

MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
JANUARY 23, 2017 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:30 p.m.

Council Members Present: Bridges, Bruce, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Director Gajda, Police Chief Nebus, Fire Chief Unruh, City Attorney Joppich and Planning Consultant Arroyo

PLEDGE OF ALLEGIANCE

The Police Officer of the Year, Larry Hernandez, and Fire Fighter of the Year, Jeremy Dougherty, led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

COMMISSION FOR ENERGY AND ENVIRONMENTAL SUSTAINABILITY TIP OF THE MONTH

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

Commission for Energy and Environmental Sustainability
Tip of the Month

Did you know that idling your car is totally unnecessary? According to the Environmental Defense Fund, it wastes gas and pollutes the air, plus it just isn't essential to the function of your vehicle.

Here are four reasons to put idling to rest this winter, once and for all.

1. Warm up faster by moving instead of idling.

Getting your vehicle moving will actually help warm the cabin area more quickly than idling, and easing into your drive will help your engine warm up twice as fast.

2. Protect your health.

Sitting in an idling vehicle exposes you to exhaust and other fumes. Shutting off your car will protect your health and improve the air quality around you.

3. Save your engine.

Turning your car on and off doesn't wear out modern cars like it may have with older models. In fact, idling your vehicle causes your engine to wear out more quickly since you're running it unnecessarily.

4. Save money.

It's recommended that you turn your car off, if you're stopping somewhere for more than 10 seconds, since an idling vehicle actually uses more gas than starting your engine does. You waste about two dollars per hour idling, which can cost the average idler between 70 to 650 dollars per year in gasoline.

RECOGNITION OF OUTSTANDING EMPLOYEES FOR 2016 AND INTRODUCTION OF EMPLOYEE, POLICE OFFICER AND FIREFIGHTER OF THE YEAR.

Mayor Massey stated that at a ceremony earlier this evening, Council and staff recognized employees for their years of service and those employees nominated and selected as outstanding employees and the Employee, Police Officer and Firefighter of the Year.

Fire Chief Unruh and Police Chief Nebus introduced the Firefighter of the Year Jeremy Dougherty and Police Officer of the Year Larry Hernandez and spoke of their many accomplishments.

Firefighter Dougherty and Police Officer Hernandez thanked the Council, staff and their peers for their support and for selecting them for this honor.

UPDATE BY STATE REPRESENTATIVE CHRISTINE GREIG

Representative Greig provided a legislative update noting some of the Governor's highlights from his State of the Cities address that included acknowledging the need for infrastructure upgrades as a priority, legacy costs discussions, addressing the opioid addiction in the state and concerns with federal action on the Affordable Care Act. She stated that some things on the House agenda will be revisiting auto no-fault insurance and the elimination of income tax. School reform issues and unchecked charter schools will be discussed as well as mental health funding and integration of health services. She stated that the question is how to do that effectively and efficiently. Representative Greig mentioned that this week the committees and where representatives will be placed should be announced. On February 8th the Governor will presenting his budget recommendations and communities will want to watch that closely with regard to revenue sharing and school funding.

Mayor Massey thanked Representative Greig for the update.

CORRESPONDENCE

There was no correspondence.

CONSENT AGENDA

MOTION by Bridges, support by Steckloff, to approve Consent Agenda items #9, 10 and #12 as published.

Roll Call Vote:

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

MOTION CARRIED 7-0.

MOTION by Lerner, support by Bruce, to approve Consent Agenda item #11 as published.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

PUBLIC QUESTIONS AND COMMENTS

Dan McRoberts, President of Greencastle Subdivision, stated that residents have met with various members of Council in the neighborhood on several occasions with regard to their water issues but realize their hands are somewhat tied. He asked that Council members stand with them at their meeting with the Oakland County Road Commission on February 15th at 7pm as he feels they will have a stronger voice together. He noted that there are 6 reports on the WRC web page on this issue and only one document provides any update. He stated that he had asked for a detailed spreadsheet showing test results and WRC indicated that a summary of the results would be provided in order to preserve individual privacy but there is no sign of this report to date.

Melanie Williams, Greencastle Subdivision, stated that they still do not have a source of reliable water and requested answers to the following questions: 1) Where do we currently stand on a permanent and safe water source being extended to all residents; 2) In what time frame can we expect a resolution and plan of action for the ongoing water issues; 3) What are the next steps necessary to ensure municipal water is an option for those still on wells and 4) What is currently being done to hold WRC accountable for their negligence in this situation? She thanked Council for their time and looked forward to receiving answers to her questions.

Justin Williams, Greencastle Subdivision, stated that they were told to take their fight on this issue to the County, which they did and then were told by the County to come to the City and that the City should be doing more. He is frustrated at the politics and would like a resolution sooner rather than later.

Troy Anderson, Greencastle Subdivision, read the following letter into the record:

1/23/2017

**The Honorable Kenneth D. Massey, Mayor of the City of Farmington Hills
31555 W. Eleven Mile Rd.
Farmington Hills, Mi. 48336-2411**

Hon. Mr. Massey,

I am frustrated and upset at the treatment of the Water Commissioner concerning our water wells. On Jan. 4, 2017, I sent an E-mail to Mr. Joel Brown, requesting testing of my internal water to determine if my water systems are working well enough to provide good drinking water. He did not respond or answer my calls,; so I sent Mr. Nash an E-mail of my request on Jan. 9, 2017 informing him that Mr. Brown did not respond. He did not respond but on Jan. 17th I received a letter from their attorney (encl). This letter states that they “insist that you refrain from contacting our insured, including Commissioner Nash, “ They further state “ all claims for your well, water quality, or interior water conditioning components are denied.” This is not what was said at the town hall meeting. This “**Town Hall Meeting**” did not meet any of the standards or definitions of that term, because the attendees could not speak to the officials as a group but on an individual basis in committee format.

In a communication to ALL residents (revised Nov. 30, 2016) item # 8. States that they “Replaced or installed water conditioning components.” Also, #9. “Most of the residents impacted experienced aesthetic issues such as odor or discolored water. We are in the process of installing the appropriate filters to resolve these concerns.” They say in # 14. That “ create a comprehensive groundwater monitoring program.”

The Water Department continues to say one thing but do the opposite. They say my water has aesthetic problems, such as color, odor, and sediment, however it meets the quality standards of the DEQ. Reviewing my DEQ water quality results:

- 1. Hardness as CaCO₃** was 397 mg/L the normal should not exceed 20. However, the USGS states that anything over 180 mg/L is classified as very hard water. Which means we have to use 4-5 times as much salt, resin, and filters to soften it.
- 2. Iron-** 1.84 mg/L drinking water should not exceed 0.3 mg/L my water is 6 times this level, causing discoloration to appliances, sinks and toilets.
- 3. Specific conductance** was 953 umhos. Which is the turbidity, clarity or particles in the water. The recommendation of the DEQ is 1(one) Our filters must be changed more often.
- 4. Odor** - not measured, however, it is mentioned several times by myself and other residents. The odor comes from hydrogen sulfide (smells like rotting eggs), OSHA states it is a irritant and asphyxiant. A moderate and repeated exposure can cause coughing, difficulty breathing, fluid in the lungs, headache, dizziness, nausea, vomiting, and staggering. High concentrations can cause inability to breathe, coma, and death.

**WHAT CAN I DO? WHAT WILL YOU DO? WHY WON'T OUR CITY HELP US?
WE PAY TAXES FOR YOUR PROTECTION.**

Troy Anderson

Councilmember Bridges inquired what Council can do to encourage cooperation by the insurance companies with regard to the claims.

Attorney Joppich stated that there is not a lot the city can do to force an Attorney to speak or act in a certain way; but if there is concern as to how the attorneys representing the insurance company are

addressing the residents, the upcoming meeting with the County Board of Commissioners may provide an opportunity to express that concern.

Councilmember Bruce questioned if it is common or reasonable for an attorney to direct a resident to not address their elected official.

Attorney Joppich stated that only a court order could order that a person not contact their elected official and while such a letter may not be routine practice, he has seen where attorneys have directed communication to go through their office. He is not aware of any law requiring that a person not communicate directly to their elected official.

Attorney Joppich, in answer to Councilmember Lerner, addressed the issue of governmental immunity whereby statutes exempt a governmental entity from liability, even from negligence in certain circumstances. He stated that there are some very specific exceptions that could apply in any case.

Mayor Massey attempted to answer the 4 questions from Mrs. Williams. He stated that the city is working with the county still on a permanent resolution. With regard to a time frame, they are in negotiations and are hoping to come up with a very short time frame and address all of the issues outlined in Council's resolution to the County. He noted that the next steps include the Board of Commissioners meeting on February 15th and as far as holding WRC accountable, the County is pursuing that on their end.

Mayor Massey added that while he may not have definitive answers at this time, he assured the residents that they are continuing to work with the County on behalf of the residents and will continue to do all that they can. He mentioned that the County clarified that the message being conveyed was not to come back to the City for help, but that the City is working on their behalf and they acknowledged that this is a WRC project and issue. He is encouraged by the meetings staff has had with the County officials and there has been discussion about a complete solution.

City Manager Boyer stated that he spoke with representatives of WRC today and he will make sure that an update on the project and issues are posted to the web page.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

The following comments and announcements were made:

- Thursday, February 16th from 7-8:30pm at the Farmington Hills Library the Community Cares Network (CCN) and Multi Culture Multi Racial (MCMR) groups are co-sponsoring an event hosting various organizations and opportunities for residents to participate with these organizations
- February 11th from 1pm-2:30pm at the Farmington Hills Library, Dr. Rich will be hosting her next community outreach session.
- The Martin Luther King event was very well attended and was an excellent program

CITY MANAGER UPDATE

City Manager Boyer provided the following update:

- 64 total units of blood were collected at the blood drive held at the Costick Center, exceeding Red Cross expectations.
- The MLK event had over 200 participants.
- The joint meeting with Farmington Public Schools will be held at Gill Elementary on February 7th at 6:30pm, which is open to the public.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE AMENDING CITY CODE, CHAPTER 34, "ZONING," TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE PROPERTY LOCATED AT 22000 HAGGERTY ROAD, FROM RA-1, ONE FAMILY RESIDENTIAL DISTRICT TO OS-4, OFFICE RESEARCH DISTRICT; REZONING REQUEST 4-10-2016.

Ed Gardiner, Director of Planning and Community Development, explained that the request before Council this evening is to rezone a piece of property on Haggerty Road, south of Nine Mile Road, from RA-1, One Family Residential District to OS-4, Office Research District. He added that there is a historic house located on the property and the property is approximately 1.8 acres. The Planning Commission has recommended approval of the rezoning. He noted that the proponent will make a short presentation and Planning Consultant Arroyo will provide a brief land-use analysis and then the matter should be opened up for public comment prior to any action by Council as this is a required public hearing.

Mayor Massey inquired if the historic designation of the home had been removed. Director Gardiner responded that the owners applied to have the designation removed, but that is now on hold. He added that the zoning would not affect the historic designation of the home.

City Planner Stec added that the home is registered with the State and the State was notified of the owners request to declassify the home; however, that decision lies with the local jurisdiction. The State did, however, agree with the city's decision not to declassify the property or relocate the home.

Mike Huszti, Real Estate Broker for the applicant, clarified that the intent of the applicant is to preserve the home either on site or move it off site, but preserve the home as historic. He added that the home is under contract to be purchased by the Vicki White Estate and while the Estate had previously attempted to declassify the home, it is his understanding that would not happen with this project. As far as land use and zoning, he noted that this is a residential piece surrounded by office district and the site is master planned for office so he feels it is a good candidate for the rezoning. The ultimate goal is to develop a hotel on the site, which is permitted under the OS-4 zoning. There has also been some discussion about a pocket park and having access to the existing bike trail. Mr. Huszti noted that the home may or may not be part of that pocket park.

Rod Arroyo, Planning Consultant, provided a brief land use analysis noting that all of the surrounding property is planned for and being used as an office use so the proposed rezoning is not only consistent with the master plan designation but also compatible with the surrounding area. He stated that the city is pleased to hear the historic structure will be preserved in some way either on or off this site.

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

Councilmember Bridges inquired if the property would be developed under a Planned Unit Development (PUD).

Mr. Arroyo stated that no specific proposals have been submitted for the site but a PUD is a possibility. In answer to Mr. Bridges, he noted that one community benefit with regard to a PUD would be preservation of the historic home.

Mayor Pro-Tem Steckloff inquired what would happen if the property is rezoned and the site plan submitted cannot allow for use of the historic home. She questioned if it would have to be moved or declassified.

Mayor Massey stated that Council would not be obligated to approve a site plan that did not include the home and the rezoning would simply run with the property.

Attorney Joppich added that if the house was not to remain under an approved site plan for the property, it would have to be declassified and relocated and perhaps a new historic district established in its new location.

Councilmember Knol was in favor of the rezoning because the rezoning would be consistent with the master plan, there is large scale office surrounding the property and it is located on a major thoroughfare and she feels it would be unlikely the property could ever be used for residential.

MOTION by Knol, support by Bridges, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance amending City Code, Chapter 34, "Zoning," to amend the official Zoning Map in order to rezone property located at 22000 Haggerty Road, from RA-1, One Family Residential District to OS-4, Office Research District; Rezoning Request 4-10-2016.

Attorney Joppich clarified his earlier comments by noting that the City would not be required to approve either a declassification or relocation of the home at the time of site plan review and that it would be up to the proponent to bring forth a proposal for either option and there would be a decision making process by the city.

Roll Call Vote:

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

MOTION CARRIED 7-0.

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE AMENDING CITY CODE, CHAPTER 34, "ZONING," TO AMEND THE OFFICIAL ZONING MAP IN ORDER TO REZONE PROPERTY LOCATED AT 31215 FOURTEEN MILE ROAD, FROM B-2, COMMUNITY BUSINESS DISTRICT TO B-3, GENERAL BUSINESS DISTRICT; REZONING REQUEST 5-10-2016.

Director Gardiner explained that the request is to rezone property located at Fourteen Mile and Orchard Lake Road (former Trader Joe's), from B-2, Community Business District to B-3, General Business District. The Planning Commission has recommended approval of the rezoning. He added that this is also a public hearing item and following remarks by the proponent and Planning Consultant, the issue should be opened for public comment prior to any action by Council.

Stuart Sherr, applicant, stated that he and his brother Roger are present to speak on the rezoning. He stated that they acquired the property approximately 28 years ago, developed it and manage the property and take great pride in doing so. He hopes that the city feels it has been well managed and maintained.

Roger Sherr commented that the rezoning is consistent with the master plan and in conformance with the parcels immediately adjacent to the property. He noted that retail today is very challenging due to on-line retailers and to be successful you need tenants that generate traffic and benefit the neighboring tenants. He explained that the rezoning would permit a restaurant use with a drive-thru window and this type of use is the traffic generator that a small center such as this needs. Mr. Sherr stated that they have owned the property for a long time and view this as a gateway to the community and everything they have done

has been to improve the site, including the new monument sign they are proposing with this development. They also recently worked closely with the city to re-landscape the property and the rezoning would allow them some flexibility to develop the property and ensure its success.

Councilmember Lerner inquired if the developer wants to add an additional outbuilding. Mr. Roger Sherr stated that is correct and it would be located on the west side of the site. He explained the proposed layout of the site.

Planning Consultant Arroyo provided a brief land use analysis noting that all of properties fronting the east side of Orchard Lake Road are zoned B-3 District, with the exception of this property. There is also B-3 zoning along Northwestern and Fourteen Mile Road in this area. As far as the master plan, he stated that this area was part of a special study area that envisioned mixed-use development that could include retail or office use. Mr. Arroyo stated that B-3 zoning would be compatible with other surrounding uses.

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

MOTION by Bruce, support by Lerner, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance amending City Code, Chapter 34, "Zoning," to amend the official Zoning Map in order to rezone property located at 31215 Fourteen Mile Road, from B-2, Community Business District to B-3, General Business District; Rezoning Request 5-10-2016.

Roll Call Vote:

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

MOTION CARRIED 7-0.

NEW BUSINESS:

CONSIDERATION OF APPROVAL OF THE HALSTED HOLLOWS NORTH DEVELOPMENT AGREEMENT (OPEN SPACE PLAN 1, 2016).

Director Gardiner explained that on July 11, 2016, City Council granted final preliminary plan approval for an Open Space Plan that included 17 units on property located at Halsted and Eight Mile Roads. Approval was subject to a performance guarantee that will be submitted administratively, the addition of an emergency-only gate to separate this subdivision from Goldsmith Street and Council approving an open space agreement. He stated that before Council this evening is the proposed open space agreement drafted by the City Attorney and signed by the proponent.

MOTION by Rich, support by Lerner, that the City Council of Farmington Hills hereby approves the Halsted Hollows North Development Agreement for Open Space Plan 1, 2016.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF A RESOLUTION AUTHORIZING THE ISSUANCE OF 2017 LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS. CMR 1-17-06.

Director of Finance Gajda explained that in late 2016, the City's financial advisor notified him of a bond refunding opportunity that potentially could provide the city a savings of up to \$140,000 on the 2007 District Court Bonds. Based on this analysis and current market conditions, it is his recommendation either to proceed to refund these bonds on a private placement or negotiated sale basis for maximum

market timing flexibility. Private placement would be directly with a financial institution and a negotiated sale would be through an underwriter. The bond counsel has prepared the necessary resolution for Council consideration this evening. He added that Mr. Jeff Aronoff of the City's Bond Counsel, Miller Canfield, was present to address any questions regarding the resolution.

Mayor Pro-Tem Steckloff requested an explanation of the difference between a negotiated sale or using an underwriter and who would assume the risk if an underwriter was used.

Mr. Aronoff explained that an underwritten sale would mean that the entire package of bonds is bought by a financial institution and they would then sell it to a secondary market. The financial institution assumes the risk once they purchase it from the city. In a private placement sale, the city would sell the bonds to a single institution purchasing that for its own portfolio. In either case, it is one transaction for the city to sell the entire package of bonds to a financial institution.

Councilmember Lerner indicated that it was his understanding that the city was only bonding the remaining portion of the life of the bonds and not extending the life of the bonds. Mr. Aronoff confirmed that was the case.

Mayor Pro-Tem Steckloff inquired if the city would go out for competitive bids in the case of a private placement.

Mr. Aronoff explained the different types of sales and stated that private placement is considered a negotiated sale. He stated that they typically would issue a Request for Proposals (RFP's) in order to obtain good, competitive bids, but is less costly to the city than a true competitive sale process.

MOTION by Lerner, support by Bruce to approve the resolution authorizing the issuance of 2017 Limited Tax General Obligation Refunding Bonds. **(Full resolution inserted below)**

MOTION CARRIED 7-0.

**RESOLUTION AUTHORIZING ISSUANCE OF
GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2017**

CITY OF FARMINGTON HILLS
County of Oakland, State of Michigan
R-10-17

Minutes of a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held on January 23, 2017, at 7:30 p.m., Eastern Standard Time.

PRESENT: Members Bridges, Bruce, Knol, Lerner, Massey, Rich and Steckloff

ABSENT: Members None

The following preamble and resolution were offered by Member Lerner and supported by Member Bruce:

WHEREAS, the City of Farmington Hills, County of Oakland, State of Michigan (the "City"), pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") has previously issued its General Obligation Limited Tax Refunding Bonds, Series 2007, dated March 14, 2007 (the "Prior Bonds") for the purpose of refunding certain prior obligations of the City; and

WHEREAS, the City has been advised that it may be able to accomplish a net savings of debt service costs by refunding all or a portion of the callable maturities of the Prior Bonds through the issuance of bonds secured by the general funds of the City; and

WHEREAS, the Prior Bonds are "outstanding securities" of the City within the meaning of Act 34; and

WHEREAS, in order to achieve debt service savings, the City Council determines that it is in the best interest of the City to refund all or a portion of the callable maturities of the Prior Bonds; and

WHEREAS, to finance the cost of refunding all or any portion of the callable maturities of the Prior Bonds (the Prior Bonds to be refunded are hereinafter referred to as the "Refunded Bonds"), the City deems it necessary to borrow the principal sum of not to exceed Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000) and issue its refunding bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Refunding Bonds; Bond Terms, Bonds of the City designated General Obligation Limited Tax Refunding Bonds, Series 2017 (the "Bonds") are authorized to

be issued in the aggregate principal sum of not to exceed Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000) for the purpose of paying the costs of refunding the Refunded Bonds, including the costs incidental to the issuance, sale and delivery 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. The Bonds will be dated as of the date of delivery (or such other date as determined at the time of sale thereof), be payable on April 1 or such other date and in such years as determined at the time of sale thereof, in the annual amounts determined at the time of sale and be subject to redemption in the manner and at the times and prices to be determined at the time of sale by the City Manager or Finance Director (each, an "Authorized Officer" and collectively, the "Authorized Officers").

The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, subject to the parameters stated herein, first payable on the date as shall be finally determined at the time of sale and semiannually thereafter each April 1 and October 1, by check or draft mailed by the Transfer Agent (hereinafter defined) 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. The principal of the Bonds shall be payable at a bank or trust company as a registrar and transfer agent for the Bonds to be selected by an Authorized Officer (the "Transfer Agent"); provided, that in the event the Bonds are privately placed with a Purchaser (hereinafter defined), the City Treasurer may be designated by an Authorized Officer to serve as Transfer Agent.

2. Execution of Bonds: Book-Entry-Only Form. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of 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 any Authorized Officer 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.

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 on behalf 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, if applicable: 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; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on 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 separate fund to be known as the GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2017 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. Into said fund there shall be placed the accrued interest, if any, received at the time of delivery of the Bonds.

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 mandatory redemption, the principal of 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. Bond Proceeds; Bond Issuance Fund; Escrow Fund; Escrow Agreement. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Refunded Bonds as provided in this paragraph. Upon receipt of the proceeds of sale of the Bonds the accrued interest, if any, shall be deposited in the Debt Retirement Fund for the Bonds. From the remaining proceeds of the Bonds there shall be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2017 BOND ISSUANCE FUND (the "Bond Issuance Fund"), which may be established by the City or by the Escrow Agent (hereinafter defined). Moneys in the Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds, together with other available funds of the City, if any, shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Securities") and used to pay the principal of and interest on the Refunded Bonds as determined by an Authorized Officer at the time of sale. The Escrow Fund shall be held in trust by a Michigan bank or trust company eligible to act as escrow agent (the "Escrow Agent"), pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the transfer agent for the Refunded Bonds to take all necessary steps to pay the principal of, interest and redemption premium, if any, on the Refunded Bonds when due, and to call the Refunded Bonds for redemption on the first date such Refunded Bonds may be called for redemption. The Authorized Officers are each individually authorized and directed to appoint an Escrow Agent and execute the Escrow Agreement on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal of and interest on the Refunded Bonds when due at maturity or call for redemption as required by this section. Following establishment of the Escrow Fund, any amounts remaining in the debt retirement funds for the Refunded Bonds shall be transferred to the Debt Retirement Fund for the Bonds. The Authorized Officers are each authorized and directed to purchase or cause to be purchased, Escrow Securities, including United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be approved by an Authorized Officer and Bond Counsel:

[SUBJECT TO MODIFICATION AS A SINGLE INSTRUMENT BOND, IF APPLICABLE]

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF FARMINGTON HILLS
GENERAL OBLIGATION LIMITED TAX REFUNDING BOND, SERIES 2017

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
Registered Owner:	_____, 20__	_____, 2017	
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, 2017 and semiannually thereafter. Principal of this bond is payable at the 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 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 by the Transfer Agent to the registered owner of record at the registered address.

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

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$ _____, issued pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended and pursuant to a resolution of the City Council of the City adopted January 23, 2017 for the purposes of defraying the costs of refunding a certain prior bonds of the City.

Bonds maturing in the years 20__ to 20__, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 20__ 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 _____, 20__, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond provisions, if applicable.]

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, whether presented for redemption or not, 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.

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, statutory or charter 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 the name of the City by the facsimile signatures of its Mayor and 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 in the within-mentioned resolution.

Transfer Agent

By: _____

Authorized: _____

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

7. Negotiated Sale. The City Council has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, determines that a negotiated sale of the Bonds will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the City.

8. Placement or Sale of Bonds; Delegation to Authorized Officer. Each Authorized Officer is hereby authorized to approve the sale of the Bonds through a private placement with a qualified bank or other sophisticated institutional investor as purchaser thereof (the "Purchaser"). Each Authorized Officer is individually authorized to negotiate and execute a purchase agreement with the Purchaser and a placement agreement with the placement agent for the Bonds (the "Placement Agent") if necessary, and to award the sale of the Bonds to the Purchaser, subject to the parameters set forth in this Resolution. Alternatively, if deemed appropriate by an Authorized Officer, the City is authorized to sell the Bonds to an underwriter (the "Underwriter") pursuant to a bond purchase agreement. In either case, the true interest cost of the Bonds shall not exceed 3.00%, the net present value savings to be realized by the City shall not be less than 3.00% of the principal amount of the Refunded Bonds, and any underwriter's discount shall not exceed 1.00% of the principal amount of the Bonds.

9. Adjustment of Bond Terms; Sale Order. In pursuance of either of the alternatives described in Section 8, each Authorized Officer is individually authorized, without further direction from the City Council, to execute a sale order establishing the final terms of the Bonds, 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 is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of 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, the place of delivery and payment, designation of series, the portion or portions of the Prior Bonds to be refunded, and other matters, within the parameters established by this resolution.

10. Tax Covenant; Qualified Tax-Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds. Each Authorized Officer is authorized to designate the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

11. Authorization of Other Actions. The Mayor, City Manager, Clerk, and Finance Director are each hereby authorized and directed to cause the preparation and circulation of a preliminary and final official statement with respect to the Bonds, if applicable; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if the acquisition of such insurance would be of economic benefit to the City; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and make such other filings with the Michigan Department of Treasury or with other parties, to enable the issuance, sale and delivery of the Bonds as contemplated herein.

12. Continuing Disclosure Undertaking. In the event the Bonds are sold to an Underwriter, 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 the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds. If the Bonds are placed with a Purchaser, the City will not enter into a continuing disclosure undertaking.

13. Appointment of Financial Advisor. The City hereby appoints PFM Financial Advisors LLC to act as financial advisor with respect to the Bonds.

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

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

CONSIDERATION OF APPROVAL OF REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.

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

Brownfield Redevelopment Authority

	Length of Term:	Term ending:
David Boyer	3 years	February 1, 2020
George Curran III	3 years	February 1, 2020
Tom Wilkinson	3 years	February 1, 2020

Commission on Children, Youth & Families

	Length of Term:	Term ending:
Rebecca Dworkin	3 years	February 1, 2020
Diane Hague	3 years	February 1, 2020
Anthony Lewis	3 years	February 1, 2020

Corridor Improvement Authority

	Length of Term:	Term ending:
Jasdeep Mann	4 years	February 1, 2021

Economic Development Corporation

	Length of Term:	Term ending:
Mark Zachos	6 years	February 1, 2023

Emergency Preparedness Commission

	Length of Term:	Term ending:
Kerry Jackson	3 years	February 1, 2020
Joy DeFranco	3 years	February 1, 2020
Philip Mintz	3 years	February 1, 2020
Paul Szymusiak	3 years	February 1, 2020
Robert York	3 years	February 1, 2020

Farmington Area Arts Commission

Elena Pike
Celeste McDermott

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

Farmington Area Commission on Aging

Mary Buchan
Chuck Collins

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

Farmington Hills Beautification Commission

Betti Pool
Rita Roberts

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

Farmington Community Library Board

Clark Doughty

Length of Term:

4 years

Term ending:

February 1, 2021

Historical Commission

Lee Cox

Length of Term:

3 years

Term ending:

February 1, 2020

Historic District Commission

Joan Barber
Bryan Brincat

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

Housing Rehabilitation Loan Board

Brande Smith
Dara Gaucher

Length of Term:

2 years
2 years

Term ending:

February 1, 2019
February 1, 2019

Parks and Recreation Commission

Judy Antishin
Steve Stimson

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

Planning Commission

Chris McRae
Steven Schwartz

Length of Term:

3 years
3 years

Term ending:

February 1, 2020
February 1, 2020

MOTION CARRIED 7-0.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to reappoint and appoint the following individuals to the Zoning Board of Appeals:

	Length of Term:	Term ending:
Erik Lindquist	3 years	February 1, 2020
Brian Rich	3 years	February 1, 2020
William Barnette	3 years (alternate)	February 1, 2020

MOTION CARRIED 6-0-0-1 (Rich abstained).

CONSENT AGENDA

ACKNOWLEDGEMENT OF QUARTERLY INVESTMENT AND SECOND QUARTER FINANCIAL SUMMARY REPORTS.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby acknowledges the quarterly investment and second quarter financial summary reports.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CANCELING THE MARCH 13, 2017 CITY COUNCIL MEETING.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby cancels the regular City Council meeting of March 13, 2017.

Roll Call Vote:

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

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF JANUARY 9, 2017.

MOTION by Lerner, support by Bruce, that the City Council of Farmington Hills hereby approves the study session meeting minutes of January 9, 2017 as submitted.

Roll Call Vote:

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

MOTION CARRIED 6-0-0-1.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF JANUARY 9, 2017.

MOTION by Bridges, support by Steckloff, that the City Council of Farmington Hills hereby approves the regular meeting minutes of January 9, 2017 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0.

ADJOURNMENT

The City Council meeting was adjourned at 9:00p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk