability.
- Funding for copy/printer devices are budgeted in department accounts on an annual basis. The recommended award allows continued equipment replacement for a five year period as approved and funded during the budget process.

QUALIFICATION TABULATION (Support information attached below)

Name	City/State	Written Response Point Award	Interview Point Award	Total Point Award
Applied Innovations	Grand Rapids & Southfield, MI	94	93	187
Toshiba	Lake Forest, CA Local Office Troy, MI	85	82	167

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to sign lease agreement and purchase orders to Applied Innovations with Great American Financial Services for copier and printer management for a five year period in an approximate amount of \$155,00 per year as budgeted, with one or more administration-approved extensions not to exceed a total of two (2) under the same terms and conditions upon mutual consent by the City and vendor.

Prepared by: Kelly Monico, Director of Central Services
Reviewed by: Michelle Aranowski, Senior Buyer
Reviewed by: Jack Li, Manager of Information Technology
Approved by: Gary Mekjian, City Manager

Questions
Slight Concern= 3 point deduction
Definite concern = 7 point deduction

Company	City/State	A. General Information & Firm Qualifications	B. Customer Service Approach	C. Pricing & Value adds	Total Points
Applied Innovations NOTES & EXCEPTIONS	Grand Rapids & Southfield, MI	35 Complete. Founded in 1987. Michigan owned & operated. Has grown business to include Ohio, Indiana and Florida. Response is comprehensive with several examples where AI customized solutions for agencies like Sterling Heights, Oakland County and OCC. References include City of Farmington Hills, City of Rochester Hills, City of Sterling Heights, Oakland County, Macomb Community College and Oakland Community College. 64,000 devices currently serviced by Applied Imaging. Technical staff includes more than 160 full-time members. AI offers a variety of purchasing & leasing options 36, 48 & 60 month with \$1 buyouts or Fair Market buyouts. Lease options and Municipal Lease Options. Purchase options are negotiable & include 30-day payment terms. Will extend to MITN	35 Complete. Excellent overview of Customer Service approach -noting after service surveys, training at onset & throughout ownership. Loyalty Center is located in Grand Rapids. They have a 2-ring. All staff are cross trained to handle both service and supply calls. Continues to see the CFHG agreement as a partnership. Rate themselves a 10+ on a scale of 1-10. Ten (10) servicing locations throughout MI. Included a good description of on-boarding process (Analysis, Proposal, Equipment Order, Delivery, Training & Continued Support). Good description of "Green" practices. Included an example of Contract Manager involvement & how it aided the City. 5 year warranty as long with maintenance agreement.	30 24 Complete. Pricing - \$724,720.59 60 mos. Third low.. Lease. & Service. Full line catalog included. agrees that additional discounts can be realized based on fleet mix, volume mix and scope of work required. As a value-add to the City of Farmington Hills, we included in our response (pricing section) all the different services (and respective pricing) that we are providing for this RFP which can be extended to its MITN members (Desktop Scanning Solutions, Additional Production Equipment, Secure Document Shredding Services & Additional Software Services). Will warrant Makerspace equipment for additional 12 mos. until lease comes due. Will provide loaner equipment, additional training as requested. Can automate toner & meter reads. 24 points for 3rd lowest pricing.	100 94
HP, Inc. NOTES & EXCEPTIONS	Palo Alto, CA	11 Complete. 35 years in business. HPS currently provides MPS to over 6,600 clients and manages over 1,000,000 globally. <i>Noted that all information is confidential and HP must approve in writing info to be released. Will want to negotiate an agreement and included their standard terms & conditions.</i> Outlined on-boarding process. <i>Did not list any references. Did not answer question 10 - Have you ever failed to complete work awarded? Noted that leasing rates will vary. CPP's are fixed for initial term but renewal are subject to change.</i> Will extend to MITN. Third party leasing. <i>Will not comply with stated termination requirements except for breach.</i>	25 Complete. The City will only pay for what we print - No minimums. Gave information of the person who will be our contact pre-contract signing. <i>Day-to-day contact is TBD</i> . Rate themselves 10 out of 10 in customer service. 4-hour on-site response for service incidents. Allows for automatic supplies replenishment. Indicated 95% client retention. <i>Listed warranty information with very specific requirements. Help desk is in Costa Rica. Does not measure up-time of equipment.</i>	21 Complete- \$634,197.67 60 mos. Second Lowest Price . <i>Did not bid on large format printer . Some MFP's do not meet specifications and noted the City would have to upgrade in order to meet some specifications.</i> No set price increase for renewals. No value adds.(37 points for 2nd low-6 points for slight concerns=21).	57
Marco NOTES & EXCEPTIONS	Dearborn, MI	25 Complete. Established in 1973 with 1,100 team members nationwide. <i>Both a Corporation and a LLC</i> . They manage over 147,000 copiers & printers nationally with 650 trained technicians. Committed to advancing green technologies. <i>Did not answer question #6 but included their companies general project management plan.</i> References include Ecorse, Allen Park, Armada Area Schools & Imlay City. <i>Will not extend to MITN.</i>	35 Complete. Fully staffed print security team. Contacts have 30+ years of experience. Investing in customer support. Grades themselves currently an 8 but moving to a 9.5 for service. They are trying to create a corporate culture of "Gold Standard." Warranty information provided indicates all devices covered by 5 year warranty. If cost of repair cost exceeds machine value it will be replaced. Help Desk is in Saint Cloud, MN.	17 Partial. \$597,135.20. Lowest pricing <i>Only responded to purchase & 60 mos. lease. Pricing will increase 10% at anniversary of award. Wide format printer did not meet spec. Are fax kits included where required and no price listed?</i> No value adds.(30 points for low-9 points for slight & definite concerns= 17)	77
Toshiba	Lake Forest, CA Local Office Troy, MI	32 Complete. Providing service for over 25 years. Flexibility of local operation backed by the strength of a manufacturer. Government & Education are primary markets for Toshiba. They participate in many purchasing consortiums. References include SMART, Warren Consolidated Schools, Farmington Public Schools, OLHSA and City of Wyandotte. Supports green technology. Offers purchase, lease with current market value and \$1 buyout options. . Both new lease & co-terminus leases are available when new equipment is ordered. <i>Wants cap at 12 mos. revenue received under agreement.</i> Will extend to MITN.	35 Complete. Good overview of Customer Service noting autonomy at local level to resolve issues. Rated themselves a 9.5. They offer a consultant type of approach to assist City in making decisions. Good explanation of onboarding process. 60+field technicians in Michigan. 4-hour on-site response time Help desk is in Rochester, NY. Offers options for remote monitoring & servicing 100% Warranty with Maintenance agreement. which can include a loaner or replacement dependent on issue	18 Complete. Pricing - \$778,120.93 for 60 mos. lease & service. Highest Priced offering. <i>Supplies not included for wide format & no High & Medium cabinets for 2 units.</i> Several value adds including pricing for scanners, digital signage solutions, printers & supplies., (21 points for highest price - 3 points for minor concerns=18).	85

Fax kits - not included on some?

Quan	Device	Unit	Applied Innovations			HP, Inc.			Marco			Toshiba		
			Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total
					\$728,222.99			\$634,197.67			\$597,135.20			\$778,120.93
38	(1) Monochrome Single Function Devices (Minimum 45PPM)	Total 60 Mos. lease	\$43,682.40	\$8,436.00	\$52,118.40	\$33,822.60	\$24,624.00	\$58,446.60	\$35,041.20	\$22,344.00	\$57,385.20	\$46,565.85	\$18,468.00	\$65,033.85
		Total per year	\$8,736.48	\$1,687.20	\$10,423.68	\$6,764.52	\$4,924.80	\$11,689.32	\$7,008.24	\$4,468.80	\$11,477.04	\$9,313.17	\$3,693.60	\$13,006.77
		Per Month Total	\$728.04	\$140.60	HP50145DN (45PPM)	\$563.71	\$410.40	HP E50145dn1PU5 1A 45PPM	\$584.02	\$372.40	HP50145DN (45PPM)	\$776.10	\$307.80	HP M507dn - standard 550 tray, AS400 compatible, duplexing, HP Enterprise 45PPM
38	Main Unit	per month/per item	\$18.48	N/A		\$14.42000	N/A		\$14.79	N/A		\$19.85	N/A	
5	1 add paper tray	per month/per item	\$5.10	N/A		\$3.15000	N/A		\$4.40	N/A		\$4.39	N/A	
	Cabinet	per month/per item	\$7.75	N/A					\$7.75	N/A		\$0.00	N/A	
38	All units must be compatible w/PCL & PS	per month/per item	\$0.00	N/A		\$0.0000	N/A		\$0.00	N/A		\$0.00	N/A	
38	Service Based on 1000 pages per month	Cost per Copy per item	N/A	0.0037		N/A	0.0108		N/A	0.0098		N/A	0.0081	
1	(2) A4 MICR Printer (Minimum 40PPM)	Total 60 Mos.	\$765.60	\$22.20	\$787.80	\$865.20	\$211.80	\$1,077.00	\$2,127.60	No-Bid	\$2,127.60	\$938.40	\$117.00	\$1,055.40
		Total per year	\$153.12	\$4.44	\$157.56	\$173.04	\$42.36	\$215.40	\$425.52	No-Bid	No-Bid	\$187.68	\$23.40	\$211.08
		Per Month Total	\$12.76	\$0.37	HPE40040DN (40 PPM)	\$14.42	\$3.53	HP Laserjet Managed E60145dn 1PU51A (45ppm)	\$35.46	No-Bid	M507dn - Service listed as "HYUP"	\$15.64	\$1.95	HP M501dn - Standard with 550 sheet tray - HP Enterprise Model 45PPM
1	Main Unit including 550 sheet paper tray	per month/per item	\$12.76	N/A		\$14.42	N/A		\$35.46	N/A		\$15.64	N/A	
	Additional Paper Tray	per month/per item	\$4.95	N/A		\$0.00	N/A		N/A	N/A		\$0.00	N/A	
1	All units must be compatible w/PCL & PS	per month/per item	\$0.00	N/A		\$0.00	N/A	Revised page count	\$0.00	N/A		\$0.00	N/A	
1	Service Based on 100 pages per month	Cost per Copy per item	N/A	0.0037		N/A	0.0353		N/A	No-Bid		N/A	0.0195	
14	(3) All In One Unit (Minimum 35PPM)	Total 60 Mos.	\$23,646.00	\$2,331.00	\$25,977.00	\$29,937.60	\$6,804.00	\$36,741.60	\$29,526.00	\$6,174.00	\$35,700.00	\$36,815.71	\$5,103.00	\$41,918.71
		Total per year	\$4,729.20	\$466.20	\$5,195.40	\$5,987.52	\$1,360.80	\$7,348.32	\$5,905.20	\$1,234.80	\$7,140.00	\$7,363.14	\$1,020.60	\$8,383.74
		Per Month Total	\$394.10	\$38.85	Ricoh im350f (35PPM)	\$498.96	\$113.40	HP Laserjet Managed MFP E52645dn 1PS54A	\$492.10	\$102.90	HP Laserjet E52645dn 45PPM	\$613.60	\$85.05	HP M528f - standard - single-pass duplexing feeder, 550 sheet tray, fax, PCL, PS, MFP 45PPM
14	Main Unit including 500 sheet paper tray	per month/per item	\$28.15	N/A		\$31.18	N/A		\$29.51	N/A		\$43.83	N/A	
14	Document Feeder	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
	Additional Paper tray	per month/per item	\$2.84	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
	Cabinet	per month/per item	\$1.90	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
	Medium Cabinet	per month/per item	\$1.90	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
	High Cabinet	per month/per item	\$2.01	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
	2 Drawer Base (PFU)	per month/per item	\$4.32	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
14	Fax Kit	per month/per item	\$0.00	included		\$0.00	N/A		\$5.64	included		\$0.00	included	
14	All units must be compatible w/PCL & PS	per month/per item	\$0.00	included		\$4.46	N/A		\$0.00	included		\$0.00	included	
14	Service Based on 750 pages per month	Cost per Copy per item	N/A	0.0037		N/A	0.0108		N/A	0.0098		N/A	0.0081	
5	(4) Monochrome MFP (Minimum 25PPM)	Total 60 Mos. lease	\$20,385.60	\$1,942.50	\$22,328.10	\$21,472.20	\$5,040.00	\$26,512.20	\$19,261.20	\$1,837.50	\$21,098.70	\$25,374.00	\$4,882.50	\$30,256.50
		Total per year	\$4,077.12	\$388.50	\$4,465.62	\$4,294.44	\$1,008.00	\$5,302.44	\$3,852.24	\$367.50	\$4,219.74	\$5,074.81	\$976.50	\$6,051.31
		Per Month Total	\$339.76	\$32.38	Ricoh MFP IM 2500 (25PPM)	\$357.87	\$84.00	HP Laserjet Managed MFP E731dn 5QJ98A Base (30PPM)	\$321.02	\$30.63	Sharp BP-70M31 - 31PPM	\$422.90	\$81.38	Toshiba 2528 with PS 25PPM
5	Main Unit	per month/per item	\$56.90	N/A		\$66.20	N/A		\$54.40	N/A		\$64.19	N/A	
5	Document Feeder	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$13.57	N/A	
4	Cabinet	per month/per item	\$2.12	N/A		\$2.95	N/A		\$5.90	N/A		\$2.60	N/A	
1	2 Drawer Base (PFU)	per month/per item	\$13.28	N/A		\$7.27	N/A		\$10.34	N/A		\$7.95	N/A	
	LCIT (2000 sheets)	per month/per item	\$14.19	N/A			N/A		\$0.00	N/A		\$14.20	N/A	
	Internal Finisher	per month/per item	\$9.77	N/A			N/A		\$0.00	N/A		\$9.77	N/A	
	Floor Finisher	per month/per item	\$15.83	N/A			N/A		\$0.00	N/A		\$18.43	N/A	
	Booklet Finisher	per month/per item	\$34.59	N/A			N/A		\$0.00	N/A		\$27.40	N/A	
	Bridge Unit	per month/per item	\$1.92	N/A			N/A		\$0.00	N/A		\$2.03	N/A	
	2/3 Hole Punch	per month/per item	\$7.32	N/A			N/A		\$0.00	N/A		\$6.83	N/A	
5	All units must be compatible w/PCL & PS	per month/per item	\$0.00	N/A			N/A		\$0.00	N/A		\$0.00	N/A	
2	Fax Kit	per month/per item	\$12.04	N/A		\$3.90	N/A		\$5.90	N/A		\$7.87	N/A	
2	Dedicated fax output tray with notification light	per month/per item	\$4.71	N/A			N/A		\$1.64	N/A		\$0.00	N/A	
5	Service Based on 1750 pages per month	Cost per Copy per item	N/A	0.0037		N/A	0.0098		N/A	0.0035		N/A	0.0093	

Fax kits - not included on some?

Quan	Device	Unit	Applied Innovations			HP, Inc.			Marco			Toshiba		
			Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total
1	(5) Color Single Function Device A4 (Minimum 40 PPM)	Total 60 Mos. lease	\$1,381.80	\$983.99	\$2,365.79	\$1,417.80	\$2,337.86	\$3,755.66	\$1,084.20	\$1,348.79	\$2,432.99	\$1,331.88	\$1,656.25	\$2,988.13
		Total per year			\$473.16			\$751.13			\$486.60			\$597.63
		Per Month Total	\$276.36	\$196.80		\$283.56	\$467.57		\$216.84	\$269.76		\$266.38	\$331.25	
			\$23.03	\$16.40		\$23.63	\$38.96		\$18.07	\$22.48		\$22.20	\$27.60	
1	Main Unit w/duplexing	per month/per item	\$23.03	N/A	HP E56040DN	\$18.89	N/A	Managed Laserjet	\$18.07	N/A	HP E56040DN	\$22.20	N/A	HP M565dn - standard automatic duplexing, 650 paper tray 40PPM
	Document Feeder	per month/per item		N/A	40 PPM	\$0.00	N/A	E56040dn		N/A	40 PPM		N/A	
	Additional Paper Tray	per month/per item	\$0.00	N/A		\$0.00	N/A	3GX99A 40PPM	\$0.00	N/A		\$0.00	N/A	
	Cabinet	per month/per item	\$7.75	N/A		\$4.74	N/A		\$0.00	N/A		\$0.00	N/A	
	All units must be compatible w/PCL & PS	per month/per item	\$7.75	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
1	Service Based on 2227 pages per month-Mono	Cost per Copy per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
1	Service Based on 160 pages per month-Color	Cost per Copy per item	N/A	0.0037		N/A	0.0132		N/A	0.0037		N/A	0.0083	
1	Service Based on 160 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0598		N/A	0.089		N/A	0.057	
7	(6) Color Desktop ALL In One Units (Minimum 30PPM)	Total 60 Mos. lease	\$20,211.00	\$11,485.32	\$31,696.32	\$19,990.80	\$15,067.50	\$35,058.30	\$22,323.60	\$20,646.78	\$42,970.38	\$27,003.28	\$14,166.81	\$41,170.09
		Total per year			\$6,339.26			\$7,011.66			\$8,594.08			\$9,234.02
		Per Month Total	\$4,042.20	\$2,297.06		\$3,998.16	\$3,013.50		\$4,464.72	\$4,129.36		\$5,400.66	\$2,833.36	
			\$336.85	\$191.42		\$333.18	\$251.13		\$372.06	\$344.11		\$450.05	\$236.11	
7	Main Unit /duplexing	per month/per item	\$43.09	N/A	Ricoh A4 AIO - IMC300F	\$37.44	N/A	Managed MFP E57460dn 3GY25A 40 PPM	\$34.26	N/A	HP E57540dn 40PPM	\$55.13	N/A	HP M578f - standard single-pass duplexing feeder, fax, PCL, PS, MFP, up to legal size paper 40PPM
7	Document Feeder	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
4	Additional Paper Tray	per month/per item	\$5.66	N/A		\$4.74	N/A		\$6.61	N/A		\$6.61	N/A	
	Cabinet	per month/per item	\$2.45	N/A			N/A		\$0.00	N/A		\$0.00	N/A	
4	Medium Cabinet	per month/per item	\$2.47	N/A		\$4.74	N/A		\$26.45	N/A		\$7.54	N/A	
1	High Cabinet	per month/per item	\$2.70	N/A		No-Bid	N/A		\$0.00	N/A		\$7.54	N/A	
7	All units must be compatible w/PCL & PS	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
7	Fax Kit	per month/per item	\$0.00	N/A		\$4.74	N/A		No-Bid	N/A		\$0.00	N/A	
	Dedicated fax output tray with notification light	per month/per item	\$2.40	N/A			N/A		\$2.40	N/A		\$0.00	N/A	
5	Service Based on 430 pages per month-Mono	Cost per Copy per item	N/A	0.0037		N/A	0.0132		N/A	0.0098		N/A	0.0088	
5	Service Based on 505 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0598		N/A	0.089		N/A	0.0593	
6	(7) Color MFP (Minimum 25PPM)	Total 60 Mos. lease	\$30,427.20	\$32,594.47	\$63,021.67	\$27,987.60	\$29,921.00	\$57,908.60	\$31,186.80	\$21,924.00	\$53,110.80	\$42,953.20	\$36,844.45	\$79,797.65
		Total per year			\$12,604.33			\$11,581.72			\$10,622.16			\$15,959.53
		Per Month Total	\$6,085.44	\$6,518.89		\$5,597.52	\$5,984.20		\$6,237.36	\$4,384.80		\$8,590.64	\$7,368.89	
			\$507.12	\$543.24		\$466.46	\$498.68		\$519.78	\$365.40		\$715.89	\$614.07	
6	Main Unit /duplexing	per month/per item	\$61.94	N/A	Ricoh IMC2500 25PPM	\$64.13	N/A	Managed MFP E786dn 5QJ90A base speed 26 PPM	\$68.65	N/A	Sharp BP-70C31 31PPM	\$87.62	N/A	Toshiba 2520AC standard with PS 25PPM
6	Document Feeder	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$13.47	N/A	
	Additional Paper Tray	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$8.64	N/A	
2	Cabinet	per month/per item	\$2.12	N/A		\$2.95	N/A		\$5.90	N/A		\$2.60	N/A	
	Medium Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
	High Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
2	2 Drawer Base (PFU)	per month/per item	\$13.28	N/A		\$7.27	N/A		\$10.34	N/A		\$7.93	N/A	
	LCIT	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$9.86	N/A	
4	Internal Finisher	per month/per item	\$9.77	N/A		\$11.41	N/A		\$11.31	N/A		\$14.20	N/A	
	Floor Finisher	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
	Booklet Finisher	per month/per item	\$34.59	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
	Bridge Unit	per month/per item	\$1.92	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
	2/3 Hole Punch	per month/per item	\$7.32	N/A		N/A	N/A		N/A	N/A		\$0.00	N/A	
4	All units must be compatible w/PCL & PS	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
4	Fax Kit	per month/per item	\$11.69	N/A		\$3.90	N/A		\$5.90	N/A		\$7.87	N/A	
4	Dedicated fax output tray with notification light	per month/per item	4.71	N/A		Does not meet spec	N/A		1.64	N/A		0	N/A	

Fax kits - not included on some?

Quan	Device	Unit	Applied Innovations			HP, Inc.			Marco			Toshiba		
			Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total
6	Service Based on 1796 pages per month-BW	Cost per Copy per item	N/A	0.0037		N/A	0.0079		N/A	0.0035		N/A	0.0492	
6	Service Based on 1645 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0419		N/A	0.0332		N/A	0.0085	
4	(8) Color MFP (Minimum 30PPM)	Total 60 Mos. lease	\$33,830.40	\$29,856.94	\$63,687.34	\$23,273.40	\$27,138.86	\$50,412.26	\$24,800.00	\$20,022.22	\$44,822.22	\$41,907.38	\$25,448.62	\$67,355.99
		Total per year	\$6,766.08	\$5,971.39	\$12,737.47	\$4,654.68	\$5,427.77	\$10,082.45	\$4,920.00	\$4,004.44	\$8,924.44	\$8,381.46	\$5,089.72	\$13,471.20
		Per Month Total	\$563.84	\$497.62	\$1,061.46	\$387.89	\$452.31	\$840.20	\$410.00	\$333.70	\$743.70	\$698.46	\$424.14	\$1,122.60
4	Main Unit /duplexing	per month/per item	\$100.39	N/A	\$100.39	\$70.53	N/A	\$70.53	\$68.65	N/A	\$68.65	\$129.10	N/A	\$129.10
4	Document Feeder	per month/per item	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$13.47	N/A	\$13.47
	Additional Paper Tray	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$4.14	N/A	\$4.14
	Cabinet	per month/per item	\$2.12	N/A	\$2.12	N/A	N/A	N/A	N/A	N/A	N/A	\$2.60	N/A	\$2.60
	Medium Cabinet	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	High Cabinet	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3	2 Drawer Base (PFU)	per month/per item	\$11.81	N/A	\$11.81	\$7.27	N/A	\$7.27	\$10.34	N/A	\$10.34	\$7.93	N/A	\$7.93
1	LCIT	per month/per item	\$14.19	N/A	\$14.19	\$12.16	N/A	\$12.16	\$14.19	N/A	\$14.19	\$9.86	N/A	\$9.86
3	Internal Finisher	per month/per item	\$9.77	N/A	\$9.77	\$11.41	N/A	\$11.41	\$11.31	N/A	\$11.31	\$14.20	N/A	\$14.20
1	Floor Finisher	per month/per item	\$15.83	N/A	\$15.83	\$21.97	N/A	\$21.97	\$21.85	N/A	\$21.85	\$18.43	N/A	\$18.43
	Booklet Finisher	per month/per item	\$34.59	N/A	\$34.59	N/A	N/A	N/A	N/A	N/A	N/A	\$28.41	N/A	\$28.41
1	Bridge Unit	per month/per item	\$1.92	N/A	\$1.92	No-Bid	N/A	N/A	\$4.25	N/A	\$4.25	\$2.03	N/A	\$2.03
	2/3 Hole Punch	per month/per item	\$7.32	N/A	\$7.32	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	N/A	\$0.00
4	All units must be compatible w/PCL &PS	per month/per item	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00
4	Fax Kit	per month/per item	\$11.69	N/A	\$11.69	\$3.90	N/A	\$3.90	\$5.90	N/A	\$5.90	\$7.87	N/A	\$7.87
4	Dedicated fax output tray with notification light	per month/per item	\$4.71	N/A	\$4.71	Does not meet spec	N/A	N/A	\$1.64	N/A	\$1.64	\$0.00	N/A	\$0.00
4	Service Based on 2237 pages per month-Mono	Cost per Copy per item	N/A	0.0037		N/A	0.0079		N/A	0.0035		N/A	0.0075	
4	Service Based on 2277 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0419		N/A	0.0332		N/A	0.0392	
5	(9) Color MFP (Minimum 35PPM)	Total 60 Mos. lease	\$47,772.00	\$70,185.57	\$117,957.57	\$31,770.00	\$65,385.60	\$97,155.60	\$35,858.00	\$47,423.73	\$83,281.73	\$52,573.61	\$61,345.53	\$113,919.14
		Total per year	\$9,554.40	\$14,037.11	\$23,591.51	\$6,354.00	\$13,077.12	\$19,431.12	\$7,131.60	\$9,484.75	\$16,616.35	\$10,514.72	\$12,269.11	\$22,783.83
		Per Month Total	\$796.20	\$1,169.76	\$1,965.95	\$529.50	\$1,089.76	\$951.00	\$594.30	\$790.40	\$1,384.70	\$876.23	\$1,022.43	\$1,898.66
5	Main Unit /duplexing	per month/per item	\$118.34	N/A	\$118.34	\$80.23	N/A	\$80.23	\$83.54	N/A	\$83.54	\$129.10	N/A	\$129.10
5	Document Feeder	per month/per item	\$0.00	N/A	\$0.00	Does not meet spec	N/A	N/A	\$0.00	N/A	\$0.00	\$13.47	N/A	\$13.47
	Additional Paper Tray	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2	Cabinet	per month/per item	\$2.12	N/A	\$2.12	N/A	N/A	N/A	\$5.90	N/A	\$5.90	\$2.60	N/A	\$2.60
	Medium Cabinet	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	High Cabinet	per month/per item	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4	2 Drawer Base (PFU)	per month/per item	\$11.81	N/A	\$11.81	\$7.27	N/A	\$7.27	\$10.34	N/A	\$10.34	\$7.93	N/A	\$7.93
1	LCIT	per month/per item	\$14.19	N/A	\$14.19	\$12.16	N/A	\$12.16	\$14.40	N/A	\$14.40	\$9.86	N/A	\$9.86
4	Internal Finisher	per month/per item	\$9.77	N/A	\$9.77	\$11.41	N/A	\$11.41	\$11.31	N/A	\$11.31	\$14.20	N/A	\$14.20
1	Floor Finisher	per month/per item	\$15.83	N/A	\$15.83	\$21.97	N/A	\$21.97	\$21.85	N/A	\$21.85	\$18.43	N/A	\$18.43
	Booklet Finisher	per month/per item	\$34.59	N/A	\$34.59	N/A	N/A	N/A	N/A	N/A	N/A	\$28.41	N/A	\$28.41
1	Bridge Unit	per month/per item	\$1.92	N/A	\$1.92	No-Bid	N/A	N/A	\$4.25	N/A	\$4.25	\$2.03	N/A	\$2.03
	2/3 Hole Punch	per month/per item	\$7.32	N/A	\$7.32	N/A	N/A	N/A	N/A	N/A	N/A	\$0.00	N/A	\$0.00
5	All units must be compatible w/PCL &PS	per month/per item	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00	\$0.00	N/A	\$0.00
5	Fax Kit	per month/per item	\$11.69	N/A	\$11.69	\$3.90	N/A	\$3.90	\$5.90	N/A	\$5.90	\$7.87	N/A	\$7.87
5	Dedicated fax output tray with notification light	per month/per item	\$4.71	N/A	\$4.71	Does not meet spec	N/A	N/A	\$1.64	N/A	\$1.64	\$0.00	N/A	\$0.00
5	Service Based on 5297 pages per month-Mono	Cost per Copy per item	N/A	0.0037		N/A	0.0079		N/A	0.0035		N/A	0.0075	
5	Service Based on 4203 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0419		N/A	0.0332		N/A	0.0392	
7	(10) Color MFP (Minimum 45 PPM)	Total 60 Mos. lease	\$74,506.80	\$121,305.62	\$195,812.42	\$66,357.00	\$94,300.79	\$160,657.79	\$55,372.20	\$80,876.06	\$136,248.26	\$87,120.69	\$96,593.49	\$183,714.18
		Total per year	\$14,901.36	\$24,261.12	\$39,162.48	\$13,271.40	\$18,860.16	\$32,131.56	\$11,074.44	\$16,175.21	\$27,249.65	\$17,424.14	\$19,318.70	\$36,742.84
		Per Month Total	\$1,241.78	\$2,021.76	\$3,263.54	\$1,105.95	\$1,571.68	\$2,677.96	\$922.87	\$1,347.93	\$2,273.30	\$1,452.01	\$1,609.89	\$3,062.24

Fax kits - not included on some?

Quan	Device	Unit	Applied Innovations			HP, Inc.			Marco			Toshiba		
			Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total	Equipment	Service	Total
7	Main Unit /duplexing	per month/per item	\$133.01	N/A	45PPM	\$123.22	N/A	HP Color LaserJet Managed MFP E877 dn	\$88.95	N/A	70C45 45PPM	\$157.98	N/A	Does not come with medium or high cabinets
7	Document Feeder	per month/per item	\$0.00	N/A		Does not meet spec	N/A	5QK03A w/ HP Color LaserJet Managed MFP E877 40 to 60ppm License 8EP60AAE	\$0.00	N/A		\$13.47	N/A	
	Additional Paper Tray	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$4.41	N/A	
	Cabinet	per month/per item	\$2.12	N/A		N/A	N/A		\$0.00	N/A		\$2.60	N/A	
	Medium Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		N/A	N/A	
	High Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		N/A	N/A	
1	2 Drawer Base (PFU)	per month/per item	\$11.81	N/A		\$7.90	N/A		\$10.34	N/A		\$7.93	N/A	
6	LCIT	per month/per item	\$14.19	N/A		\$12.16	N/A		\$14.40	N/A		\$9.86	N/A	
2	Internal Finisher	per month/per item	\$9.77	N/A		\$11.41	N/A		\$11.31	N/A		\$14.20	N/A	
5	Floor Finisher	per month/per item	\$15.83	N/A		\$21.97	N/A		\$21.85	N/A		\$18.43	N/A	
	Booklet Finisher	per month/per item	\$34.59	N/A		N/A	N/A		N/A	N/A		\$28.41	N/A	
	Bridge Unit	per month/per item	\$1.92	N/A		No-Bid	N/A		\$4.25	N/A		\$2.03	N/A	
1	2/3 Hole Punch	per month/per item	\$7.07	N/A		\$6.48	N/A		\$5.12	N/A		\$6.83	N/A	
7	All units must be compatible w/PCL &PS	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
6	Fax Kit	per month/per item	\$11.69	N/A		\$3.90	N/A		\$5.90	N/A		\$7.87	N/A	
6	Dedicated fax output tray with notification light	per month/per item	\$4.71	N/A		Does not meet spec	N/A		\$1.64	N/A		\$0.00	N/A	
7	Service Based on 4827 pages per month-Mono	Cost per Copy per item	N/A	0.0037		N/A	0.007		N/A	0.00335		N/A	0.0067	
7	Service Based on 5313 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0359		N/A	0.0332		N/A	0.0372	
4	(11) Color MFP A3 (Minimum 60 PPM)	Total 60 Mos. lease	\$53,931.60	\$67,653.98	\$121,585.58	\$43,305.60	\$55,290.24	\$98,595.84	\$40,567.20	\$45,945.12	\$86,512.32	\$58,217.96	\$50,218.08	\$108,436.04
		Total per year	\$10,788.32	\$13,530.80	\$24,317.12	\$6,661.12	\$11,058.05	\$19,719.17	\$8,113.44	\$9,189.02	\$17,302.46	\$11,643.59	\$10,043.62	\$21,687.21
		Per Month Total	\$898.86	\$1,127.57	\$2,431.71	\$721.76	\$921.50	\$1,976.60	\$676.12	\$765.75	\$1,441.87	\$970.30	\$836.97	\$1,807.27
4	Main Unit /duplexing	per month/per item	\$173.84	N/A	Ricoh Aficio IMC6000 60PPM	\$143.34	N/A	HP Color LaserJet Managed MFP E877 dn	\$123.36	N/A	Ricoh Aficio IMC6000 60PPM	\$190.91	N/A	Toshiba 6525AC with PS 65PPM
4	Document Feeder	per month/per item	\$0.00	N/A		Does not meet spec	N/A		\$0.00	N/A		\$13.47	N/A	Does not come with medium or high cabinets as well as an internal finisher.
	Additional Paper Tray	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		\$4.41	N/A	
	Cabinet	per month/per item	\$2.12	N/A		N/A	N/A		N/A	N/A		\$2.60	N/A	
	Medium Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		N/A	N/A	
	High Cabinet	per month/per item	N/A	N/A		N/A	N/A		N/A	N/A		N/A	N/A	
3	2 Drawer Base (PFU)	per month/per item	\$11.81	N/A		\$7.90	N/A		\$10.34	N/A		\$7.93	N/A	
1	LCIT	per month/per item	\$14.19	N/A		\$12.16	N/A		\$14.40	N/A		\$9.86	N/A	
2	Internal Finisher	per month/per item	\$9.77	N/A		N/A	N/A		N/A	N/A		Does not meet spec	N/A	
4	Floor Finisher	per month/per item	\$15.83	N/A		\$21.97	N/A		\$21.85	N/A		\$18.43	N/A	
	Booklet Finisher	per month/per item	\$34.59	N/A		N/A	N/A		N/A	N/A		\$28.41	N/A	
4	Bridge Unit	per month/per item	\$1.92	N/A		No-Bid	N/A		\$4.25	N/A		\$2.03	N/A	
2	2/3 Hole Punch	per month/per item	\$7.07	N/A		\$6.48	N/A		\$5.12	N/A		\$6.83	N/A	
7	All units must be compatible w/PCL &PS	per month/per item	\$0.00	N/A		\$0.00	N/A		\$0.00	N/A		\$0.00	N/A	
3	Fax Kit	per month/per item	\$11.69	N/A		\$3.90	N/A		\$5.90	N/A		\$7.87	N/A	
3	Dedicated fax output tray with notification light	per month/per item	\$4.71	N/A		Does not meet spec	N/A		\$1.64	N/A		\$0.00	N/A	
4	Service Based on 7268 pages per month-BW	Cost per Copy per item	N/A	0.0037		N/A	0.007		N/A	0.0035		N/A	0.0065	
4	Service Based on 5000 pages per month-Color	Cost per Copy per item	N/A	0.051		N/A	0.0359		N/A	0.0332		N/A	0.0324	
1	(12) Color Wide Format 44" Two Roll	Total 60 Mos. lease	\$16,956.00	\$12,441.60	\$29,397.60	No-Bid	No-Bid	No-Bid	\$14,506.80	\$11,750.40	\$26,257.20	\$28,821.00	\$9,960.00	\$38,781.00
		Total per year	\$3,391.20	\$2,488.32	\$5,879.52	No-Bid	No-Bid	No-Bid	\$2,901.36	\$2,350.08	\$5,251.44	\$5,764.20	\$1,992.00	\$7,756.20
		Per Month Total	\$282.60	\$207.36	\$489.92	No-Bid	No-Bid	No-Bid	\$241.78	\$195.84	\$437.62	\$480.35	\$0.00	\$646.35
1	Main Unit	per month/per item	\$254.53	N/A	Cannon Image Prograf wiStacker 190 D Sized per hour	No-Bid	No-Bid	No-Bid	\$241.78	N/A	HP 36" Single Roll Does not meet specification	\$480.35	N/A	HP Design Jet SD Pro 44 inch - Service included but supplies are separate. Factor assumes 4 cartridges each color per year at \$83 each (\$1,992) HP will service not Toshiba
1	Second in Line Roll	per month/per item	\$28.07	N/A		No-Bid	No-Bid	No-Bid	No-Bid	N/A		\$0.00	N/A	
1	Scan & Copy	per month/per item	\$0.00	N/A		No-Bid	No-Bid	No-Bid	\$0.00	N/A		\$0.00	N/A	
1	Service Based on 420 sq. ft. copy volume	Cost per Sq. Ft.	N/A	0.18		No-Bid	No-Bid	No-Bid	N/A	0.17		N/A	0	
1	Avg Network Print Volume 732	Cost per Sq. Ft.	N/A	0.18		No-Bid	No-Bid	No-Bid	N/A	0.17		N/A	0	
1	Average Scan to File 708	Cost per Sq. Ft.	N/A	\$0.00		No-Bid	No-Bid	No-Bid	N/A	\$0.00		N/A	\$0.00	

Item		Toshiba		Applied Innovations
Give us general information the company and our account team.	9	Karen Hammond, Ed Schwartz, Ron Polak, Mike Hellebuck, Ken Burchette, Amanda	10	Anna Stewart-Account Rep for F.H., Brad Kimbell - Director of Sales, Dan Brace - Sales Manager. Stella Klein - Director of Sales, providing service to City of Farmington Hills. 210 employees to over 500. Family owned company.
Give us an overview of your customer service Department? Where are we calling? Tell us how a service call is handled.	7	800# with a live operator, 7-5 locally, depending on service calls can be accepted until 8 p.m. Service is distributed, field technicians will contact end users. Field tech have parts on hand.	8	Central number or put a service call via website. Call into Grand Rapids, 8 members. Every call is handled by the same team, technician, call the customer within an ETA within a couple of hours. Average response time right now, 2.37 hours. Tricriteria's is assigned to a technicians so they see the same face. Unless they are backed up. Remote access gives them access to push the fixes or firmware when necessary.
Please discuss the number & experience of your service technicians. Elaborate on the types of training you provide your staff (i.e. on equipment as well as service)	9	60 technicians for all of the MITN, average 18+ years of training combined. All fully trained on all the products. HP Lexmax and Brother. Only company that guarantees if they can't repair the device, they will replace for no cost. They will also provide a loner. 99.8 up time, and that includes printers. Ed and Ken will determine if something needs to be replaced. 3 and 30 report, 3 calls within 30 days customer will get a call from the account rep to find out what is going on. Customer feedback goes out after every repair and goes to everyone at the company	10	160 technical across the nation. 98 technicians in the State of Michigan. Certified by Manufacturer training school and they have trainers on site. Larger production machines will be taught by the manufacturers. Constantly getting trained on the latest and greatest changes. Technicians try to make sure they have the correct parts in the vehicle, keep \$5-7K in inventory. Trucks are restocked daily.
Give an example of where your team provided exceptional service...going over and above the requirements of a contract	7	Detroit Tigers service. They provide service at 4 am of every game day (Seems like contract management vs. above & beyond).. Provide supplies to competitor during a down time. Easter seals, providing machines during the transition (Seems like a transition plan)..	9	Keep machine up and running, they will take it off of a machine on their site. They can also swap out of a machine. Loaned us extra printers during elections. At no charge. Anna brought had the autonomy to assign without approval from upper management.
Tell us about the equipment you are proposing. What new/innovative technologies are included with the equipment?	8	Newest line shipping today. On board OCR. B & C connector, can connect to the end user so they can see exactly what is going on. E Global print, option, so you can print from any printer on the network.	8	Stay with Ricoh. Larger touch screen, like an iPad. Stapleless option, just crimp. Making repairs simpler for the technicians. RSI - Can send the print job to a printer while working from home. Then when you get to the office you can release the print job.
Tell us about any value added services you are offering as part of this agreement.	7	Software, thermal bar code printer, digital signage, wide format printer. On prem or iCloud capabilities. Technology platform - best ways to rollout and get us up and running. Can give us a snap shot of saving and view of what we will look like.	10	lots of extra services offered. Security, hardware, cyber security, Automation - streamline, Robotics Process Automation, Scanning services, IT back-up help and shredding.
This agreement is extendable. What do you see as the challenges of the Cooperative. I know you have other extendable agreements, how is this agreement positioned differently than the others?	7	Full marketing support. Several cooperatives which we already use, this contract is unique that there will not be any % to pay. Agreement is still just another agreement vs. national contracts,	9	500 plus members are already on the contract. Expansion of services, where the challenges are. Project management to handle the implementation.
Please discuss contract review. How are changes & additions handled mid-agreement.	10	Very flexible. They are coterminous. You can upgrade or downgrade anytime during the contract.	9	4503 to go to 4504, we only increased the contract once during the past years. Only put "less than 2% increase". Once a year have a review.
Give us an example where you have lost an account. What happened? Would you change how the issue was handled?	8	Lost a school district, it came down to communication. The original customers that first had contract that were no longer there, the replacements didn't understand the size of printers and struggled to get on the same page. New printers were issue and replaced but the relationship was still lost.	10	Invoices were being sent to M. Lasley instead of Kelly, 7K in over charges, clear up within in the day. A couple of machine were dead on arrival when they were supposed to be installed. They got loaners in the meantime to get them up and running.
Is there anything else you would like to share or demonstrate that would validate your interest in and ability to service this contract?	10	Wholly owned subsidiary. STAR report-Strategic Tactical Account Review	10	Continue to do right by the City of Farmington Hills. Very approachable and call for any issues.
Total Interview Evaluation	82		93	

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
January 9, 2023

**SUBJECT: AWARD OF PROPOSAL FOR ENTERPRISE RESOURCE PLANNING SOLUTION
 AND ADVANCED TIME & ATTENDANCE**

ADMINISTRATIVE SUMMARY

- At the May 14, 2018 City Council meeting, City Council awarded Plante Moran as the City's Unified Communications (UC) Consultant. Functions of the UC consultant include inventory, evaluation, and assessment of current communications systems (phone, CCTV, infrastructure, storage & computing systems & software, emergency alerting, wireless technology), assisting the City in creating a multi-year strategic plan for unified communications enhancements and design & project management services for projects brought forth in the plan.
- After a lengthy evaluation of all of our network, communications and management systems Plante Moran offered a comprehensive multi-year strategic project plan to assist the City with decision making as it relates to UC and capital planning process. The current project includes replacing the City's seventeen (17) year old on-premise Enterprise Resource System (ERP) including Budgeting, General Ledger, Financial Reporting, Bank Reconciliation, Purchasing, Accounts Payable, Fixed Assets, Retirement Administration, Grant & Project Accounting, Payroll, HR Core and Position control & multiple timekeeping and attendance platforms with robust cloud based solutions.
- Request for proposals were advertised, posted on the MITN e-procurement site, and publicly opened on May 20, 2022 for the ERP and Time & Attendance project. Notification was sent to over two hundred (200+) companies including sixty-nine (69) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled.). Three (3) responses were received: BS&A partnering with Andrews Technology (UKG) located in Bath , MI & Wilmington, NC, Central Square located in Lake Mary, FL and Tyler Technologies located in Plano, TX.
- Specifications for this project include provision of the cloud based solution, technical consulting, comprehensive data transfer & set-up, testing and training on all software components.
- Staff & representatives from Plante Moran evaluated written & priced responses, completed two(2) days of demonstrations for each of the three companies and checked references. Staff and Plante Moran are recommending award to BS& A partnering with Andrews Technology (UKG) as the lowest most qualified company. They have extensive experience providing these types of products & services with multiple local municipalities including City of Warren, City of Sterling Heights and City of Southfield. They have extensive knowledge managing a complex implementation, are extremely knowledgeable about best industry practices, offered a product solution that fit well within our network scheme, have experience creating training documents & educating end users at all levels and was most competitively priced. In addition, implementing the BS&A ERP solution will allow seamless integration with our land file solution (Assessing, Building, Tax and Special Assessments) which affords us a single pane of glass for our financial picture. Staff and our representatives from Plante Moran are confident in the ability of BS&A partnering with Andrews Technology to provide this vital solution.
- Please note during product evaluation the City also demonstrated an on-line HRIS product from Governmentjobs.com dba NeoGov which fulfills the City's requirements. City Council approved award to dba NeoGov in November, 2022. This product will integrate well with the recommended solution from BS&A and Andrews Technology (UKG) and was included in the cost evaluation below.
- Implementation will begin immediately. Due to the complexity of this solution the Time & Attendance application is expected to be completed in early summer and ERP solution is expected in late Spring 2024.
- Funding for this project budgeted & available in the Capital Technology fund.

EVALUATION TABULATION -BREAKDOWN ATTACHED BELOW

NAME	CITY/STATE	PROPOSAL 75 POINTS POSSIBLE	COST 60 POINTS POSSIBLE	DEMO & INTERVIEW 65 POINTS POSSIBLE	TOTAL POINTS
BS&A Software w/Andrews Technology (UKG)	Bath, MI	58	60	53.5	171.5
CentralSquare	Lake Mary, FL	57.33	20	45	122.33
Tyler Technologies	Yarmouth, ME	66	40	52	158

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to execute an agreement (subject to the City Attorneys negotiation of final terms & conditions) with BS & A for implementation & subscription of an Enterprise Resource Planning Solution in an initial amount of \$490,265 (implementation + Zero dollars subscription during implementation) with one (1) or more administration-approved extensions of the subscription beginning year two at \$203,958 not to exceed five (5) under the same terms and conditions upon mutual consent by the City and vendor.

In addition, it is recommended that City Council authorize the City Manager to execute an agreement (subject to the City Attorneys negotiation of final terms & conditions) with Andrews Technology (UKG) for implementation, and subscription of an Advanced Time & Attendance solution in an initial amount of \$85,340 (27,750 implementation + \$57,590 yearly subscription) with one (1) or more administration-approved extensions, of the subscription & maintenance not to exceed five(5) under the same terms and conditions upon mutual consent by the City and vendor.

Prepared by: Kelly Monico, Director of Central Services
Reviewed by Jack Li, IT Manager
Reviewed by: Michelle Aranowski, Senior Buyer
Reviewed by: Thomas Skrobola, Director of Finance
Approved by: Gary Mekjian, City Manager

EVALUATOR PROPOSAL EVALUATION

Round 2 Evaluation Criteria	Weight	BS&A	Group Score		Evaluation Source / Reference
			CentralSquare	Tyler	
Functional Requirements	30	24.00	26.00	28.00	<i>Functional Specifications Plante Moran's Analysis</i>
Implementation Requirements, Plan and Timeline	15	11.00	12.00	12.00	<i>Application Software response Implementation Plan response Staffing Plan response</i>
Technical Requirements and Ongoing Support	20	15.00	12.00	18.00	<i>Technical Infrastructure response Vendor Hosted Option (if applicable) Ongoing Support Services response</i>
General Vendor Requirements	10	8.00	7.33	8.00	<i>Company Background Client References Overall: completeness & quality of proposal response.</i>
Weighted Score:		75	58.00	57.33	66.00
Rank:		2	3	1	
Cost including both one-time and on-going	60	60.00	20.00	40.00	<i>Cost Proposal Consider scope of solution based on modules bid</i>

Cost evaluation - Utilizing 3% projected annual subscription/maintenance increase over 10 years.

Vendor	Implementation
BS&A w/ UKG	\$ 518,015 (\$490,265 BSA + \$27,750 Andrews UKG)
NeoGov	\$ 21,263
BS&A w/ UKG + NeoGov	\$ 539,278
CentralSquare	\$ 1,011,138
Tyler	\$ 1,251,778
Tyler No Options	\$ 647,030
	(\$203,958 BSA + \$57,950 Andrews UKG)

On-Going Cost										
Vendor	Year 1 Ongoing	Year 2 Ongoing	Year 3 Ongoing	Year 4 Ongoing	Year 5 Ongoing	Year 6 Ongoing	Year 7 Ongoing	Year 8 Ongoing	Year 9 Ongoing	Year 10 Ongoing
BS&A w/ UKG	\$ -	\$ 260,985	\$ 268,815	\$ 276,879	\$ 285,185	\$ 293,741	\$ 302,553	\$ 311,630	\$ 320,979	\$ 330,608
NeoGov	\$ 34,636	\$ 57,121	\$ 79,606	\$ 81,994	\$ 84,454	\$ 86,988	\$ 89,597	\$ 92,285	\$ 95,054	\$ 97,905
BS&A + NeoGov	\$ 34,636	\$ 318,106	\$ 348,421	\$ 358,873	\$ 369,639	\$ 380,729	\$ 392,150	\$ 403,915	\$ 416,032	\$ 428,513
CentralSquare	\$ 208,464	\$ 214,718	\$ 221,160	\$ 227,795	\$ 234,628	\$ 241,667	\$ 248,917	\$ 256,385	\$ 264,076	\$ 271,999
Tyler	\$ 354,541	\$ 365,177	\$ 376,133	\$ 387,417	\$ 399,039	\$ 411,010	\$ 423,340	\$ 436,041	\$ 449,122	\$ 462,596
Tyler No Options	\$ 287,121	\$ 295,735	\$ 304,607	\$ 313,745	\$ 323,157	\$ 332,852	\$ 342,837	\$ 353,123	\$ 363,716	\$ 374,628

Total Yearly Cost (Implementation + On-Going)										
Vendor	Total Year 1	Total Year 2	Total Year 3	Total Year 4	Total Year 5	Total Year 6	Total Year 7	Total Year 8	Total Year 9	Total Year 10
BS&A w/ UKG	\$ 518,015	\$ 260,985	\$ 268,815	\$ 276,879	\$ 285,185	\$ 293,741	\$ 302,553	\$ 311,630	\$ 320,979	\$ 330,608
NeoGov	\$ 55,899	\$ 57,121	\$ 79,606	\$ 81,994	\$ 84,454	\$ 86,988	\$ 89,597	\$ 92,285	\$ 95,054	\$ 97,905
BS&A + NeoGov	\$ 573,914	\$ 318,106	\$ 348,421	\$ 358,873	\$ 369,639	\$ 380,729	\$ 392,150	\$ 403,915	\$ 416,032	\$ 428,513
CentralSquare	\$ 1,219,602	\$ 214,718	\$ 221,160	\$ 227,795	\$ 234,628	\$ 241,667	\$ 248,917	\$ 256,385	\$ 264,076	\$ 271,999
Tyler	\$ 1,606,319	\$ 365,177	\$ 376,133	\$ 387,417	\$ 399,039	\$ 411,010	\$ 423,340	\$ 436,041	\$ 449,122	\$ 462,596
Tyler No Options	\$ 934,151	\$ 295,735	\$ 304,607	\$ 313,745	\$ 323,157	\$ 332,852	\$ 342,837	\$ 353,123	\$ 363,716	\$ 374,628

Cumulative Total Cost by Year										
Vendor	Cumulative Year 1	Cumulative Year 2	Cumulative Year 3	Cumulative Year 4	Cumulative Year 5	Cumulative Year 6	Cumulative Year 7	Cumulative Year 8	Cumulative Year 9	Cumulative Year 10
BS&A w/ UKG	\$ 518,015	\$ 779,000	\$ 1,047,815	\$ 1,324,694	\$ 1,609,879	\$ 1,903,620	\$ 2,206,173	\$ 2,517,803	\$ 2,838,781	\$ 3,169,389
NeoGov	\$ 55,899	\$ 113,020	\$ 192,626	\$ 274,620	\$ 359,074	\$ 446,062	\$ 535,659	\$ 627,944	\$ 722,998	\$ 820,903
BS&A + NeoGov	\$ 573,914	\$ 892,020	\$ 1,240,441	\$ 1,599,314	\$ 1,968,953	\$ 2,349,682	\$ 2,741,832	\$ 3,145,747	\$ 3,561,779	\$ 3,990,293
CentralSquare	\$ 1,219,602	\$ 1,434,321	\$ 1,655,480	\$ 1,883,275	\$ 2,117,903	\$ 2,359,571	\$ 2,608,488	\$ 2,864,873	\$ 3,128,949	\$ 3,400,948
Tyler	\$ 1,606,319	\$ 1,971,496	\$ 2,347,629	\$ 2,735,045	\$ 3,134,084	\$ 3,545,095	\$ 3,968,435	\$ 4,404,476	\$ 4,853,598	\$ 5,316,193
Tyler No Options	\$ 934,151	\$ 1,229,886	\$ 1,534,492	\$ 1,848,237	\$ 2,171,394	\$ 2,504,246	\$ 2,847,084	\$ 3,200,206	\$ 3,563,923	\$ 3,938,550

Proposed 10 Year Cost		
Cost Rank	Vendor	10 Year Cost
1	NeoGov	\$ 820,903
2	BS&A w/ UKG	\$ 3,169,389
3	CentralSquare	\$ 3,400,948
4	Tyler No Options	\$ 3,938,550
5	BS&A + NeoGov	\$ 3,990,293
6	Tyler	\$ 5,316,193

Current Costs (Cost would apply to Tyler or CentralSquare scenarios)										
Current Costs	Total Year 1	Total Year 2	Total Year 3	Total Year 4	Total Year 5	Total Year 6	Total Year 7	Total Year 8	Total Year 9	Total Year 10
Misc. Receivables	\$ 4,400	\$ 4,532	\$ 4,668	\$ 4,808	\$ 4,952	\$ 5,101	\$ 5,254	\$ 5,411	\$ 5,574	\$ 5,741
Cash Receipting	\$ 4,005	\$ 4,125	\$ 4,249	\$ 4,376	\$ 4,508	\$ 4,643	\$ 4,782	\$ 4,926	\$ 5,073	\$ 5,226
General Ledger	\$ 5,290	\$ 5,449	\$ 5,612	\$ 5,781	\$ 5,954	\$ 6,133	\$ 6,317	\$ 6,506	\$ 6,701	\$ 6,902
Total	\$ 13,695	\$ 14,106	\$ 14,529	\$ 14,965	\$ 15,414	\$ 15,876	\$ 16,353	\$ 16,843	\$ 17,348	\$ 17,869

Net Annual Cost										
Vendor	Net Total Year 1	Net Total Year 2	Net Total Year 3	Net Total Year 4	Net Total Year 5	Net Total Year 6	Net Total Year 7	Net Total Year 8	Net Total Year 9	Net Total Year 10
BS&A w/ UKG	\$ 518,015	\$ 260,985	\$ 268,815	\$ 276,879	\$ 285,185	\$ 293,741	\$ 302,553	\$ 311,630	\$ 320,979	\$ 330,608
NeoGov	\$ 55,899	\$ 57,121	\$ 79,606	\$ 81,994	\$ 84,454	\$ 86,988	\$ 89,597	\$ 92,285	\$ 95,054	\$ 97,905
BS&A + NeoGov	\$ 573,914	\$ 318,106	\$ 348,421	\$ 358,873	\$ 369,639	\$ 380,729	\$ 392,150	\$ 403,915	\$ 416,032	\$ 428,513
CentralSquare	\$ 1,233,297	\$ 228,824	\$ 235,689	\$ 242,759	\$ 250,042	\$ 257,544	\$ 265,270	\$ 273,228	\$ 281,425	\$ 289,867
Tyler	\$ 1,620,014	\$ 379,283	\$ 390,662	\$ 402,381	\$ 414,453	\$ 426,886	\$ 439,693	\$ 452,884	\$ 466,470	\$ 480,464
Tyler No Options	\$ 947,846	\$ 309,840	\$ 319,136	\$ 328,710	\$ 338,571	\$ 348,728	\$ 359,190	\$ 369,966	\$ 381,065	\$ 392,497

Net Cumulative Cost										
Vendor	Net Cumulative Year 1	Net Cumulative Year 2	Net Cumulative Year 3	Net Cumulative Year 4	Net Cumulative Year 5	Net Cumulative Year 6	Net Cumulative Year 7	Net Cumulative Year 8	Net Cumulative Year 9	Net Cumulative Year 10
BS&A w/ UKG	\$ 518,015	\$ 779,000	\$ 1,047,815	\$ 1,324,694	\$ 1,609,879	\$ 1,903,620	\$ 2,206,173	\$ 2,517,803	\$ 2,838,781	\$ 3,169,389
NeoGov	\$ 55,899	\$ 113,020	\$ 192,626	\$ 274,620	\$ 359,074	\$ 446,062	\$ 535,659	\$ 627,944	\$ 722,998	\$ 820,903
BS&A + NeoGov	\$ 573,914	\$ 892,020	\$ 1,240,441	\$ 1,599,314	\$ 1,968,953	\$ 2,349,682	\$ 2,741,832	\$ 3,145,747	\$ 3,561,779	\$ 3,990,293
CentralSquare	\$ 1,233,297	\$ 1,462,121	\$ 1,697,810	\$ 1,940,570	\$ 2,190,612	\$ 2,448,156	\$ 2,713,425	\$ 2,986,653	\$ 3,268,078	\$ 3,557,945
Tyler	\$ 1,620,014	\$ 1,999,297	\$ 2,389,959	\$ 2,792,340	\$ 3,206,793	\$ 3,633,679	\$ 4,073,372	\$ 4,526,256	\$ 4,992,727	\$ 5,473,191
Tyler No Options	\$ 947,846	\$ 1,257,686	\$ 1,576,822	\$ 1,905,532	\$ 2,244,103	\$ 2,592,831	\$ 2,952,021	\$ 3,321,987	\$ 3,703,052	\$ 4,095,548

Net 10 Year Investment		
Cost Rank	Vendor	10 Year Cost
1	NeoGov	\$ 820,903
2	BS&A w/ UKG	\$ 3,169,389
3	CentralSquare	\$ 3,557,945
4	BS&A + NeoGov	\$ 3,990,293
5	Tyler No Options	\$ 4,095,548
6	Tyler	\$ 5,473,191

REPORT FROM THE CITY MANAGER TO CITY COUNCIL – January 9, 2023**SUBJECT:** Purchase of 3 CY F550 Swap-Loading Dump Truck and Additional Snow Fighting Equipment**ADMINISTRATIVE SUMMARY**

- A request for proposals (RFP) was issued through the Michigan Intergovernmental Trade Network (MITN) e-procurement system and opened on March 18, 2020 for dump trucks and related equipment. The RFP was a seven community cooperative effort, with the City of Rochester Hills acting as lead agency and included the cities of Farmington Hills, Auburn Hills, Madison Heights, Livonia, Huntington Woods, and Bloomfield Township. The proposal was developed with the intent to create a multi-year, comprehensive, cooperative contract for any MITN agency to procure dump trucks and related equipment for snow and ice control.
- The vendors' proposals were reviewed by each of the seven communities in-order to obtain the best value for all agencies listed. The three step process included a proposal review, vendor interview, and manufacturing site visit. The Best Value Criteria that was utilized by the seven-community cooperative to determine the recommended vendor included: equipment quality, workmanship of the build, overall cost of ownership, and the vendor's ability to deliver multiple trucks in a reasonable time period. The detailed synopsis of the Best Value criteria used for this project is presented in the appendix of this report.
- In July 2020, Council accepted this process and awarded Truck & Trailer Specialties the agreement for a dump truck and related equipment, which secured a pricing discount for equipment, and parts for five (5) years. The agreement contains a provision that allows entities to purchase chassis by other means and deliver them to Truck & Trailer to outfit with equipment, such as dump truck swap loader hook lifts, salt spreaders, etc., ensuring the very best value at time of purchase.
- Funding for the recommended vehicle and equipment is in the FY 22/23 Capital Improvement-Equipment account. The recommended purchases are within budget. Please note the request for Truck & Trailer is listed as a not-to-exceed amount due to the volatility and availability in the market. The Parks Department may adjust their equipment needs, but will not exceed the budgeted amount.
- The recommended purchase of the 3 CY dump will be a hook-loader type that will be able to use some Parks Division's and DPW's existing hook-loading attachments.
- The chassis for the 3 CY hook-loading dump is recommended to be purchased from Lunghamer Ford (formerly Signature Ford) through the Macomb County cooperative bid #21-18-T-13.



RECOMMENDATION

IT IS RESOLVED that the City Council of Farmington Hills authorize the City Manager to issue a purchase order to Truck and Trailer Specialties of Dutton, MI, for an amount not to exceed \$103,000 for the purchase of F550 hook-loading dump truck, additional attachments and a salt spreader.

IT IS FURTHER RESOLVED that the City Council of Farmington Hills authorizes the Acting City Manager to issue a purchase order to Lunghamer Ford (formerly Signature Ford) of Owosso, Michigan, for a total of \$57,503 for the purchase of an F550 truck chassis.

Prepared by: April Heier, Department of Special Services, Parks Supervisor

Reviewed by: Michelle Aranowski, Senior Buyer
Kelly Monico, Director of Central Services

Departmental

Authorization: Ellen Schnackel, Director, Department of Special Services
Brian Moran, Deputy Director, Department of Special Services

Approved: Gary Mekjian, P.E., City Manager

CMR APPENDIX

Dump Truck RFP - Best Value Criteria

- **RFP Proposal:** RFP issued by the City of Rochester Hills on behalf of themselves and 7 other entities, requested vendors to propose the best combination of truck chassis and equipment, integrated and built to provide the maximum severe life for municipal snow and ice operations. The vendors' proposal responses were rated by all participating agencies.
- **Vendor Production Capability:** Vendors were asked to demonstrate their ability to deliver 20 or more trucks in time to have them in service by winter of 2021. Short listed vendors' facilities were visited and rated by many members of the RFP evaluation committee. The number and capacity of the production facilities, the number of qualified mechanics, shop space and layout, parts inventory, their assembly process and production tools/methods were all considered.
- **Build Quality:** Another major factor of Best Value Criteria was built quality. Inspection of previous truck builds, experience with past purchases from each vendor by all 7 agencies' and references were all considered.
- **Overall cost of ownership:** Many factors contribute to the complete cost of owning and operating a truck throughout its life cycle. Purchase price, scheduled maintenance, breakdowns, unscheduled repairs, vehicle down time, parts availability and residual value are all factors that contribute to total cost of ownership. In addition, it is difficult to put a dollar value on a truck that is not available due to a breakdown or it has not yet been delivered in the middle of a storm event. However, there is an obvious reduction in an agency's level of service and roadway safety
- **Technology:** Advances in technology on snow and ice control trucks have occurred at a rapid pace. The ability to easily upgrade to new technology is critical. Consideration was given to current as well as future technology and upgradeability.
- **Training:** Vendors were asked to give an overview of their ability to provide operator and mechanic training. The complexities of these trucks require comprehensive training for operators at time of delivery, as well as on-going systems training for mechanics.

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
January 9, 2023

SUBJECT: PURCHASE OF INFRASTRUCTURE, IMPLEMENTATION AND CLOUD SOFTWARE SUBSCRIPTION FOR DISASTER RECOVERY AS A SERVICE

ADMINISTRATIVE SUMMARY

- Sealed proposals were advertised, publicly opened and read aloud by Oakland County for Computers, Servers & Network Products, Management & Consulting. The awarded contract with Access Interactive is offered to the City as a cooperative bid. Participating in a cooperative purchase provides cost saving for the city due to the buying power of a cooperative.
- The City of Farmington Hills network manages dozens of terabytes of highly secured data, including resident & business parcel information, tax information, internal financial information, employee information, network infrastructure management information and other files associated with official City business. In 2021, the City implemented a subscription based solution for Back-up & Recovery as a Service (BRaaS). That service allows the City to back-up the data of on premise based information to protect said information from catastrophic data loss due to malicious actors, hardware failure, natural disasters, or other similar events.
- The proposed Disaster Recover as a Service (DRaaS) solution is the second and final piece of the puzzle. While on-premise data is already being backed up and kept off-site with the *ability* to restore to our existing environment, DRaaS adds all virtual machines (infrastructure & data) which will *recreate* our environment in the cloud. The solution will be custom designed to meet our needs, managed by script and if a disaster occurs our entire on-premise network can be accessed online (in the cloud), in a matter of hours. DRaaS can easily scale and expand based on the City's changing environment and the solution will meet the City's data back-up and retention policies. Staff has evaluated the solution and is confident this solution will provide robust recovery of the City's data. Please note stress testing and disaster exercising are included as part of this solution.
- The recommendation below includes is a one (1) year agreement at \$77,481 for infrastructure, cloud, software & managed services with an option to renew for an additional up to five (5) years under the same terms and conditions. The recommendation also includes an initial set-up fee of \$27,720 for all labor, hardware & software fees to complete set-up of the DRaaS.
- Funding for this expense is budgeted in the general government and capital accounts.

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to sign an agreement with and issue purchase orders to Access Interactive for one (1) year of Disaster Recovery as a Service in the amount of \$77,481 with one (1) or more administration-approved extensions not to exceed a total of five (5) under the same terms and conditions upon mutual consent by the City and vendor. In addition, it is recommended that the City Council authorize the City Manager be authorized to approve a purchase order for the initial set-up of the system in the amount of \$27,720.

Prepared by: Kelly Monico, Director of Central Services

Reviewed by: Michelle Aranowski, Senior Buyer

Reviewed by: Chris Barth, Senior IT Analyst

Reviewed by: Jack Li, Information Technology Manager

Approved by: Gary Mekjian, City Manager



OFFICE OF CITY CLERK

TO: Mayor and City Council Members
FROM: Pamela B. Smith, City Clerk
DATE: January 9, 2023
SUBJECT: Setting of Annual Goals Study Session Meeting & Special Joint Session Meeting

The date of Saturday, January 21, 2023 has been suggested for the City Council's annual goals study session meeting. The meeting is proposed to begin at 9:00 a.m. and take place in the Community Room at City Hall.

The special joint session meeting with the Farmington School Board and City of Farmington is proposed to take place Wednesday, January 25, 2023 at 6:00pm at Maxfield Training Center.

If the dates and times are acceptable to Council, the following motion is in order to formally confirm the meeting dates:

RECOMMENDATION:

IT IS RESOLVED, that City Council hereby schedules the annual goals study session meeting for Saturday, January 21, 2023, beginning at 9:00 a.m. in the community room at city hall; and affirms the special joint session meeting date of Wednesday, January 25, 2023 at 6:00pm at the Maxfield Training Center.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Smith", is written over a faint, larger version of the signature.

Pamela B. Smith, City Clerk

MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
CITY HALL - COMMUNITY ROOM
DECEMBER 12, 2022 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 6:00pm

Council Members Present: Barnett, Bridges, Bruce, Knol, Massey and Newlin

Council Members Absent: Boleware

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Brockway, Mondora and Winn and City Attorney Joppich

DISCUSSION ON OPTION TO ADD RESIDENTIAL TRASH CARTS TO REFUSE CONTRACT

Karen Mondora, Director of Public Services, introduced Mike Csapo, General Manager of Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC) and Sam Caramagno, Director of Municipal Affairs for Green For Life (GFL). She explained that when the refuse service contract was issued, it contained an option for the city to offer trash carts to residents and GFL is here to discuss that option with Council. Currently, the city only has recycling carts that were provided to residents.

Mike Csapo explained that the city's contract allows for the option of using trash carts with homeowners allowed to set out extra bags or containers of trash if needed. He noted that exercising this option in the first year of the contract would extend the current contract by one year or exercising the option in the 2nd or 3rd year would trigger a 2 or 3 year extension. This allows for the amortization of the cost of the carts over a 5-year period. He noted that this option was not immediately suggested so that GFL could prove its service to the community.

Discussion was held on how additional trash bins would be picked up, how cardboard boxes are handled with the increase of home deliveries and if this more automated pick up with the new carts eliminates jobs.

It was explained that the driver could do a combination of automated and manual pick up as needed and that more education is required with regard to what can and cannot be recycled. As far as jobs, the new trucks and automated process would be filling jobs that are now difficult to fill and if anyone's job were eliminated there were many other areas for that person to fill in and nobody would be let go or out of a job because of this new automated process.

Mayor Barnett asked for information on disposing of medical wastes be placed on the city's website.

Mr. Csapo went on to discuss proposed costs to the residents for adding trash carts and stated that they are recommending the 95 gallon black cars with black lids to be rolled out to all residents with the option, if the city wanted, to downsize to the 65 gallon cart. He added that while the contract calls for 180 days of advance notice to GFL, he is asking that due to supply chain constraints with regard to the trucks that the city have a target day of July 1, 2024 if Council approves moving in this direction in the next couple months.

It was suggested that there is some education and dissemination of information on how to get rid of the old bins.

The consensus of Council was to bring information back to a regular meeting for consideration of exercising the option for the trash carts as outlined by Mr. Csapo this evening with a target roll out date of July 1, 2024.

Mr. Csapo added that he is willing to speak to homeowners associations or other groups in order to help provide information and answer questions on the new carts if approved by City Council.

Mayor Barnett asked about composting sites. Mr. Csapo responded that they hope to begin those conversations very soon. There are some pilot programs currently and they are waiting on information from those pilot communities and then could discuss further with Council having a few experimental composting sites in Farmington Hills.

Mr. Csapo mentioned that as part of their commitment to look at multi-family recycling, they discovered in speaking with people at the drop off recycling locations that Farmington Hills multi-family residents represented the largest percentage of the families at the drop off sites and 99% of those asked said they would be willing to pay for on-site recycling.

City Manager Mekjian stated that staff would bring the necessary resolution before Council in January or February to exercise the option of using the trash carts.

ALDEN DEVELOPMENT GROUP COMMERCIAL REHABILITATION DISTRICT REQUEST

Tia Brockway, Director of Economic Development, explained that on January 24, 2022, City Council approved the PUD plan for The Emerson and due to costs involved with various improvements associated with the project, the development group is requesting the establishment of a Commercial Rehabilitation District. This issue was last discussed by Council at their study session meeting on October 24, 2022 and the public hearing period was established at the regular meeting.

Ryan Higuchi, PM Environmental Project Consultant, outlined the proposed development consisting of 620 new residences in two separate buildings with a projected timeline and completion of approximately two years. He noted that the Commercial Rehabilitation District (CRD) was the first step in putting the property in eligibility for a tax abatement under PA 210, which would be a ten year abatement from approval. The reason for the request relates to the costs involved with the proposed offsite improvements associated with the project as well as material costs increasing by approximately 25 percent. He added that the establishment of the district does not obligate the city to grant the abatement but once established, Alden Development Group would be applying for the Certificate of Tax Exemption probably next year.

Council inquired if this abatement had the same requirements as other tax abatement that had been provided in the city.

Attorney Joppich explained that City Council adopted the PA 210 policy and one of the requirements is an agreement with the city that can include language about breach of that agreement. He stated that more detail would be provided at the time they make application and that is considered by Council.

Mr. Higuchi commented that the proposed infrastructure improvements will also make the surrounding properties more desirable.

Mayor Barnett clarified that before Council this evening on the regular agenda is a resolution to create the Commercial Rehabilitation District and then Alden Development would be able to apply for a tax exemption certificate. She inquired when the 10 year abatement period would start and when the additional taxes would be passed on to the renters.

Director Brockway clarified that Council can approve an abatement for up to 10 years but it does not have to be for that period of time.

Mr. Higuchi stated that the application and approvals must be submitted to the State Tax Commission by October 31st so the abatement would start January 2024.

Tom Herbst, CFO of Alden Development Group, added that there is not expectation of rate increases at year 11 as they assume a 3% increase per year so that cost is already absorbed. In response to Council, he added that they hope to break ground next summer.

Mr. Higuchi added that if Council approves the creation of the district this evening, the County is notified and they have 28 days to object, but that is not anticipated as they are already aware of the project and intent to create the district.

ADJOURNMENT:

The study session meeting adjourned at 7:06pm

Respectfully submitted,



Pamela B. Smith, City Clerk

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL MEETING
CITY HALL – COUNCIL CHAMBER
DECEMBER 12, 2022 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:31pm.

Council Members Present: Barnett, Bridges, Bruce, Knol, Massey, and Newlin

Council Members Absent: Boleware

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

PLEDGE OF ALLEGIANCE

Pam Gerald, resident, led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

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

MOTION CARRIED 6-0.

CORRESPONDENCE

There was no correspondence acknowledged.

CONSENT AGENDA

MOTION by Bridges, support by Massey, to approve consent agenda items #7-13, as read.

Roll Call Vote:

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

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Knol, support by Massey, to approve consent agenda items #14 and #15, as read.

Roll Call Vote:

Yeas: BRIDGES, BRUCE, KNOL, MASSEY AND NEWLIN

Nays: NONE

Absent: BOLEWARE

Abstentions: BARNETT

MOTION CARRIED 5-0-1-1.

PUBLIC QUESTIONS AND COMMENTS:

State Senator Mary Cavanaugh introduced herself and offered her services as needed to the city.

Pam Gerald, resident, urged drivers in the community to slow down when approaching buses and to proceed with caution if the yellow lights are flashing and to stop when the stop sign is extended and red lights are flashing.

Dennis Koss, Tina Drive, commented on difficulty he was having getting answers from staff on a particular issue. City Manager Mekjian stated that he was aware of the issues and offered for him and Director of Public Services to visit the site in the coming weeks to try and address his concerns.

Mayor Barnett also asked for drivers to be aware of children riding bikes to and from school especially now that it gets dark earlier.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

Council made the following comments:

- Acknowledged Fire Chief's reappointment by Governor Whitmer to the Michigan Public Safety Communications Interoperability Board.
- Happy Holidays to all!

CITY MANAGER UPDATE

City Manager Mekjian provided the following update:

- Thanked staff, Council and residents who attended the Annual Holiday Lights Ceremony on December 6th
- The city launched a new Citizen Problem Report function that is on the home page of the city's website for residents to submit non-emergency concerns. This is monitored by the city during normal business hours.
- Yard waste pick-up ends this week, December 12-16, 2022; it was noted that real Christmas trees are also collected on normal trash days typically through January.

UNFINISHED BUSINESS:

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-4-2022 TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 2, TO PROVIDE FOR AMENDMENT OF RETIREMENT BENEFITS AND RETIREE HEALTHCARE BENEFITS IN ACCORDANCE WITH APPLICABLE COLLECTIVE BARGAINING AGREEMENTS AND TO EXTEND CONSISTENT BENEFITS TO EXEMPT AND EXECUTIVE EMPLOYEES OF THE CITY; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Tom Skrobola, Director of Finance, explained that this ordinance was before Council for the first reading at their last meeting and other than a few typos that have been cleaned up, there are no significant changes proposed to the ordinance since that time.

MOTION by Bridges, support by Newlin, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-4-2022 to amend the Farmington Hills Code of Ordinances, Chapter 2, to provide for amendment of retirement benefits and retiree healthcare benefits in accordance with applicable collective bargaining agreements and to extend consistent benefits to exempt and executive employees of the City; and approval of summary for publication.

Roll Call Vote:

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

MOTION CARRIED 6-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF APPOINTMENT AND REAPPOINTMENT TO VARIOUS BOARDS AND COMMISSIONS.

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

Building Appeals Board

Pamela Gerald

Length of Term:

3 years

Term ending:

February 1, 2026

Employee Retirement Board

Lauri Siskind

Length of Term:

3 years

Term ending:

December 31, 2025

MOTION CARRIED 6-0.

CONSIDERATION OF APPROVAL OF ADOPTION OF A RESOLUTION TO ESTABLISH A COMMERCIAL REHABILITATION DISTRICT FOR ALDEN DEVELOPMENT GROUP, LLC (THE EMERSON LOFTS COMMERCIAL REHABILITATION DISTRICT NO. 1). CMR 12-22-113

Tia Brockway, Director of Economic Development, explained that on January 24, 2022, City Council approved the PUD plan for The Emerson and due to costs involved with various improvements associated with the project, the development group is requesting the establishment of a Commercial Rehabilitation District.

Mayor Barnett noted that Council has discussed this issue at several study session meetings prior to this coming before them at this regular meeting.

MOTION by Knol, support by Bridges, that the City Council of Farmington Hills hereby approves the Commercial Rehabilitation District for Alden Development Group, LLC within the designated project boundary, to be known as The Emerson Lofts Commercial Rehabilitation District No. 1 and authorize the City Manager and City Clerk to sign the attached resolution establishing a Commercial Rehabilitation District for the project and convey the resolution to Oakland County for their approval.

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

**RESOLUTION TO ESTABLISH A
COMMERCIAL REHABILITATION DISTRICT**

RESOLUTION NO. R-204-22

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, Michigan, held in the City Hall on December 12, 2022, at 7:30 p.m. Eastern Standard Time, with those present and absent being

PRESENT: BARNETT, BRIDGES, BRUCE, KNOL, MASSEY AND NEWLIN

ABSENT: BOLEWARE

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

WHEREAS, pursuant to PA 210 of 2005 ("Act 210"), the City of Farmington Hills has the authority to establish "Commercial Rehabilitation Districts" within the City of Farmington Hills at request of the owner or owners of property comprising at least 50% of all taxable value of the property located within the proposed district; and

WHEREAS, the Farmington Hills City Council has adopted the City of Farmington Hills Commercial Rehabilitation District Establishment and Exemption Certificate Policy (the "City CRD-CREC Policy") for the primary purpose of, among others, considering some limited Commercial Rehabilitation Districts and Commercial Rehabilitation Exemption Certificates in the City in order to facilitate, encourage, and incentivize improvements to properties that will bring underutilized existing commercial properties meeting the City CRD-CREC Policy's purposes, goals, and criteria into full utilization and compliance with current City land use plans and standards; and

WHEREAS, Farmington Hills Lofts LLC has filed a written request with the clerk of the City of Farmington Hills requesting the establishment of the Commercial Rehabilitation District for an area in the vicinity of Northwestern Highway between Greening Street and Highview Avenue located in the City of Farmington Hills hereinafter described, more than 50% of which is owned by Farmington Hills Lofts LLC; and

WHEREAS, prior to adoption of this resolution, written notice has been given by certified mail to Oakland County and all owners of real property located within the proposed district, as required by section 3(3) of Act 210; and

WHEREAS, on October 24, 2022, after providing public notice in accordance with Act 210, a public hearing was held at which time all residents and taxpayers of the City of Farmington Hills were afforded an opportunity to appear and be heard on the issue of establishing the proposed district as also required by Act 210; and

WHEREAS, the City Council deems it to be in the public interest of the City of Farmington Hills to establish the Commercial Rehabilitation District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Farmington Hills that:

- (1) it is determined that the proposed district meets the requirements for a commercial rehabilitation district set forth in subsection 2(b) and subsections 3(1) and (2) of Act 210 and the criteria for a commercial rehabilitation district set forth in the City CRD-CREC Policy; and
- (2) the following described parcel(s) of land and the abutting alleyways situated in the City of Farmington Hills, County of Oakland, and State of Michigan, be and hereby are established as a Commercial Rehabilitation District, pursuant to the provisions of PA 210 of 2005, to be known as "The Emerson Commercial Rehabilitation District No.1":

32905 Northwestern 22-23-02-102-013

T1N, R9E, SEC 2 PART OF W 1/2 OF NW 1/4 BEG AT SW COR LOT 15-BLK L OF 'FARMINGTON HEIGHTS', TH N 89-57-00 W 290 FT, TH N 00-03-00 E 115 FT, TH S 89-57-00 E 90 FT, TH N 00-03-00 E 115 FT, TH SELY ALG SLY LI FORD AVE SERVICE DR TO ELY LI LOT 32, TH N 01-28-30 E 87 FT, TH S 88-34-30 E 10.76 FT, TH S 52-20-00 E 187 FT, TH S 01-13-30 W 119.55 FT, TH N 89-57-00 W 82.10 FT, TH N 00-03-00 E 115 FT, TH N 88-34-30 W 40 FT, TH S 00-03-00 W 115 FT TO BEG, ALSO ALL OF LOTS 15 & 16-BLK L OF 'FARMINGTON HEIGHTS'

Vacant 22-23-02-102-002

T1N, R9E, SEC 2 PART OF W 1/2 OF NW 1/4, BEG AT SW COR OF LOT 141 'SUPERVISOR'S SUB NO 7', TH N 88-34-30 W 170 FT, TH N 01-33-00 E 151.08 FT, TH S 52-20-00 E 30.95 FT, TH S 01-33-00 W 17.73 FT, TH S 88-34-30 E 22.5 FT, TH N 01-33-00 E 1.25 FT, TH S 52-50-00 E 151.65 FT, TH S 01-33-00 W 26.46 FT TO BEG VACATED LOTS 142 - 149 & LOT 151 0.30 AF37D

Vacant 22-23-02-102-003

T1N, R9E, SEC 2 SUPERVISOR'S SUB NO 7 LOTS 140 & 141, ALSO THAT PART OF N 1/2 OF VAC FORD AVE LYING BETWEEN W LINE OF LOT 141 EXT SLY, & THE SWLY LINE OF NORTHWESTERN HWY

Vacant 22-23-02-102-005

T1N, R9E, SEC 2 FARMINGTON HEIGHTS LOTS 21 TO 24 INCL BLK L

Vacant 22-23-02-102-004

T1N, R9E, SEC 2 PART OF NW 1/4 TAKEN FOR HWY SERVICE RD LYING NLY OF PARCEL 23-02-102-006

Vacant 22-23-02-104-001

T1N, R9E, SEC 2 PART OF W 1/2 OF NW 1/4 BEG AT SE COR LOT 12-BLK M OF 'FARMINGTON HEIGHTS', TH N 89-57-00 W 250 FT, TH N 00-03-00 E 230 FT, TH S 89-57-00 E 150 FT, TH S 00-03-00 W 115 FT, TH S 89-57-00 E 100 FT, TH S 00-03-00 W 115 FT TO BEG 1.10 AVAC LOTS 1-12 & 21-27 BLK M



; and

(3) the City Clerk shall provide a copy of this resolution by certified mail to Oakland County.

AYES: BARNETT, BRIDGES, BRUCE, KNOL, MASSEY AND NEWLIN

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CITY CODE, CHAPTER 4, "ALCOHOLIC LIQUORS," ARTICLE I, "IN GENERAL," AND ARTICLE II, "LICENSING," TO REVISE APPLICATION REQUIREMENTS AND PROCEDURES FOR THE APPROVAL OF NEW ON-PREMISES LIQUOR LICENSES.

Attorney Joppich explained that this ordinance is in follow up to study sessions held regarding a liquor license moratorium and required ordinance revisions and updates. He noted that the ordinance has not been updated in some time and the proposed revisions address state law changes and some practical changes to coordinate the process with city policy as it relates to licensing.

MOTION by Newlin, support by Bruce, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an ordinance to amend the Farmington Hills City Code, Chapter 4, "Alcoholic Liquors," Article I, "In General," and Article II, "Licensing," to revise application requirements and procedures for the approval of new on-premises liquor licenses.

Mayor Barnett pointed out that the proposed revisions do not address the requirement of serving food at this time but that issue will be addressed following the master plan process and goals that come from those meetings.

Roll Call Vote:

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

MOTION CARRIED 6-0.

CONSIDERATION OF APPROVAL OF THE FIRST AMENDMENT TO RESOLUTION R-152-22 ESTABLISHING A MORATORIUM ON THE ISSUANCE OF ON-PREMISES LIQUOR LICENSES.

Attorney Joppich explained that this is also in follow up to the last study session held by City Council regarding discussions on extending the current liquor license moratorium. In September, City Council established a moratorium on issuing liquor licenses for a period of 90 days which has now expired. At their last study session, City Council discussed options for extending the moratorium and before Council this evening is a resolution proposing to extend the moratorium for 3 of the 5 new city quota liquor licenses for a period of 270 days or 9 months so that during the master plan process some decision could be made on how and where those remaining licenses could be best utilized.

Seth Tompkins, representing the owner of Lush Hookah, stated that his client is interested in turning his establishment in to a cigar bar but that is not feasible under existing ordinances. His client is not interested in having a kitchen which is currently required in order to sell liquor and would be in favor of this moratorium to hopefully open up the type of establishment he desires in the future.

Mayor Barnett stated that this is exactly what the city is considering through the master plan process.

MOTION by Massey, support by Bruce, to adopt the following resolution:

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF FARMINGTON HILLS
RESOLUTION NO. R-206-22

FIRST AMENDMENT TO RESOLUTION R-152-22 ESTABLISHING A MORATORIUM ON THE ISSUANCE OF ON-PREMISES LIQUOR LICENSES

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on December 12, 2022, at 7:30 o'clock p.m., Eastern Daylight Savings Time, with those present and absent being,

PRESENT: BARNETT, BRIDGES, BRUCE, KNOL, MASSEY AND NEWLIN
ABSENT: BOLEWARE

WHEREAS, on September 12, 2022, this City Council adopted Resolution No. R-152-22, which, for the reasons stated in said Resolution, imposed a temporary moratorium barring, for a period of ninety (90)

days, the acceptance of applications for any of the five (5) new, on-premises liquor licenses that were available to the City at that time, subject to certain terms and conditions; and

WHEREAS, based on the status and progress of work on the City's Master Plan and discussions regarding the Master Plan in conjunction with the extent and manner in which the City's liquor licensing may play into and could help facilitate those concurrent master planning efforts and future development objectives, City Council has decided that the moratorium should be extended for an additional two hundred and seventy (270) days and only three (3) of the available licenses need to remain subject to the moratorium for such purposes; and

WHEREAS, City Council finds that all other recitations and portions of Resolution R-152-22 remain applicable and are not in need of modification.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Farmington Hill that Resolution R-152-22 is hereby amended to: (a) extend the temporary moratorium established thereunder for an additional two hundred and seventy (270) days; (b) said moratorium shall only apply to three (3) of the five (5) available new Class C on-premises liquor licenses; and (c) any references to a ninety (90) day moratorium shall include the additional two hundred and seventy (270) days added by this Resolution.

IT IS FURTHER RESOLVED that Resolution R-152-22 shall remain in full force and effect as amended hereby.

IT IS FURTHER RESOLVED that notice of Resolution R-152-22 and this Resolution shall be posted at the City Hall throughout the period of the moratorium established thereby, including any further extensions thereof.

AYES: BARNETT, BRIDGES, BRUCE, KNOL, MASSEY AND NEWLIN
NAYS: NONE
ABSENT: BOLEWARE
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED.

CONSENT AGENDA

RECOMMENDED APPROVAL OF AWARD OF BID FOR PICK-UP TRUCK UPFITTING AND SNOWPLOWS TO TRUCK & TRAILER SPECIALTIES IN THE AMOUNT OF \$29,100.00. CMR 12-22-114

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to approve a purchase order with Truck & Trailer Specialties in the amount of \$29,100.00 for the purchase and installation of three (3) pick-up truck snowplows, cab guards and lighting upgrades.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF PURCHASE FOR TURN OUT GEAR TO CONWAY SHIELD IN THE AMOUNT OF \$326,942.92 AND HOODS TO MACQUEEN EMERGENCY IN THE AMOUNT OF \$27,600.00; WITH EXTENSIONS. CMR 12-22-115

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Conway Shield (Representing Lakeland Fire) for 122 sets of turnout gear for a total of \$326,942.92 and a purchase order to Macqueen Emergency (Formally Apollo Fire, representing Globe Guard) for 240 hoods for a total of \$27,600; and

IT IS FURTHER RESOLVED, that the City Council authorizes future budgeted purchases for turnout gear to Conway Shield and Macqueen Equipment for two (2) years with one or more administration-approved extensions not to exceed a total of three (3) additional years, under the same terms and conditions, through mutual consent by the City of Farmington Hills and each awarded vendor.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR DOOR REPLACEMENT, MAINTENANCE AND SERVICE TO ALLIED BUILDING SERVICE CO. IN THE AMOUNT OF \$15,000 PER YEAR; WITH EXTENSIONS. CMR 12-22-116

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to approve all as-needed door maintenance, repairs and services for approximately \$15,000 per year with one or more administration approved extensions, not to exceed a total of five (5) additional years, under the same terms and conditions upon mutual consent by the City and Allied Building Service Co. of Detroit, Inc (woman owned).

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR PORTABLE LAVATORIES TO JOHN'S SANITATION IN THE AMOUNT OF \$15,000 PER YEAR; WITH EXTENSIONS. CMR 12-22-117

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to approve as needed portable lavatories for approximately \$15,000 per year with one or more administration approved extensions, not to exceed a total of four (4) additional years, under the same terms and conditions upon mutual consent by the City and John's Sanitation (woman owned).

Roll Call Vote:

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

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF ADOPTION OF A BOND AUTHORIZING RESOLUTION FOR CAPITAL IMPROVEMENT BONDS. CMR 12-22-118

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the following Bond Authorizing Resolution for Capital Improvement Bonds.

Roll Call Vote:

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

MOTION CARRIED 6-0.

RESOLUTION AUTHORIZING
2023 CAPITAL IMPROVEMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)
CITY OF FARMINGTON HILLS
County of Oakland, State of Michigan

Minutes of a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan (the "City"), held on December 12, 2022 at 7:30 p.m., prevailing Eastern Time.

PRESENT: Members: Barnett, Bridges, Bruce, Knol, Massey and Newline
ABSENT: Members: Boleware

The following preamble and resolution were offered by Member Bridges and supported by Member Massey:

WHEREAS, the City does hereby determine that it is necessary to pay all or part of the to acquire, construct, furnish and equip capital improvements in the City, including a) barrier free improvements, b) City hall equipment retrofits and replacement, c) police building and site improvements, d) security system equipment, e) electric vehicle charging stations, f) City hall and police department underground fuel tank replacement, g) replacement of interior lighting fixtures, and h) other capital improvement projects indicated in the City's CIP Plan, together with other necessary improvements and all demolition, site improvements and all appurtenances and attachments (the "Projects"); and

WHEREAS, to finance the cost of the Projects, the City Council deems it necessary to borrow the principal amount of not to exceed Seven Million Dollars (\$7,000,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") to pay the cost of the

Projects; and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and no such petition was filed.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated **2023 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION)** (the “Bonds”) are hereby authorized to be issued in the aggregate principal sum of not to exceed Seven Million Dollars (\$7,000,000) for the purpose of paying the cost of the Projects and costs of issuance of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as determined by the City Manager or Finance Director (each an “Authorized Officer”), at the time of sale of the Bonds. The Bonds shall bear interest, mature and be payable at the times and in the manner set forth in Sections 6 and 7 hereof and as shall be finally determined by an Authorized Officer at the time of sale of the Bonds; provided, however, that the final maturity date of the Bonds shall be not later than October 1, 2043.

The Bonds shall be sold at public sale at a price not less than 100% and not more than 115% of the principal amount thereof.

The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof and if term bonds are selected by the original purchaser of the Bonds, then the Bonds will be subject to mandatory redemption in accordance with the foregoing referenced maturity schedule at par.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at the designated office of a bank or trust company to be selected by the City prior to the publication of the notice of sale for the Bonds as the transfer agent for the Bonds (the “Transfer Agent”). The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York (“DTC”) and the City Treasurer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond executed by facsimile signature shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the City Treasurer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The City Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the City Council, to be designated **2023 CAPITAL IMPROVEMENT BONDS DEBT RETIREMENT FUND** (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the City Council, to be designated **2023 CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND** (the "Construction Fund"), and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The amounts specified by an Authorized Officer

at the time of sale of the Bonds from the net proceeds of sale of the Bonds (including proceeds of the good faith deposit received at the time of sale) shall be deposited to the appropriate account in the Construction Fund to be used to pay for the Projects and the costs of issuance of the Bonds. Except for investment pending disbursement and as herein provided, the moneys in each account in the Construction Fund shall be used solely to pay the costs of the Projects, the costs of issuance of the Bonds, as such costs become due and payable and, as may be necessary, to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code of 1986, as amended (the "Code").

6. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON HILLS

2023 CAPITAL IMPROVEMENT BOND
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
____%	October 1, _____	_____, 2023	

Registered Owner:

Principal Amount: Dollars

The City of Farmington Hills, County of Oakland, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____ 1, 20__ and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$ _____, issued for the purpose of paying the cost of certain capital improvements for the City. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 2023 to 2033, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in

the year 2034 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after October 1, 2033, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond redemption provisions, if necessary.]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Issuer, and the Issuer is required, if necessary, to levy ad valorem taxes on all taxable property in the Issuer for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City, by its City Council, has caused this bond to be signed in its name with the facsimile signatures of its Mayor and its City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF FARMINGTON HILLS
County of Oakland
State of Michigan

By _____
Its Mayor

(SEAL)

By _____
Its City Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described herein.

Transfer Agent

By _____
Authorized Signatory

Authentication Date: _____, 2023

[Bond printer to insert form of assignment]

7. Notice of Sale. The City Clerk is authorized to fix a date of sale for the Bonds and to publish a notice of sale of the Bonds in *The Bond Buyer*, New York, New York, which notice of sale shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$[_____]*

CITY OF FARMINGTON HILLS
COUNTY OF OAKLAND, STATE OF MICHIGAN
2023 CAPITAL IMPROVEMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)

**Subject to adjustment as set forth in this Notice of Sale*

Bids for the purchase of the above bonds will be received in the manner described in this Official Notice of Sale on _____, _____, 2023, until __:__ .m., prevailing Eastern Time, at which time and place said bids will be opened and read. The award or rejection of bids will occur on the same date.

ELECTRONIC BIDS: Bidders may submit bids for the purchase of the above bonds as follows:

Electronic bids may be submitted to the Municipal Advisory Council of Michigan at munibids@macmi.com; provided that electronic bids must arrive before the time of sale and the bidder bears all risks of transmission failure.

Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10010, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of delivery, numbered in order of registration, and will bear interest from their date payable on [April 1, 2023] and semiannually thereafter.

The bonds will mature on the 1st day of October in each of the years as follows:

2023	\$330,000	2031	\$480,000
2024	\$345,000	2032	\$500,000
2025	\$360,000	2033	\$525,000
2026	\$380,000	2034	\$555,000
2027	\$395,000	2035	\$580,000
2028	\$415,000	2036	\$610,000
2029	\$435,000	2037	\$635,000
2030	\$455,000		

*ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES:

The City reserves the right to decrease the aggregate principal amount of the bonds after receipt of the bids and prior to final award, if necessary, so that the purchase price of the bonds will provide an amount determined by the City to be sufficient to construct the projects and to pay costs of issuance of the bonds.

The adjustments, if necessary, will be in increments of \$5,000. The purchase price will be adjusted proportionately to the increase or decrease in issue size, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

*ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the bonds be made by the City, the purchase price of the bonds will be adjusted by the City proportionally to the adjustment in principal amount of the bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.

PRIOR REDEMPTION OF BONDS: Bonds maturing in the years 2023 to 2033 inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2034 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after October 1, 2033, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the transfer agent to redeem said bond or portion thereof.

TERM BOND OPTION: The initial purchaser of the bonds may designate any one or more maturities as term bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on October 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made at the time bids are submitted and must be listed on the bid.

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding 6.50% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/100 of 1% or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed two and one-half percent (2.5%) per annum. **THE INTEREST BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE PRECEDING YEAR.** No proposal for the purchase of less than all of the bonds or at a price less than 100% or more than 115% of their par value will be considered.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds

purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the principal corporate trust office of _____, _____, _____, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the City as of the 15th day prior to an interest payment date. The bonds will be transferred only upon the registration books of the City kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are authorized for the purpose of paying the cost of acquiring and constructing certain capital improvements for the City. The bonds will be a first budget obligation of the City, payable from the general funds of the City including the collection of ad valorem taxes on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted and by the application of general principles of equity including those relating to equitable subordination.

AWARD OF BONDS-TRUE INTEREST COST: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on [April 1, 2023] and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to the date of closing, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the City, computed in the manner specified above.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

ISSUE PRICE:

(a) The winning bidder shall assist the City in establishing the issue price of the bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached either as Appendix ____ or Appendix ____ to the Preliminary Official Statement for the bonds, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and bond counsel.

(b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the bonds) will apply to the initial sale of the bonds (the "Competitive Sale Requirements") because:

- (1) the City is disseminating this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

- (2) all bidders shall have an equal opportunity to bid;
- (3) the City anticipates receiving bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the City anticipates awarding the sale of the bonds to the bidder who submits a firm offer to purchase the bonds at the lowest true interest cost, as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the bonds, as specified in the bid.

(c) In the event that all of the Competitive Sale Requirements are not satisfied, the City shall so advise the winning bidder. The City will not require bidders to comply with the “hold-the-offering price rule” (as described below), and therefore does not intend to use the initial offering price to the public as of the sale date of any maturity of the bonds as the issue price of that maturity, though the winning bidder, in consultation with the City, may elect to apply the “hold-the-offering price rule.” Bids will not be subject to cancellation in the event the Competitive Sale Requirements are not satisfied. Unless a bidder intends to apply the “hold-the-offering price rule” (as described below), bidders should prepare their bids on the assumption that all of the maturities of the bonds will be subject to the 10% Test (as described below). The winning bidder must notify the City of its intention to apply either the “hold-the-price rule” or the 10% Test at or prior to the time the bonds are awarded.

If the winning bidder does not request that the “hold-the-offering price rule” apply to determine the issue price of the bonds, then the following two paragraphs shall apply:

- (1) The City shall treat the first price at which 10% of a maturity of the bonds (the “10% Test”) is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the bonds; and
- (2) Until the 10% Test has been satisfied as to each maturity of the bonds, the winning bidder agrees to promptly report to the City the prices at which the unsold bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until the 10% Test has been satisfied as to the bonds of that maturity or until all bonds of that maturity have been sold.

If the winning bidder does request that the “hold-the-offering price rule” apply to determine the issue price of the bonds, then the following three paragraphs shall apply:

- (1) The winning bidder, in consultation with the City, may determine to treat (i) pursuant to the 10% Test, the first price at which 10% of a maturity of the bonds is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the bonds as the issue price of that maturity (the “hold-the-offering price rule”), in each case applied on a maturity-by-maturity basis. The winning bidder shall advise the City if any maturity of the bonds satisfies the 10% Test as of the date and time of

the award of the bonds. The winning bidder shall promptly advise the City, at or before the time of award of the bonds, which maturities of the bonds shall be subject to the 10% Test or shall be subject to the hold-the-offering price rule or both.

- (2) By submitting a bid, the winning bidder shall (i) confirm that the underwriters have offered or will offer the bonds to the public on or before the date of the award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder, and (ii) if the hold-the-offering-price rule applies, agree, on behalf of the underwriters participating in the purchase of the bonds, that the underwriters will neither offer nor sell unsold bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:
- (A) the close of the fifth (5th) business day after the sale date; or
 - (B) the date on which the underwriters have sold at least 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public;

The winning bidder shall promptly advise the City when the underwriters have sold 10% of that maturity of the bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

- (3) The City acknowledges that, in making the representation set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the bonds.

(d) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and

each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder that either the 10% Test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder and as set forth in the related pricing wires; and (ii) any agreement among underwriters relating to the initial sale of the bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the bonds to the public to require each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold bonds of each maturity allotted to it until it is notified by the winning bidder or such underwriter that either the 10% Test has been satisfied as to the bonds of that maturity or all bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder or such underwriter and as set forth in the related pricing wires.

(e) Sales of any bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (1) “public” means any person other than an underwriter or a related party,
- (2) “underwriter” means (i) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the bonds to the public and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) to participate in the initial sale of the bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the bonds to the public);
- (3) a purchaser of any of the bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and
- (4) “sale date” means the date that the bonds are awarded by the City to the winning bidder.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to

examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

DELIVERY OF BONDS: The City will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the City shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

OFFICIAL STATEMENT: A preliminary Official Statement that the City deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from PFM Financial Advisors LLC, financial advisors to the City, at the address and telephone listed under FINANCIAL ADVISOR below. PFM Financial Advisors LLC will provide the winning bidder with an electronic copy of the final Official Statement within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12. Within 24 hours of the time of sale, the purchaser may request printed copies of the Official Statement from PFM Financial Advisors LLC. The purchaser agrees to pay the cost of additional copies.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any and all increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser, except that if the City has requested and received a rating on the Bonds from a rating agency, the City shall pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. **FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.**

CONTINUING DISCLOSURE: As described more fully in the Official Statement, the City has agreed to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Council, on or prior to the sixth month after the end of each fiscal year commencing with the fiscal year ended June 30, 2023, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the

bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the City to provide the required annual financial information on or before the date specified in (i) above.

BIDDER CERTIFICATION: NOT “IRAN-LINKED BUSINESS” By submitting a bid, the bidder shall be deemed to have certified that it is not an “Iran-Linked Business” as defined in Act 517 Michigan Public Acts of 2012, being MCL 129.311 et. seq.

MUNICIPAL ADVISOR: Further information relating to the bonds may be obtained from PFM Financial Advisors LLC, 555 Briarwood Circle, Suite 333, Ann Arbor, Michigan 48108. Telephone (734) 994-9700. Fax (734) 994-9710.

ENVELOPES containing the bids should be plainly marked “Proposal for 2023 Capital Improvements Bonds (Limited Tax General Obligation).”

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

Pamela B. Smith
City Clerk

8. Useful Life of Projects. The estimated period of usefulness of the Projects is hereby declared to be not less than twenty (20) years.

9. Official Statement; Qualification for Insurance; Ratings. Any Authorized Officer is authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure qualification of the Bonds for a policy of municipal bond insurance if deemed appropriate by the City’s financial advisor; and to obtain ratings on the Bonds.

10. Continuing Disclosure. The City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and any Authorized Officer is hereby authorized to execute such undertaking prior to delivery of the Bonds.

11. Authorization of Other Actions. The Authorized Officers are each individually hereby authorized to adjust the final Bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), including but not limited to, determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, series designation, the place of delivery and payment, and other matters, *provided* that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed six and one-half percent (6.5%), and the Bonds shall mature in not more than twenty (20) annual principal installments. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and delivery of the Bonds as contemplated herein.

12. Award of Sale of Bonds. Each of the Authorized Officers is hereby authorized on behalf of the City to award the sale of the Bonds to the bidder whose bid meets the requirements of law and which produces the lowest true interest cost to the City computed in accordance with the terms of the

Official Notice of Sale as published.

13. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of parties or potential parties to the transaction contemplated by this resolution.

14. Municipal Advisor. PFM Financial Advisors LLC is retained as the registered municipal advisor to the City in connection with the issuance of the Bonds.

15. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

AYES: Members: Barnett, Bridges, Bruce, Knol, Massey and Newlin

NAYS: None

RESOLUTION DECLARED ADOPTED.

RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR AN AQUATIC ATTENDANT.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Charter for Michael Williams for an Aquatic Attendant in the Special Services Department. Michael is related to Ruth Williams, who is an Aerobics/Swim Instructor in the Special Services Department.

Roll Call Vote:

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

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A CAREER FIREFIGHTER.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Charter for Madison Gardenhire for a Career Firefighter position in the Fire Department. Madison is the daughter of Andre Gardenhire, who is Shift Lieutenant in the Fire Department.

Roll Call Vote:

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

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF NOVEMBER 28, 2022

MOTION by Knol, support by Massey, that the City Council of Farmington Hills hereby approves the study session meeting minutes of November 28, 2022.

Roll Call Vote:

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

MOTION CARRIED 5-0-1-1.

RECOMMENDED APPROVAL OF CITY COUNCIL REGULAR SESSION MEETING MINUTES OF NOVEMBER 28, 2022.

MOTION by Knol, support by Massey, that the City Council of Farmington Hills hereby approves the regular session meeting minutes of November 28, 2022.

Roll Call Vote:

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

MOTION CARRIED 5-0-1-1.

ADDITIONS TO AGENDA

There were no additions to the agenda.

ATTORNEY REPORT

The attorney's report was received.

ADJOURNMENT

MOTION by Bridges, support by Knol, to adjourn the regular session City Council meeting at 8:05pm.

MOTION CARRIED 6-0.

Respectfully submitted,



Pamela B. Smith, City Clerk