

MEETING MINUTES
CITY COUNCIL MEETING
CITY OF FARMINGTON HILLS
AUGUST 11, 2014 – 7:30 PM
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Brickner at 7:35 p.m.

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

Council Members Absent: None

Others Present: City Manager Brock, City Clerk Smith, Assistant City Manager Boyer, Directors Gardiner, Geinzer, Lasley, Mekjian, Police Chief Nebus and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Spencer Brown, Chair of the Corridor Improvement Authority, led the pledge of allegiance.

APPROVAL OF AGENDA

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

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING MEDAL OF HONOR RECIPIENT ROBERT SIMANEK

PROCLAMATION
Robert Ernest Simanek
Korean War Medal of Honor Recipient
In Recognition of Exemplary Service to His Country
Read by: Mayor Pro Tem Bruce

WHEREAS, former United States Marine Robert E. Simanek received the Medal of Honor, the U.S. military's highest decoration, for his courageous actions in the Korean War; and

WHEREAS, Robert Simanek was born and raised in Detroit, and was inducted into the U.S. Marine Corps in August 1951 and sailed for Korea in April 1952; and

WHEREAS, just a few months later, Robert Simanek undertook the ultimate act of bravery and threw himself on a grenade, thus risking his own life to save the lives of his comrades; and

WHEREAS, he was presented with the Medal of Honor by President Dwight D. Eisenhower in a White House Ceremony in October of 1953; and

WHEREAS, Farmington Hills resident Robert E. Simanek will be honored by the U.S. Postal Service on the Korean War Medal of Honor Prestige Folio with a stamp in his honor; and

WHEREAS, Robert Simanek is a hero who showed remarkable courage, went above and beyond the call of duty, and is an inspiration to all who know him.

NOW, THEREFORE, BE IT RESOLVED that I, Barry Brickner, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby recognize **Medal of Honor Recipient Robert Simanek** for his commitment to our country and for his dedication to upholding the highest traditions of the U.S. military.

Mr. Simanek accepted the proclamation and thanked the Mayor and City Council for the recognition.

PRESENTATION OF REPORT FROM THE EMERGENCY PREPAREDNESS COMMISSION

Chairperson Tim Tutak talked about the history of the Emergency Preparedness Commission that was established in 2002 after the 9-11 events in 2001. The mission of the Commission is to provide to residents and business owners information, education and skills in preparedness and to also support and enhance first responders. He explained that the goals of the Commission include continuing to inform and educate citizens, working with the Farmington Public Schools to make CPR a graduate requirement and to introduce fourth and fifth graders to preparedness. Mr. Tutak discussed the Commission's activities over the past year.

City Council thanked Mr. Tutak and the Commission for all they do for the community.

EMERGENCY PREPAREDNESS COMMISSION "TIP OF THE MONTH"

Emergency Preparedness Commission
Tip of the Month
August 2014
Read by Councilmember Massey

In August the Emergency Preparedness Commission is reminding all families with school age children to make sure they update their children's emergency contact cards and to review emergency procedures with their families, should an event happen while their children are at school, or on their way to and from school.

Our children are exposed to a lot of alarming and sometimes scary information on a daily basis, especially from television. Your words and actions can provide reassurance while also easing their fears. It is important to engage your child about what they see and hear, and when you do be sure to present a realistic picture that is both honest and manageable. Children are not helpless, especially when given tools to help manage their own environment.

It is very reassuring to see how much time and effort the city's Police Department and the school's safety director have put forth, working together to create protocols that help ensure the safety of our children. Remember, even if you don't have children of your own, our community's children belong to us all, and we should all keep a protective eye out as we see children playing and traveling on our streets and playgrounds.

And as always, the Emergency Preparedness Commission urges all residents to make preparedness a part of daily life. For more information or to receive a copy of the Farmington Hills Emergency Preparedness Handbook, visit the City's website at www.fhready.org.

UPDATE FROM COUNTY COMMISSIONER GERSHENSON

In an effort to help small local businesses expand Oakland County has started a free on line registry for all of the 42,000 Oakland County businesses. This will be a resource for the consumer and other businesses to hire locally. Signing up will give businesses access to all services offered through the Oakland County One Stop Shop Business Center.

CORRESPONDENCE

The following correspondence was received by City Council.

- Correspondence from Mr. Lee Heyman regarding a sewer issue

CONSENT AGENDA

MOTION by Massey, support by Lerner, to approve the Consent Agenda as published.

Roll Call Vote:

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

MOTION CARRIED 7-0

PUBLIC QUESTIONS AND COMMENTS

John Matycich stated that he gave copies of videos to City Council regarding the water problem he is having at his house and asked if Council had a chance to look at the video. Mr. Matycich gave City Manager Brock notes from a private contractor regarding the suggested work to be done on the property.

Dianne Wernette, Middlebelt Road, stated that she read an article in the newspaper regarding a proposed LGBT ordinance and was very offended that the author brought religion into it. She discussed discrimination and stated that she believes gay people are still being discriminated against and urged Council to adopt an ordinance so that it would be against the law to discriminate against anyone for any reason. She commented that the City should be progressive when it comes to this issue.

Carl Knaus, founder of the Saving America Tea Party, stated that he is here to warn the City not to allow illegal people to come to this city as he believes it is a trick. As the founder of Saving America, he believes that illegal people are here to become democratic voters. He encouraged Council to look into the organization before they allow them to come into the city.

Bob Sawyer, resident, stated that he lives in the area of the Farmington Road construction zone, and he has a concern with regard to the sewers. He stated that when the project was started they were told that the people on the east side of the street as well as the people on the west side of the street were going to get sewer taps, but this did not happen. He stated that he was told that he would have to get his own contractor to tap the sewer, and the least expensive quote he has received to do that was over \$10,000. He believes that this is very unjust and feels residents are being penalized.

Mayor Brickner stated that the Director of Public Works is present and will be happy to talk with him.

Paul Terrace, resident, felt that bringing illegal people into the community is really a cost that the city could not afford. He stated that the people are coming here uneducated, many with diseases and some who are gang members. He commented that he hopes Council will give thought to the cost.

Ron Dwyer, Troy resident, feels that the problem he has with the illegal people coming into the city is that they will be receiving benefits paid for by the taxpayers, yet residents are not allowed to ask questions about these people. We do not know who they are and originally it was stated that they were 6 to 12 year olds and now it is being said that they are 14 to 17 year olds. He added that some of them have been found to be gang members, and he feels communities should be taking care of their own. He feels taxpayers are being taken advantage of and that this process is all about money and we are funding this operation. Mr. Dwyer stated that people need to stand up, whether democratic or republican and say no to this. He added that there are many people trying to get to the United States the right way and those are the people who should be allowed to come.

COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS

The following announcements were made:

- The first annual Farmington SAFE softball tournament was played this past Saturday.
- Run for the Hills will be held on Saturday, August 23, 2014 that raises money for Team Farmington Special Olympics
- Tony Hawk will be at the Riley Skateboard Park at the Founders' Park on Saturday, August 23, 2014

CITY MANAGER UPDATE

City Manager Brock provided the following update:

- He spoke of the flooding due to the rain earlier today and the areas that may be affected
- 14 Mile Road westbound near Orchard Lake Road is officially closed and will be closed for quite some time because of the construction in that area
- Language was approved for a Road Millage Proposal that will appear on the November 2014 ballot

Mayor Brickner asked that City Manager Brock call the Oakland County Road Commission regarding necessary repairs to Twelve Mile Road near Inkster.

PUBLIC HEARING:

PUBLIC HEARING AND CONSIDERATION OF AN INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 34, "ZONING" TO ADD SECTION 34-3.1.34, "GRAND RIVER CORRIDOR OVERLAY 1 DISTRICT," AND TO AMEND THE ZONING MAP TO ESTABLISH THE DISTRICT LOCATED ALONG GRAND RIVER AVENUE FROM MIDDLEBELT ROAD TO COLWELL STREET; ZONING TEXT AND MAP AMENDMENT 3, 2014.

Planning & Community Development Director Gardiner stated that this item is both a text amendment and a zoning map amendment. The text amendment would create a new zoning classification, the Grand River Corridor Overlay District. It would also rezone certain properties to this overlay district. The concept for this new overlay zoning district was established in the City's Master Plan for Future Land Use adopted by the Planning Commission on January 15, 2009 and the Grand River Corridor Vision Plan accepted by the Council on September 9, 2013. Mr. Gardiner explained that the GR-1 Overlay District will not change the underlying zoning of the affected properties within the identified area and it offers incentives for redevelopment including mixed use developments, increased building heights and decreased setbacks. All properties within the overlay district have been pre-qualified for PUD development. He noted that the Planning Commission recommended approval of this ordinance

amendment at their July 17, 2014 public hearing. Director Gardiner showed a map of the proposed district.

Mr. Stec from the Planning and Community Development Department explained the ordinance. The overlay district is created to implement the City's Master Plan, including the Southeast Business and Industrial Redevelopment Areas and Botsford Special Planning Area and the Grand River Corridor Vision Plan of 2013. He stated that the City seeks to provide flexibility in zoning regulations to foster redevelopment either through renovation and/or expansion of existing buildings or construction of new buildings in the district. The use of this overlay district shall require Planned Unit development (PUD) approval but all property has been pre-qualified for PUD approval, which saves time in the development review process. Mr. Stec noted that development solely in accordance with the underlying zoning district does not require PUD approval unless otherwise required in the Zoning Ordinance.

Mr. Stec explained the zoning map and the permitted uses in the area. He discussed building elements and LEED Certifications.

Councilmember Bridges asked what the funding source is for the river walk. Director Gardiner stated that it depends on whether it will be a public plan or if it will be on public property.

Councilmember Bridges asked about the properties being pre-approved for the PUD process. Director Gardiner stated that time is money so it is helpful that the properties are pre-approved. He noted that they are deemed qualified because of where they are in the overlay district. He stated that as a part of the CIA Vision Plan and legislation, the City is encouraged to consider mixed use ordinances and shortening the development process to make it user friendly; and this ordinance accomplishes both.

Councilmember Lerner stated that he is concerned about the LEED Certification that came into this process. The City has been talking about how to improve the corridor with redesign, rebuilding and encouraging development in this area; but he is concerned that requiring LEED Silver certification could potentially making it financially difficult for developers and discourage development.

Director Gardiner stated that the ordinance is trying to accomplish the goals of the Grand River Corridor Vision Plan, which talks about sustainability in the buildings.

There was further discussion regarding the LEED Certification requirement. It was noted that this was discussed at the study session meeting last week and the ordinance has been modified to read that if it is existing building, the LEED certification requirement could be waived. It was also clarified that developers would not be required to obtain the certification, which could be costly; but would be required to develop to LEED certifiable standards for new developments.

Mayor Pro-Tem Bruce agreed that he would like to encourage LEED certified standards, but requiring it may be going too far.

Mayor Brickner expressed concern with that the ordinance seems to dictate a certain look of the properties, and added that if the city wants developers to build, requiring a certain look may detour them from wanting to develop in this area.

Director Gardiner explained that Vision Plan requires a quality development, and the City wants developers to use sustainable building materials and this ordinance sets the guidelines to meet the goals and provides direction for the developers.

Mayor Brickner stated that he disagrees with putting architecture design elements in the ordinance.

Councilmember Steckloff stated that we are allowing developers such things as higher buildings, more creativity, and mixed use and she does not think that what this ordinance is asking for in return is unreasonable. Ms. Steckloff stated that she agrees with the LEED certifiable standards for new buildings because the city needs to be building for the future.

Councilmember Bridges stated that what has been outlined today is a concept and at this time nobody knows what the actual development is going to look like. He agrees that there should be standards and encouraging LEED certification is a good idea. He likes the concept so far and feels it is a step in the right direction.

Mayor Pro-Tem Bruce stated that he is not comfortable enough with the proposed ordinance amendment to vote yes. He likes the overall idea of the overlay district, but feels that the LEED Certification is too heavy handed and he agrees with Mayor Brickner's concerns about the architectural requirements. Mayor Pro-Tem Bruce stated that he feels there are still some significant questions and the Council should not vote on this yet. He suggested another Study Session regarding this because this is so important for this area. Mayor Pro-Tem Bruce added that if the City is going to do this he wants to be sure it is done right so that going forward the area is developed in a way that makes sense and does not discourage developers.

Mayor Brickner opened the Public Hearing.

Mr. Spencer Brown, Chairperson of the Corridor Improvement Authority, urged the City Council to approve the proposed ordinance amendment as the TIF Development Plan is scheduled to come to City Council on August 25, 2014. Mr. Brown stated that his opinion is that the buildings on Grand River in this area were built as single purpose small buildings and were built using the least amount of money possible. It is his opinion that the corridor would be better served with an architectural standard that allows for more density that will help support the tax increment concept. He added that the LEED standards are more expensive, but he feels that the operating costs are less so there may be savings that will balance the cost.

Susan Haight, Member of the Grand River Corridor Authority, stated that her concern is that they are having a meeting this coming Wednesday to move the TIF Plan forward. She noted that there could be changes in legislation this coming calendar year and the sooner the TIF Plan is launched the better. She added that this overlay district is going to set the standard for the northwest approach to Farmington Hills, and is the first district people see in Farmington Hills as they travel from the southeast. Ms. Haight also stated that she believes setting some of the standards discussed tonight is not a negative for this district and is a good way to get businesses and developments launched that will provide the corridor with some physical presence so that people can recognize that something is happening in Farmington Hills and make people want to be a part of it.

Mayor Brickner closed the Public Hearing as there was nobody else wishing to speak.

Further discussion was held on requiring LEED certifiable standards. It was suggested that LEED certifiable standards should be encouraged rather than required.

MOTION by Lerner, support by Bridges, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance to amend Chapter 34, "Zoning" to add section 34-3.1.34, "Grand River Corridor Overlay 1 District," and to amend the Zoning Map to establish the district located along Grand River Avenue from Middlebelt Road to Colwell Street (Zoning Text and Map Amendment 3, 2014), with the following amendments:

Adding language to Section 1 (L)(i) – Best management practices for storm water management, with special emphasis on protecting the Rouge River watershed, and LEED certifiable standards are encouraged.

Removing Section 1 (L)(iii)

Roll Call Vote:

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

MOTION CARRIED 6-1

NEW BUSINESS:

CONSIDERATION OF APPROVAL OF IN-KIND MATCH FOR ON-STREET PARKING ON COUNTRY CLUB DRIVE TO COMPLEMENT THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION GRANT TO DUFFEY, PETROSKY AND EMBARK DIGITAL CMR 8-14-78

City Manager Brock stated that these companies have been in the City of Farmington Hills for many years and they are expanding and want to continue to grow. Both companies are hi-tech, digital publishing and marketing firms. They have been in touch with the Michigan Department of Economic Growth and Development and that State agency is going to match a significant amount of money towards the employees and the growth of that company and making sure that they stay in Farmington Hills.

He explained that the City's part of this contribution is to accomplish some on-street parking. It is very difficult to find more parking in the area and Country Club Corporate Drive is wide enough to accommodate on-street parking. City Manager Brock added that the City Traffic Engineers have looked at this and have recommended a plan that will meet the match requirement. The City's investment would be \$6,372.81.

MOTION by Knol, support by Bridges, that the City Council of Farmington Hills hereby approves the in-kind match for on-street parking on Country Club Drive to leverage the Michigan Economic Development Corporation Grant to Duffey, Petrosky and Embark Digital.

MOTION CARRIED 7-0

CONSIDERATION OF APPROVAL OF AWARDED THE HERITAGE PARK ENTRANCE ROAD PAVEMENT REHABILITATION PROPOSAL THROUGH AN ADDENDUM TO THE EXISTING WESTHILL STREET REHABILITATION CONTRACT CMR 8-14-78

City Manager Brock explained that the 2014/2015 budget includes \$170,000 for 800 feet of road rehabilitation for the Heritage Park main entrance from Farmington Road. The Department of Special Services is interested in having the road rehabilitation completed in late summer or early fall, 2014.

Itemized quotes were received from three contractors currently under contract with the City and who are working in the City this summer. The low quote was received from Nagle Paving Company who was awarded the Westhill Street Road Rehabilitation contract on April 21, 2014 and the contract to repave the drives and parking areas at Fire Station 1. If the addendum is approved, construction is anticipated to begin late September, 2014 with completion scheduled for the end of October 2014.

Mr. Brock clarified that approving of the extension of the contract would involve waiving the formal bidding process.

MOTION by Bruce, support by Massey, that the City Council of Farmington Hills hereby approves the Heritage Park Entrance Road Pavement Rehabilitation as an extension to the Westhill Street Road Rehabilitation contract; and authorizes the City Manager and City Clerk to execute the contract addendum documents on behalf of the City and hereby waives the formal bid process.

MOTION CARRIED 7-0

CONSIDERATION OF APPROVAL OF A 2% INCREASE IN THE CITY MANAGER'S SALARY, PER CONTRACT CMR 8-14-80

Mayor Brickner stated that he asked this item to be placed on the agenda for consideration as City Manager Brock has not received annual increases over the past several years as allowed per his contract.

MOTION by Massey, support Bruce, that the City Council of Farmington Hills hereby approves a 2% pay increase for the City Manager effective July 1, 2014 in accordance with the contract.

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE DEMOLITION OF THE AT&G BUILDING TO UNIVERSAL CONSOLIDATED ENTERPRISES IN THE AMOUNT OF \$180,930 CMR 8-14-81

Director Lasley stated that the City obtained this property through ownership default in 2010; and the property is a former machine shop with large amounts of fluids and chemicals used in the building. He noted that the bid scope includes the demolition and removal of the AT&G Building and out-buildings at 30790 W. Eight Mile Road and construction of a support wall as the building has shared walls with an adjoining property. The recommended lowest qualified and complete bid was submitted by Universal Consolidated Enterprises of Roseville, MI. He added that funding for this project is budgeted in the 2014/15 Brownfield Redevelopment Authority Fund.

MOTION by Lerner, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager and City Clerk to sign contracts and issue purchase orders to Universal Consolidated Enterprises for the Demolition of the AT&G Building in the amount of \$180,930.

MOTION CARRIED 7-0

CONSENT AGENDA

RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF JULY 28, 2014

MOTION by Massey, support by Lerner, that the City Council of Farmington Hills hereby approves the Study Session Meeting Minutes of July 28, 2014 as submitted.

Roll Call Vote:

Yeas: BRICKNER, BRIDGES, BRUCE, KNOL, LERNER, MASSEY, AND STECKLOFF

Nays: NONE
Absent: NONE
Abstentions: NONE

MOTION CARRIED 7-0

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF JULY 28, 2014

MOTION by Massey, support by Lerner, that the City Council of Farmington Hills hereby approves the Regular Meeting Minutes of July 28, 2014 as submitted.

Roll Call Vote:

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

MOTION CARRIED 7-0

ATTORNEY REPORT:

The attorney's report was accepted as submitted.

TOPICS FOR CONSIDERATION AT THE NEXT CITY COUNCIL MEETING

Mayor Brickner mentioned potential topics for the next regular City Council meeting of August 25, 2014.

ADJOURNMENT

Mayor Brickner adjourned the regular City Council meeting at 9:45 p.m.

Respectfully submitted,



Pamela B. Smith, City Clerk