AGENDA

CITY COUNCIL STUDY SESSION

APRIL 28, 2025 – 6:00PM

CITY OF FARMINGTON HILLS

THE HAWK – MEDIA CENTER/CONFERENCE CENTER (THIRD FLOOR) 29995 TWELVE MILE ROAD

FARMINGTON HILLS, MICHIGAN

Telephone: 248-871-2410 Website: www.fhgov.com

2.	Roll Call		
3.	Discussion on amendment to the Smoking Lounge Ordinance		
4.	Review of Budget Process		
5.	Discussion on Cost Share with City of Farmington		
6.	Adjourn Study Session		
	Respectfully submitted,		
	Carly Lindahl, City Clerk		
	Reviewed by:		
	Karen Mondora, Assistant City Manager		

1. Call Study Session to Order

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.



OFFICE OF CITY CLERK

TO: Mayor and City Council

FROM: Carly Lindahl, City Clerk

DATE: April 28, 2024

SUBJECT: Discussion on Amendment to the Smoking Lounge Ordinance

Recently the City Clerk's office received an application for a liquor license along with a smoking lounge license for a proposed upscale cigar bar to be located at 28970 Orchard Lake Road.

In April 2024, City Council approved eliminating the bona fide restaurant requirement from the liquor license ordinance in order to allow for these types of establishments, however, the city's current smoking lounge ordinance prohibits the consumption of alcoholic beverages in smoking lounges.

During discussions in 2022 when the smoking lounge ordinance was amended, Council recognized that this provision potentially excluded cigar bars and agreed to revisit the ordinance in the future.

Based on Council's previous thought to revisit the ordinance regarding cigar bars and with the recent expansion of liquor license eligibility, the purpose of this discussion is to determine Council's position on amending the current smoking lounge ordinance to allow for the consumption of alcohol.

A draft ordinance amendment is included for your review as well as minutes from past council meetings.

ORDINANCE NO. C-____-2025

CITY OF FARMINGTON HILLS OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES AT CHAPTER 8, "BUSINESS LICENSING" ARTICLE II, "SMOKING LOUNGES," DIVISION 3, "OPERATION," SECTION 8-63, "STANDARDS OF CONDUCT AND SPECIAL PERMITS," TO ALLOW THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN SMOKING LOUNGES.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 8, "Business Licenses," Article II, "Smoking Lounges," Division 3, "Operation," Section 8-63 is hereby amended to read as follows:

Sec. 8-63. - Standards of conduct and special permits.

A smoking lounge licensed under this article and the licensee, including its owners, operators, managers, agents, and employees, shall comply with and shall be responsible for ensuring that patrons, owners, and employees comply with this City Code, applicable state laws, and all of the following, at all times:

- (a) The consumption of alcoholic beverages and use of marijuana products, of any kind, shall not be allowed.
- (b) The unlawful possession, use, or delivery of any controlled substance shall not be allowed.
- (c) Persons visibly under the influence of, or intoxicated from, the use of any substance under (a) or (b) of this section shall not be permitted to remain or loiter on the premises.
- (d) There shall be no live entertainment or dancing, unless a special dance-entertainment permit has been applied for and approved as part of a smoking lounge license pursuant to this article. If a special dance-entertainment permit has been issued, then any live entertainment and dancing on the licensed premises shall comply with this article.
- (e) There shall be no use of hookahs or consumption of hookah tobacco, unless a special hookah lounge permit has been applied for and approved as part of a

smoking lounge license pursuant to this article. If a special hookah lounge permit has been issued, then any use of hookahs or consumption of hookah tobacco on the licensed premises shall comply with this article.

- (f) There shall be no gambling.
- (g) Patrons shall not loiter in the parking lot and immediately leave the parking area upon exiting the licensed premises.
- (h) Patrons shall immediately exit the premises upon the close of business.
- (i) The licensee shall, at all times, maintain the premises as a safe and secure environment for patrons and employees and shall ensure that the smoking lounge, including interior and external areas, is maintained and operated, at all times, in such a manner as not to result in breaches of the peace or a menace to the health, safety, or welfare of the public.

Section 2 of 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 3 of Ordinance. Savings.

The amendments of the Farmington Hills Code of Ordinances set forth in this ordinance do 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 amendments of the Farmington Hills Code of Ordinances set forth in this ordinance.

Section 4 of 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 Ordinance. Effective Date.

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

Section 6 of Ordinance. Date and Publication.

	ing called and held o	n, 2025, and order	•
Ayes: Nays: Abstentions: Absent:			
STATE OF MICHIGAN)) ss.		
COUNTY OF OAKLAND)		
Oakland County, Michigar	n, do certify that the the City Council of	city Clerk of the City of Farm foregoing is a true and com the City of Farmington Hills ch is on file in my office.	plete copy of
		Carly Lindahl, City Clerk City of Farmington Hills	

MINUTES CITY OF FARMINGTON HILLS FARMINGTON HILLS CITY COUNCIL CITY HALL - COMMUNITY ROOM MAY 9, 2022 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 6:03pm.

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, and City Attorney Joppich

Mayor Barnett stated that she wanted to add to the agenda discussion on the smoking lounge ordinance that is before City Council this evening. There were no objections.

DISCUSSION ON RENTAL DWELLING UNIT REGISTRATION AND INSPECTIONS

Charmaine Kettler-Schmult, Interim Director of Planning and Community Development, stated that the rental inspection ordinance was approved by Council in 2014 and the program implemented in 2015. She noted that there was an amendment to the ordinance to clarify the inspection process. She explained that the current program is focused on the maintenance and upkeep of single-family dwellings and property and inspections are conducted every 3 years. The department initially contacted non-homestead properties notifying them of the new ordinance requirements and current notifications generally come through code enforcement efforts.

City Manager Mekjian stated that City Council had requested expanding the rental inspection ordinance to multi-family dwelling so he asked staff to explain where the city was to date with the current ordinance and discuss the possibility of expanding the program.

Scott Lenhart, Building Official, stated that he has reviewed ordinances and program from comparable communities and there is a wide range of ordinances and how this is handled in other communities; but he believes that if this is the direction City Council wants to take, the current ordinance could be amended to include a more comprehensive program that would include multi-family dwellings.

Interim Director Kettler-Schmult clarified that the current inspection includes the exterior of the dwelling only and property unless the homeowner requests an inspection of the interior or if there is something visible from the outside such as a broken window or hole in the roof that could deem the dwelling not in compliance with the code.

Building Official Lenhart reported that there are approximately 11,000 dwellings that would be involved if multi-family inspections were included as part of the rental inspection program. He discussed with Council what constitutes a rental and costs to the city for these changes in the program.

Comments and concerns of City Council members included:

- Adequate staffing to add multi-family dwellings to the program and scheduling inspections
- Obtaining permission from owners for access to the interior of dwellings
- Decline of some apartment buildings and the effect on the entire City with regard to health, safety and welfare

Suggestions of Council included:

- Conducting inspections as units become empty and before new tenants move in
- Education and outreach to landlords
- Targeting older apartment complexes first to lessen the burden on city staff

PUBLIC COMMENTS:

Phil Newman, representing the Detroit Metropolitan Apartment Association, shared the following suggestions and concerns with the discussion this evening:

- Suggested that inspections are conducted on a complaint basis, which is feel is an option under State Statute
- Landlords will pass costs of associated with an inspection program onto the tenants so if there are no complaints or issues, why should those tenants be paying additional costs
- Agrees with the privacy issue and commented that tenants cannot be forced to open up their apartments to provide access

Mayor Barnett encouraged Mr. Newman to participate in future discussions on this issue on behalf of the area landlords.

Council requested Attorney Joppich to look into the following issues/suggestions raised:

- Possibility of targeting complexes on a complaint basis or targeting older complexes
- Privacy issue and ability to gain access to interior of dwellings

DISCUSSION ON THE SMOKING LOUNGE ORDINANCE

Mayor Barnett stated that she was concerned the smoking lounge ordinance was potentially excluding the cigar bars because it does not allow for the sale of liquor; however, the current liquor license ordinance does not allow for the sale of liquor on premise unless it is in conjunction with a bona fide restaurant.

Members of Council suggested revisiting the liquor ordinance as they felt it was outdated and that it does exclude cigar bars and clubs. Council was comfortable with moving forward with the introduction of the amendment to the smoking lounge ordinance this evening since there are other ordinances that already prohibit those establishments if they intend to serve alcohol without also being in conjunction with a restaurant operation; but agreed with having a broader discussion on this topic in the future.

Council wished to have this come back sooner than later and Attorney Joppich stated that he would review the liquor ordinance and report back to City Council in approximately one month.

ADJOURNMENT:

The study session meeting adjourned at 7:11pm.

Respectfully submitted,

Pamela B. Smith, City Clerk

MINUTES CITY OF FARMINGTON HILLS CITY COUNCIL MEETING CITY HALL – COUNCIL CHAMBER MAY 9, 2022 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:37pm.

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 Kettler-Schmult and Schnackel, Police Chief King

and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Mayor Barnett led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

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

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING MAY 15-21, 2022 AS NATIONAL PUBLIC WORKS WEEK

The following Proclamation was read by Council Member Bridges and accepted by DPW Superintendent, Kevin McCarthy:

PROCLAMATION
National Public Works Week
May 15 – 21, 2022
"Ready and Resilient"

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are

of vital importance to sustainable and successful communities such as the City of

Farmington Hills; and

WHEREAS, National Public Works Week recognizes the men and women who provide and

maintain the services collectively known as public works, which are an integral part of the health, safety, high quality of life, and well-being in the everyday lives

of Farmington Hills residents; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient

operation of public works systems and programs such as water supply, sanitary sewers, roadways, public buildings and properties, signage, traffic control, and

solid waste collection and recycling; and

WHEREAS, the health, safety, and comfort of this community all depend upon the

effectiveness of public works programs and the vital contributions and daily service of the dedicated and hard-working professionals of the City's Public

Services Department and the Division of Public Works; and

WHEREAS, this year's theme, "Ready and Resilient," showcases the superheroes that lie

within each and every public works professional - always READY to serve their communities, and RESILIENT as ever in their abilities to pick themselves up and

rise to the occasion after encountering challenges; and

WHEREAS, National Public Works Week was instituted by the American Public Works

Association as a public education campaign designed to call attention to the importance of public works in the lives of present and future generations.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 15 – 21, 2022 as **National Public Works Week** in the City of Farmington Hills and call upon all citizens to recognize and acknowledge the vital services provided daily by the City's public works professionals to maintain the high quality of life in Farmington Hills.

PROCLAMATION RECOGNIZING MAY 15-21, 2022 AS NATIONAL POLICE WEEK

The following Proclamation was read by Council Member Massey and accepted by Police Officer Kent Schooley:

PROCLAMATION National Police Week May 15 - 21, 2022

WHEREAS, Congress and the President of the United States have designated May 15 as Peace

Officers Memorial Day, and the week in which May 15 falls as National Police

Week; and

WHEREAS. National Police Week honors all law enforcement officers, and Peace Officers

Memorial Day pays homage to those who made the ultimate sacrifice in service to their community or became disabled in the performance of duty and also pays

tribute to the survivors of these fallen heroes; and

WHEREAS, we honor the men and women of the Farmington Hills Police Department, along

with their community partners, and commend them on their impressive

accomplishments in reducing crime in our community; and

WHEREAS, the Farmington Hills Police Department achieved reaccreditation from the

Michigan Association of Chiefs of Police, becoming one of only eight Michigan police agencies to have attained this status and currently the largest agency to

achieve this prestigious accomplishment; and

WHEREAS, it is vital that our citizens know that Farmington Hills police officers are

committed to practicing 21st century policing, encouraging positive community connections, and delivering superior services without prejudice or partiality; and

WHEREAS, we are grateful to the members of our Police Department and to the community,

whose partnership helps Farmington Hills continue to be rated as one of the

safest communities to live in the state and country each year.

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NOW, THEREFORE, BE IT RESOLVED, that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 15 - 21, 2022 as **National Police Week** and call upon the citizens of Farmington Hills to join in recognizing our Farmington Hills police officers, dispatchers, and civilian support staff, and in honoring all the dedicated professional law enforcement personnel across our country who preserve the safety and security of our communities.

CORRESPONDENCE

Councilmembers acknowledged the following correspondence received:

- Emails regarding construction on Orchard Lake Road
- Acknowledged the Master Plan Citizen Survey on the city website

CONSENT AGENDA

MOTION by Bridges, support by Boleware, to approve consent agenda items #9 - #12, as read.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

MOTION by Knol, support by Boleware, to approve consent agenda item #13, as read.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: BRIDGES

MOTION CARRIED 6-0-0-1.

CONSENT AGENDA ITEMS FOR DISCUSSION

There were no items pulled for discussion.

PUBLIC QUESTIONS AND COMMENTS

The following persons spoke on the Costick Center activities, particularly the pool and swim programs and urged City Council to maintain that facility for seniors in the community:

Pamela Santo Jeanne Bisanz Linda Bodzin Jenny Pike

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

Council Member made the following comments and/or announcements:

- Agreed that the Costick Center is a great facility for the resident seniors and that the swim program is like a family and they appreciate the comments
- Urging people to watch out for bike riders and to watch their speed to keep everyone safe this summer

CITY MANAGER UPDATE

City Manager Mekjian made the following comments:

- Saturday May 21st is Rouge River Day at Heritage Park
- Memorial Day Parade and events, sponsored by Groves Walker American Legion Post 346 in conjunction with the Exemplar Club, will be Monday, May 30th
- The one year anniversary facility dedication for the HAWK is June 16th at 7pm
- Carly Lindahl, Deputy Clerk, earned her second level MiPMC (Michigan Professional Municipal Clerk) certification

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-2-2022 TO AMEND CITY CODE, CHAPTER 34, "ZONING," AMENDING THE DEFINITION OF FAMILY; ADD NEW DEFINITIONS FOR REASONABLE ACCOMMODATION AND SPECIAL ACCOMMODATION RESIDENCE; ADD A NEW SECTION 34-4.60, STANDARDS AND REGULATIONS FOR SPECIAL ACCOMMODATION USE; AND APPROVAL OF SUMMARY FOR PUBLICATION.

Charmaine Kettler-Schmult, Interim Director of Planning and Community Development, reported that City Council introduced the ordinance amendment for the City Code to amend the definition of family. A public hearing was held at that time and there were no public comments or suggested changes to the amendment at that time. This is now before Council for the second reading.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-2-2022 to amend City Code, Chapter 34, "Zoning," amending the definition of family; add new definitions for reasonable accommodation and special accommodation residence; add a new Section 34-4.60, Standards and Regulations for Special Accommodation Use; and approval of summary for publication.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF APPOINTMENTS TO THE FARMINGTON AREA ARTS COMMISSION.

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby confirms the Mayor's recommendation to appoint the following individuals to the Farmington Area Arts Commission:

	Length of Term:	Term ending:
Don Fritz	Unexpired term	February 1, 2025
Nora Mason	Unexpired term	February 1, 2024

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (PUD) 5, 1993 AGREEMENT.

Charmaine Kettler-Schmult, Interim Director of Planning and Community Development, reported that the Planned Unit Development originally allowed for office use and was recently amended by City Council to allow for retail and restaurants for a portion of the development. The next step is the PUD agreement, which has been reviewed and drafted by the City Attorney.

Mr. Antone, Kojaian Development, stated that the biggest want from office staff returning to work are area amenities and this would help to bring back the office market.

MOTION by Knol, support by Bridges, that the City Council of Farmington Hills hereby approves the amendment to the Planned Unit Development (PUD) 5, 1993 Agreement.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF SUBMISSION OF SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (SEMCOG) PLANNING ASSISTANCE PROGRAM APPLICATION FOR COMPLETE STREETS AND CORRIDOR SAFETY PLANNING. CMR 5-22-51

Charmaine Kettler-Schmult, Interim Director of Planning and Community Development, explained that this is a request to allow staff to submit an application to SEMCOG for complete streets and safety planning and is very timely given the master plan process the city is undertaking.

MOTION by Bruce, support by Boleware, that the City Council of Farmington Hills hereby authorizes the submittal of an application to SEMCOG to obtain a SEMCOG Planning Assistance Program Grant for Complete Streets and Corridor Safety Planning prior to May 27, 2022.

MOTION CARRIED 7-0.

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES AT CHAPTER 8, "BUSINESS LICENSING" ARTICLE II, "SMOKING LOUNGES," TO ESTABLISH A SPECIAL PERMIT FOR HOOKAH SMOKING AREAS IN SMOKING LOUNGES AND TO AMEND PROVISIONS RELATING TO THE PURPOSE AND INTENT OF THE ORDINANCE, DEFINITIONS, APPLICATIONS FOR LICENSES, BASIS FOR APPROVAL AND DENIAL OF LICENSE AND SPECIAL PERMITS, STANDARDS OF CONDUCT, HOURS OF OPERATION, AND TEMPORARY CLOSURES IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE.

City Attorney Joppich explained that the ordinance is being presented to Council tonight for the introduction and first reading and if approved would come back to City Council for a second readying. He explained that the proposed amendment has been studied by staff and City Council over the past 30-60 days in order to address issues taking place at area Hookah Lounges. He noted that the city currently has two applications pending with the city under the current ordinance. The proposed changes to the ordinance are outlined in red in the report provided to Council this evening and focuses on a couple of key areas including the hours of operation proposed for 8am-11pm and allowing for temporary closure of a business for up to 72 hours; and establishes a special permit for use of hookah within the facility and conditions associated with such permit.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an ordinance to amend the Farmington Hills Code of Ordinances at Chapter 8, "Business Licensing" Article II, "Smoking Lounges," to establish a special permit for hookah smoking areas in smoking lounges and to amend provisions relating to the purpose and intent of the ordinance, definitions, applications for licenses, basis for approval and denial of

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license and special permits, standards of conduct, hours of operation, and temporary closures in the interest of the public health, safety, and welfare.

Some members of City Council expressed concern with the proposed hours of operation and closing time of 11pm and imposing further restrictions without some education and outreach to the owners of the hookah lounges. Also, there was concern with the language included that could penalize a new owner for occurrences that happened on the property or in the facility when they did not own it. Other members of Council felt the establishments required further limitations in order to address the serious crimes taking place in or around their businesses and to maintain the health, safety and welfare of the community.

Roll Call Vote:

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

Absent: NONE Abstentions: NONE

MOTION CARRIED 4-3.

CONSENT AGENDA

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE 11TH ANNUAL CIPRIANO CLASSIC 5K RACE TO BE HELD ON FRIDAY, JUNE 10, 2022.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby approves a Special Event Permit for the 11th Annual Cipriano Classic 5K Race to be held on Friday, June 10, 2022 from 6pm-9pm, subject to the following conditions:

- The event shall not block or restrict fire lanes
- The event must comply with Fire Prevention Code requirements
- The route shall be as proposed, mainly in the residential area behind the YMCA
- Farmington Road will be closed temporarily at 12 Mile while runners begin the race
- There will be approximately 400 runners
- There will be 40-50 volunteers throughout the race route to assist the runners
- The applicant has been in contact with the Fire Department for medical response
- There will be ample parking for all attendees in the area of the event
- The residents of Kendallwood Subdivision will be notified by staff of the event the week prior to the run
- Reimbursement for Police Department overtime as outlined in the Police Chief's recommendation memo for this event
- The applicant shall submit an Indemnification Agreement prior to the start of the event

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A CAMP LEADER AND HAWKS NEST LEADER.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Charter for Susan Wardle as a Camp Leader and Hawks Nest Leader in the Special Services Department. Susan is the mother of Anne Wardle, who is a Department Aide in the Special Services Department.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF APRIL 25, 2022.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of April 25, 2022.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF APRIL 25, 2022.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of April 25, 2022.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL MEETING MINUTES OF APRIL 27, 2022.

MOTION by Knol, support by Boleware, that the City Council of Farmington Hills hereby approves the City Council special meeting minutes of April 27, 2022.

May 9, 2022 APPROVED 5/23/2022

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Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: BRIDGES

MOTION CARRIED 6-0-0-1.

ADDITIONS TO AGENDA

There were no additions to the agenda.

ATTORNEY REPORT

The attorney report was received by Council.

ADJOURNMENT

MOTION by Bridges, support by Bruce, to adjourn the regular session City Council meeting at 8:45pm.

MOTION CARRIED 7-0.

Respectfully submitted,

Pamela B. Smith, City Clerk

MINUTES CITY OF FARMINGTON HILLS CITY COUNCIL MEETING CITY HALL – COUNCIL CHAMBER MAY 23, 2022 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:38pm.

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

Council Members Absent: None

Others Present: Assistant City Manager Valentine, City Clerk Smith, Police Chief King,

Fire Chief Unruh and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Mayor Barnett led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

MOTION by Massey, support by Knol, to approve the agenda as amended with the addition of item #13, Award of Purchase Order for the Harrison Legacy Sculpture, to the Consent Agenda.

MOTION CARRIED 7-0.

PROCLAMATION RECOGNIZING MAY 2022 AS NATIONAL NURSE'S MONTH

The following proclamation was read by Council Member Newlin and accepted by Cheryl Discher, Beaumont of Farmington Hills Nursing Professional Development Specialist:

PROCLAMATION National Nurses Month May 2022

WHEREAS, the profession of nursing was begun by Florence Nightingale, the Lady with the

Lamp, in 1854 when the role was basic caretaking and domestic tasks. The profession was influenced by the accomplishments of Clara Barton, Mary Eliza Mahoney, and Dorothea Dix, all nursing pioneers. Now over four million registered, practical, and advance practice nurses represent the largest health care

profession in our nation; and

WHEREAS, skills required of the nurse are no longer basic caretaking advancing from using a

second hand of a wristwatch to take a pulse, writing in pencil on a Kardex wearing white dresses and nursing caps, to now wearing scrubs, lab coats or street clothes while recording in electronic medical records, understanding life sustaining technology and science while being the never changing constant at the

bedside; and

WHEREAS, nurses are leaders in quality healthcare and the health of our nation relies on

nurses to deliver primary and preventative care and health education in the acute

hospital, chronic care settings, primary care clinics, the public health care

agency, doing research, minute clinics, mental health settings, schools, where our military serves, hospices, and our homes or wherever people need care; and

WHEREAS, nurses have been the cornerstone in the care of our nation during the continued pandemic. A nurse has immense responsibility stepping into people's lives when

life begins, when life ends and everything in between. Nurses make a difference on life's journey. Our nurses have given to our nation unending dedication,

empathy, courage, endurance, sacrifice, and love; and

WHEREAS, the recognition of the profession of nursing began in 1982, and this year the

American Nurses Association selected the theme "Nurses Make a Difference" to

honor the roles and positive impact nurses make in our lives; and

WHEREAS, this quote by Rawsi Williams, an inspiring nurse leader, quantifies the profession

of nursing: "To do what nobody else will do, in a way that nobody else can do, in

spite of it all; that is to be a nurse."

NOW, THEREFORE, BE IT RESOLVED, that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 2022 as **National Nurses Month** and call upon the citizens of Farmington Hills to honor registered nurses and to recognize the indispensable role these dedicated professionals play in keeping our community safe and healthy.

PROCLAMATION RECOGNIZING JUNE 2022 AS SCLERODERMA AWARENESS MONTH

The following proclamation was read by Council Member Boleware and accepted by Pamela Pour, Member of the Scleroderma Foundation and parent of a Scleroderma patient:

PROCLAMATION Scleroderma Awareness Month June 2022

WHEREAS, scleroderma is a chronic, degenerative autoimmune disease in which the

connective tissues suffer from an overproduction of collagen that can affect many

parts of the body such as skin, blood vessels, and internal organs; and

WHEREAS, an estimated 300,000 Americans have scleroderma, which is frequently

misdiagnosed and affects approximately three to four times more women than

men with an onset most commonly between the ages of

25 and 55; and

WHEREAS. since researchers have yet to identify the exact cause of scleroderma, there is a

significant need for further research to increase understanding of the disease and

its treatment; and

WHEREAS, addressing the complex health needs of people with scleroderma through

comprehensive and coordinated health services is critically important to

achieving positive patient outcomes; and

WHEREAS, through public awareness, the City of Farmington Hills seeks to focus on the

needs of people living with scleroderma and the continuing improvement of

services to those people and their families.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim June 2022 as **Scleroderma Awareness Month** in the City of Farmington Hills and call upon our citizens to become better educated about scleroderma and the need for increased research and more effective treatments for this disease.

PROCLAMATION RECOGNIZING JUNE 2022 AS LGBTQ PRIDE MONTH

The following proclamation was read by Council Member Bruce:

PROCLAMATION LGBTQ Pride Month June 2022

WHEREAS, the struggle for dignity and equality for lesbian, gay, bisexual, transgender, and

questioning (LGBTQ) people is reflected in the tireless dedication of advocates

and allies who strive to forge a more inclusive society; and

WHEREAS, June is declared as Pride Month to commemorate the June 1969 Stonewall

Uprising in Lower Manhattan targeting LGBTQ patrons and other marginalized people, in violation of their civil rights, leading to the birth of the Gay Rights

Movement; and

WHEREAS, LGBTQ Americans, including our neighbors, coworkers, friends, and family

members, face discrimination simply for being who they are and there remains much work to do to extend the promise of our country to every person; and

WHEREAS, the landmark Supreme Court decision of 2015 guaranteeing marriage equality in

all 50 States was a historic victory for LGBTQ Americans which affirmed our

belief that we all deserve to be treated as equals; and

WHEREAS, in 2015, the City of Farmington Hills enacted a Human Rights Ordinance stating

the City's intent that no person be denied equal protection of the laws, nor shall any person be denied the enjoyment of his or her civil or political rights or be discriminated against because of actual or perceived race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, source of income, family status, sexual orientation or gender

identity.

NOW, THEREFORE, BE IT RESOLVED that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim June 2022 as **LGBTQ Pride Month** and encourage our community to eliminate prejudice wherever it exists and to celebrate our great diversity by taking part in community events throughout June that focus on and celebrate our LGBTQ neighbors.

CORRESPONDENCE

Councilmembers acknowledged the following correspondence received:

- Letter regarding concerns and suggestions with the panhandling issues in the city
- Emails in support of the Juneteenth Celebration to be held on June 17, 2022 at Nardin Park Church.

CONSENT AGENDA

MOTION by Bridges, support by Massey, to approve consent agenda as read.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

PUBLIC QUESTIONS AND COMMENTS

There were no public questions or comments.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

Council Member made the following comments and/or announcements:

- Children, Youth and Families held a successful career and tech night last Thursday
- American Legion in conjunction with the Exemplar Club will be hosting the Memorial Day Parade event on Monday, May 30, 2022
- City of Farmington hung pennants off light poles in their downtown memorializing Farmington residents who have served in past wars
- Clerk's office announcements: Absent voter ballot applications have been mailed out to those voters on the permanent absent voter list, the drive up drop box in front of the Police Department has been replaced, new Voter ID Cards are being mailed to all registered voters due to redistricting, several polling locations will be relocated for the August State Primary Election due to building construction

CITY MANAGER UPDATE

Assistant City Manager Valentine made the following comments:

- Waste collection will not take place on Monday, May 30th due to the Memorial Day holiday, all collections will be delayed one day
- Provided an update on major road construction projects

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF THE ENACTMENT OF ORDINANCE C-3-2022 TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES AT CHAPTER 8, "BUSINESS LICENSING" ARTICLE II, "SMOKING LOUNGES," TO ESTABLISH A SPECIAL PERMIT FOR HOOKAH SMOKING AREAS IN SMOKING LOUNGES AND TO AMEND PROVISIONS RELATING TO THE PURPOSE AND INTENT OF THE ORDINANCE, DEFINITIONS, APPLICATIONS FOR LICENSES, BASIS FOR APPROVAL AND DENIAL OF LICENSE AND SPECIAL PERMITS, STANDARDS OF CONDUCT, HOURS OF OPERATION, AND TEMPORARY CLOSURES IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE; AND APPROVAL OF SUMMARY FOR PUBLICATION.

City Attorney Joppich explained that the ordinance amendment was discussed by City Council at previous study sessions and was before City Council at their last regular meeting for the first reading. The ordinance has not been revised since that time and is now before City Council for the second reading and enactment. He noted the following significant amendments from the original ordinance: Requirement of special permit for smoking lounges to include hookah, the hours of operation were amended to close all smoking lounges at 11pm and temporary closures were permitted for up to 72 hours.

Mayor Barnett acknowledged that she had a request from a member of the public wishing to speak on this issue and called upon Ray Ohara to speak at this time.

Ray Ohara, Lush Hookah, expressed concern with the requirement in the ordinance amendment for smoking lounges to close at 11pm. He commented on the amount of funding he has put into his business and that they had lost money during Covid; and to require them to close at 11pm would essentially close their business. He is willing to work with the city and keep the business safe but requested that the Council not require closing businesses at 11pm.

Council cited various incidents at the Lush Hookah establishment over the past several years that included a shooting in the parking lot and nobody from the business had called 911. The Police Department heard of the shooting through contact by a local hospital as a woman had been shot.

Wisam Khumar, owner of Lush Hookah, described what had occurred prior to that incident at his location and stated that his lounge was closed at the time the shooting took place in the parking lot, which was the reason nobody called 911.

Discussion was held on this incident and any outreach from the city to the business prior to the incident or following the incident. Mr. Khumar stated that there was no outreach from the city prior to or after the incident occurred.

Police Chief King explained the multiple incidents that have occurred at that location but refrained from further comments pending further information received recently.

It was discussed by Council that this ordinance was passed due to issues at not only Lush but other similar businesses as well and at the request of the Chief is now revisiting the ordinance to add further limitations due to continued incidents at these locations.

Council expressed concern with regard to the shooting incident discussed in the parking lot of Lush and the fact that nobody called 911 and for the safety of area businesses and residents.

Mayor Barnett commented that the Council is charged with protecting the health, safety and welfare of the residents and that the ordinance is crucial at this time. She suggested the option of revisiting the ordinance in a year to determine if there have been improvements with regard to the owners and landlords responsibility for keeping the people safe in their business. She called for a motion.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the ENACTMENT of Ordinance C-3-2022 to amend the Farmington Hills Code of Ordinances at Chapter 8, "Business Licensing" Article II, "Smoking Lounges," to establish a special permit for hookah smoking areas in smoking lounges and to amend provisions relating to the purpose and intent of the ordinance, definitions, applications for licenses, basis for approval and denial of license and special permits, standards of conduct, hours of operation, and temporary closures in the interest of the public health, safety, and welfare; and approval of summary for publication.

MOTION CARRIED 7-0.

Mayor Barnett invited the owners of Lush to meet with city staff to ensure a safe business going forward and suggested revisiting the ordinance in a year to determine if there have been improvements. She also acknowledged letters received by the city in support of Lush Hookah.

CONSENT AGENDA

RECOMMENDED APPROVAL OF A MICHIGAN ECONOMIC DEVELOPMENT GRANT PROJECT FOR THE FIRE DEPARTMENT. CMR 5-22-52.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves waiving formal bid requirements and authorizing the City Manager to approve the purchase orders of the grant funded fire safety trailer project to Mobile Concepts in its entirety; the \$18,336 will come from the Fire Department's 2021/2022 capital budget.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE FARMINGTON AREA JUNETEENTH CELEBRATION TO BE HELD ON FRIDAY, JUNE 17, 2022.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves a Special Event Permit for Farmington Area Juneteenth Celebration to be held on Friday, June 17, 2022 from 8:00pm to 11:00pm and Saturday, June 18, 2022 from 12:00pm-6:00pm, subject to the following terms and conditions:

- There will be live music, with a public address system at the event and the applicant was advised of the noise ordinance
- There is ample on-site parking for attendees of the event
- The location will be free of obstacles that would inhibit emergency police and fire response
- The applicant has not requested police assistance for this event
- There shall be no parking within 20' of any tent
- Egress shall be maintained throughout the building
- Fire lanes shall not be blocked or restricted
- Cooking/open flame devices shall not be used under tents and shall be at least 20' away
- Food trucks shall operate according to NFPA and Fire Prevention Code Standards, and specifically:
 - Ensure that fuel tanks are filled to the capacity needed for uninterrupted operation for the duration of the event
 - All connections/piping shall be checked for leaks prior to operation
 - Any cooking system which produced grease laden vapors shall be protected by listed fire extinguishing equipment
 - Fire extinguishers shall be installed and maintained according to NFPA
 10
- Any bounce house, if used, shall be properly anchored according to manufacturer's recommendation to prevent movement during unexpected winds
- Proponent must contact Fire Prevention to schedule an inspection prior to beginning the event
- Event shall comply with minimum Fire Prevention requirements
- Any signs used for the event shall be placed such that they allow for adequate sight distance and do not cause a safety concern

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Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE AMELIA'S LITTLE BIKE-A-THON FOR MS EVENT TO BE HELD ON SATURDAY, JUNE 4, 2022.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves a Special Event Permit for Amelia's Little Bike-a-Thon for MS to be held on Saturday, June 4, 2022 from 9:15am-11:15am, subject to the following terms and conditions:

- Emergency vehicle access shall not be restricted
- Applicant has received permission from Farmington Public Schools to utilize the parking lot of Kenbrook Elementary for a staging area
- There will be approximately 60 guests for the event
- There will be a bike ride in the lot of Kenbrook Elementary for the younger kids and a ride around the subdivision for the older kids
- There is ample on-site parking for attendees of the event
- The location will be free of obstacles that would inhibit emergency police and fire response
- The applicant has received permission from the homeowner's association to host the event

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A CAMP INSTRUCTOR AT THE HAWK.

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 Janelle Lavaud as a Camp Instructor at The Hawk in the Special Services Department. Janelle is the mother of Alexia Lavaud, who is a Camp Leader at the Nature Center in the Special Services Department.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR AN ARTS AND MUSIC CAMP SPECIALIST AT THE HAWK.

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 Matthew Ellison as an Art and Music Camp Specialist, PT Seasonal in the Special Services Department. Matthew is the spouse of Jacinta Ellison, who is a Camp Theatre Camp Specialist in the Special Services Department.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 9, 2022.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of May 9, 2022.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF MAY 9, 2022.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of May 9, 2022.

Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

RECOMMENDED APPROVAL OF A PURCHASE ORDER FOR THE HARRISON LEGACY SCULPTURE

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to sign an agreement and issue a purchase order for the Harrison Legacy Sculpture project to NTG Enterprises in an amount not to exceed \$14,965 (\$12,965 + \$2,000 contingency).

May 23, 2022 APPROVED 6/13/2022

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Roll Call Vote:

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

Nays: NONE Absent: NONE Abstentions: NONE

MOTION CARRIED 7-0.

ADDITIONS TO AGENDA

There were no additions to the agenda.

ADJOURNMENT

MOTION by Bridges, support by Bruce, to adjourn the regular session City Council meeting at 9:03pm.

MOTION CARRIED 7-0.

Respectfully submitted,

Pamela B. Smith, City Clerk

MINUTES CITY OF FARMINGTON HILLS CITY COUNCIL MEETING CITY HALL – COUNCIL CHAMBER APRIL 22, 2024 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Rich at 7:33pm.

Council Members Present: Aldred, Bridges, Bruce, Dwyer, Knol and Rich

Council Members Absent: Boleware

Others Present: City Manager Mekjian; City Clerk Lindahl; Assistant City Manager

Mondora; Directors Kettler-Schmult, Rushlow, Schnackel and Skrobola,

Police Chief King, Fire Chief Unruh and City Attorney Joppich

PLEDGE OF ALLEGIANCE

Jason Tueni led the pledge of allegiance.

APPROVAL OF REGULAR SESSION MEETING AGENDA

MOTION by Bridges, support by Dwyer, to approve the agenda as published.

MOTION CARRIED 6-0.

ANNOUNCEMENTS/PRESENTATIONS FROM CITY BOARDS, COMMISSIONS AND PUBLIC OFFICIALS

EPC TIP OF THE MONTH

Michael Sweeney of the Emergency Preparedness Commission read the following Tip of the Month:

Farmington / Farmington Hills Emergency Preparedness
Commission
April 2024 Tip of the Month
Topic: Work Zone Safety

Tip: Good Evening Mayor, City Council Members, and Guests. My name is _____ and I am a representative of the Emergency Preparedness Commission. We will bring a preparedness tip to the second City Council meeting each month and will present topics related to emergency preparedness. This Month's topic is Work Zone Safety.

The sunshine and spring weather also brings orange barrels and road construction. Michigan is celebrating National Work Zone Awareness Week beginning April 15". With all of the roadway improvement projects this year the EPC wanted to provide some important work zone safety tips.

- 1. Expect Changes speed limits may be reduced, traffic lanes can shift, and equipment can be entering and exiting traffic
- 2. Minimize Distractions dedicate your full attention to the road. Avoid using phones.
- 3. Obey workers and signage Crews know what is best for moving safety in work zones. Follow signs and instructions and be ready to merge, slow down, or stop.
- 4. Don't Speed or Tailgate Fines are doubled for speeding in a designated work zone. Keep a safe distance between you and the vehicle ahead of you.
- 5. Be Patient work zones are an inconvenience but they are necessary to improve our roads and make travel safer. For more information on work zone safety, you can visit Michigan.gov/mdot. For the most up to date information on the freeway closures, visit drivingoakland.com. Thank you for your time.

CORRESPONDENCE

Councilmember Aldred noted correspondence he received regarding the potholes in the entrance road to the Library and Post office. He had passed this communication on to the City Manager, who had indicated repairs were planned for mid-June.

CONSENT AGENDA

MOTION by Bruce, support by Knol, to approve items 6 through 11 of the consent agenda, as read.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Bruce, support by Bridges, to approve items 12 and 13 of the consent agenda, as read.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER AND KNOL

Nays: NONE
Absent: BOLEWARE

Abstentions: RICH

MOTION CARRIED 5-0-1-1.

COUNCIL MEMBERS' COMMENTS AND ANNOUNCEMENTS

The following Councilmember comments and announcements were made:

- Mayor Rich thanked Mayor Pro-Tem Bridges for chairing the April 8 meeting.
- Following up on the communication received by Councilmember Aldred, Councilmember Bruce said he had addressed the current state of the entrance drive to the Library and Post Office with Rep. Stevens in March, and the Post Office appeared to have made a half-hearted attempt at patching the road, but the situation was unresolved.
- Mayor Pro-Tem Bridges asked the City Manager to follow up on pothole issues, especially along 12 Mile Road, as well as enforcing closing the doors on dumpster enclosures.
- Mayor Rich noted that free Narcan dispensers are available outside the Emergency Room at Corewell, as well as in the lobby of the Police Department and on the 2nd floor of the Hawk.
- Mayor Rich thanked everyone for their kindness following her father's death this past week.

CITY MANAGER UPDATE

The City Manager provided the following update:

- Farmington Hills has been selected by the National League of Cities to share in their 10 years, 100 cities tour on May 9th.
- The City is following up with the driveway situation in front of the Post Office.
- Residents are asked to pay attention to the information that both MDOT and the City push out relative to capital improvement projects, including roads.

PUBLIC HEARING

<u>PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF THE COMMUNITY</u> <u>DEVELOPMENT BLOCK GRANT (CDBG) 2024-2025 PROJECTED USE OF FUNDS. CMR 4-24-38</u>

Community Development and Special Projects Coordinator Emmanuel explained that the Community Development Office is required by the U. S. Department of Housing and Urban Development (HUD) to create an Annual Action Plan to project the use of CDBG funding for the next program year (PY2024 – 2025). The Department has published and posted a 30-day notice in the Oakland Press, on the City website, and in social media, to advertise tonight's public hearing.

CDBG funds must benefit low- and moderate- income individuals as defined by HUD. The eligible areas are based on criteria made available each year from HUD. Those areas are highlighted on the map that is in tonight's packets. The areas change yearly, although this year they are the same as they were last year.

HUD has not yet informed the City what the budget will actually be, so the Department is using the budget from last year, which was \$383,832. Program income is also estimated using last year's total, \$68,000, bringing the total budget for CDBG programming to \$452,000. Any change in funding will be reflected in an adjustment to the Housing Rehabilitation activity.

The proposed distribution of CDBG funds for PY2024-25 as listed in tonight's documentation is as follows:

PROPOSED PY2024-25 BUDGET

Housing Rehabilitation	\$ 349,500
Public Services Activities	\$ 42,500
Program Administration	\$ 60,000
Total	\$ 452,000

Regarding the public services funding amount (capped at 15% of the annual allocation), the City has received requests for funding from South Oakland Shelter, Fair Housing Center of Metro Detroit, HAVEN, CARES, and Common Ground.

Program administration (capped at 20% of the annual allocation) includes staff, legal notices, printing, audit services, etc.

Public Hearing

Mayor Rich opened the public hearing on this agenda item.

Pamela Gerald asked if the City was still giving \$11K to HAVEN, and how much was being given to Common Ground. She encouraged the City to increase the amount being given to HAVEN.

Public Hearing Closed

As no other public indicated they wished to speak, Mayor Rich closed the public hearing and brought the matter back to Council.

Coordinator Emmanuel said the 2024-25 financial contracts for the four non-profits were projected at:

\$15K for CARES

\$10K for Common Ground

\$10K for HAVEN

\$7.5K for South Oakland and Lighthouse

\$5K for Fair Housing Center of Metro Detroit is taken out of the Program Administrative funds, in order to extend more of the funds toward the other non-profits.

MOTION by Bridges, support by Bruce, that the City Council of Farmington Hills hereby approves the Community Development Block Grant Program Year 2024-2025 budget to include: 1) \$349,500 for Housing Rehabilitation, 2) \$42,500 for Public Services activities, and 3) \$60,000 for Program Administration. Any change in funding amount will be reflected in an adjustment to the Housing Rehabilitation activity.

IT IS FURTHER RESOLVED, that the City Manager be authorized to prepare and submit an application for Community Development Block Grant funds to the U.S. Department of Housing and Urban Development (HUD) within sixty days of the date allocations are announced but no later than August 16, 2024.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

PUBLIC HEARING AND CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE CITY CODE, CHAPTER 34 ZONING CHAPTER, OF THE CITY OF FARMINGTON HILLS, TO AMEND THE ZONING MAP AND DISTRICT BOUNDARIES ESTABLISHED UNDER SECTION 34.3.2 TO REZONE AND RECLASSIFY THE PROPERTY LOCATED AT 31130 ORCHARD LAKE ROAD FROM THE P-1, VEHICULAR PARKING DISTRICT TO B-3, GENERAL BUSINESS DISTRICT, REZONING REQUEST ZR 1-1-2024.

Director of Planning and Community Development Kettler-Schmult introduced this request to rezone the property located at 31130 Orchard Lake Road from the P-1 Vehicular Parking District to B-3 General Business District. The property is adjacent to Orchard Lake Road and Mulfordton Street. The request is to rezone the rear portion.

Referencing the January 30, 2024 Giffels Webster memo, Planning Consultant Jill Bahm provided the background and review for this rezoning request:

- The subject property is 1.045 acres and currently split-zoned B-3 General Business District (front portion) and P-1 Vehicular Parking District (rear portion). It is located on the east side of Orchard Lake Road, at the corner of Mulfordton Street and Orchard Lake Road. The applicant is seeking this rezoning to more fully utilize this property in accordance with the B-3 zoning district.
- In evaluating any rezoning request, the City looks at all the uses that are possible under the requested zoning district. Even though the applicant has a specific plan in mind, the City must take into account all by-right uses which could result from the rezoning.
- Regarding conformance with the Master Plan, the project has been reviewed under the 2009 Master Plan, even though the new Master Plan is very close to completion. The 2009 Master Plan designates the area as non-center type businesses, a land use category that speaks to standalone, primarily auto-oriented commercial businesses that aren't in a center.

- However, the 2009 Master Plan also considered this area to be a Special Planning Area, in this case a mixed-use redevelopment area envisioned as a continuation of other mixed use that was being developed at the time. The 5 goals and policies of the Special Planning Area are:
 - a. Take into account the approved PUD plan for this area
 - b. Encourage the redevelopment of the Farmington Heights Subdivision as mixed-use development similar to a Central Business District
 - c. Provide significant transition/ buffer to existing condominiums to the south and the group care facility if they remain
 - d. Encourage non-motorized access alternatives with connections to the east
 - e. Promote mixed use development, including increased height limit for the entire area under a unified plan provided that: (1) Changes would be permitted only if most properties are involved and that no isolated one-family residential uses remain. Include the existing multi-family developments if possible. (2) Intensity of uses allowed by increasing heights is in proportion to the amount of land included in the development. (3) Bike paths and/or sidewalks are installed to provide non-motorized access throughout the area. (4) Pedestrian-friendly environments are created including landscaping, walks, trees, shrubs, and street furniture
- The 10 standards to consider for zoning map amendment are also listed in the review memorandum, pages 3-8. The Planning Commission saw the review letter, heard the applicant in February, and set the public hearing for March, when they passed a recommendation of approval for this zoning request. The 10 standards address:
 - 1. Consistency with the Master Plan: It is important to evaluate whether this rezoning is consistent with the Future Land Use Map. While the request is consistent with the 2009 Map, it is less consistent with the special planning area goals and policies for that area, which has been discussed much more during the current Master Plan review process. The new draft Future Land Use Plan envisions a continuation of this previous special planning area, thinking about more mixed-use, thinking about ways to add potentially more housing in this area and seeing the area holistically. However, the proposal considers just this one parcel.
 - 2. <u>Added demand on public services/utilities</u>: *It is not anticipated that any use here would have any added demand on public services or utilities.*
 - 3. Evidence that the property cannot be developed or used as zoned. The front portion of the site is already developed as a B-3 land use, although there are some nonconformities.
 - 4. <u>Compatibility with surrounding uses:</u> Commercial zoning of the site is generally compatible with all surrounding uses, with caveats as listed in the review memorandum.
 - 5. The request is unlikely to create an additional burden on surrounding thoroughfares.
 - 6. <u>Is there other land available for this use?</u> There is other land zoned B-3, some of which is vacant.
 - 7. Will development of the site under proposed zoning be able to meet zoning district requirements? It appears that the site could be developed in accordance with the standards of the B-3 district. However, a car wash specifically would not be able to meet multiple requirements of Section 4.40, including a prohibition on adjacency to residentially zoned properties, and the requirement that all access be a minimum of 200 feet from an intersection.
 - 8. <u>Is rezoning the best way to address the request or could the existing zoning district be amended to add the proposed use as a permitted land use?</u> The intent of the P-1 district is to accommodate only vehicular parking uses and additional uses should not be added to the P-1 district. Since this request is to provide consistent zoning across the entirety of the lot, an amendment would not resolve the conflict of two zoning classifications.

- 9. <u>Development in the immediate area has not changed in a substantial way</u> since the adoption of the last Master Plan.
- 10. Would granting the request result in the creation of an unplanned spot zone? The rezoning would permit the use of the full property for commercial use, consistent with surrounding properties.

Jefferey Schroeder, Plunkett Cooney, was present on behalf of this application to rezone a portion of a parcel from P-1 Vehicular Parking to B-3, General Business zoning. Jacob Rilett, Mannik & Smith Group, and Nick Hinnawa, developer, were present as well.

Mr. Schroeder made the following points:

- The Planning Commission's recommendation for approval was 8-0.
- The residential property to the north is under contract to the developer, and the residential use will be eliminated.
- Regarding being 200' from the intersection, the proposed curb cut will be on Mulfordton, measured at 201' from the Orchard Lake Road intersection. If that measurement should prove to be incorrect, the curb cut will be shifted to make sure it conforms with ordinance standard.
- The rezoning request from P-1 to B-3 is consistent with the current future land use and master plan of the city.

In response to a question, Mr. Schroeder clarified that both the entrance and exit to the car wash will be off Mulfordton Street.

Public Hearing

Mayor Rich opened the public hearing for this item.

Pamela Gerald was concerned about a carwash being constructed at this busy location, close to the roundabout. There were other prime locations that would serve this use better. She asked if the proposed building façade and overall appearance could be shown.

Close Public Hearing

As there was no other public that indicated they wished to speak, Mayor Rich closed the public hearing and brought the matter back to Council.

Councilmember Knol said that the City had been working on the adoption of a new master plan for two years, including receiving public feedback. This rezoning request seems to be incompatible with the new master plan, which calls for this particular intersection to be more of a special planning district, with a mixed-use, more walkable district envisioned. The parcel is in close proximity to residential zoning. City Council has approved a plan for luxury apartments to go just east of the site. Vacuums, vehicle stacking, and the overall noise of a car wash would all be too close to residential uses.

Councilmember Knol pointed out that on nice days the car wash on 12 Mile Road just east of Orchard Lake will sometimes have cars backed up to Orchard Lake Road, so that northbound cars attempting to turn east on 12 Mile cannot make that turn, creating a dangerous situation. In the current instance, the proposed location on Orchard Lake Road near 14 Mile Road is near an extremely busy roundabout. Even with the ingress and egress on Mulfordton, cars could potentially back up onto Orchard Lake Road on busy days.

Councilmember Knol summarized that this rezoning request is not compatible with the new master plan, nor is it compatible with the approved residential development in the area.

Councilmember Bruce agreed. He had the same concerns regarding the closeness to the residential area, the noise generated by this use, and also being close to a high traffic area on Orchard Lake Road. This is not the direction the City wants to go with this area.

Mayor Pro-Tem Bridges also agreed with Councilmember Knol. The proximity of a car wash to the residential area and the approved residential development was problematic. Stacking will also be an issue, especially with the roundabout so close. He agreed the rezoning request was incompatible with the future land use plan for the area.

Mayor Rich agreed with the comments already made. She felt this proposal did not meet criteria 3, 6, 7, and 8 in the items to consider for zoning map amendment as listed in the January 30, 2024 Giffels Webster review. The proposal is incompatible with the adjacent RA-4 zoning. Council was concerned about traffic and as stated in criterion 6, there is other land in the City available for this use.

MOTION by Knol, support by Bruce, that the City Council of Farmington Hills hereby DENIES the INTRODUCTION of an Ordinance to amend the City Code, Chapter 34 Zoning Chapter, of the City of Farmington Hills, to amend the Zoning Map and district boundaries established under Section 34.3.2 to rezone and reclassify the property located at 31130 Orchard Lake Road from the P-1, Vehicular Parking District to B-3, General Business District, Rezoning Request ZR 1-1-2024; due to the following:

- The proposed use is not consistent with the special planning for this area as designated in the future Master Plan
- The applicant has not provided that the property cannot be developed as zoned
- There is other land zoned B-3, some of which is vacant in the City
- The rezoning would not be able to meet the requirements of section 4.40, including a prohibition on adjacency to residentially zoned properties
- There has not been an immediate change in the area or conditions that would support a rezoning request
- The intent of the P-1 district is to accommodate only vehicular parking uses and additional uses should not be added to the P-1 district; an amendment would not resolve the conflict of the two zoning classifications

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

NEW BUSINESS

CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE AMENDING THE FARMINGTON HILLS CITY CODE, CHAPTER 4, "ALCOHOLIC LIQUORS," ARTICLE II, "LICENSING," TO REPEAL SECTION 4-43 AND AMEND SECTION 4-46 TO REMOVE THE REQUIREMENT OF A BONA FIDE RESTAURANT OPERATION FOR ON-PREMISES LIQUOR LICENSES.

City Clerk Lindahl explained that this item – the removal of the requirement of a bona fide restaurant operation in the liquor license ordinance – has come before City Council quite a few times in the past. Recently a couple of new businesses have asked about their transferring their own liquor license into the city, which they would not be able to use under the current ordinance, as they are not a "bona fide restaurant."

City Council discussed this at the April 8, 2024 study session, when City Attorney Joppich presented a draft amendment to the ordinance. It was the consensus at that time to move the ordinance amendment forward.

MOTION by Bridges, support by Bruce, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an Ordinance amending the Farmington Hills City Code, Chapter 4, "Alcoholic Liquors," Article II, "Licensing," to repeal Section 4-43 and amend Section 4-46 to remove the requirement of a bona fide restaurant operation for on-premises liquor licenses.

Motion discussion:

Councilmember Aldred pointed out that with this ordinance amendment, the City is moving from very specific ordinance language to something more wide open, in that there will no longer be a requirement to be a bona fide restaurant. Therefore Sec. 14-46, paragraph (4) will be very important going forward, as that paragraph gives City Council the authority to deny an on-premises license "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." City Council must continue to make sure that these kind of decisions on liquor licenses are in alignment with what is to the benefit to the whole community.

Knol supported the ordinance and agreed with Councilmember Aldred. She added that there are only a few liquor licenses available in Farmington Hills and Council needs to try to determine what makes the most sense for the community at large when awarding the license.

Mayor Pro-Tem Bridges noted the Council had prior significant discussion regarding this issue. Council had come to consensus that the requirement to be a bona fide restaurant needed to be removed as that requirement served as an impediment for certain businesses that want to locate within Farmington Hills.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF EXTENSION OF CONTRACT FOR SPECIAL SERVICES FACILITIES & PROGRAM CONSULTANT WITH SPORTS FACILITIES COMPANIES IN THE AMOUNT NOT-TO-EXCEED \$300,000 PER YEAR WITH EXTENSIONS. CMR 4-24-39

APPROVED 5/13/2024

City Manager Mekjian explained that this agenda item represents the culmination of an effort to bring forward a Phase 2 of the Sports Facilities Companies evaluation of the Special Services Department. Phase 1 was completed with the final report to Council in 2023.

Director of Special Services Schnackel reported that she, City Administration, and Council, have been working for several years to study and address the financial subsidy that is provided by the general fund to support special services operations and capital investment. The opening of the Hawk in June 2021, a new business venture for the city, helped increase that financial subsidy, along with things such as inherited legacy costs of programs and services, and overall aging infrastructure including historic structures and facilities, staffing recruitment and retainment challenges.

Director Schnackel reviewed the following history:

- In March 2022, the City of Farmington Hills engaged Sports Facilities Companies to analyze the current performance of and provide recommendations for the optimization of the Special Services Department, with a very specific focus on the Costick Activity Center and the Hawk.
- SFC provided a 60-page document with a summary of work completed, including strategic recommendations and next steps for implementation. These were sensitized to the parameters established by City Council at the time. A summary was published in April 2023 and presented to City Council last summer.
- City Council authorized the administration to enact several recommendations of the study, many of which were already in process, including expanding and increase programming, raise fees where appropriate, increase private-public partnerships, explore potential outside staffing services, seek additional grants and sponsorships, reduce expenses where possible, and develop a strategic marketing plan.
- It has become evident that an expanded analysis of the entire Department and all programs, parks, facilities and services, the development of a strategic plan, and increased implementation support is needed for the Department and the City. Therefore, staff is recommending that the City approve a contract extension with SFC for Phase 2 of this project.

Finance Director Skrobola presented a spread sheet *Special Services – Forecast*, which provided an overview of finances relative to the Special Services Department and the draw on the general fund resources by the Special Services Department, which has been the focus of analysis since 2021.

Since 2021 revenue has increased from \$6.7M to an estimated \$8.68M at the end of this fiscal year (June 30 2024). Projected revenue in upcoming years is based on trends and requested program expansion and offering new programs to attract new customers and more net revenue. These changes are estimated to result in a projected improvement of the bottom line by ~\$1.7M from 2023/2024 through 2026/2027, bringing the Department from a deficit of ~\$5.9M to a deficit of about ~\$4.1 million.

The ultimate goal set last year after receiving the SFC study was to reduce the drawdown of general fund resources from ~6M a year to ~\$2 million a year, which was the drawdown that was typical for the Special Services Department prior to the institution of the Hawk Community Center.

Finance Director Skrobola noted that there will be a study session in the second week of May, to go over all this in detail as well as the entire City budget.

In response to questions, Finance Director Skrobola gave the following further information:

• None of the dollar amounts presented took into account money that will have to be spent in the near future on the Costick Center. The \$4.1M deficit by the end of 2026/2027 includes revenues

and expenditures only. It does not include potential big ticket items such as a major repair of the pool pump at the Costick Center, and currently there are not funds set aside in the budget for major repairs. Part of the focus of the contract extension presented tonight is to help the City get a handle on this particular issue, as such a major repair is beyond anything that has been budgeted for in the past.

- The projected increase in program revenue from ~\$8.6M to ~\$12M is based on estimates provided by Special Services, that are based on a number of assumptions about program changes, development, growth, new programs, and also the natural growth of existing programs. To summarize, the projected increase is divided into 3 components:
 - 1. Natural growth of existing programs.
 - 2. Expansion of existing programs.
 - 3. New fees being put in place to stay current with the marketplace, and potential new programs that will be added.
- The drawdown from the general fund includes the Hawk deficit, which represents a substantial percentage of total drawdown. The Hawk added ~\$1.6M of debt service, and ~\$2M of administrative costs for maintenance and operation of the facility.
- A tax mill in Farmington Hills raises about \$4.7M per year.

Evan Eleff, Sports Facilities Companies, provided the following information regarding the proposed Extension of Contract for Special Services Facilities and Program Consultant – Phase 2:

- Provided information relative to Sports Facilities Companies, which was formed 21 years ago and
 has grown to over 2,500 employees, serving 225 different communities per year, with over 3,000
 communities served over the last 21 years. SFC manages public and private facilities in 60
 communities.
- SFC had been requested by staff to create a proposal to support the expansion of the strategic plan, as well as the implementation and the execution of that plan.

In response to questions from Council, Mr. Eleff presented the following information:

- Opening up the land surrounding the Costick Center for development and using those proceeds to help with Costick Center costs had not been a focus of the study presented in 2023, which had focused primarily on the Costick and Hawk facilities themselves. However, one of SFC's specialties is mixed-use development and how mixed-use development is regularly being anchored by recreation, in terms of creating destinations for residents and out-of-town guests, thus creating opportunity for surrounding development.
- The goal in Phase 2 is to expand the strategic plan, leaving no stone unturned. During this phase, SFC will work closely with and take direction from Council and staff.

Council did not want to see this work dragged out. Phase 2 was requested to be funded at \$300K per year, with administrative approvals permitted for extending into the 2nd and 3rd year. For \$300K, Council should see a good product, including expediency in timeline.

In response, Mr. Eleff said that the goal is to get to action as quickly as possible. This includes bringing in an on-site account executive, who will live in Farmington Hills and be the day-to-day person to help develop the plan as it initially gets developed, and as it grows and evolves, providing support through implementation and execution.

If during the time of this contract something goes catastrophically wrong with the pool filter at Costick or another catastrophic event occurs, and the City needs to make immediate decisions, SFC will mobilize quickly to create a mini strategic action plan for whatever the most pressing need is at that time.

Phase 2 is not intended to result in a study. It is intended to go through a 3-4 month time frame to develop a plan of action based on the previous study, and to execute that plan. This entire process will occur over a 2-year time frame.

Council emphasized the urgency to have this work completed as soon as possible.

In response, Mr. Eleff provided the following:

- 1. Phase 2 involves completing an action plan and then to going to work on it. SFC will be as fast as possible.
- 2. A timeline can be submitted prior to contract signing.
- 3. At completion, SFC will bring Council a range of options, not a study report.

Mr. Eleff pointed out that the cost to build an indoor pool has doubled in the last 5-6 years.

In response to further questions, Director Schnackel said that the Department will be seeking significant public input. Costick Center was the first recreation center ever operated in the City, and it is imperative to understand the needs of the group of people currently using it, along with potential future users.

After discussion and amendment, the following motion was offered:

MOTION by Bridges, support by Aldred, that the City Council of Farmington Hills hereby authorizes the City Manager to approve the required contract extension for the Special Services Facilities & Program Consultant with Sports Facilities Companies in the amount not-to-exceed \$300,000 for one year, with possible Council reviewed and approved extensions, and with periodic reasonable reporting to City Council as determined by the City Manager.

Motion discussion:

In response to a question, Mr. Eleff said that the SFC typically provides a monthly written report. If Council desired, a monthly in-person report to City Council could be included as well.

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE 13TH ANNUAL CIPRIANO CLASSIC 5K RACE TO BE HELD ON FRIDAY, JUNE 7, 2024.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby approves a Special Event Permit for the 13th Annual Cipriano Classic 5K Race to be held on June 7, 2024 at the Farmington Family YMCA located at 28100 Farmington Road, Farmington Hills from 6:00pm to 9:00pm, subject to the following terms and conditions:

- Cooking/open flame devices shall not be used under tents and shall be at least 20' away;
 fire extinguisher (2A:10B:C) shall be available onsite
- Fire lanes shall not be blocked or restricted
- The event shall comply with minimum Fire Prevention Code requirements
- The route shall be as proposed, mainly in the residential area behind the YMCA and will avoid closing down Farmington Road during rush hour
- There will be approximately 400 runners
- There will be 40-50 volunteers throughout the race route to assist the runners

- The stage will be located in the grassy area at the YMCA
- The applicant has been in contact with the Fire Department for medical response
- There will be ample parking for all attendees of the event at the YMCA
- The local ordinance of playing loud music has been discussed
- The residents of Kendallwood Subdivision will be notified by event staff the week prior to the run
- Reimbursement for Police Department overtime as outlined in the Police Chief's recommendation memo for this event
- DPW will supply traffic cones and barricades for the event to assist with traffic

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR WARD CHURCH TO HOLD THE BLESSING OF THE BIKES & CLASSIC CAR SHOW EVENT TO BE HELD MAY 18, 2024.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby approves a Special Event Permit for the Blessing of the Bikes & Classic Car Show to be held on May 18, 2024 at Ward Church located at 27996 Halsted Road, Farmington Hills from 11:00am to 3:00pm, subject to the following terms and conditions:

- The event will be open to the public and all parking will be on the property
- There will be 5 (five) 10 x 10 tents on the property
- Food trucks, music and lawn games will be available and noise ordinance was discussed
- Emergency vehicles will have no issues entering onto the property if necessary
- Egress shall be maintained throughout the building
- Fires lanes shall not be blocked or restricted
- Food trucks shall operate according to NFPA and Fire Prevention Code standards, and specifically:
 - Ensure that fuel tanks are filled to the capacity needed for uninterrupted operation for the duration of the event
 - · All connections/piping shall be checked for leaks prior to operating
 - Any cooking system which produces grease laden vapors shall be protected by listed fire extinguishing equipment
 - Fire extinguishers shall be installed and maintained according to NFPA 10
- Lawn games shall be properly anchored according to manufacturer's recommendation to prevent movement during unexpected winds
- All applicable permits shall be applied for through the Building Department
- Proponent must contact Fire Prevention to schedule an inspection prior to beginning the event
- Event shall comply with minimum Fire Prevention Code requirements
- Temporary sign will not exceed 20 sq ft.
- Event sign will be placed outside of the public right-of-way
- Electrical permit will be required with final inspection approval

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Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CANCELING THE CITY COUNCIL MEETING OF MAY 27, 2024.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby cancels the regular City Council meeting scheduled for May 27, 2024.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE
Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

ACKNOWLEDGEMENT OF THIRD QUARTER FINANCIAL SUMMARY REPORT AND QUARTERLY INVESTMENT REPORT.

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby acknowledges the Third Quarter Financial Summary Report and Quarterly Investment Report.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE Absent: BOLEWARE Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE PURCHASE OF DUMP TRUCK HOOK LIFTS AND UPFITTING FROM TRUCK & TRAILER SPECIALTIES IN THE AMOUNT OF \$371,880.00. CMR 4-24-40

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order with Truck & Trailer Specialties in the amount of \$371,880.00 for the purchase and installation of hook lifts and winter maintenance accessories on two (2) new dump truck chassis.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE 2024 AS-NEEDED STORM SEWER & CATCH BASIN CLEANING TO SAFEWAY TRANSPORT, INC. IN THE AMOUNT NOT-TO-EXCEED THE ANNUAL BUDGETED AMOUNT WITH EXTENSIONS. CMR 4-24-41

MOTION by Bruce, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Manager to approve the required contract and purchase orders to Safeway Transport, Inc. for the 2024 Catch Basin Cleaning and As-Needed Storm Sewer Cleaning Services in the amount not-to-exceed the annual budgeted amount with one or more administration approved extensions not-to-exceed a total of four (4) additional years.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, KNOL AND RICH

Nays: NONE

Absent: BOLEWARE

Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF APRIL 8, 2024.

MOTION by Bruce, support by Bridges, that the City Council of Farmington Hills hereby approves the study session meeting minutes of April 8, 2024.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, AND KNOL

Nays: NONE

Absent: BOLEWARE

Abstentions: RICH

MOTION CARRIED 5-0-1-1.

RECOMMENDED APPROVAL OF CITY COUNCIL REGULAR SESSION MEETING MINUTES OF APRIL 8, 2024.

MOTION by Bruce, support by Bridges, that the City Council of Farmington Hills hereby approves the regular session meeting minutes of April 8, 2024.

Roll Call Vote:

Yeas: ALDRED, BRIDGES, BRUCE, DWYER, AND KNOL

Nays: NONE Absent: BOLEWARE

Abstentions: RICH

MOTION CARRIED 5-0-1-1.

Mayor Rich called a brief recess at 9:01pm and reconvened the meeting at 9:12pm.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENTS

Mayor Rich reviewed process and rules relative to public comment.

The following public comments/questions were made:

Dan Benson, Farmington Hills, spoke regarding his treatment following an automobile accident in which he was involved on June 28, 2023, and specifically the towing of his Ford Escape by Ross Junkyard, who still has his car, and which is now the subject of court action. He asked for help with this situation.

Assistant City Manager Mondora followed up with Mr. Benson outside of Council Chambers.

Pamela Gerald addressed meeting decorum and protocols.

Members of the public addressed City Council relative to the ongoing conflict in Gaza and requested that Council issue a resolution calling for a ceasefire in Gaza. Speakers who stated their name are listed below: (*every attempt has been made to spell names correctly)

Rene Lichtman, Holocaust survivor

Gerald Dodson, Canton

Ismail Noor, Dearborn

Mike Enayah, West Bloomfield

Iman Ismail, West Bloomfield

Madeline, Detroit

Pastor Dale Milford, Nardin Park United Methodist Church

Don Kreiss, West Bloomfield, Bishop of SE Michigan Synod of the Evangelical Lutheran Church

Susannah Muzzin, Farmington Hills, Pastor, Evangelical Lutheran Church

Mark Fisher, Farmington Hills, Pastor, St John Lutheran Church

Pastor Jack Eggleston, Trenton

Rania Masri, Farmington Hills

Zaina, West Bloomfield

Jennah Peratsakis, Farmington Hills

Rena Bond, Farmington Hills

Andrew

Mayor Rich called a short recess at 10:22pm and reconvened the meeting at 10:31pm.

Jordan, Farmington/Farmington Hills

Eric Shelley, Southfield

Stacy, Farmington Hills

Tommy Airy, Detroit, Christians for a Free Palestine

Lindsay Airey, Detroit

Sana, Farmington Hills

Iman, West Bloomfield

Ryan Kessler, Lansing

Faith, Lansing

Pete Peratsakis

Mike Flores, Hazel Park

Thomas Hall, Farmington Hills

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APPROVED 5/13/2024

Muhamed Halilovic, Farmington Hills Ms. Smith, Farmington Hills Sophie Keith Harris, Southfield Melina Peratsakis, Farmington Hills Stacy Jackson, Southfield Irfan Shuttari, Farmington Hills

ADJOURNMENTThe regular session City Council meeting adjourned at 11:56pm.

Respectfully submitted,

Carly Lindahl, City Clerk



DATE: April 23, 2025

TO: Gary Mekjian, City Manager, ICMA

FROM: Thomas C. Skrobola, Finance Director/Treasurer, MPA

SUBJECT: Farmington Cost Sharing Study

The City Council has requested that staff explore the current cost sharing arrangements between the City of Farmington Hills and the City of Farmington.

There are several major cost-sharing arrangements between the two cities (**recommendations are in bold**):

Information Technology and Fire/EMS

These agreements and cost-sharing approaches have been recently updated according to sound data and principles.

No adjustments are recommended at this time for Information Technology or Fire/EMS.

Shared Police Dispatch

This arrangement and associated agreement were put in place over 10 years ago. This has resulted in the City of Farmington paying roughly 14% of Dispatch personnel costs over the last 5 years, which is commensurate with the City of Farmington's share (currently 12%) of the total population of the two cities.

No adjustments are recommended at this time for Police Dispatch.

Special Services

Current Approach (based on an Agreement from 2008)

The current approach allocates the cost of the following programs to the City of Farmington, in exchange for City of Farmington residents paying residential rates for participation in (a) Recreation Programs, (b) Senior Programs, and (c) Cultural Arts, inclusive of a \$30,000 stipend for maintenance of the Hawk Facility. These programs in FY 2023-24 cost \$6.44 million.

The current approach allocates the above costs based on the average of (a) the Taxable Value of the two cities, and (b) the Population of the two cities (this resulted in 10.74% or \$692.407 allocation to the City of Farmington).

Finally, a 3% annual inflationary cap limits the allocation of the above costs to the City of Farmington to only \$362,608. **It is not recommended to continue with the current approach.**

O Alternate Approach A - Full Allocation

Farmington Hills' Special Services expenditures in FY 2023-24 totaled \$16.64 million (rather than \$6.44 million for selected programs). This would be allocated based on the same 50/50 split of Population and Taxable Value (in the case of FY 2023-24, 10.74%), or \$1.788 million allocated to Farmington, with a credit for City of Farmington residents' payments for Special Services programs already covered in the current approach (Recreation, Senior, Cultural Arts) – the credit based on 2023 resident payment data is currently estimated at \$500 thousand. Other program payment credits could be factored in as well, if Farmington resident payments for other programs were specifically tracked (i.e., Golf, Ice Arena).

When the above figures are netted against the current (2023-24) Farmington contribution of \$362 thousand, the increase to the City of Farmington would be \$900 thousand a year.

In order to control future increases in the allocation to Farmington, the traditional inflationary cap of 3% would be applied again going forward. Any major new spending beyond the inflationary cap that needed to be included (such as debt for new major facilities) could be negotiated separately on a case-by-case basis.

o Alternate Approach B – One-Time Adjustment

A much simpler and more likely amenable approach for all parties would be to allow a one-time adjustment by lifting the inflationary cap. This would allow the allocation of the full costs for the program areas already included in the current approach (Recreation, Seniors, Cultural Arts). The reason for a one-time adjustment by removing the inflationary cap is because the three program areas covered under the current approach (Recreation, Seniors, and Cultural Arts) have all seen major increases and improvements in program offerings since the Hawk was put in place, which Farmington Residents enjoy at the residential rate.

Also, a \$330 thousand per year increase is significant but not out of reach for Farmington. It could be phased in as well over a couple of years (3 - 5 years) to make the increase more affordable for Farmington.

No credit for Farmington Resident's use of Special Services would be applied. Farmington Residents would continue to enjoy Resident rates for Recreation, Seniors, and Cultural Arts programs.

Based on FY 2023-24 costs, this would result in the allocation of \$692,407 of costs, or a roughly \$330 thousand increase over the actual FY 2023-24 allocation of \$362,608.

As with Alternate Approach A for Special Services:

- The traditional inflationary cap of 3% would be applied after the one-time adjustment, going forward.
- Any major new spending beyond the inflationary cap that needed to be included (such as debt for new major facilities) could be negotiated separately on a case-by-case basis.

APPROACH B- ONE-TIME-ADJUSTMENT-LIFTING OF INFLATIONARY CAP		
Special Services Expenditures FY23-24		
Recreation Programs (includes The Hawk)	\$	2,162,327
Senior Programs	\$	3,746,842
Cultural Arts	\$	534,920
Special Services Expenditures FY23-24	* \$	6,444,088
Allocation to City of Farmington (based on population/TV share of 10.74%)		692,407

It is recommended that City Council consider the relative advantages of Alternate Approach B for Special Services.

This memo is intended to facilitate a dialogue between the Administration and City Council, and to elicit City Council's direction for follow-up research and/or discussions with the City of Farmington.

AGENDA CITY COUNCIL MEETING APRIL 28, 2025 – 7:30PM CITY OF FARMINGTON HILLS THE HAWK – HARRISON HALL 29995 TWELVE MILE ROAD FARMINGTON HILLS. MICHIGAN

Telephone: 248-871-2410 Website: www.fhgov.com
Cable TV: Unable to livestream this meeting to cable channel
YouTube Channel: https://www.youtube.com/user/FHChannel8

REQUESTS TO SPEAK: Anyone requesting to speak before Council must complete and turn in to the City Clerk a blue Public Participation Registration Form.

REGULAR SESSION MEETING BEGINS AT 7:30PM IN HARRISON HALL

STUDY SESSION (6:00PM The Hawk - Media Center/Conference Center - 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. Proclamation recognizing April 2025 as Autism Acceptance Month
- 3. Proclamation recognizing May 4, 2025 as International Firefighters Day

ANNOUNCEMENTS/PRESENTATIONS FROM CITY BOARDS, COMMISSIONS AND PUBLIC OFFICIALS

CORRESPONDENCE

CONSENT AGENDA - (See Items No. 7-17)

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

COUNCIL MEMBERS' COMMENTS AND ANNOUNCEMENTS

CITY MANAGER UPDATE

NEW BUSINESS:

- 4. Consideration of adoption of a Resolution regarding a Charter Amendment for a Public Safety Millage Renewal to be placed on the November 4, 2025 ballot. CMR 4-25-69
- 5. Consideration of approval of the Second Modification of Consent Judgment Holocaust Memorial Center. CMR 4-25-70
- 6. Consideration of adoption of a Resolution for Deer Management within the City of Farmington Hills. CMR 4-25-71

CONSENT AGENDA:

- 7. Recommended approval of a special event permit for the Farmington Community Library to hold the annual Asian American and Pacific Islander Fest, to be held Saturday, May 3, 2025.
- 8. Recommended approval of a Concession Agreement with Webb Human Performance Systems, LLC for sports performance training services at the Ice Arena in the annual amount of \$23,196 for two years with optional extensions. CMR 4-25-72
- 9. Recommended adoption of a Resolution authorizing the issuance of Capital Improvement Bonds for the purpose of financing Capital Improvement Fund projects. CMR 4-25-73
- Recommended approval of a request for employment under Section 10.01A of the City Charter for a Cook. CMR 4-25-74
- 11. Recommended approval of a request for employment under Section 10.01A of the City Charter for an Education Coordinator (Sports). CMR 4-25-75
- 12. Recommended approval of a request for employment under Section 10.01A of the City Charter for a Lifeguard Instructor. CMR 4-25-76
- 13. Recommended approval of award of bid for the Liquid Deicer Fill Point Distribution System to Brine Masters, Inc. in the amount of \$202,589.82. CMR 4-25-77
- 14. Recommended approval of award of bid for the purchase of metal culvert pipe and related accessories to Jensen Bridge and Supply Company in the amount of \$58,517.45. CMR 4-25-78
- 15. Recommended approval of extension of award for the purchase and installation of audio and visual equipment for the Emergency Operation Center and conference room at Fire Headquarters to AVI-SPL in the amount of \$201,797.00. CMR 4-25-79
- 16. Recommended approval of the City Council study session meeting minutes of April 14, 2025.
- 17. Recommended approval of the City Council regular session meeting minutes of April 14, 2025.

ADDITIONS TO AGENDA

PUBLIC COMMENTS

Limited to three (3) minutes.

ADJOURNMENT

	Respectfully submitted,
Reviewed by:	Carly Lindahl, City Clerk
Karen Mondora, Assistant City Manager	

<u>NOTE:</u> 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.



PROCLAMATION Autism Acceptance Month April 2025

WHEREAS, autism is a neurodevelopmental condition that affects how individuals

perceive the world, communicate, and interact with others; and,

WHEREAS, autism is characterized by a range of differences in social interaction,

communication, sensory processing, and behavior, with each individual's experience being unique and enriching our community through their diverse perspectives, talents, and abilities; and,

WHEREAS, individuals across all racial, ethnic, and socioeconomic backgrounds are

impacted, with the Centers for Disease Control and Prevention

estimating that 1 in 36 children may have autism; and,

WHEREAS, promoting acceptance and inclusion of individuals with autism

enhances the quality of life for everyone and strengthens the fabric of

our community; and,

WHEREAS, Autism Acceptance Month is an opportunity to emphasize the

importance of inclusion, understanding, and appreciation for the

neurodiverse community; and,

WHEREAS, the City celebrates people of all abilities and recognizes the

importance of creating an inclusive and supportive community that reflects the City's commitment to being a place where everyone is

welcome.

NOW, THEREFORE, BE IT RESOLVED that I, Theresa Rich, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim April 2025 as Autism Acceptance Month and acknowledge that individuals with autism and their families are valued members of the City of Farmington Hills, who contribute to, strengthen and enrich our community. Their acceptance and inclusion will be championed not only during the month of April, but throughout the entire year.

Theresa Rich, Mayor

House Birch



PROCLAMATION International Firefighters' Day May 4, 2025

WHEREAS, on May 4, International Firefighters' Day is observed to honor

firefighters and emergency medical personnel who risk their lives to

protect our community; and,

WHEREAS, the Farmington Hills Fire Department responds to thousands of calls

each year for fires, medical assistance, and hazardous materials incidents, demonstrating courage and skill under pressure; and,

WHEREAS, the Farmington Hills Fire Department is committed to making every day

a training day, completing 20,000 hours of training in 2024, ensuring they are prepared to support the community and meet modern

challenges; and,

WHEREAS, firefighters not only extinguish fires and treat the injured but also lead

vital fire prevention education programs in our schools and throughout the community, install smoke alarms for residents, teach community members CPR, AED and tourniquet skills, and give back through

volunteerism; and,

WHEREAS, the safety, wellbeing, and resilience of our community depend on the

professionalism, dedication, and teamwork of our fire personnel; and,

WHEREAS, International Firefighters' Day reminds us to support these public

servants and to reflect on our own role in preventing fires through smoke alarm maintenance, safe cooking practices and community

preparedness.

NOW, THEREFORE, BE IT RESOLVED that I, Theresa Rich, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim May 4, 2025, as International Firefighters' Day in Farmington Hills. I call upon all community members to thank our firefighters for their dedicated service and to renew their personal commitment to fire safety and prevention.

Theresa Rich, Mayor

Therese Birch



CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

DATE: April 28, 2025

DEPT: City Manager's Office

RE: Public Safety Millage Renewal Ballot Language

ADMINISTRATIVE SUMMARY

- On November 3, 2015, Farmington Hills Voters passed the 2015 public safety millage which is due to expire June 30, 2026.
- In 2015, voters approved a Public Safety Millage rate of 1.4764.
- The Public Safety Millage is estimated to be reduced to 1.3596 for 2026, due to Headlee rollback.
- The average taxable value for a Farmington Hills residence for 2026 is estimated to be \$126,503.
- A full restoration of the millage from 1.3596 to 1.4764, given the above average taxable value for a residence, would result in an increase of \$14.77, which is consistent with \$15 to \$17 increases that City Council approved for the last two Headlee millage restorations.
- If a full restoration of the millage does not occur, the resulting estimated reduction in revenue generated by the Public Safety Millage is approximately \$574,878.
- The Public Safety Millage revenue for 2026, including the Headlee restoration is estimate at \$7,268,529.

RECOMMENDATION

• Staff is recommending that City Council approve the ballot language and adopt a resolution regarding a Charter Amendment for the renewal of the Public Safety Millage, as prepared by the City Attorney, that would fully restore the Public Safety Millage back to a millage rate of 1.4764.

Prepared by: Karen Mondora, Assistant City Manager Reviewed by: Thomas Skrobola, Finance Director

Approved by: Gary Mekjian, City Manager



CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

DATE: 4/28/2025

DEPT: Planning and Community Development

RE: 2nd Modification of Consent Judgment - Holocaust Memorial Center

ADMINISTRATIVE SUMMARY

 The City entered into a consent judgment with the Holocaust Memorial Center and property owners on October 11, 2001, to construct the original Center at 28123 Orchard Lake Rd. In 2008, the Center was updated with an addition to the building and parking lot that necessitated the First modification to the Consent Judgment, that Council previously approved.

- The changes proposed to the site under this Second Modification to Consent Judgment involve modification and replacement of the existing freestanding entrance signs and donor wall. Changes to the Consent Judgment language include:
- Paragraph 5 of the Zoning Analysis is modified in its entirety to read as follows:
 "A one-hundred thirty (130) foot long wall and a thirty (30) foot long wall in two
 (2) segments on either side of the Entry Drive not to exceed six (6) feet in height
 may be erected in the front setback as shown on the conceptual plan, subject to
 the corner clearance requirements of the City Code."
- Paragraph 9 of the Zoning Analysis is modified in its entirety to read as follows: "A sloped entry text wall not exceeding forty-one (41) feet in length and twelve (12) feet in height, containing text related to the nature of the Holocaust Memorial Center shall be permitted provided the sign portion shall not exceed three-hundred (300) square feet and the wall remains as shown on the plan, sloped at an angle, to restrict its visibility from Orchard Lake Road."
- The City Attorney has participated in the preparation of the proposed amended Consent Judgment and has no legal objections to City Council proceeding with approval.



CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

RECOMMENDATION

 City Council make a motion to approve and authorize the City Manager and City Attorney to sign, on behalf of the City, the Second Modification of Consent Judgment and take such actions as are necessary to submit the same to the Oakland County Circuit Court for entry and recording.

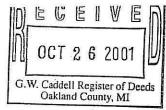
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Department Approval: Charmaine Kettler-Schmult, Director of Planning and Community Development

Executive Approval: Gary Mekjian, City Manager, P.E.

Attachments:

Consent Judgment, dated October 11, 2001; 1st Modification of Consent Judgment, dated July 7, 2008; proposed 2nd Modification of Consent Judgment; 2nd modification of Consent Judgment Exhibit C - Proposed signs and wall



COPY

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

J.R. DEVELOPMENT COMPANY and ARI-EL ENTERPRISES, INC., and THE HOLOCAUST MEMORIAL CENTER.

Plaintiffs,

V

CITY OF FARMINGTON HILLS,

Defendant.

99-013616-AA

JUDGE RICHARD D. KUHN
COUNTY J R DEVELOPME V FARMINGTON

336972 LIBER 23929 PAGE 803 \$61.00 MISC RECORDING \$2.00 REMONUMENTATION 10/26/2001 03:57:59 P.M.

10/26/2001 03:57:59 P.M. RECEIPT 73612 PAID RECORDED - DAKLAND COUNTY G.WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

CONSENT JUDGMENT

At a session of said Court held in the City of Pontiac, County of Oakland, State of Michigan on _____ ICT 1 2001

PRESENT: Honorable RICHARD D. KUHN
Circuit Court Judge

Upon stipulation and consent of the parties, by and through their respective attorneys, the Court finds:

- A. Plaintiff J.R. Development Company ("J.R. Development") is a Michigan corporation having its offices in the City of Southfield, Oakland County; Michigan.
- B. Plaintiff, ARI-EL Enterprises, Inc. ("ARI-EL") is a Michigan corporation having its offices in the City of Southfield, Oakland County, Michigan.
- C. Defendant City of Farmington Hills (sometimes "City" and sometimes "Farmington Hills") is a home rule city established under Act 279 of the Public Acts of 1909, MCLA 117.1 et seq, as amended, located in Oakland County, Michigan.

- D. J.R. Development owns real property located in Farmington Hills commonly known as Sidwell number 23-10-476-062 and more particularly described on *Exhibit "A"* (Residential Parcel) and *Exhibit "B"* (Office Parcel).
- E. On March 26, 1999, Plaintiffs commenced this litigation challenging the validity of the City of Farmington Hills Zoning Ordinance as applied to the land.
- F. Defendants filed their Answer and Affirmative Defenses to the Complaint denying any invalidity, wrongdoing or liability.
- G. Subsequently, Plaintiffs have entered into agreement to sell the land in conjunction with the sale of adjacent property to the Holocaust Memorial Center, a Michigan non-profit corporation (added plaintiff).
- H. Now Plaintiffs, added Plaintiff and Defendant City of Farmington Hills desire to settle this lawsuit in accordance with the terms and conditions of this Consent Judgment in order to permit the use of the land for a museum and educational center.

NOW THEREFORE, this Consent Judgment being presented to the Court pursuant to the stipulation of the parties, and the Court having determined that this proposed Consent Judgment is reasonable and just and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED THAT:

TRUEX AND MORLEY

ECREST, WARDLE, LYNCH, HAMPTON,

THE PARTIES

1. The Holocaust Memorial Center, a Michigan non-profit corporation, is hereby added as Plaintiff, it being a necessary party by reason of its acquisition of interest in the Residential Parcel and the Office Parcel.

2. The Farmington Hills Zoning Board of Appeals is hereby dismissed as a party by reason it is not a entity independent and apart in its legal existence for the City of Farmington Hills and its limited jurisdiction as a quasi-judicial body is not required for the disposition of this case.

THE PROPERTY

3. The property which is the subject of this Consent Judgment consists of the Residential Parcel as described in *Exhibit "A"* and the office parcel as described in *Exhibit "B"*.

APPLICABLE LAW

4. From and after the date of this Consent Judgment, the Residential Parcel shall remain zoned as RA-2 single family residential use as regulated by the Zoning Ordinance of the City.

SECREST, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

- 5. From and after the date of this Consent Judgment, the office parcel shall remain zoned OS-2, planned office service use, as regulated by the Zoning Ordinance of the City.
- 6. From and after the date of this Consent Judgment, the property shall be occupied and developed in accordance with the conceptual site plan consisting of site plan, landscaping plan and building elevations, and two-page Zoning Analysis dated August 9, 2001, attached hereto and made a part hereof as *Exhibit "C."* The property shall be occupied and used as a museum and educational center located on the office parcel and an accessory memorial gardens with natural amphitheater and foot access drive on the

BECREST, WARIN E, LYNCH, HALIPLOH, TRIJEX AHD MORI RY

residential parcel. The area, dimensional and setback standards of the respective zoning districts shall apply except as specifically noted on the conceptual site plans.

- 7. The Holocaust Memorial Center shall dedicate the land within the current marginal access easement across its property to the City of Farmington Hills for public right-of-way purposes in conjunction with any future expansion of Orchard Lake Road. Such dedication shall be a condition of final site plant approval, but the surface of such dedicated right-of-way shall be used for lawn and landscape until needed for future road expansion in the City's sole discretion.
- 8. Development of the property consistent with this Consent Judgment shall be processed in accordance with State law and City ordinances.
- 9. Plaintiffs and Defendants, each for itself and its respective assigns, release and forever discharges the other, and its respective affiliates, successors, predecessors, assigns, officers, directors, transferees, employees, officials, independent contractors, commissions, boards, councils, and attorneys of and from any and all claims, demands, actions, causes of action, suits, debts, judgments, executions, damages and rights of whatever nature and law, equity or otherwise which now exists or which may subsequently accrue by reason of any acts, events or facts existing on the date of this Consent Judgment, whether known or unknown on that date. This Mutual Release shall not bar claims brought to enforce or interpret the provisions of this Consent Judgment.
- 10. In the event of a proceeding to enforce this Consent Judgment, either party may seek to recover costs and attorney fees in addition to any other applicable and available relief.

- 11. The parties shall execute any and all documents and/or enter into such agreements as are necessary or convenient to carry out the intent of this Consent Judgment.
- 12. This Consent Judgment shall be binding upon and inure to the benefit of the parties and their successors and assigns. It is declared to be in recordable form, and the covenants contained herein are declared to be convenants running with the land and all portions or divisions thereof, and the Oakland County Register of Deeds be, and hereby is, ordered to record a true copy of this Consent Judgment in the land records of Oakland County.
- 13. The terms of this Consent Judgment may be amended, changed or modified but only by written agreement executed by the parties hereto and approved and ordered by this Court.
- 14. By their execution of this Consent Judgment, Plaintiffs and Defendants each warrant that they have the authority to execute this Judgment and bind their respective entities to its terms and conditions.

ECREST, WARDLE, LYNCH, HAMPTON, TRUEX AND MORLEY

- 15. Except as provided by this Consent Judgment, all claims asserted in this lawsuit, including all claims for money damages, attorney fees and costs, are merged into this Consent Judgment and forever barred.
- 16. This Court retains jurisdiction to interpret and assure compliance with the terms of this Consent Judgment and to grant whatever legal and/or equitable relief or remedies the court deems appropriate.

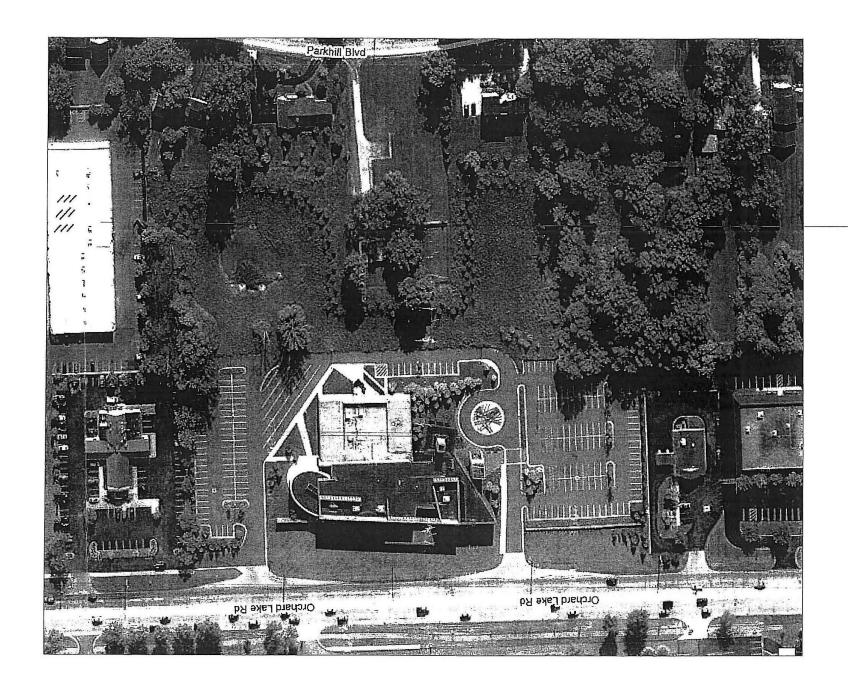
IT IS FURTHER ORDERED that this dismissal resolves the last pending claim and closes the case.

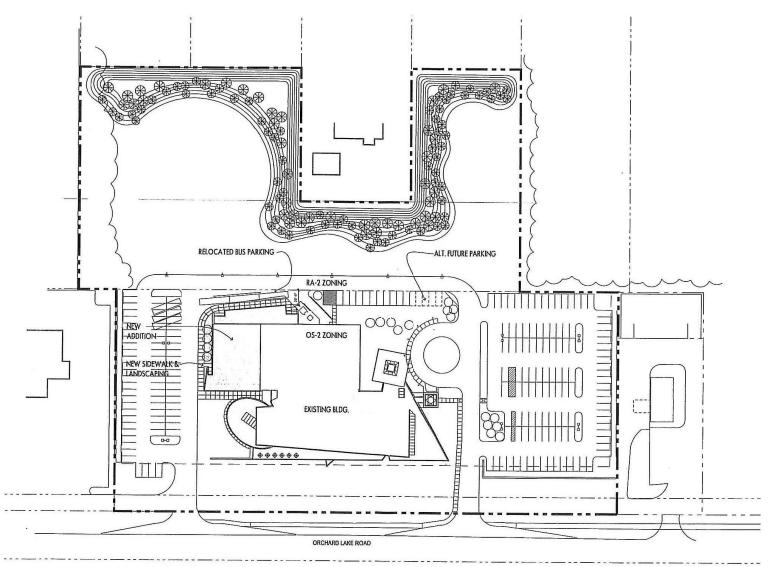
RICHARD D. KUHN

CIRCUIT COURT JUDGE

	J.R. DEVELOMENT COMPANY	ARI-EL ENTERPRISES, INC.
	Ву:	By:
- L	Its:	lts:
HEY AND MOD	CITY OF FARMINGTON HILLS	HOLOCAUST MEMORIALCENTER, INC.
I. HAMPTON, TE	By: STEVE BROCK Its: City Manager	By:
SECREST, WARDLE, LYNCH, HAMPTON, TRIJEY AND LIOB! EV	JOSEPH F. GALVIN (P-13821) Attorney for Plaintiffs 150 W. Jefferson Suite 2500 Detroit, MI 48226 (313) 963-6420	JOHN M. DONOHUE (P-25526) Attorney for Defendants 30903 Northwestern Highway Farmington Hills, MI 48334-2516 (248) 851-9500
	CAROL A. ROSATI (P-32288) Co-Counsel for Defendants 34405 West Twelve Mile Road Suite 200 Farmington Hills, MI 48333 (248) 489-4100	A TRUE COPY A TRUE CADDELL G. WILLIAM Register of Deeds G. WILLIAM Register of Deeds Deputy Deputy

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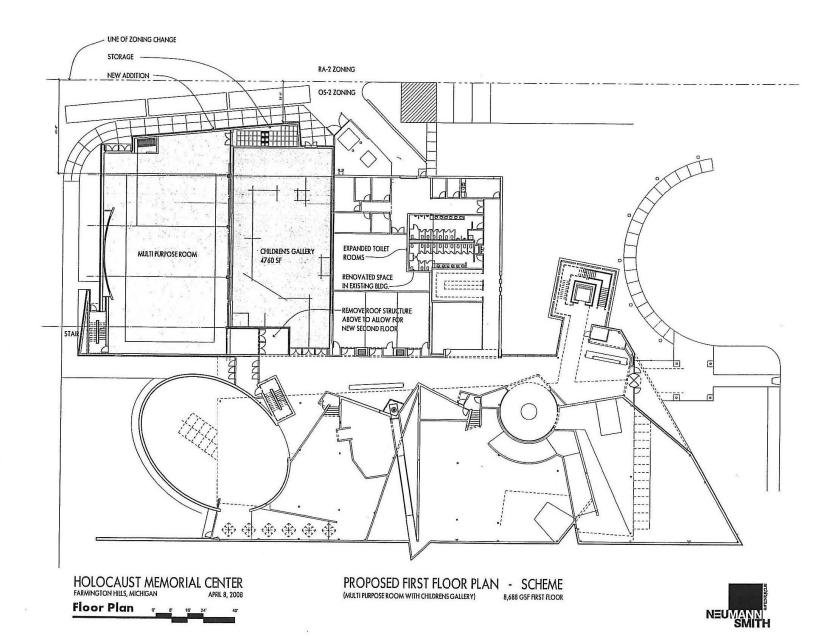
HOLOCAUST MEMORIAL CENTER FARMINGTON HILLS, MICHIGAN APRIL 8, 2008

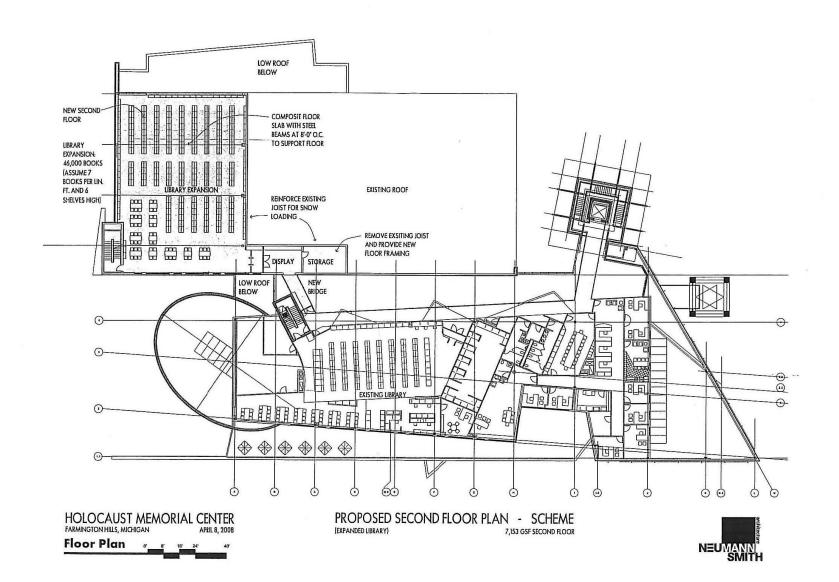
PROPOSED SITE PLAN - SCHEME
15,841 SFG TOTAL FIRST AND SECOND FLOOR

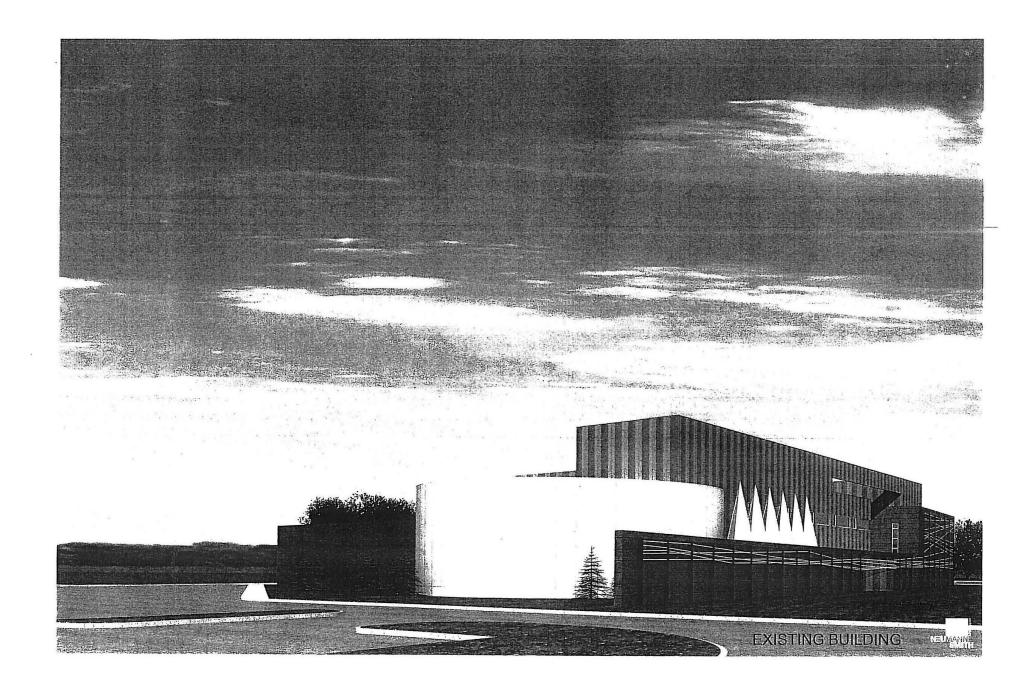


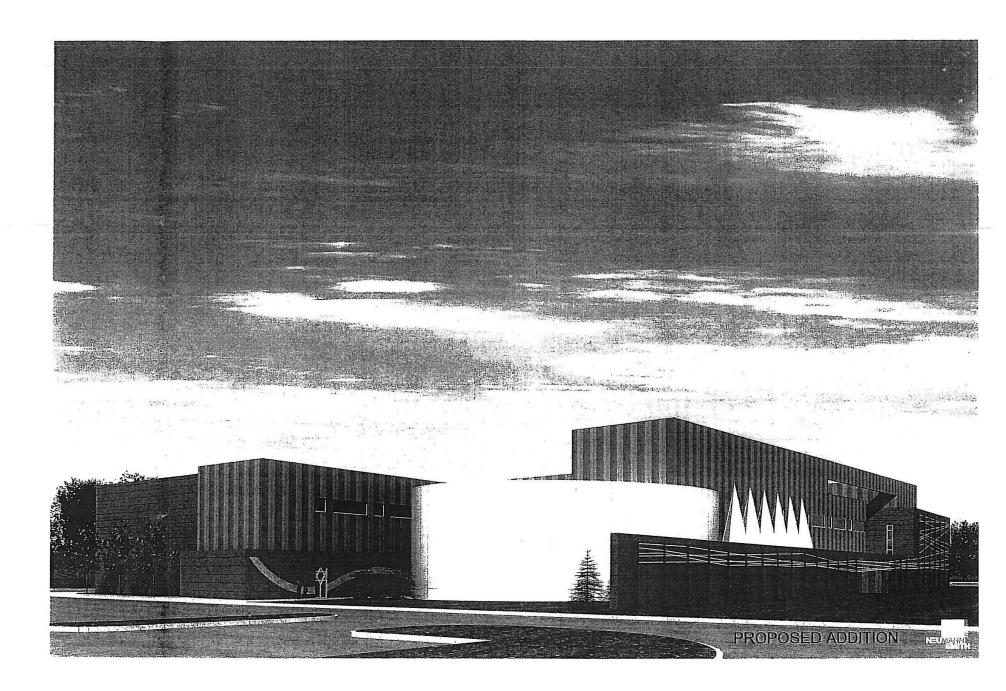


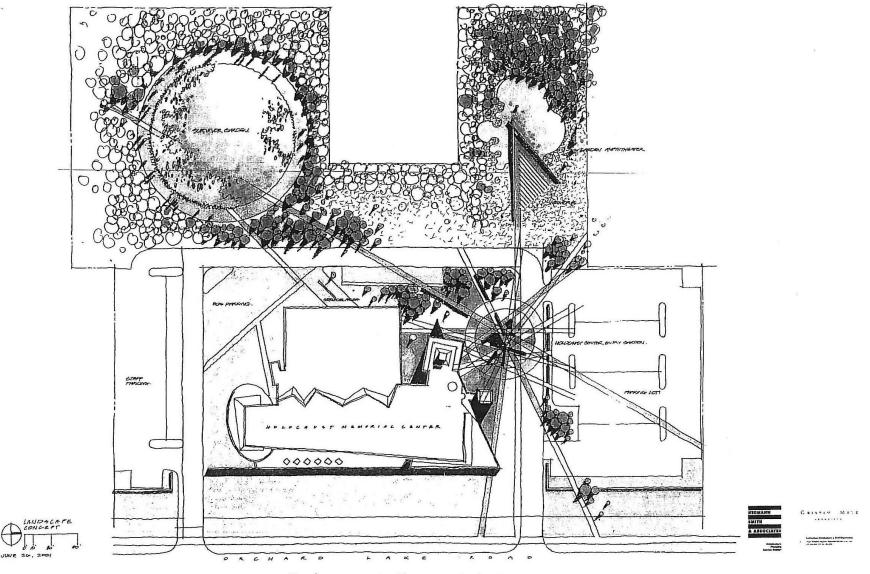




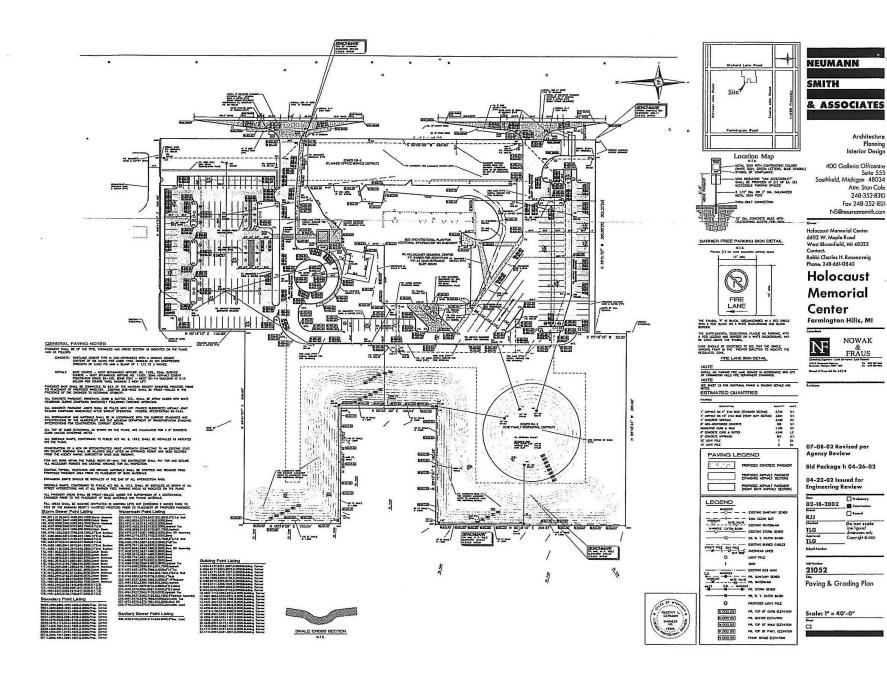








Holocaust Memorial Center



Architecture Planning Interior Design

Suite 555

Attr: Stan Cole 248-352-8310 Fax 248-352-1821 N5@neumannsmith.com

NOWAK

FRAUS

k man

LEGAL DESCRIPTION OF PROPERTY

T1N, R9E, Sec 10, Park Hill, E 300 Ft Lot 61, E 120 Ft Lot 62 also E 300 Ft Lots 63 and 64.

Tax Identification No. 23-10-476-062

T1N, R9E, Sec 10, Park Hill, W 62 Ft of Lot 12 & Lot 13 Exc N 15 Ft of E 238 Ft, also all of Lots 14 to 19, Incl.

Tax Identification No. 23-10-476-053

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IT IS FURTHER ORDERED that this dismissal resolves the last pending claim and

	and the second s
closes the case.	
	CIRCUIT COURT JUDGE
I.R. DEVELOMENT COMPANY By: MANAGEN Its: MANAGEN	ARI-EL ENTERPRISES, INC. By: Its: PRESIDENT
CITY OF FARMINGTON HILLS	HOLOCAUST MEMORIALCENTER, INC.
lts:	By:
JOSEPH F SALVIN (P-13821) Attorney for Plaintiffs 150 W. Jefferson Suite 2500 Detroit, MI 48226 (313) 963-6420	JOHN M. DONOHUE (P-25526) Attorney for Defendants 30903 Northwestern Highway Farmington Hills, MI 48334-2516 (248) 851-9500
CAROL A. ROSATI (P-32288) Co-Counsel for Defendants 34405 West Twelve Mile Road Suite 200 Farmington Hills, MI 48333	

(248) 489-4100

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IT IS FURTHER ORDERED that this dismissal resolves the last pending claim and closes the case.

	closes the case.	
	*	CIRCUIT COURT JUDGE
	J.R. DEVELOMENT COMPANY	ARI-EL ENTERPRISES, INC.
	By:	By:
MPTON, TRUEX AND MORE EY		HOLOCAUST MEMORIALCENTER, INC. By: Dalaman
SECREST, WARDLE, LYNCH, HAMPTON, TRUEX AND	JOSEPH F. GALVIN (P-13821)	JOHN M. DONOHUE (P-25526)
SECRE	Attorney for Plaintiffs 150 W. Jefferson Suite 2500 Detroit, MI 48226 (313) 963-6420	Attorney for Defendants 30903 Northwestern Highway Farmington Hills, MI 48334-2516 (248) 851-9500

CAROL A. ROSATI (P-32288) Co-Counsel for Defendants 34405 West Twelve Mile Road Suite 200 Farmington Hills, MI 48333 (248) 489-4100

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IT IS FURTHER ORDERED that this dismissal resolves the last pending claim and

closes the case. CIRCUIT COURT JUDGE J.R. DEVELOMENT COMPANY ARI-EL ENTERPRISES, INC. Ву:_____ By: -HOLOCAUST MEMORIALCENTER, INC. CITY OF FARMINGTON HILLS SAUL WALDMAN Its: TREASURER : JOHN M. DONOHUE (P-25526) JOSEPH F. GALVIN (P-13821)

Attorney for Plaintiffs 150 W. Jefferson Suite 2500 Detroit, MI 48226 (313) 963-6420

CAROL A. ROSATI (P-32288) Co-Counsel for Defendants 34405 West Twelve Mile Road Suite 200 Farmington Hills, MI 48333 (248) 489-4100

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Attorney for Defendants 30903 Northwestern Highway Farmington Hills, MI 48334-2516 (248) 851-9500

EXHIBIT A

T1N, R9E, Sec 10, Park Hill, E 300 Ft Lot 61, E 120 Ft Lot 62 also E 300 Ft Lots 63 and 64.

Tax Identification No. 23 10 476 062

EXHIBIT B

T1N, R9E, Sec 10, Park Hill, W 62 Ft of Lot 12 & Lot 13 Exc N 15 Ft of E 238 Ft, also all of Lots 14 to 19, Incl.

Tax Identification No. 23 10 476 053

EXHIBIT C

ZONING ANALYSIS: (August 9, 2001)

The following variances from the Zoning Ordinance standards are required to complete the Holocaust Memorial Center as shown on the conceptual site plan, building elevation, and landscape plan.

- 1. The marginal access drive in front of the building and to the north property line shall be eliminated. The marginal access drive from the southernmost curb cut to the south property line shall be maintained. The existing curb cuts may be moved from their existing position, not more than thirty feet (center to center) subject to the approval of the City Planning Commission and Engineering Division.
- 2. Maximum height of the main building shall be 32 feet with three elements which may exceed that limit:
 - a. The entrance cupola measuring approximately 400 square feet in area shall have a maximum height of 49 feet;
 - b. The chimney-like form that surrounds the elevator shaft shall have a maximum height of 59 feet; and
 - c. The stair tower of approximately 800 square feet with overhanging roof shall have a maximum height of 38 feet.
- 3. Mechanical equipment shall be located on the roof as shown on the conceptual site plan. It shall be screened as required by the ordinance.
- 4. The minimum front yard setback shall be 64 feet as measured from the existing front property line, that is, prior to the dedication of right of way required by the Consent Judgment.
- 5. A 210 foot long wall not to exceed four feet in height may be erected in the front setback as shown on the conceptual plan, subject to the corner clearance requirements of the City Code.
- 6. The rear yard setback of the main building as measured from the zoning line shall be 45 feet.
- 7. Parking shall be provided for eleven busses. Parking shall be provided for 200 cars based upon the following equations:
 - 1 space per 3 auditorium seats plus one staff member for the auditorium = 134 spaces

ZONING ANALYSIS PAGE 2

1 space per 3 seats in breakout rooms = 20 spaces

1 space per 200 square feet of office space plus 2 spaces = 21 spaces

1 space per library employee = 5 spaces

1 space per 800 square feet of museum space = 20 spaces

- 8. The wall referenced in item five above may have on top and upon it letters varying in height but not to exceed three feet above the wall and averaging two feet above the wall to provide building identification. One tier of names of donors may be engraved only, not attached or painted, on the wall's surface. Total area within the signage shall not exceed 418 square feet.
- 9. A sloped entry text wall not exceeding 25 feet in length and 12 feet in height, containing text related to the nature of the Holocaust Memorial Center shall be permitted provided the sign portion shall not exceed 300 square feet and the wall remains as shown on the plan, sloped at an angle, to restrict its visibility from Orchard Lake Road.
- 10. In lieu of the six-foot wall requirement between the OS-1 and residential districts, a wall, berm and plantings shall be provided as shown on the conceptual site plan.
- 11. No tree survey shall be required. No replacement trees shall be required. Landscaping shall be provided as shown on conceptual site plan.
- 12. Storm water retention shall be provided to store a volume of 1.65 inches for the single-family residential area. Current storm water drainage systems shall be maintained on the OS-2 parcel.

JMD/dk







IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

J.R. DEVELOPMENT COMPANY and ARI-EL ENTERPRISES, INC., and HOLOCAUST MEMORIAL CENTER,

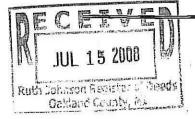
PLAINTIFFS,

CITY OF FARMINGTON HILLS,

DEFENDANT.

CASE NO. 99-013616-AA





Ruth Johnson Register of Deeds Oakland County, MI

V.

FIRST MODIFICATION OF CONSENT JUDGMENT

At a session of said Court held in the Courthouse City of Pontiac, State of Michigan on ___JUL_ 0 7 2008

PRESENT: THE HONORABLE MICHAEL WARREN
Circuit Court Judge

A Consent Judgment having been entered in the above-referenced case on or about October 11, 2001 (the "Consent Judgment"); and Plaintiffs J.R. Development Company and Ari-El Enterprises, Inc. no longer having any remaining ownership interest in the subject property, leaving Plaintiff Holocaust Memorial Center as the sole owner and Plaintiff in this case; and Plaintiff Holocaust Memorial Center (hereinafter "Plaintiff") having entered into discussions and negotiations with Defendant regarding a proposed addition to the Holocaust Memorial Center on the subject property and certain other resulting modifications to the plans and layout of the site; and the parties having agreed to the entry of this First Modification of Consent Judgment relating to such modifications of the building, plans, and layout;

NOW, THEREFORE, this First Modification of Consent Judgment being presented to the Court pursuant to the stipulation of the parties, and the Court having determined that this proposed First Modification of Consent Judgment is reasonable and just and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED THAT:

- 1. The case caption in this case is hereby amended to reflect Holocaust Memorial Center, a Michigan non-profit corporation, as the sole remaining Plaintiff in this case, and J.R. Development Company and Ari-El Enterprises, Inc. are hereby dismissed as parties by reason of the absence of any remaining ownership interest in the property that is involved in this case.
- Effective from and after the date of this First Modification of Consent Judgment,
 Exhibit C attached to the Consent Judgment is modified as follows:
- a. Paragraph 6 of the Zoning Analysis is modified in its entirety to read as follows: "The rear yard setback of the main building as measured from the zoning line shall be 20 feet."
- b. The first sentence, only, of Paragraph 7 of the Zoning Analysis is modified to read as follows: "Three spots shall be designated in the locations shown on the plans for the parking of busses with alternatives provided for busses to stage and additional reserve locations provided elsewhere in the parking lot for busses should the need arise." The remainder of Paragraph 7 is unchanged.
- c. The site plan, landscaping plan and building elevations are modified by replacing them with the site plan, landscaping plan and building elevations attached hereto and made a part hereof, which shall form the conceptual site plan for the additions and modifications shown on

said plans and elevations. Further development of the property under such plans shall be subject to site plan review and approval by the City.

- All references to the term "Consent Judgment" in Paragraphs 8 through 16 of the 3. Consent Judgment are hereby modified to also reference this First Modification to Consent Judgment.
- Except for the specific modifications set forth in this First Modification to Consent 4. Judgment, the Consent Judgment remains applicable and binding upon the parties.
- 5. This First Modification of Consent Judgment shall be binding upon and inure to the benefit of the parties and their successors and assigns. It is declared to be in recordable form, and the covenants contained herein are declared to be covenants running with the land described on the attachments hereto and all portions or divisions thereof, and the Oakland County Register of Deeds be, and hereby is, ordered to record a true copy of this First Modification of Consent Judgment in the land records of Oakland County.

HOLOCAUST MEMORIAL CENTER

Robert L Biederman (P 27135) Attorney for Plaintiff ROBERT L. BIEDERMAN, PLLC One Northwestern Plaza 28411 Northwestern Highway, Suite 910 Southfield, MI 48034 (248) 354-0892

CITY OF FARMINGTON HILLS

By: Steve Brock

Its: City Manager

Steven P. Joppick (P 46099

Attorney for Defendant

SECREST WARDLE 30903 Northwestern Highway

Farmington Hills, MI 48333-3040

(248) 851-9500

STATE OF MICHIGAN IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

HOLOCAUST MEMORIAL CENTER,	Case no. 99-013616-AA
Plaintiff,	Hon.
v.	
CITY OF FARMINGTON HILLS,	
Defendant.	

SECOND MODIFICATION OF CONSENT JUDGMENT

At a session of said Court held in the Courthouse, City of Pontia State of Michigan, on				
PRESENT: THE HONORABLE				
_	Circuit Court Judge			

A Consent Judgment having been entered in the above-referenced case on or about October 11, 2001 (the "Consent Judgment") and a First Modification of Consent Judgment having been entered on or about July 7, 2008 (the "First Modification"); and Plaintiff Holocaust Memorial Center (hereinafter "Plaintiff") having entered into discussions and negotiations with Defendant regarding a proposed addition to the Holocaust Memorial Center on the subject property and certain other resulting modifications to the plans and layout of the site; and the parties having agreed to the entry of this Second Modification of Consent Judgment relating to such modifications of the building, plans, and layout;

NOW, THEREFORE, this Second Modification of Consent Judgment being presented to the Court pursuant to the stipulation of the parties, and the Court having determined that this proposed Second Modification of Consent Judgment is reasonable and just and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED THAT:

- Effective from and after the date of this Second Modification of Consent Judgment,
 Exhibit C attached to the Consent Judgment is modified as follows:
- a. Paragraph 5 of the Zoning Analysis is modified in its entirety to read as follows: "A one-hundred thirty (130) foot long wall and a thirty (30) foot long wall in two (2) segments on either side of the Entry Drive not to exceed six (6) feet in height may be erected in the front setback as shown on the conceptual plan, subject to the corner clearance requirements of the City Code."
- b. Paragraph 9 of the Zoning Analysis is modified in its entirety to read as follows: "A sloped entry text wall not exceeding forty-one (41) feet in length and twelve (12) feet in height, containing text related to the nature of the Holocaust Memorial Center shall be permitted provided the sign portion shall not exceed three-hundred (300) square feet and the wall remains as shown on the plan, sloped at an angle, to restrict its visibility from Orchard Lake Road."
- c. The site plan, landscaping plan and building elevations attached as part of Exhibit C are modified by the plans, drawings, and elevations attached hereto and made a part hereof.
- 2. All references to the term "Consent Judgment" in the Consent Judgment and in the First Modification of Consent Judgment are hereby modified to also reference this Second Modification to Consent Judgment.
- 3. Except for the specific modifications set forth in this Second Modification to Consent Judgment, the Consent Judgment remains applicable and binding upon the parties.
- 4. This Second Modification of Consent Judgment shall be binding upon and inure to the benefit of the parties and their successors and assigns. It is declared to be in recordable form,

and the covenants contained herein are declared to be covenants running with the land described on the attachments hereto and all portions or divisions thereof, and the Oakland County Register of Deeds be, and hereby is, ordered to record a true copy of this Second Modification of Consent Judgment in the land records of Oakland County.

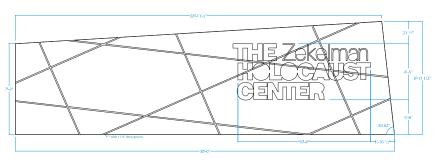
	CIRCUIT COURT JUDGE
Stipulated and agreed by:	
HOLOCAUST MEMORIAL CENTER	CITY OF FARMINGTON HILLS
By:	By:
Its:	Its:
Michael Vogt (PXXXXX)	Steven P. Joppich (P 46097)
Dickinson Wright PLLC	Rosati Schultz Joppich & Amtsbuechler, PC
Attorneys for Plaintiff	Attorney for Defendant
2600 W. Big Beaver Rd., Ste. 300	27555 Executive Drive, Suite 250
Troy, MI 48084	Farmington Hills, MI 48331
(313) 223-3500	(248) 489-4100

40 West Howard St., Suite 309 Pontiac, MI 48342 dnicolson@nicolsonassociates.com www.NicolsonAssociates.com

Project Overview



Sign Illustration

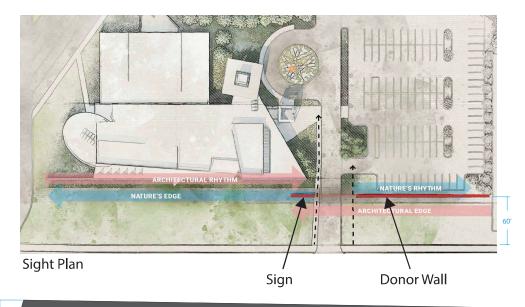


Sign Dimensions

with internal illumination. We will have access to the inside of the sign with access panels in the

See additional details on the following pages. Sign Overview: We are to remove the existing sign

and add to the existing foundation. We will provide and install a new 30'x 9'x 18" black granite sign



See additional details on the following pages.

Donor Wall Overview: We are to remove portions of the existing wall north of the driveway. The demo includes the existing letters, the return wallthat runs parallel with the driveway, and portions of the wall running north and south.

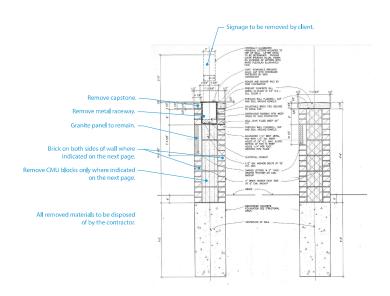
We will then add CMU blocks to increase the height on the south end to 5'-11" which will angle down to 4' tall on the north end.

We will sandblast and paint fill silver the names of donors. The larger name has 7 1/4" tall letters and the smaller names have 5 1/4" tall letters. We anticipate adding up to five names in the future.

NICOLSONASSOCIATESINC

40 West Howard St., Suite 309 Pontiac, MI 48342 dnicolson@nicolsonassociates.com www.NicolsonAssociates.com

Existing Conditions



Section View: Existing Conditions

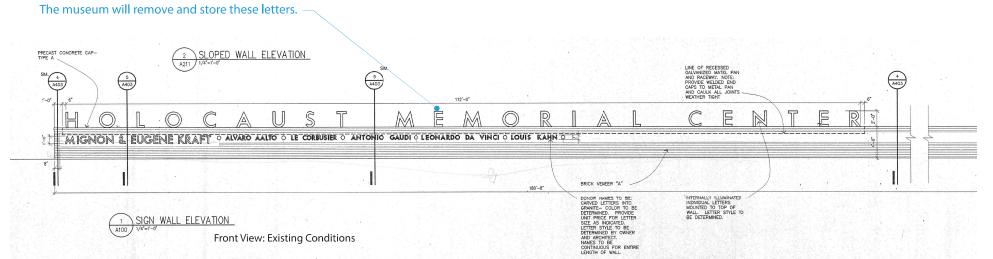








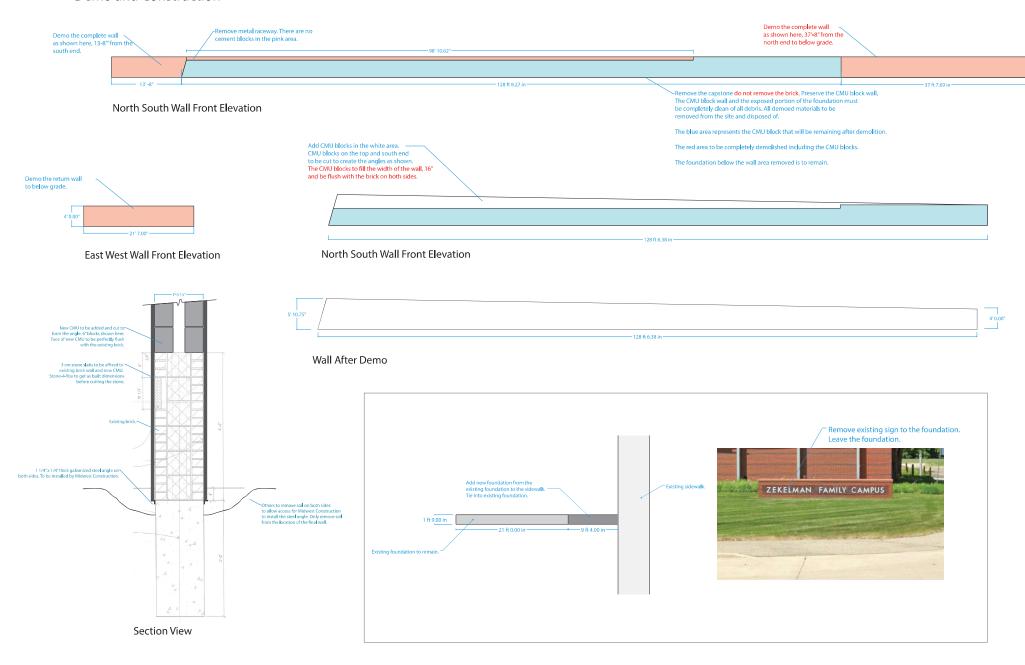




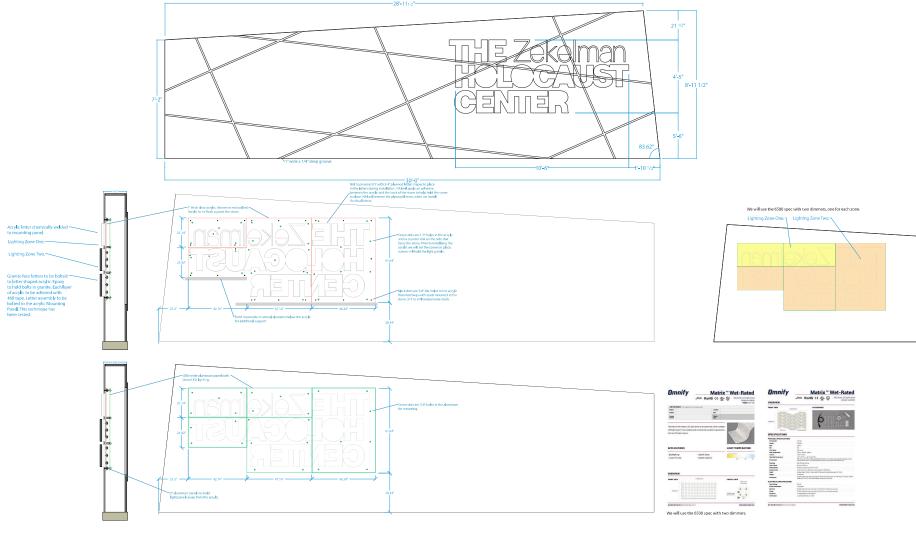
NICOLSONASSOCIATESINC

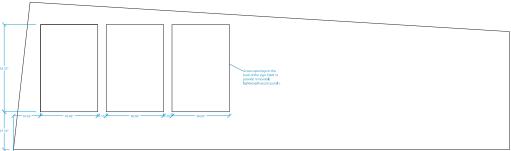
40 West Howard St., Suite 309 Pontiac, MI 48342 dnicolson@nicolsonassociates.com www.NicolsonAssociates.com

Demo and Construction



Sign Fabrication







CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

DATE: 04/28/2025

DEPT: Special Services

RE: DEER MANAGEMENT RESOLUTION

ADMINISTRATIVE SUMMARY

Per the Resolution of the City of Farmington Hills City Council for Deer Management within the City of Farmington Hills

- City staff will be responsible for deer management within the City of Farmington Hills
- On an annual basis:
 - o Deer management will be included in the City Budget
 - o Harvested deer from deer management efforts will be given to local food banks
 - Deer population and deer impacts data will be collected through habitat observations, deer vehicle crashes, deer carcass pick-up, resident feedback and annual harvest amounts
- The City of Farmington Hills will continue to be an active member of the Southeast Michigan Urban Deer Coalition, and collaborate with communities and organizations to implement effective deer management strategies in urban and suburban communities
- Deer management will be incorporated into future City Parks and Recreation Master Plans

RECOMMENDATION

In view of the above, it is recommended that City Council adopt the RESOLUTION OF THE CITY OF FARMINGTON HILLS CITY COUNCIL FOR DEER MANAGEMENT WITHIN THE CITY OF FARMINGTON HILLS and authorize the City Manager to sign written agreements subject to the City Attorney's final review of Agreements as it relates to Deer Management.

Prepared by: Bryan Farmer, Deputy Director of Special Services
Reviewed by: Ellen Schnackel, Director of Special Services
Reviewed by: Karen Mondora, Assistant City Manager

Approved by: Gary Mekjian, City Manager

RESOLUTION OF THE CITY OF FARMINGTON HILLS CITY COUNCIL FOR DEER MANAGEMENT WITHIN THE CITY OF FARMINGTON HILLS

RESOLUTION NO. [XXXX]

WHEREAS, the overpopulation of white-tailed deer in the State of Michigan, including the City of Farmington Hills, has led to increased public safety and public health concerns, such as increased deer-vehicle collisions, destruction of natural and residential landscapes, and potential exposure to diseases; and

WHEREAS, research conducted by the Michigan Department of Natural Resources (MDNR) supports appropriate management of deer populations to mitigate these negative impacts; and

WHEREAS, the Southeast Michigan Council of Governments conducted an independent study, which indicated that approximately 73% of Farmington Hills residents, 74% of Oakland County residents and 66% of all southeast Michigan residents have concerns related to deer overpopulation; and

WHEREAS, the City of Farmington Hills is an active member of the Southeast Michigan Urban Deer Coalition, a group of more than 25 communities and organizations in seven counties that is collaborating with the MDNR to implement effective deer management strategies in urban and suburban communities; and

WHEREAS, the MDNR, in its Michigan Deer Management Plan and Managing Deer Within Suburban Communities, has identified organized deer culls and highly regulated hunts as the safest and most effective methods to manage the deer population in urban environments; and

WHEREAS, the City intends to contract with qualified entities, such as the United States Department of Agriculture (USDA), to conduct comprehensive deer management programs, including organized deer culls, which are anticipated to take place on an annual basis during a designated timeframe, beginning in 2026; and

WHEREAS, to work with the USDA Animal and Plant Health Inspection Service (APHIS)-Wildlife Services (WF) for purposes of undertaking comprehensive deer management programs, including organized deer culls, the USDA requires the City to submit a Work Initiation Document for Wildlife Damage Management and to enter into a Cooperative Service Agreement with APHIS-WS; and

WHEREAS, the City of Farmington Hills also seeks to partner with the MDNR, relevant stakeholders, and communities of the Southeast Michigan Urban Deer Coalition to implement a highly regulated deer hunting program on an annual basis beginning in 2027; and

WHEREAS, the USDA reports that approximately one in seven Michigan households experienced food insecurity in 2023; and

WHEREAS, one deer will provide approximately 160 nutritious meals, venison harvested during culls will be donated to area food banks and venison harvested during highly regulated hunts will be kept by hunters or donated to food banks; and

WHEREAS, the deer management plan will be incorporated into the ecological plan section of the City's Parks and Recreation Master Plan to be reviewed every five years and submitted to the MDNR; and

WHEREAS, to facilitate these necessary deer management efforts, the City Council finds it appropriate to temporarily suspend enforcement of City Code Sections 18-307 and 19-65(1), which prohibit the discharge of firearms within the City and possession of bows in City parks, strictly for the purpose of authorized deer culls and highly regulated hunts.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Farmington Hills, Oakland County, Michigan, as follows:

- 1. Temporary Suspension of Ordinance Enforcement
 - Enforcement of City Code Sections 18-307 and 19-65(1), which prohibit the discharge of firearms within the City and possession of bows in City parks, shall be temporarily suspended solely during authorized deer culls and highly regulated hunts, as specified in this resolution.

2. Authorized Participants

- This suspension shall apply only to:
- a) Authorized agents of the entity approved to conduct authorized deer culls.
- b) Individuals who have been formally selected and approved for participation in the highly regulated deer hunting program.

3. Permitted Weapons

- Authorized agents of the entity approved to conduct deer culls will be authorized to use firearms for the sole purpose of deer management.
- Confirmed participants in the highly regulated deer hunting program shall be restricted to the use of crossbows and bows. The use of other firearms will be strictly prohibited during the highly regulated hunts.

4. Public Safety and Compliance

- The City shall coordinate with the USDA, MDNR and relevant stakeholders to ensure all culls and hunts are conducted in compliance with federal, state and local regulations.
- Appropriate public notification and safety measures shall be implemented prior to any culling or hunting activities.

IT IS FURTHER RESOLVED that the City Council of the City of Farmington Hills, Oakland County, Michigan, hereby authorizes the City Manager to sign and submit to APHIS-WH on behalf of the City the Work Initiation Document for Wildlife Damage Management and the Cooperative Service Agreement with APHIS-WS, subject to the City Attorney's final review of said Agreement.

Agreement with APHIS-WS, subject to the City Attorney's final review of said Agreement.
CERTIFICATION
, Carly Lindahl, City Clerk for the City of Farmington Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Farmington Hills City Council at a regular meeting held on April 28, 2025.
N WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the City of Farmington Hills, Michigan, on this day of, 2025.
Carly Lindahl, City Clerk

Ways the City of Farmington Hills Educates Residents About Deer

Over the last 10 years, the City of Farmington Hills has been educating the public about deer in Farmington Hills in the following ways:

- Park Projects, Practices & Patrons
 - Deer Exclosure was placed for 2½ years at the stop sign intersection in Heritage Park. This allowed for the establishment of the Native Plant Education Area pod of Nature Discovery Trail. For 2½ years park patrons were educated on the importance of protecting the native plant area from deer by seeing a large fence surrounding the area. Today, the Native Plant Education pod continues to educate the public on native and invasive plant species
 - Park patrons interact with park staff while in parks and often call our Park
 Division with questions about deer. Questions often relate to "what to plant"
 and how to protect flower beds and trees. Park staff recommends netting to
 cover flower beds and deer barriers on newly planted trees.
 - The FH Parks Division uses netting to cover flower beds and deer barriers on newly planted trees in Heritage, Longacre, Costick and The Hawk. Deer barriers remain on trees throughout the fall-spring and are typically taken off trees in the summer months, but placed back on in the fall
- Nature Center Programs and Resources
 - Adult Nature Education Series program (virtual and in-person adult programs) - started in 2022
 - (6) Deer-focused sessions
 - Deer experts from MSU extension/DNR have assisted
 - Oh Deer Santa's Here (family program) started in 2021
 - (10) sessions (2 per year every December)
 - Family-focused, deer-themed Santa event w/deer education table and activities
 - OCC Stewards Program (Environmental Science Classes College level)
 - (~60) about 6 per year since 2014 focused on invasive species management, deer and native habitats
 - Deer-focused informational exhibits inside Nature Center (open year-round)
 - Jr Naturalists Club/FOX Club
 - (6) deer themed sessions
 - monthly/weekly program for school-aged students
 - Nature Preschool

- 2-5 day per week program for 3-5 year olds
- Teachers implement deer-focused lessons and activities throughout the year
- Social Media
 - (15+) posts related to Deer Education on Farmington Hills Nature Center Facebook
- Nature in the Hills/Nature Calls local TV series hosted by Nature Center
 - (5) episodes focused on deer
 - accessible to public on You Tube
- Deer Phone Log
 - answer calls/questions from the public concerning deer
 - (50+) logged, hundreds unlogged
- FHGOV.COM Deer Management
 - A variety of resources exist on the fhgov.com deer management section
- Deer Crossing Signs
 - Typically a deer crossing sign is posted when 5 or more accidents have occurred in a three year period.
- Meeting Presentations
 - Attended HOA meetings to speak on the topic of deer
 - Hosted DNR at a deer education event at The Hawk
 - Spoke at Xemplar and Optimist Club Meetings
- Additional ways we plan to educate the public about deer
 - Add more resources and information to deer management section of fhgov.com
 - Place an ad with QR Code that links to deer management section of website in every Farmington Hills Special Services Activities Guide
 - Annual report promoted to the public, including the number of harvested deer, meals served from deer harvest, deer vehicle crash information, ...

Southeast Michigan Urban Deer Coalition – Regional Approach for Deer Management

City of Farmington Hills Deer Management Highlights

- Perform cull 2-5 days/year beginning 2026 with U.S. Department of Agriculture (USDA) sharpshooters using suppressed rifles and thermal imaging at night
- Work in collaboration with the Michigan Department of Natural Resources (MDNR), USDA, National Deer Association (NDA) and participating members of the Southeast Michigan Urban Deer Coalition on culls and highly regulated organized archery hunts
- Highly regulated organized Pilot Archery Hunt with (5) Public Safety Officers using bows and crossbows for 2 days in 2027
- Temporarily suspend enforcement of city code sections 18-307 and 19-65 (1) during times of culls and highly regulated organized hunts
- Data will continue to be collected: deer-vehicle crashes; deer carcass pickup; resident deer concerns; survey; and ecological impacts through monitoring
- Deer harvest goals will be determined with the MDNR and USDA on an annual basis
- Harvested deer will be taken to deer processors and donated to food banks
- Deer Management Report provided annually to Farmington Hills Mayor/Council
- Deer Management will be ongoing with review to occur every 5 years as part of the
 City of Farmington Hills Parks and Recreation Master Plan

City of Farmington Deer Management Highlights

- City of Farmington is expected to vote on a Deer Management Resolution on May 5,
 2025. Should the resolution be approved:
 - City of Farmington will annually fund \$20,000 to Farmington Hills to manage culls, highly regulated organized hunts and deer management in Farmington
 - Deer Management Report provided annually to Farmington Mayor/Council
 - Deer Management ongoing with review to occur every 5 years as part of the
 City of Farmington Parks and Recreation Master Plan

City of Southfield Deer Management Highlights

City of Southfield is expected to vote on a Deer Management Resolution on May 5,
 2025 that will indicate that the City of Southfield will perform culls beginning in 2026 with the USDA

Southeast Michigan Urban Deer Coalition Highlights

 The Southeast Michigan Urban Deer Coalition (SEMIUDC) will continue to work with the MDNR, USDA, NDA, partnering conservation organizations and communities to further establish and explore sustainable processes, shared staffing and funding for deer management in Southeast Michigan

Farmington Hills City Council Deer Management

Presentation

April 28, 2025

History of Deer Management in Farmington Hills

- 2015 Research, data, and MDNR
- 2017 Farmington Hills: regional approach vs city by city
- 2021 Southeast Michigan Urban Deer Coalition (SEMIUDC)
- 2022 SEMIUDC/SEMCOG 7 county deer survey
- 2024 SEMIUDC on MI Deer Management Initiative (DMI)
- 2024 DMI Non-regulatory items
- 2025 SEMIUDC on Michigan LP Deer Advisory Team
- 2025 Est. of the MI Urban Deer Management Plan

Educating the Public

- Park Projects, Practices & Patrons
- Nature Center Programs and Resources
- FHGOV.COM Deer Management
- Deer Crossing Signs
- Meeting Presentations
- Future Marketing & Education



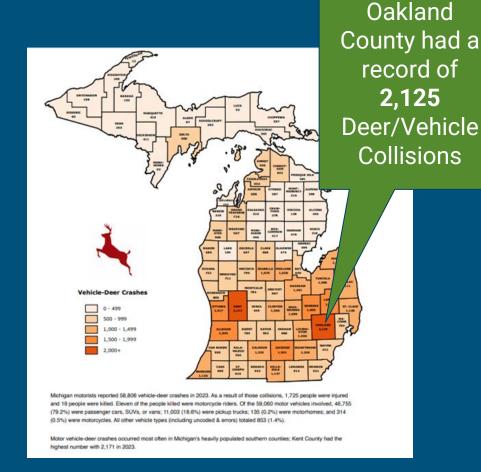


	Why TO Manage Deer	If Deer are NOT Managed
SAFETY	Deer-Vehicle collisions and injuries decrease Reduction in lyme disease cases	Frequency of Deer-Vehicle collisions and driver injuries increase Lyme disease cases increase
NATURE	Ecological restoration & native species revitalization Less personal landscape & property damage	Deer continue to destroy environments and landscapes
COSTS	Reduced impact to private property Reduction in automobile repair expenses Reduced impacts to driver injury Relatively low cost for the city to manage	City's money would be spent on fixing deer damage Increasing resident expenses: Landscaping, vehicle repairs, injury

Deer-Vehicle Collisions Statistics

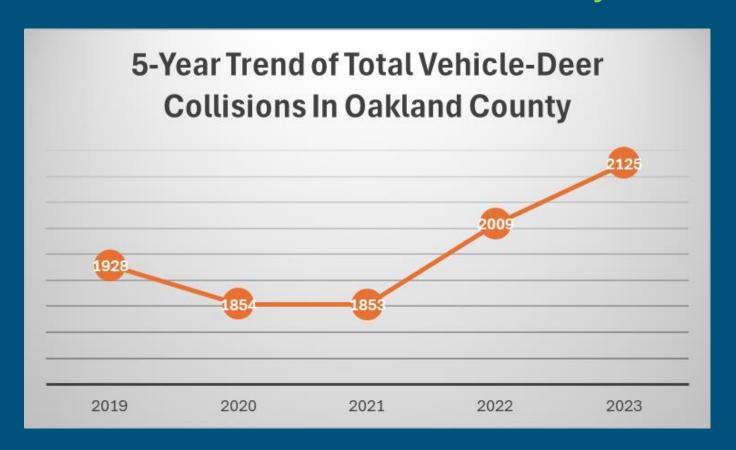
(Data source: Michigan Traffic Crash Facts)

Oakland County ranked **second** in the State of Michigan in the number of Deer-Vehicle Collisions in 2023



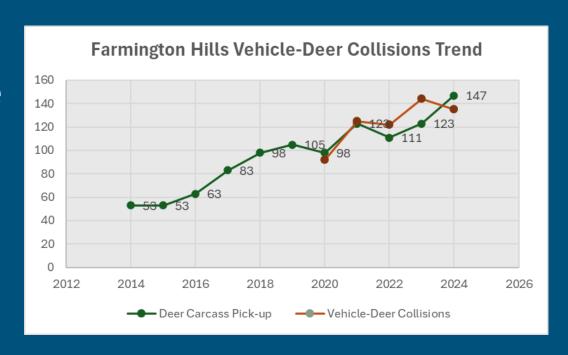
In 2023,

Deer-Vehicle Collisions in Oakland County 2019-23



Deer-Vehicle Collisions in Farmington Hills

- Deer-Vehicle
 Collisions increase
- Fewer than 1 in 3DVC reported



Location of Deer-Vehicle Collisions in Farmington Hills, 2020-2024





Resident Testimonies

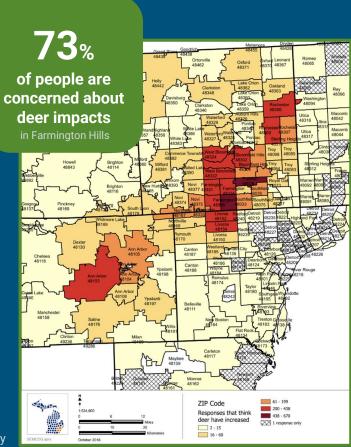
From Southeast Michigan

"Deer have caused thousands of dollars of landscape damage. They are invasive and costly."

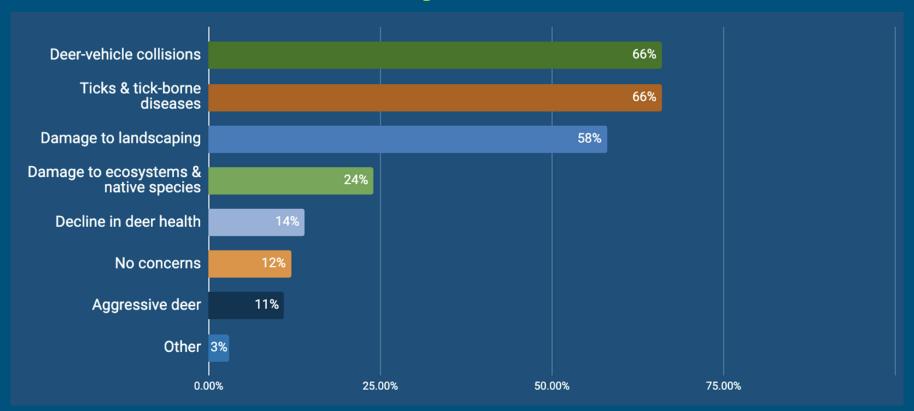
"My **son** was driving and a deer ran in front of him, really **smashed up his car**"

"We now pay a company to spray for ticks so that we can enjoy our yard."

"I have hit a deer twice in Farmington Hills"



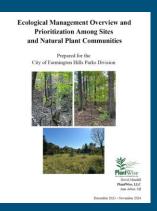
Oakland County's Deer Concerns



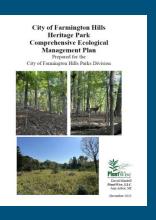
Ecological Plan - PlantWise Reports

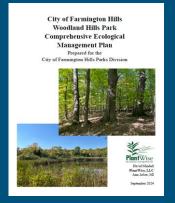
MANAGEMENT PLAN GUIDELINES

- 1. Overview and Prioritization
- 2. Heritage Park
- 3. Woodland Hills Park
- 4. Multi-site Management Plans









Ecological Impacts



- Loss of saplings and seedlings
- Forests can lose up to 80% of their ground cover species
- Linked to rise in invasive species

Ecological Impacts



- Overall decline in bird abundance
- Short-termsubcanopy nesters
- Long-term- lack of mature trees



- Overbrowsing of many flowering plants
- Specialist pollinators decline who rely on a specific plant species



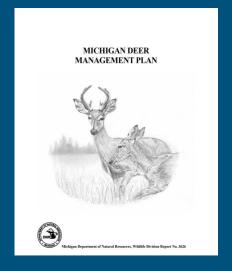
- Competition for food
- Destruction of suitable cover from predators

Sources: Waller, D. M., & Alverson, W. S., 1997 Côté et al., 2004 Sakata & Yamasaki, 2015 Phillips & Cristol, 2024

ONLY METHOD for Managing Deer

Organized Archery Hunts and Culls







Deer Management on Parks/Private Property

EXAMPLES:

- Huron-Clinton Metroparks
- Oakland County Parks
- East Lansing
- City of Jackson









Successful Deer Management = Organized Hunts & Culls

	Total Hunters	Properties Hunted	Archery Harvest	Police Cull	Reported Deer/Car Collisions
2011				<u> </u>	
2011	25	7	43		152
2012	50	18	90		153
2013	60	20	127		180
2014	73	21	150		137
2015	30	19	63		144
2016	73	31	73		164
2017	66	30	80		129
2018	74	38	57		129
2019	84	38	88		153
2020	75	42	176	150 (21')	100
2021	68	43	130	200 (22')	116
2022	70	63	156	200 (23')	103
2023	67	71	141	159 (24')	97

- Noticeable decline in deer browsing damage in parks and preserves
- o 6,156 pounds of venison donated food banks in 2023-24

Table 1. White-tailed deer (*Odocoileus virginianus*) harvest totals for the 4 study areas (Upper Makefield Township, Pennsylvania, USA from 2007 to 2010, Bernards Township, New Jersey, USA from 2000 to 2011, Princeton Township, New Jersey, USA from 2000 to 2011, and Duke Farms, New Jersey, USA from 2004 to 2011) by method of take. Densities are reported as number of deer per km².

	Seasons	Archery	Gun	ND	s.s.	Initial den.	Final den.
Upper Makefield	3	828	61	314	188	≈35	≈ 18
Bernards Township	11	2,602	2,603	_	N/A	≈34 ^a	≈18
Princeton Township	11	1,077	N/A		1,986	≈ 43	≈17
Duke Farms	7	278	560		28	≈80	≈ 12
Totals	32	4,785	3,224	314	2,202		

ND, not differentiated between archery and shotgun; S.S., sharpshooting, N/A, not attempted.

a Initial density was determined after 1 year of limited coordinated hunting.

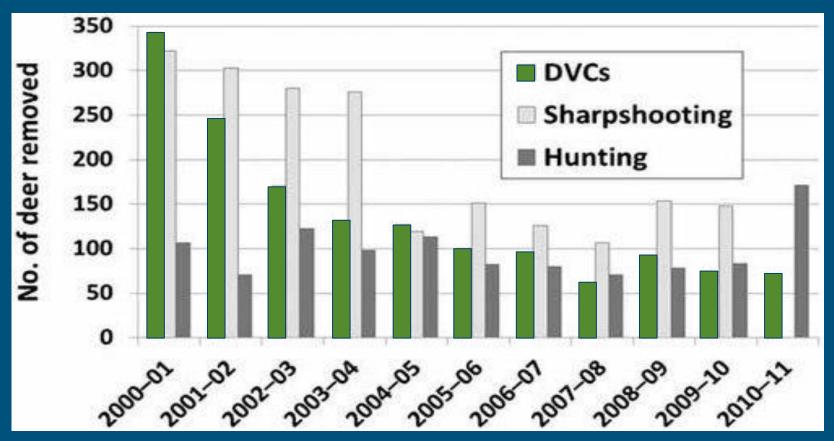


Figure 1 - Williams et al. 2013. Princeton Township: Deer density decreased from 34 deer/km2 to 18 deer/km2 during this period. This is the trend that Farmington Hills could replicate.

Where and When Archery Hunts and Culls Take Place

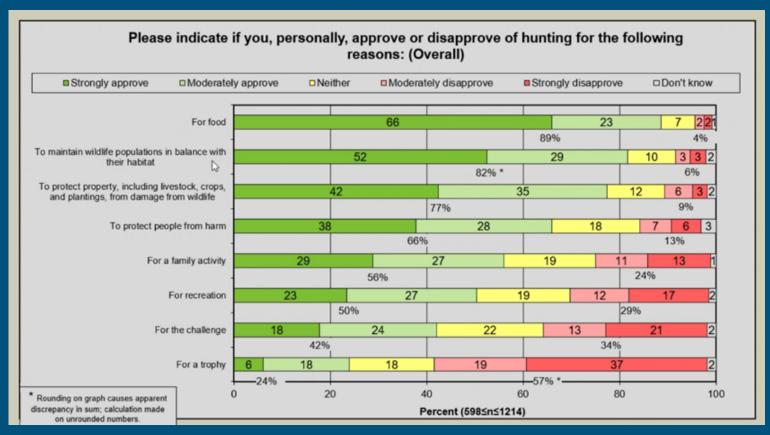
- USDA, MDNR, City and specific property
 - owners identify parcels of land
- Annual culls begin 2026
- Archery Hunt with Public Safety
 Officers 2027
- Annual Cull 2-5 days
- Annual Archery Hunt 2 days



Organized Pilot Archery Hunt with Public Safety

- 5 Public Safety Officers (volunteering)
- 2 days in 2027 on private land
- Permitted by MDNR
- Partner with National Deer Association and others
- Requirements of Public Safety Officer Volunteers

Michigan Attitudes toward Deer Hunting



Food Donations

- 1.One deer = 40-50 lbs of venison
- 2.One pound of venison = 4 servings
- 3.One deer = 160-200 meals
- 4. Annual harvest goal

Food Donations



USDA Cull - Step by Step Process

- 1.Initial meeting between USDA and City
- 2.CSA between City and USDA
- 3.MDNR Permits and Food Banks
- 4.Implementation of Cull
- 5.Reporting

University of Michigan SEAS Project Team



Mike Kost



George Ackerman



Lauren Jones



Tristan Compton



Andy Metz



Chelsea Yang



Zach Cavanaugh

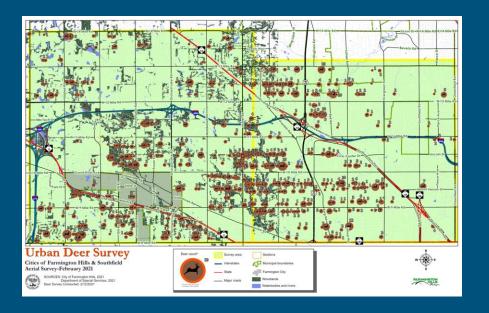
U of M Capstone Project

- Deer Management and monitoring plan
- Interviews
- Assess deer herbivory and impacts

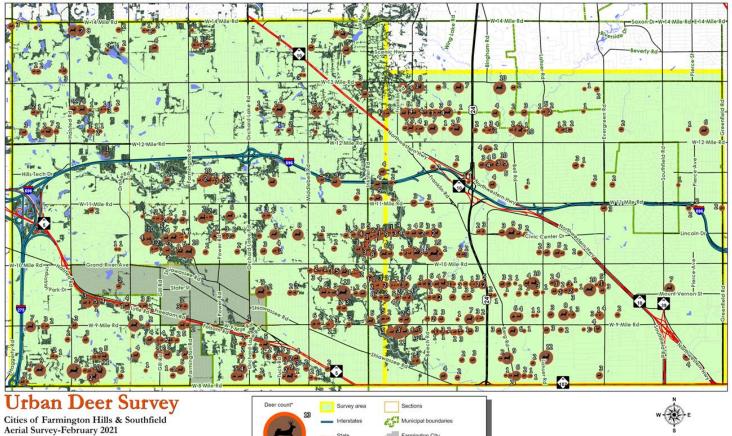


Regional approach





- Southeast Michigan Urban Deer Coalition
- First Regional Deer Management Concept Farmington Hills,
 Farmington and Southfield
- Expansion of Regional Deer Management





SOURCES: City of Farmington Hills, 2021 Department of Special Services, 2021 Deer Survey Conducted: 2/12/2021





Partnering with Farmington

- Deer Management led by Farmington Hills
- Annual reports to leadership
- Up to \$20,000 to City of Farmington Hills
- Farmington Parks and Rec Master Plan
- Voting on Resolution May 5, 2025

Farmington Hills Resolution

- Culls begin 2026
- Pilot Archery Hunt with Public Safety 2027
- Temporarily suspend
 Ordinances
- Annual Reports
- Parks & Recreation Master Plan

RESOLUTION OF THE CITY OF FARMINGTON CITY COUNCIL FOR DEER MANAGEMENT WITHIN THE CITY OF FARMINGTON

RESOLUTION NO. [XXXX]

WHEREAS, the overpopulation of white-tailed deer in the State of Michigan, including the City of Farmington, has led to increased public safety and public health concerns, such as increased deervehicle collisions, destruction of natural and residential landscapes, and potential exposure to diseases; and

<u>WHEREAS</u>, research conducted by the Michigan Department of Natural Resources (MDNR) supports appropriate management of deer populations to mitigate these negative impacts; and

WHEREAS, the Southeast Michigan Council of Governments conducted an independent study, which indicated that approximately 75% of Farmington residents, 74% of Oakland County residents and 66% of all southeast Michigan residents have concerns related to deer overpopulation; and

WHEREAS, the City of Farmington is an active member of the Southeast Michigan Urban Deer Coalition, a group of more than 25 communities and organizations in seven counties that is collaborating with the MDNR to implement effective deer management strategies in urban and suburban communities; and

WHERAS, the MDNR, in its Michigan Deer Management Plan and Managing Deer Within Suburban Communities, has identified organized deer culls and highly regulated hunts as the safest and most effective methods to manage the deer population in urban environments; and

WHEREAS, the City intends to contract with the City of Farmington Hills to oversee deer management within the City of Farmington, working with qualified entities, such as the United States Department of Agriculture (USDA), to conduct comprehensive deer management programs, including organized deer culls, which are anticipated to take place on an annual basis during a designated timeframe, beginning in 2026; and

WHEREAS, to work with the USDA Animal and Plant Health Inspection Service (APHIS)-Wildlife Services (WF) for purposes of undertaking comprehensive deer management programs, including organized deer culls, the USDA requires the <u>City</u> to submit a Work Initiation Document for Wildlife Damage Management and to enter into a Cooperative Service Agreement with APHIS-WS; and

WHEREAS, the City intends to contract with the City of Farmington Hills to work with MDNR, relevant stakeholders, and communities of the Southeast Michigan Urban Deer Coalition to implement a highly regulated deer hunting program on an annual basis beginning in 2027; and

WHEREAS, the City of Farmington will receive an annual report from the City of Farmington Hills and invoice for Deer Management in the spring of each year

WHEREAS, the USDA reports that approximately one in seven Michigan households experienced food insecurity in 2023; and

WHEREAS, one deer will provide approximately 160 nutritious meals, venison harvested during culls will be donated to area food banks and venison harvested during highly regulated hunts will be kept by hunters or donated to food banks; and





CITY CLERK'S REPORT TO MAYOR AND COUNCIL

DATE: 4-28-25

DEPT: City Clerk

RE: Consideration of approval of a Special Event Permit for the Farmington Community Library Annual Asian American and Pacific Islander Fest to be

held on Saturday, May 3, 2025

ADMINISTRATIVE SUMMARY

- The City received an application from Jillian Baker, representing the Farmington Community Library, for a Special Event Permit to hold the Annual Asian American and Pacific Islander Fest on Saturday, May 3, 2025, at the Farmington Community Library located at 32737 W. 12 Mile Road, from 12pm to 4pm.
- This will be an indoor and outdoor event which will include games, activities, and cultural performances indoors, and tents with food vendors in the parking lot.
- The maximum number of proposed attendees is 500 people.
- The required insurance and/or indemnification agreement was received by the City.
- The application was reviewed by all appropriate Departments. There were no objections to the event being held, subject to the following conditions and details as verified by the applicant:
 - The event will be open to the public and parking will be on site utilizing the existing parking lot
 - Two 10 x 10 tents will be utilized for food vendors
 - There will be no obstructions for the safe passage of emergency vehicles
 - Proponent shall contact Fire Prevention to set up an Annual Inspection prior to event
 - Egress shall be maintained throughout the building
 - Fires lanes shall not be blocked or restricted
 - All applicable permits shall be applied for through the Building Department
 - Event shall comply with minimum Fire Prevention Code requirements
 - Proponent will need to apply for an electrical permit and have all extension cords and connections in place for the Fairs/Festival final safety inspection to be conducted on May 2, 2025



CITY CLERK'S REPORT TO MAYOR AND COUNCIL

RECOMMENDATION

IT IS RESOLVED, that City Council hereby approves a Special Event Permit for the Farmington Community Library to hold the Annual Asian American and Pacific Islander Fest on Saturday, May 3, 2025, at the Farmington Community Library located at 32737 W. 12 Mile Road, from 12pm to 4pm, subject to the terms and conditions outlined in the City Clerk report dated April 28, 2025.

Respectfully submitted,

Carly Lindahl, City Clerk

APPLICATION FOR SPECIAL EVENT/TEMPORARY OUTDOOR SALES 25 2025 PM3:53

CITY OF FARMINGTON HILLS

31555 ELEVEN MILE ROAD, FARMINGTON HILLS MI 48336

(248) 871-2410 FAX (248) 871-2411

ALL FEES ARE NON-REFUNDABLE

Fees: \$50.00 Application Review Fee (fee is waived for non profit companies) Carnivals are \$ 150.00

A Clean Up Deposit of \$300 is required for special events and temporary outdoor sales (involving the use of any temporary outdoor structures or equipment – tents, tables, etc.). This deposit is refundable when the site is cleared.

A Liability Insurance Certificate naming the City as an additional insured in the amount of \$1,000,000 is required for special events or temporary outdoor sales as determined by the City. The attached Indemnification Agreement is required for Special Events as determined by the City.

Temporary Outdoor Sales: (Sales event held on the same property as the business and accessory to the use of the business) are limited to 14 consecutive days and a total of 28 days in any 12 month period.

NOTE: A COMPLETE AND DETAILED SITE PLAN/SITE MAP OF THE PROPERTY SHOWING THE EVENT AREA IS REQUIRED. PLAN MUST SHOW LOCATIONS OF SIGNS, TENTS OR ANY STRUCTURES, AMUSEMENT RIDES, FOOD SERVICES, PARKING AREA, THE LOCATION OF EXISTING BUILDINGS, ETC. REQUEST WILL NOT BE REVIEWED UNTIL THIS PLAN IS RECEIVED. IF A TENT IS TO BE ERECTED, SPECIFICATIONS ARE REQUIRED - SEE page 2)

APPLICANT'S NAME: (If partnership or corporation, please include all names & residential address of officers on separate sheet) Farmington Community Library - Jillian Baker APPLICANT' S RESIDENTIAL ADDRESS: 32737 West 12 Mile Road, Farmington Hills, MI 48334 CITY ZIP 248-858-4302 APPLICANT'S PHONE: Office: Cell: RELATION OF APPLICANT TO BUSINESS/EVENT: Owner Manager Representative Other NON-PROFIT IS ORGANIZATION A FOR PROFIT OR NON PROFIT BUSINESS: PROFIT ADDRESS OF THE PROPERTY AT WHICH THE EVENT WILL BE CONDUCTED: 32737 West 12 Mile Road, Farmington Hills, MI 48334 DOES APPLICANT OWN OR OCCUPY THE PROPERTY AT WHICH THE EVENT IS TO BE HELD? NO IF NO, WRITTEN CONSENT FROM THE PROPERTY OWNER FOR THE EVENT IS REQUIRED WITHIN SEVEN(7) DAYS OF THE DATE OF SUBMISSION OF APPLICATION TO THE CITY AND TO ALL OTHER TENANTS ON THE PROPERTY OF THE PROPOSED EVENT. PLEASE ATTACH. GIVE A DETAILED DESCRIPTION OF THE EVENT PROPOSED: Annual Asian American and Pacific Islander Fest, There will be games, activities and cultural performances which will take place inside the Library. Outside the Library, in the parking lot, we will have tents with food vendors. DATE OF THE EVENT: 05/03/2025 ___ TIME OF YOUR EVENT:_ 12:00 p.m. - 4:00 p.m. NOTE: Special events/temporary outdoor sales are permitted by ordinance ONLY between 9am and 10pm IS THE EVENT OPEN TO THE GENERAL PUBLIC? X YES WILL ANY GOODS OR MERCHANDISE BE OFFERED FOR SALE TO THOSE ATTENDING: × YES MAXIMUM NUMBER OF PEOPLE PROPOSED TO ATTEND OR PARTICIPATE EACH DAY: 500

HAS THE APPLICANT, PARTNERS, OFFICERS OR DIRECTORS EVER BEEN CONVICTED OF A FELONY?
YES NO IF YES, ON SEPARATE SHEET PROVIDE DESCRIPTION OF CONVICTION – INCLUDING WHAT FOR, DATE OF INCIDENT, DATE OF CONVICTION, ETC.
PERMANENT STRUCTURES ARE NOT ALLOWED TO BE ERECTED. DO YOU PLAN ANY TEMPORARY STRUCTURES (TENT, TRAILER, STAGE, ETC)? YES NO IF YES, PLEASE DESCRIBE WHAT THOSE ARE AND INCLUDE ON MAP: 10 x 10 tents on the
IF A TENT IS PROPOSED, INDICATE THE SIZE AND NAME AND ADDRESS OF THE COMPANY PROVIDING THE TENT; 3 10x10 tents. One owned by Chi Fan Le - 27733 John R Rd., Madison Heights, MI 48071. Two owned by the Farmington Community Library.
NOTE: A certificate of Flame Resistance for the Tent must be provided 10 days prior to the date of event/sales.
IF THE REQUEST IS TO HOLD A BLOCK PARTY, ARE YOU REQUESTING TO CLOSE ANY ROADS FOR THE EVENT? YES YES YES YES YES YES YES YE
WILL ELECTRICAL EQUIPMENT BE USED FOR THIS EVENT? IF YES, DESCRIBE IN DETAIL WHAT TYPE OF ELECTRICAL EQUIPMENT WILL BE USED. CONTACT BUILDING DEPARTMENT at 248.871-2450 TO DETERMINE IF A PERMIT IS REQUIRED.
We will be running an extension cord from the building's southeast atrium to the outside of the building to provide power for the food vendors.
IS ANY SIGNAGE PROPOSED?YESXNO IF YES, NOTE SIZE AND LOCATIONS OF ANY SIGNS PROPOSED ON THE PLAN PROVIDED WITH THIS APPLICATION.
IS THE EVENT FOR PROFIT? NON- PROFIT
IS THIS EVENT TO TAKE PLACE IN A CITY OWNED PARK YES NO
IF YES, HAVE YOU RECEIVED AND AGREE TO ABIDE BY THE CITY'S PARKS AND RECREATION RULES AND REGULATIONS?YESNO ANY DEVIATIONS REQUESTED?
111-1
// Applicant's Signature
DATE: 3/11/2025 Sillian Baker
Printed Name of Applicant
Note: Section 22-119 of the City Code stipulates that other permits and/or inspections <u>MAY</u> be required along with permission to conduct the special event. This could be for health facilities (food), electric services, fire issues, or a certificate of use from the city's Building Department
FOR OFFICE USE ONLY: Application and fee APPROVALS: Police
✓ Application and fee ✓ Police
✓ Complete Site Plan/Map ✓ Fire ✓ Planning/Bld/Zoning
✓ Complete Site Plan/Map ✓ Fire ✓ Planning/Bld/Zoning ✓ Engineering
Complete Site Plan/Map V Fire Planning/Bld/Zoning Engineering IF APPLICABLE: V Fire V Planning/Bld/Zoning Engineering
Complete Site Plan/Map Fire Planning/Bld/Zoning Engineering IF APPLICABLE: Indemnification Agreement (Special Events) Very Clean Up Deposit (if required by city)
Complete Site Plan/Map Fire Planning/Bld/Zoning Engineering IF APPLICABLE: Indemnification Agreement (Special Events) Indemnification Agreement (Special Events) Indemnification College of Flame Resistance In Tent Co. Information (see above)
Complete Site Plan/Map Fire Planning/Bld/Zoning Fing IF APPLICABLE: Indemnification Agreement (Special Events) Indemnification Agreement (Special Events

Annual AAPI Fest Map

10 x 10 Tent locations

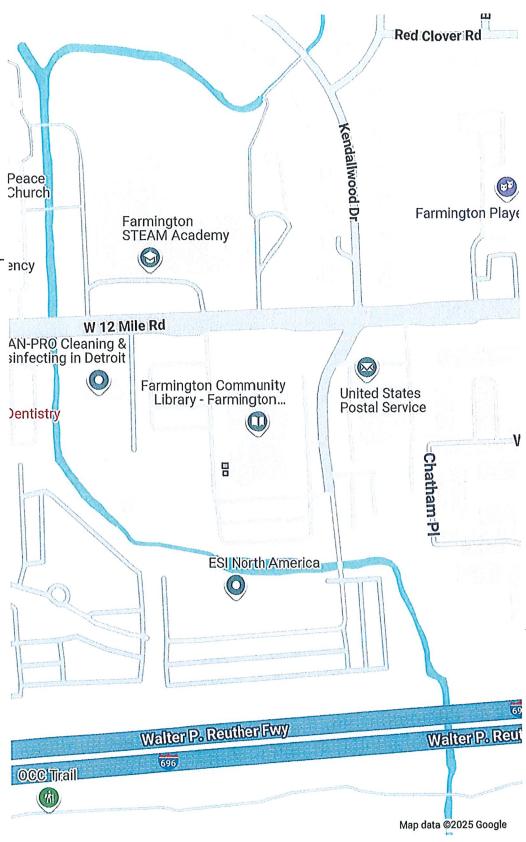
Tent #1

D

Tent #2

D

This event will take place on Saturday, May 3, 2025 from 12-ancy 4pm. It will feature \mathcal{T}_{ω} of food vendors who will be in 10x10 tents on the south $\mathcal{W}_{\varepsilon}$ side of the building. The tents will be on the grassy area on the side of the building. They will not impede sidewalk traffic. We will not need to block or redirect parking lot traffic.





CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

DATE: 04/28/2025

DEPT: Special Services

RE: AUTHORIZATION OF WEBB HUMAN PERFORMANCE SYSTEMS (WHPS)
CONCESSION AGREEMENT WITH THE CITY OF FARMINGTON HILLS DEPARTMENT OF
SPECIAL SERVICES

ADMINISTRATIVE SUMMARY

- The Department of Special Services will expand the program offerings at the Farmington Hills Ice Arena through a concession agreement with WHPS.
- WHPS is an organization that will create, coordinate, promote, and operate programs and services for the instruction, training and wellness to groups and individuals within a sport specific training environment at the Farmington Hills Ice Arena.
- WHPS will utilize 1,160 square feet of space in the Farmington Hills Ice Arena's second floor to provide Concession Services.
- WHPS will provide all the following relative to Concession Services:
 - Internet
 - Phone
 - Transaction costs
 - Program costs (labor, materials, equipment)
 - Application costs (web and onsite)
 - Management costs
 - Additional Marketing costs
- This is a two-year agreement, with the option to extend it for two additional one-year terms, which has been reviewed by the City Attorney. WHPS will pay a monthly concession payment in the amount of \$1,933 each month from the commencement date through May 31, 2027, for an annual total of \$23,196 (June 2025 May 2026), \$23,196 (June 2026 May 2027), and \$23,196 (\$1,933/month) for each additional one-year term.

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to approve the Concession Agreement with Webb Human Performance Systems (WHPS).

Prepared by: Bryan Farmer, Deputy Director of Special Services Reviewed by: Michelle Aranowski, Director of Central Services Reviewed by: Ellen Schnackel, Director of Special Services

Approved by: Gary Mekjian, City Manager

CONCESSION AGREEMENT

THIS CONCESSION AGREEMENT (referred to hereinafter as the "Agreement"), dated June 1, 2025, is by and between Webb Human Performance Systems, LLC, whose address is 24720 Ross Dr., Redford, Mi., 48239 (referred to hereinafter as "WHPS") and the City of Farmington Hills ("City"), a Michigan municipal corporation, whose address is 31555 W. Eleven Mile Road, Farmington Hills, MI 48336.

RECITALS:

- **WHEREAS**, City owns and operates the Farmington Hills Ice Arena, located at 35500 West Eight Mile Road, Farmington Hills, Michigan 48335 (the "Ice Arena"); and
- **WHEREAS**, in order to enhance the welfare, accommodation, convenience and recreational opportunities and enjoyment received by the general public, City desires to add a sports performance training facility to the Ice Arena; and
- **WHEREAS**, WHPS provides sports performance training services, including creating, coordinating, promoting and operating programs and services for the instruction, training and wellness to groups and individuals within a sport specific training environment; and
- **WHEREAS**, WHPS desires to occupy and utilize an available 1,160 square feet area of the second floor of the Ice Arena as identified on Attachment A (the "Concession Premises"), for what will be a sports performance training facility; and
- **WHEREAS**, City is willing to renovate and retrofit the Concession Premises, at the sole cost and expense of WHPS for such purposes; and
- **WHEREAS**, City and WHPS desire to enter into this Agreement under which WHPS will provide sports performance training, events and services for groups, teams and individuals within the Concession Premises at the Ice Arena as further described in and according to the terms and conditions of this Agreement.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1.0 <u>CONCESSION</u>.

- 1.01. <u>Grant of Concession License</u>. Subject to the terms and conditions of this Agreement, City hereby grants to WHPS the right and license to provide and perform the Concession Services described below in the areas of the Ice Arena described below as the Concession Premises. WHPS hereby agrees to provide and perform the Concession Services at the Ice Arena in accordance with the terms and conditions contained in this Agreement.
- 1.02. <u>Concession Premises, Equipment and Inventory Provided by City</u>. Subject to the terms and conditions of this Agreement, WHPS shall have the permission and right to use the Concession Premises identified on Attachment A for purposes of providing the Concession Services. Prior to the Commencement Date, City shall renovate and retrofit the Concession Premises, including without limitation repairs and demolition and removal of debris, as mutually

agreed upon by WHPS and City, at WHPS's sole cost and expense. Prior to executing this Agreement, WHPS has inspected the Concession Premises described herein and found it to be acceptable (subject to the above-described renovations and retrofitting) in its "AS IS" condition. WHPS shall be responsible, at its own expense, for providing and installing all painting, equipment, furniture, supplies and removable flooring (only non-adhering tile, rubber and/or turf) necessary for WHPS's use in the provision of Concession Services on the Concession Premises. WHPS shall be responsible, at its expense, for all necessary maintenance, repairs and replacement of all equipment, furniture, flooring, and supplies on the Concession Premises. The concession rights do not include the use of any space or facility in any other areas of the Ice Arena or elsewhere in the City of Farmington Hills, except as specifically permitted in this Agreement or unless specifically approved or directed by authorized representatives of City in writing.

1.03. <u>Concession Services.</u> For purposes of this Agreement, "Concession Services" shall mean and include the offering, provision, managing, undertaking and operation of the programs, events and other activities on the Concession Premises at the Ice Arena described in Attachment B for the public.

2.0 <u>COMMENCEMENT AND DURATION</u>.

- 2.01. <u>Commencement Date</u>. This Agreement shall become effective on the first (1st) day of June, 2025 (the "Commencement Date").
- 2.02. <u>Expiration and Extensions</u>. This Agreement shall expire on May 31, 2026; provided, however, WHPS may extend this Agreement for one (1) additional one (1) year term, by sending, no less than six (6) months prior to the end of the initial term and any additional terms, a written notice to City stating its agreement to extend for an additional one (1) year term. The term of any additional term shall run from June 1 through May 31 of the subsequent year.
- 2.03. Termination. WHPS shall have the right to terminate this Agreement by written notice upon a material breach by City, which written notice shall identify the material breach and provide City thirty (30) days to cure the breach and state a date no more than thirty (30) days after the aforementioned thirty (30) day cure period on which the termination shall become effective if City fails to cure and by which WHPS shall discontinue its use and vacate the Concession Premises. City shall have the right to terminate this Agreement by written notice upon a material breach by WHPS that has not been cured in accordance with this Agreement, which written notice of termination shall require WHPS to discontinue its use and vacate the Concession Premises no less than thirty (30) days after the date of the notice. Either Party shall have the right to terminate this Agreement at any time without cause, provided such termination shall be effective upon at least (6) months advance written notice to the other Party and WHPS shall discontinue its use and vacate the Concession Premises no later than the effective date of such notice. If WHPS terminates this Agreement without cause prior to paying the full amount of an Annual Concession Payment Amount described in Section 3.02(C) of this Agreement, prior to the effective date of the termination WHPS shall pay to City the remaining balance of the Annual Concession Payment Amount.

3.0 CONSIDERATION AND METHOD OF PAYMENT.

- 3.01. <u>Consideration to WHPS</u>. In consideration for performing and providing the Concession Services in accordance with this Agreement and the consideration under 3.02, City agrees to do and comply with the following:
- (a) Grants the concession and the other promises, rights and privileges set forth in this Agreement to WHPS.
- (b) Agrees to, in coordination with WHPS, advertise certain Concession Services, with such advertising to be determined and mutually agreed upon on an ongoing basis. Such advertising shall be distributed to Ice Arena hockey teams and figure skaters, and on facility signage, in accordance with 4.06, below. It is agreed that some of the advertising will need to be determined prior to the Commencement Date for the efforts relating to the intended soft launch of certain Concession Services immediately after the Commencement Date. All signage costs and expenses for the Concession Services, will be the responsibility of WHPS to purchase and replace as needed, with approval of size, look, and placement by City.
- 3.02. <u>Consideration to City</u>. In consideration for the rights and privileges granted to WHPS under this Agreement, WHPS agrees to do and comply with the following:
- (a) WHPS shall perform and provide the Concession Services in accordance with this Agreement and otherwise comply with this Agreement.
- (b) WHPS agrees to promote and market its events and offerings via WHPS mailings, web, social channels, and in facility signage (if permitted and approved by City).
- (c) WHPS shall pay to City an annual amount as set forth on Attachment C (referred to hereinafter as the "Annual Concession Payment Amount") each year. Each year, the Annual Concession Payment Amount shall be broken down into twelve (12) equal monthly installment payments of \$1,933.00, which shall be paid on or before the first (1st) day of each month. The first monthly installment payment shall be paid on or before the Commencement Date. With respect to the monthly payments under this Section 3.02(C), it is agreed that WHPS shall not be in material default of this Agreement unless a monthly installment payment has not been paid to City on or before the tenth (10th) day of each month. If WHPS terminates this Agreement prior to paying the full amount of an Annual Concession Payment Amount, prior to the effective date of the termination WHPS shall pay to City the remaining balance of the Annual Concession Payment Amount.
- (d) Upon completion, City shall provide WHPS an invoice stating the costs and expenses incurred by City for the renovation and retrofitting of the Concession Premises described in Section 1.02 of this Agreement, and WHPS shall pay such costs and expenses within thirty (30) days of the date of such invoice.

4.0 GENERAL TERMS AND CONDITIONS.

4.01 <u>Utility Services</u>. Service facilities and outlets for utilities provided by City are limited to those existing on the Concession Premises at the Commencement Date. Any updating, modification or addition of service facilities and outlets for utilities shall be at the sole cost and expense of WHPS, must be approved in advance and in writing by City, and must be made in

compliance with the pertinent provisions of the applicable building codes, ordinances, laws, and regulations.

- 4.02. <u>Insurance</u>. WHPS shall, at its own cost and expense, maintain the insurance policy coverages and provisions described in Attachment D in full force and effect at all times for the duration of this Agreement. WHPS shall provide City with proof of said insurance, in a form satisfactory to City, prior to the Commencement Date, and at any time City requests such proof thereafter.
- 4.03. <u>Indemnity.</u> To the fullest extent permitted by law, WHPS agrees to defend, pay on behalf of, indemnify, and hold harmless City, with respect to any and all claims, demands, suits, or loss, including all costs and attorney fees connected therewith, and for any damages which may be asserted, claimed, or recovered against or from City, by reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof, which arises out of WHPS's use or occupancy of the Concession Premises, undertaking of the Concession Services, or the actions or inactions of WHPS or WHPS's agents, officers, members, directors, managers, volunteers, contractors and/or employees. For purposes of this Section, the term "City" shall be deemed to include the City of Farmington Hills, and its elected officials, appointed officials, officers, directors, board members, council members, authorities, boards, committees, commissions, employees, managers, departments, divisions, volunteers, agents, attorneys, representatives, consultants, and/or any such persons' successors or predecessors (whether such persons act or acted in their personal, representative, or official capacities), and/or any persons acting by, through, under, or in concert with any of them.
- 4.04 <u>Meetings and Community Outreach</u>. The Parties agree to meet, upon request, to review the Concession Services, the condition of the Concession Premises, and performance of this Agreement. It is the intention of both Parties to use their best efforts to collaborate on community outreach projects for the mutual benefit of the Parties. The Parties agree to meet at least annually to strategize community activities and to review such activities to improve and expand them, as appropriate.
- 4.05 <u>Communications and Coordination</u>. City hereby designates the Director of the Special Services Department or her designee as its liaison and WHPS designates its General Manager or his designee as its liaison for purposes of all communications between the Parties relative to the day-to-day operations of the Concession Premises, Concession Services, and the Ice Arena. WHPS shall cooperate and coordinate with City with respect to the overall operation of the Ice Arena and any and all events and activities at the Ice Arena.
- 4.06 <u>Name</u>; <u>Signage</u>; <u>Advertising</u>. Any name, signage or advertising of WHPS inside the Ice Arena, including without limitation the Concession Premises and signage proposed under Exhibit B, shall be subject to the prior discretionary approval of City. There shall be no signage or advertising of WHPS on the exterior of the Ice Arena or on the exterior grounds of the Ice Arena.

4.07 Personnel.

(a) To ensure proper performance of the Concession Services, WHPS warrants that all WHPS personnel (paid and volunteer personnel) and contractors (including contractors'

employees) assigned to perform the Concession Services (all of whom are referred to herein as the "Employees") are and shall be fully trained and qualified to perform such Services.

- (b) WHPS shall be responsible for the hiring, management, benefits (if any) and remuneration of all Employees. WHPS shall provide the necessary Employees to operate the Concession Services in a safe, efficient and thorough manner, and all such Employees shall be the employees, volunteers or contractors of WHPS, and not City. WHPS shall be responsible for hiring its own employees, contractors and volunteers to perform the Concession Services (as needed) and shall comply with all state and federal laws and regulations relating to employment.
- (c) On an annual basis, WHPS shall perform thorough criminal background checks on all Employees prior to any Employee's entry onto or into the Ice Arena grounds or facilities and prior to any interaction of any kind by Employees with any member of the public at the Ice Arena or relating to any WHPS programs, events or other activities at the Ice Arena. WHPS shall not allow Employees who have had a criminal conviction (other than convictions for criminal offenses related to the operation of a motor vehicle) to enter onto or into the Ice Arena grounds or facilities or to interact with any member of the public at the Ice Arena or relating to any WHPS programs, events or other activities at the Ice Arena, without the express written approval of the Special Services Department Director. To the extent allowed by law, City will not disclose to private third parties the criminal background information obtained pursuant to this section unless required by law or subpoena.
- (d) Upon request, WHPS will provide City with a list of all current Employees who will be at the Ice Arena at any time, including name, address, and driver's license number. City reserves the right, but does not have any obligation or duty, to do background checks on any such Employee. To the extent allowed by law, City will not disclose to private third parties the personal address and driver's license information obtained pursuant to this section unless required by law or subpoena.
- (e) City reserves the right to request that WHPS remove any of WHPS's Employees from the Ice Arena for reasonable cause. Such causes shall include, but are not limited to, the following:
 - 1. Engaging in loud, boisterous and unprofessional conduct.
 - 2. Unauthorized use, disposition and/or misappropriation of City and/or personal property.
 - 3. Engaging in unlawful and unauthorized acts.
 - 4. Misrepresentation of facts.
 - 5. Failure to meet acceptable standards of personal conduct, cleanliness, neatness, bearing or demeanor.

4.08 Specifications, Standards and Conduct.

(a) WHPS shall be responsible for emptying the wastebaskets and vacuuming the carpets, if any, in the Concession Premises. WHPS shall be responsible for the cleaning of the equipment, tables, flooring, furniture and fixtures that are located in the areas of the Concession Premises or other areas it is using.

- (b) WHPS shall permit no nuisance to accompany its operations in connection with this Agreement and shall promptly abate the same upon notification thereof.
- (c) City shall have the right to enter and inspect the Concession Premises at any time, and to impose reasonable regulations or requirements to ensure proper care, maintenance and upkeep, as reasonably determined by City.
- 4.09 <u>Complaints</u>. WHPS shall respond to all consumer complaints relative to WHPS's Employees, WHPS's uses of the Concession Premises or WHPS's Concession Services, and shall forward copies of all written complaints and the responses thereto to the City Manager and City's designated liaison under Section 4.05 within (10) days after receipt of the original complaint.
- 4.10 <u>Hours of Operation</u>. WHPS shall have access to the Concession Premises during the hours of operation of the Ice Arena established from time to time by City in its discretion. WHPS may be permitted access outside the normal hours of operation if requested in advance and approved by the Special Services Department Director or her designee in her sole discretion.
- 4.11 <u>Improvements and Installations</u>. Unless otherwise agreed by the Parties in writing, any changes and improvements made, and any installations and fixtures added, by WHPS to the Concession Premises shall be at WHPS's sole expense and shall become City's property upon completion. WHPS shall make no improvements or installations in or to the Concession Premises, or any other area of the Ice Arena, without the prior written consent of City, and WHPS shall not demolish, destroy, damage or alter the whole or any part of the Concession Premises.
- 4.12 <u>Destruction of Premises</u>. In the event of the partial or complete destruction of the Concession Premises, WHPS assumes all of the risk of loss. If WHPS is not responsible for the Concession Premises' destruction and the destruction is such that WHPS is not able to perform its Concession Services, then the Concession Consideration set forth in Section 3.02 shall abate until such time as the Concession Premises are restored, at the expense of City or its insurance provider.
- 4.13 <u>Compliance with Applicable Laws.</u> WHPS shall comply with all applicable federal, state and city laws, codes, ordinances and regulations, and all applicable City policies, as now exist or may hereafter be adopted, and shall take any additional actions considered by City to be reasonably necessary to the protection of the health, safety and well-being of the public.
- 4.14 <u>Non-discrimination in Services</u>. WHPS agrees that the Concession Premises and Concession Services shall be equally available to all members of the public, and WHPS shall not discriminate in connection with the Concession Services based in whole or in part on the race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, source of income, family status, sexual orientation or gender identity of another person, that person's relatives, or that person's associates, unless such discrimination is allowed under federal, state or City laws or ordinances.
- 4.15 <u>Non-discrimination in Employment</u>. WHPS agrees that it will not discriminate against any employee, volunteer or applicant for employment based in whole or in part on the race, color, religion, national origin, sex, age, height, weight, condition of pregnancy, marital status, physical or mental limitation, source of income, family status, sexual orientation or gender identity

of another person, that person's relatives, or that person's associates, unless such discrimination is allowed under federal, state or City laws or ordinances.

- 4.16 <u>Assignment</u>. WHPS shall not assign this Agreement in whole or in part without the prior written approval of City.
- 4.17 <u>Subcontracting</u>. WHPS shall not enter into any subcontract of any nature, formal or informal, concerning the Concession Premises or Concession Services with any individual, partnership, company or corporation without prior approval of City; it being understood that the only activities that WHPS may conduct on, upon or from the Concession Premises and the Ice Arena are as authorized under the terms of this Agreement.
- 4.18 <u>Encumbrances</u>. WHPS shall not lease, hypothecate or mortgage the whole or any part of the Ice Arena or the Concession Premises, nor assign or encumber directly or indirectly any interest whatsoever in the Concession Premises or City's personal property and shall not transfer any interest or rights in the same (whether by assignment or other contract).
- 4.19 <u>Material Breach</u>. Failure to comply with any of WHPS's obligations set forth above in Sections 1.0, 2.0, 3.0 or 4.0 shall constitute a material breach of this Agreement. In the event of a material breach of this Agreement, WHPS shall have a period of thirty (30) days after the date of written notice from City to cure the breach in a manner set forth in the notice or otherwise satisfactory to City.

5.0. MISCELLANEOUS TERMS AND CONDITIONS.

Notices. All notices, demands, requests or replies provided for or permitted by this Agreement shall be in writing and shall be delivered by any one of the following methods: (1) personal delivery with receipt acknowledged in writing; (2) by deposit with the United States Postal Service as certified or registered mail, return receipt requested, postage prepaid to the addresses stated below; or (3) by deposit with an overnight express delivery service addressed to the party's address stated below with receipt acknowledged in writing. Notice by personal delivery shall be deemed effective at the time of personal delivery. Notice deposited with the United States Postal Service in the manner described above shall be deemed effective two (2) business days after deposit with the Postal Service. Overnight express delivery service shall be deemed effective one (1) business day after deposit with the overnight express delivery service. Notice also may be given by means of email; provided, however, that in order for an email notice to be deemed effective, the party giving notice by email shall provide a "hard copy" of the emailed notice thereafter to the other party pursuant to one of the three methods of "hard copy" delivery specified in this Paragraph. Unless specifically indicated otherwise in this Agreement, all notices, demands, requests or replies shall be addressed to the respective parties as follows:

City: City of Farmington Hills
Attn: City Manager
31555 West 11 Mile Road
Farmington Hills, MI 48336

WHPS: Webb Human Performance Systems Attn: Brandon Webb 24720 Ross Drive Redford, MI 48239 Each party shall have the right to designate a different address within the State of Michigan by the giving of notice to the other party in conformity with this Section.

- 5.02 <u>Recitals and Attachments</u>. The Recitals above and the several Attachments hereto are incorporated herein by reference and expressly made an integral and component part of this Agreement for all purposes and shall be binding upon both parties. References to any Attachment in this Agreement shall be deemed to include this reference and incorporation.
- 5.03 <u>City Approval</u>. Any provision of this Agreement indicating that the consent or approval of City is necessary may be satisfied by the written and signed approval of the City Manager as the officer authorized to administer this Agreement on behalf of City or the City Manager's designee, unless specifically stated otherwise in said provision or unless the City Manager, in his discretion, desires to submit the matter to the City Council for approval.
- 5.04 <u>Parties and Party Defined</u>. For purposes of this Agreement, the term "Parties" shall mean and include both WHPS and City, and the term "Party" shall mean and include either WHPS or City.
- 5.05 <u>Independent Contractor</u>. The relationship of WHPS to City is and shall continue to be that of an independent contractor and no liability or benefits, such as worker's compensation, pension rights or liabilities, insurance rights or liabilities, or other provisions or liabilities arising out of or related to a contract for hire or employer/employee relationship with respect to City shall exist or arise out of this Agreement or the performance of this Agreement. City shall not be responsible for the wages, salaries or benefits of any employee or representative of WHPS, nor for any debt, liabilities or other obligations of WHPS. This Agreement does not authorize or establish either party as the agent or representative of the other party for any reason whatsoever, and neither party shall have the right, power or authority to obligate or bind the other in any manner whatsoever, except as otherwise agreed to in writing.
- 5.06 No Tenant. WHPS shall not by virtue of this Agreement be deemed to have become the tenant of City or the Concession Premises, nor to have been given or accorded, as against City, possession of the Concession Premises. Upon any termination of this Agreement, City shall have the right through such means as it sees fit to remove and exclude therefrom WHPS and any of WHPS's employees, without being deemed guilty of or liable or responsible for, any unlawful entry, trespass or injury of any sort whatsoever.
- 5.07 <u>Nonwaiver</u>. Unless otherwise expressly provided herein, no waiver by any Party of any provision hereof shall be deemed to have been made unless expressed in writing and signed by the waiving Party. No delay or omission in the exercise of any right or remedy accruing to any Party upon any breach under this Agreement by the other Party shall impair such right or remedy or be construed as a waiver of any such breach theretofore or thereafter occurring. The waiver by either Party of any breach of any term, covenant or condition herein stated shall not be deemed to be a waiver of any other term, covenant or condition. All rights or remedies afforded to the parties hereunder or by law shall be cumulative and not alternative, and the exercise of one right or remedy shall not bar other rights or remedies allowed herein or by law.

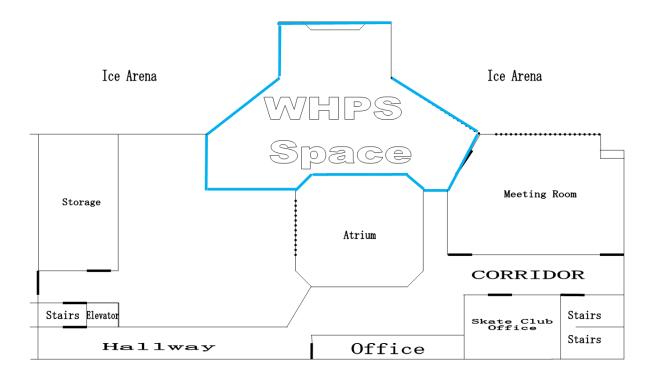
- 5.08 <u>Governmental Immunity</u>. It is declared that the actions of City under this Agreement are a governmental function. It is the intention of the Parties hereto that this Agreement shall not, in any manner, be construed to waive the defense of governmental immunity, which City possessed prior to the execution of this Agreement and which City may hereafter acquire.
- 5.09 <u>Entire Agreement</u>. This Agreement contains the entire agreement among the Parties pertaining to the subject matter hereof and all prior negotiations and agreements are merged herein. Neither Party has made any representations except those expressly set forth herein, and no rights or remedies are or shall be acquired by WHPS or City by implication or otherwise unless expressly set forth herein.
- 5.10 <u>Waiver of Default</u>. Any waiver by City or WHPS of any default or breach of this Agreement shall not be construed to be a continuing waiver of said default or breach, or as a waiver or permission, express or implied, of any other or subsequent default or breach.
- 5.11 <u>Force Majeure</u>. Neither City nor WHPS shall be responsible to the other for damages, loss, injury, or delay caused by conditions that are beyond the reasonable control, and without the intentional misconduct or negligence, of that Party. Such conditions include, but are not limited to, acts of God, acts of other government agencies, strikes, labor union disputes, fire, explosions or other casualties, thefts, vandalism, riots or war, and acts of terrorism.
- 5.12 <u>Governing Law; Jurisdiction</u>. This Agreement is governed by, subject to, and construed according to the laws of the State of Michigan. Any action relating to the validity, construction, interpretation and enforcement of this Agreement shall be filed with jurisdiction and venue stipulated as being in Oakland County, Michigan.
- 5.13 <u>Successors and Assigns</u>. This Agreement shall be binding upon and inure to the benefit of City and WHPS, and their respective successors and assigns.
- 5.14 <u>No Third-Party Beneficiaries</u>. This Agreement is not intended to confer any benefit on any person or entity that is not a party to this Agreement.
- 5.15 <u>Severability</u>. If any section, subsection, clause, phrase or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be considered a separate, distinct and independent portion of this Agreement, and the remaining portions of this Agreement shall remain in full force and effect.
- 5.16 <u>Headings; Plural/Singular; Gender</u>. The headings contained in this Agreement are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement. As used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
- 5.17 <u>Amendments</u>. This Agreement may be amended at any time, in writing, by mutual consent of the Parties. No amendment to this Agreement shall be effective and binding upon the Parties unless it expressly makes reference to this Agreement, is in writing, and is signed and acknowledged by duly authorized representatives of both parties and approved by the City Council.

5.18 <u>Authority</u>. Each of the named parties to this Agreement have been duly authorized by its respective governing body to enter into this Agreement.

IN WITNESS WHEREOF, City and WHPS, by and through their duly authorized officers and representatives, have executed this Agreement as of the date first above written.

WITNESS:	WEBB HUMAN PERFORMANCE SYSTEMS BY: Brandon Webb, Owner/Operator	
ATTESTED:	CITY OF FARMINGTON HILLS, A Michigan municipal corporation	
BY:Carly Lindahl, City Clerk	BY: Gary Mekjian, City Manager	

ATTACHMENT A CONCESSION PREMISES



ATTACHMENT B CONCESSION SERVICES

WHPS will make available and provide sports performance training services to the public in the Concession Premises at the Ice Arena, including the creation, coordination, promotion, and operation of sports performance training, instruction and wellness programs and services to individuals and teams participating in programs at the Ice Arena and outside clientele seeking the services provided.

WHPS will provide all of the following relative to the Concession Services:

- Internet
- Phone
- Installation
- Transaction costs
- Program costs (labor, materials)
- Application costs (web and onsite)
- Management costs
- Additional Marketing costs

WHPS Building Protocol Etiquette and Impacts

- The primary pathway of entrance to the Concession Premises will be through the A-Arena lobby stairwell to the second floor. The center entrance area door will be designated as the primary entrance for teams and clients of WHPS. Other entrance points to the second floor will be for staff and Arena employees as needed for purposes of the operation of the Ice Arena.
- Proper signage will be provided by WHPS and approved by City, in accordance with this Agreement, to be placed within specific areas of the Ice Arena identifying designated pathway to the Concession Premises entrance, by hanging signs and wall signage professionally designed and produced.
- Exiting and entering the Concession Premises must be kept to a minimum for all clients and teams using the Concession Premises. No congregating or unnecessary foot traffic will be allowed in the upstairs hallway areas, second floor rooms, and the Ice Arena lobbies. Use of the public restroom facilities on the first floor is not a part of this policy. Public restrooms are at full access for WHPS clients and teams.
- Any music, videos or manufactured sound will need to be kept to an equitable level within the Concession Premises as a courtesy to other Ice Arena clients/tenants.
- Specific impact dates that the building is closed, or will have pre-scheduled events, will be communicated to WHPS for any adjustment to scheduling and/or closure of the Ice Arena for that date or time. Any alternative activity on these dates must be pre-discussed and determined with WHPS and the Ice Arena Manager.

ATTACHMENT C ANNUAL CONCESSION PAYMENT AMOUNTS

2025-26 Concession Payment = \$1,933.00/month 2025-26 (June 1, 2025 – May 31, 2026) Annual Concession Payment = \$23,196.00

Contract Extension-1-Year Term 2026-27 Concession Payment = \$1,933.00/month 2026-27 (June 1, 2026 – May 31, 2027) Annual Concession Payment = \$23,196.00

ATTACHMENT D INSURANCE REQUIREMENTS

- (A) **Workers' Compensation Insurance** WHPS shall procure and maintain, during the life of this Agreement, Worker's Compensation Insurance, including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- (B) General Liability WHPS shall procure and maintain, during the life of this Agreement, Commercial General Liability Insurance on an "Occurrence Basis" with limits no less than \$3,000,000.00 per occurrence and aggregate. Coverage shall include all of the following extensions (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractor Coverage; and (D) Broad Form General Liability Extensions or equivalent, if not already included, with deletion of all Explosion, Collapse, and Underground (XCU) Exclusions (if applicable).
- (C) **Motor Vehicle Liability** WHPS shall procure & maintain, during the life of this Agreement, Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, with limits of liability not less than \$1,000,000.00 per occurrence combined single limit for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles and all hired vehicles.
- (D) **Umbrella Liability** -WHPS shall procure and maintain, during the life of this Agreement, Umbrella Liability Insurance with limits of liability not less than \$1,000,000.00 per occurrence and aggregate.
- (E) Additional Insured All insurance as described above shall include an endorsement stating the following shall be ADDITIONAL INSUREDS: The City of Farmington Hills, including all elected and appointed officials, all employees and volunteers of the City of Farmington Hills, all boards, commissions and/or authorities of the City of Farmington Hills, and their board members, employees and volunteers. It is understood and agreed by naming The City of Farmington Hills as additional insured, coverage afforded is considered primary and any other insurance City may have in effect shall be secondary and/or excess.
- (F) **Cancellation Notice** All Insurance listed above shall be endorsed "Thirty days advanced written notice of cancellation, reduction or material change will be provided."
- (G) **Proof of Insurance Coverage** An ACORD form outlining insurance coverage is required prior to the start of this Agreement. All documents will be forwarded to the City of Farmington Hills, 31555 Eleven Mile Road, Farmington Hills, MI 48336-1165



CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

DATE: 4/28/2025

DEPT: Finance

RE: Consider Adopting a Bond Authorizing Resolution to Sell Capital

Improvement Bonds to Finance Capital Improvements

ADMINISTRATIVE SUMMARY

- City Council previously adopted a Bond Authorizing Resolution to sell capital improvement bonds to finance Capital Improvement Fund Projects at its October 28, 2024 meeting.
- Adoption of that Resolution started a 45-day Notice of Intent period, wherein 10% or more of the electors of the City were allowed to file a petition to require a vote of the people to issue the bond.
- The 45-day period has expired, and no petition has been received. The City may now consider the attached Bond Authorizing Resolution, which if adopted by City Council, would enable the Administration to issue bonds at the most financially advantageous time. The timeline for the sale of the bonds is June, 2025.
- This resolution was drafted by our Bond Attorney Jeffrey Aronoff of Miller Canfield, LLC, and will finance up to \$8 million out of the City's nearly \$44 million of budgeted capital improvement projects, for a term not to exceed 20 years.
- If the bond authorizing resolution is adopted on April 28th, 2025, then the bond sale will occur in June, 2025.

RECOMMENDATION

 Adopt the Resolution (as prepared by Miller Canfield) authorizing the issuance of Capital Improvement Bonds, for the purpose of financing Capital Improvement Fund projects.



CITY MANAGER'S REPORT TO MAYOR AND COUNCIL

Prepared by: Department Approval: Executive Approval: Thomas C. Skrobola, Finance Director/Treasurer Thomas C. Skrobola, Finance Director/Treasurer

RESOLUTION AUTHORIZING 2025 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 April 28, 2025 at 7:30 p.m., prevailing Eastern Time.

PRESENT:	Members:	
ABSENT:	Members:	
	g preamble and resolution were offered by Memberer:	and

WHEREAS, the City does hereby determine that it is necessary to pay all or part of the cost to acquire, construct, furnish and equip capital improvements in the City, including a) drainage projects, b) fire equipment, and c) 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 Eight Million Dollars (\$8,000,000) 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. <u>Authorization of Bonds; Bond Terms</u>. Bonds of the City designated **2025 CAPITAL IMPROVEMENT BONDS** (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are hereby authorized to be issued in the aggregate principal sum of not to exceed Eight Million Dollars (\$8,000,000) 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/Treasurer (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.

The Bonds shall be sold at public sale at a price not less than 100% and not more than 120% 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 Huntington National Bank, Grand Rapids, Michigan, which is hereby selected to act as transfer agent for the bonds (the "Transfer Agent"), or at such other bank or trust company selected by an Authorized Officer prior to the publication of the notice of sale for the Bonds as the transfer agent for the bonds. 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. <u>Execution of Bonds.</u> 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. <u>Limited Tax Pledge</u>; <u>Debt Retirement Fund</u>; <u>Defeasance of Bonds</u>. 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 depositary account with a bank or trust company designated by the City Council, to be designated **2025 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 depositary account with a bank or trust company designated by the City Council, to be designated 2025 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

2025 CAPITAL IMPROVEMENT BOND (LIMITED TAX GENERAL OBLIGATION)

Date of Original Issue

CUSIP

%	May 1,		, 2	2025	
Registered Own	ner:				
Principal Amou	nt: D	ollars			
owe and for valithe Principal A specified above of a 360-day yellater date to whon 1, trust office of T may hereafter d payment date (t fifteenth (15th) City kept by th address. For principal of the payment of the payment of the payment date (the fifteenth (15th) City kept by the address.	ue received hereby mount specified al , unless prepaid prear consisting of twich interest has been , 20_ and semian. The Huntington Natesignate by notice the "Transfer Agent day of the monthme Transfer Agent	promises to pay to the bove, in lawful monitor thereto as hereinal welve 30-day months and until paid, and until paid, and mailed to the registent"). Interest on this preceding the interest by check or draft in this bond, both princest.	the Registered Over your the United after provided, was from the Date to the Interest Rate incipal of this be Rapids, Michigan ared owner not less bond is payable est payment date mailed to the reg	chigan (the "City"), ac wner specified above, of States of America, or ith interest thereon (co of Original Issue spece e per annum specified and is payable at the co on, or such other transfess than sixty (60) days to the registered owner as shown on the regist gistered owner of reco	or registered assigns on the Maturity Date imputed on the basis cified above or such above, first payable designated corporate for agent as the City prior to any interest of record as of the tration books of the ord at the registered
\$, issued for the put the provisions of	rpose of paying the c	ost of certain cap	nal Issue aggregating to bital improvements for 2001, as amended,	the City. This bond
Ronds (of this issue maturi	ng in the years 2026	to 2035 inclusiv	ve shall not be subject	to redemption prior

Bonds of this issue maturing in the years 2026 to 2035, 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 2036 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 May 1, 2035, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond redemption provisions, if necessary.]

Maturity Date

Interest Rate

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, 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 its name with the facsimile signatures of its Mayor and is 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			
(SEAL)	By Its Mayor			
	By			
	Its City Clerk			

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described herein.

	The Huntington National Bank Grand Rapids, Michigan	
	ByAuthorized Signatory	
Authentication Date:	, 2025	
	[Bond printer to insert form of assignment]	

7. <u>Notice of Sale</u> . 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 <i>The Bond Buyer</i> , 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 2025 CAPITAL IMPROVEMENT BONDS

(LIMITED TAX GENERAL OBLIGATION)

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

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. No change of the dated date will be allowed for the computation of the winning bid.

Bidders may choose either 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. Each bidder bears all risks associated with the submission, transmission and delivery of its bid.

<u>BOND DETAILS</u>: 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 [November 1, 2025] and semiannually thereafter.

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

2026	\$255,000	2036	\$395,000
2027	\$270,000	2037	\$415,000
2028	\$280,000	2038	\$435,000
2029	\$295,000	2039	\$455,000
2030	\$305,000	2040	\$470,000
2031	\$320,000	2041	\$490,000
2032	\$335,000	2042	\$510,000
2033	\$350,000	2043	\$530,000
2034	\$365,000	2044	\$555,000
2035	\$380,000	2045	\$590,000

*ADJUSTMENT OF TOTAL PAR AMOUNT OF BONDS AND PRINCIPAL MATURITIES: The City reserves the right to increase or 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 perbond underwriter's discount as calculated from the bid and initial reoffering prices.

<u>PRIOR REDEMPTION OF BONDS</u>: Bonds maturing in the years 2026 to 2035 inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2036 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 May 1, 2035, 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 May 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 5.50% 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. NO MATURITY OF THE BONDS MAY HAVE AN INITIAL OFFERING PRICE TO THE PUBLIC THAT IS LESS THAN 98.5% OF THE PAR AMOUNT OF THE MATURITY. No proposal for the purchase of less than all of the bonds or at a price less than 100% or more than 120% 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 The Huntington National Bank, Grand Rapids, Michigan, 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.

<u>PURPOSE AND SECURITY</u>: 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 [November 1, 2025] 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.

<u>TAX MATTERS</u>: 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.

<u>"QUALIFIED TAX-EXEMPT OBLIGATIONS"</u>: The City has designated the bonds as "qualified tax-exempt obligations" for purposes of the deduction of interest expense by financial institutions pursuant to the Internal Revenue Code of 1986, as amended.

ISSUE PRICE: 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 G-1 or Appendix G-2 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.

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:

- a. the City is disseminating this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- b. all bidders shall have an equal opportunity to bid;
- c. 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
- d. 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.

In the event that all of the Competitive Sale Requirements are not satisfied, the City shall so advise the winning bidder. The City will <u>not</u> 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 <u>not</u> 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-offering-price rule" or the 10% Test at or prior to the time the bonds are awarded.

If the winning bidder <u>does not</u> request that the "hold-the-offering-price rule" apply to determine the issue price of the bonds, then the following two paragraphs shall apply:

- a. 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
- b. 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 either (i) all bonds of that maturity have been sold or (ii) the 10% Test has been satisfied as to the bonds of that maturity, provided that, the winning bidder's reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the City or bond counsel.

If the winning bidder <u>does</u> request that the "hold-the-offering-price rule" apply to determine the issue price of the bonds, then the following three paragraphs shall apply:

- a. 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.
- b. 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.

c. 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 requirements for establishing issue price of the bonds, including, but not limited to, its agreement to comply with the hold-the-offeringprice rule, if applicable to the bonds, 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 requirements for establishing issue price of the bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the bonds, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the bonds to the public, the agreement of each brokerdealer that is a party to such agreement to comply with the requirements for establishing issue price of the bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the bonds, as set forth in the third-party 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 requirements for establishing issue price of the bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the bonds, 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 thirdparty distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the bonds.

By submitting a bid, each bidder confirms that:

any agreement among underwriters, any selling group agreement and each third-party distribution a. 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 thirdparty distribution agreement, as applicable, (A)(i) to report the prices at which it sells to the public the unsold bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all bonds of that maturity allocated to it have been sold or it is notified by the winning bidder that the 10% Test has been satisfied as to the bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the winning bidder, and (ii) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, (B) to promptly notify the winning bidder of any sales of bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public.

- b. any agreement among underwriters or selling group agreement 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 or dealer that is a party to a third-party 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 third-party distribution agreement to (i) report the prices at which it sells to the public the unsold bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all bonds of that maturity allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% Test has been satisfied as to the bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter, and (ii) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the winning bidder or the underwriter and as set forth in the related pricing wires.
- c. 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:

- a. "public" means any person other than an underwriter or a related party;
- b. "underwriter" means (A) 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 (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the bonds to the public);
- c. 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
- d. "sale date" means the date that the bonds are awarded by the City to the winning bidder.

<u>LEGAL OPINION</u>: 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.

<u>DELIVERY OF BONDS</u>: 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.

<u>CUSIP NUMBERS</u>: CUSIP identification numbers will be printed on the bonds at the option of the purchaser, 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 purchaser, and 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: An electronic copy of the 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 MUNICIPAL 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.

<u>CONTINUING DISCLOSURE</u>: 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 Commission, (i) on or prior to the sixth month after the end of each fiscal year commencing with the fiscal year ended June 30, 2025, 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.

<u>BIDDER CERTIFICATION: NOT "IRAN-LINKED BUSINESS"</u> 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.

<u>MUNICIPAL ADVISOR</u>: 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.

<u>ENVELOPES</u> containing the bids should be plainly marked "Proposal for 2025 Capital Improvements Bonds (Limited Tax General Obligation)."

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

Carly Lindahl City Clerk

- 8. <u>Useful Life of Projects</u>. The estimated period of usefulness of the Projects is hereby declared to be not less than twenty (20) years.
- 9. <u>Tax Covenant; Qualified Tax-Exempt Obligations</u>. 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 Code, including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds, and to prevent the Bonds from being or becoming "private activity bonds" as that term is used in Section 141 of the Code. The Bonds are designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.
- 10. 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.
- 11. <u>Continuing Disclosure</u>. 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.
- 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 five and one-half percent (5.5%), 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.
- 13. <u>Award of Sale of Bonds</u>. 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.
- 14. <u>Bond Counsel</u>. 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.
- 15. <u>Municipal Advisor</u>. PFM Financial Advisors LLC is retained as the registered municipal advisor to the City in connection with the issuance of the Bonds.

	scission. All resolutions and parts of resolutions insofar as they conflict with the resolution are hereby rescinded.
AYES:	Members:
NAYS:	Members:
RESOLUTION D	ECLARED ADOPTED.
	Carly Lindahl, City Clerk
Council of the Cheld on April 28 given pursuant to	ertify that the foregoing is a true and complete copy of a resolution adopted by the City of Farmington Hills, County of Oakland, State of Michigan, at a regular meeting 2025, and that said meeting was conducted and public notice of said meeting was and in full compliance with the Open Meetings Act, being Act 267, Public Acts of and that the minutes of said meeting were kept and will be or have been made available d Act.
	Carly Lindahl, City Clerk

43604750.5/027759.00027



DATE: 04/28/2025

DEPT: Special Services

RE: Consideration of Employment for Patricia Spain

ADMINISTRATIVE SUMMARY

- The Department of Special Services has followed all City policies and procedures in establishing an eligibility list of qualified candidates. This includes advertising in the local newspapers, posting on websites and on social media, distribution of job announcements at Farmington Public Schools and Oakland County Community College. A thorough investigation of the applicant's credentials and a personal interview were conducted. Providing applicants are equally qualified, residents receive preference for employment opportunities.
- Occasionally we have some difficulty finding qualified applicants for part-time
 positions because they may require certain qualifications or specialized
 training/certification and the work hours typically include nights and/or
 weekends. Therefore, in view of meeting the established criteria and being the
 most qualified applicant, the Department of Special Services respectfully
 requests the City Council's approval of Patricia Spain.

Name: Patricia Spain

Position Applied For: Cook

Number of Employees Needed in this Position: 1
Date Position Posted: 12/30/2024 Open Until: Filled

Number of Applicants for this position: 2

Number of Applicants Interviewed: 1 (one applicant canceled interview)

Salary: \$16.00/hr.

Relationship: Patricia Spain is the mother in-law of Eric Forge who is

employed in the Police/Fire Dispatch.

Justification: Patricia Spain has three years of experience cooking for a large number of people, a current ServSafe Certificate and is available to begin work mid-June.

RECOMMENDATION

 "IT IS RESOLVED, that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Patricia Spain, who is related to an employee of the City, Eric Forge, who is a Police/Fire Dispatcher"

Prepared by: Marsha Koet, Senior Adult Supervisor

Department Approval: Ellen Schnackel, Director of Special Services

Executive Approval: Gary Mekjian, City Manager



DATE: 04/28/25

DEPT: Special Services

RE: Consideration of Employment for Jake Rand

ADMINISTRATIVE SUMMARY

- The Department of Special Services has followed all City policies and procedures in establishing an eligibility list of qualified candidates. This includes advertising in the local newspapers, posting on websites and on social media, distribution of job announcements at Farmington Public Schools and Oakland County Community College. A thorough investigation of the applicant's credentials and a personal interview were conducted. Providing applicants are equally qualified, residents receive preference for employment opportunities.
- Occasionally we have some difficulty finding qualified applicants for part-time
 positions because they may require certain qualifications or specialized
 training/certification and the work hours typically include nights and/or
 weekends. Therefore, in view of meeting the established criteria and being the
 most qualified applicant, the Department of Special Services respectfully
 requests the City Council's approval of Jake Rand.

Name: Jake Rand

Position Applied For: Education Coordinator (Sports) Number of Employees Needed in this Position: 1 Date Position Posted: 10/29/2024Open Until: Filled

Number of Applicants for this position: 3 Number of Applicants Interviewed: 3

Salary: \$16.00/hr

Relationship: Jake Rand is the brother of Jeff Rand who is

employed in the Recreation Division of Special Services

Justification: Jake Rand is the most qualified applicant and is

available to begin work immediately.

RECOMMENDATION

 "IT IS RESOLVED, that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Jake Rand, who is related to an employee of the City, Jeff Rand, who is a Camp Counselor for Special Services."

Prepared by: Matthew Gale, Recreation Superintendent Department Approval: Ellen Schnackel, Director of Special Services

Executive Approval: Gary Mekjian, City Manager



DATE: 04/19/2025

DEPT: Special Services

RE: Consideration of Employment for Christopher Nunnery

ADMINISTRATIVE SUMMARY

- The Department of Special Services has followed all City policies and procedures in establishing an eligibility list of qualified candidates. This includes advertising in the local newspapers, posting on websites and on social media, and distribution of job announcements at Farmington Public Schools and Oakland County Community College. A thorough investigation of the applicant's credentials and a personal interview were conducted. Providing applicants are equally qualified, residents receive preference for employment opportunities.
- Occasionally we have some difficulty finding qualified applicants for part-time
 positions because they may require certain qualifications or specialized
 training/certification and the work hours typically include nights and/or
 weekends. Therefore, in view of meeting the established criteria and being the
 most qualified applicant, the Department of Special Services respectfully
 requests the City Council's approval of Christopher Nunnery.

Name: Christopher Nunnery

Position Applied For: Lifeguard Instructor

Number of Employees Needed in this Position: 1
Date Position Posted: 12/08/24 Open Until: Filled

Number of Applicants for this position: 1 Number of Applicants Interviewed: 1

Salary: \$20.00/hr.

Relationship: Christopher Nunnery is the son of Larry Nunnery who is

employed in the Recreation Division of Special Services.

Justification: Christopher Nunnery is the most qualified applicant and is

available to begin work immediately.

RECOMMENDATION

 "IT IS RESOLVED that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Christopher Nunnery, who is related to an employee of the City, Larry Nunnery, who is an Aquatics Coordinator for Special Services."

Prepared by: Hannah Muth, Recreation Supervisor- Aquatics Department Approval: Ellen Schnackel, Director of Special Services

Executive Approval: Gary Mekjian, City Manager



DATE: 4/28/2025

DEPT: DPW

RE: AWARD OF BID FOR LIQUID DEICER FILL POINT DISTRIBUTION SYSTEM

ADMINISTRATIVE SUMMARY

- The procurement and installation of a new liquid deicer (brine) fill point distribution system was publicly advertised and competitively bid on the Michigan Intergovernmental Trade Network (MITN) e-procurement system, and after one postponement, opened on April 18, 2025 (including 32 that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled). Notification was sent to over 173 vendors. We received one (1) "no bid" response.
- The Division of Public Works currently operates a liquid deicer distribution system with three (3) fill points dating back to 2014. The current system has reached the end of its service life with frequent mechanical issues, leaks, and mix-ratio discrepancies. Additionally, the existing brine dispensing system does not provide enough volume to serve our three (3) fill points at the same time. This equipment is used year-round for snow/ice operations in the winter and gravel road dust control in the summer.
- The lowest qualified bidder, Brine Masters, Inc. of Charleston, South Carolina, comes with over 24 years of experience (see attached bid tab) and builds premium state-of-the-art brine makers and truck filling systems.
- A minimum three (3) year warranty is provided on all new equipment.
- Funding is provided in the DPW Improvements Capital Improvement account.

RECOMMENDATION

• IT IS RESOLVED that the City Council of Farmington Hills authorize the City Manager to issue a purchase order to Brine Masters, Inc. of Charleston, South Carolina in the amount of \$202,589.82 for the purchase and installation of a replacement liquid deicer fill point distribution system located at the Division of Public Works.



Prepared by: Derrick Schueller, DPW Superintendent

Reviewed by: Jacob Rushlow, P.E., Director, Department of Public Services Reviewed by: Michelle Aranowski, Director, Department of Central Services

Approved by: Karen Mondora, P.E., Assistant City Manager

City of Farmington Hills itb-fh-24-25-2503 Liquid Deicer Fill Point Distribution System Opened

Brine Masters, Inc						
Charleston, S. Carolina						
LIQUID DEICER FILL PINT DISTRIBTUION SYSTEM Brine Masters Continuum TF-XR	PRICE					
One fill point with a 5 HP Pump/motor combination (120+ Flow rate) Motor and pump configuration.						
	\$52,197.49					
Two fill points with 7.5 HP (175 + GPM Flow rate) Motor and Pump configuration	\$103,608.40					
Agitation Pumps (3). Pumps shall be 3HP, the pump and Stainless Steel motor combination with a close coupled intermediate connection design. Agitation pumps (3) shall be automated, and each pump shall work independent of truck fill system.	\$ 30,608.49					
Replace 3" valves on existing Storage tanks -approximately #20. Storage tanks will be re-valved with a manifold flanged style/type ball valve 3" Banjo style part # MV300CF or city approved equivalent with needed clamps, seals etc.	\$11,941.78					
Optional Remote Mount Truck filler interface*	\$4,233.66					
TOTALS	\$202,589.82					
TRADE IN - MODEL	UNIT PRICE					
Henderson Blending Fill Module. Stacked three (3) product fill module Model # BXSC2003RONAN In conjunction with Brine Extreme brine maker						
(still in operation)	No Bid					

Bid Notification was sent to over 173 Contractors. We received one (1) "No-Bid."



DATE: 4/28/2025

DEPT: DPW

RE: AWARD OF BID FOR METAL CULVERT PIPE

ADMINISTRATIVE SUMMARY

- The procurement of aluminized metal culvert pipe was publicly advertised and competitively bid on the Michigan Inter-governmental Trade Network (MITN) eprocurement system and opened on April 15, 2025. Notification was sent to over 150 vendors (including 33 that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled). We received zero "no bid" responses.
- Round and arched culvert pipes are regularly replaced under driveway approaches by DPW staff as pipes reach the end of their service life. The pipe sizes range from 12-inch to 24-inch diameter with a thickness of 16 gauge. Metal bands are used to connect segments with flared/tapered end sections installed as needed.
- The lowest qualified bidder, Jensen Bridge and Supply Company of Sandusky, Michigan, is a national steel supply distributor with over 70 years of experience (see attached bid tab).
- The culvert pipe and end sections will be stored at the Public Works facility.
- Funding is provided in the Major and Local Roads Ditching Material accounts.

RECOMMENDATION

• IT IS RESOLVED that the City Council of Farmington Hills authorize the City Manager to issue a purchase order to Jensen Bridge and Supply Company of Sandusky, Michigan in the amount of \$58,517.45 for the purchase of metal culvert pipe and related accessories.



Prepared by: Derrick Schueller, DPW Superintendent

Reviewed by: Jacob Rushlow, P.E., Director, Department of Public Services Reviewed by: Michelle Aranowski, Director, Department of Central Services

Approved by: Karen Mondora, P.E., Assistant City Manager

id Tabulation b-fh-24-25-2502 culvert Pipe Metal opened 04/15/2025									
				St. Regis Culvert, Inc. Charlotte, MI		Cadillac Culvert, Inc. Cadillac, MI		Jensen Bridge & Supply Company Sandusky, MI	
Diameter	Est Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price		
16 GAUGE ALUMINIZED ST	EEL WITH ROLLED	ENDS 2	4 FOOT LENG	TH					
Pipe				Unit price/24 feet		Unit price/24 feet		Unit price/24 feet	
12-inch 16 gauge	Round	EA	50	\$228.00	\$11,400.00	\$219.60	\$10,980.00	\$196.56	\$9,828,00
2-inch 16 gauge	Arched	EA	75	\$250.80	\$18,810.00	\$230.40	\$17,280.00	\$218.40	\$16,380.00
15-inch 16 gauge	Round	EA	15	\$273.60	\$4,104.00	\$273.36	\$4,100.40	\$246,72	\$3,700.80
15-inch 16 gauge	Arched	EA	15	\$300.96	\$4,514.40	\$286.80	\$4,302.00	\$259.68	\$3,895.20
18-inch 16 gauge	Round	EA	15	\$342.00	\$5,130.00	\$327.60	\$4,914.00	\$297.12	\$4,456.80
8-inch 16 gauge	Arched	EA	15	\$378.00	\$5,670.00	\$343.92	\$5,158.80	\$330.24	\$4,953.60
24-inch 14 gauge	Round	EA	10	\$558.00	\$5,580.00	\$493.20	\$4,932.00	\$466.08	\$4,660.80
24-inch 14 gauge	Arched	EA	10	\$614.40	\$6,144.00	\$517.92	\$5,179.20	\$517.92	\$5,179.20
Bands		<u>. </u>						· ·	
2-inch	Ribbed	EA	25	\$17.25	\$431.25	\$15.95	\$398.75	\$12.29	\$307.25
2-inch	Dimple (universal)	EA	25	\$17.25	\$431.25	\$15.95	\$398.75	\$16.38	\$409.50
15-inch	Ribbed	EA	15	\$20.70	\$310.50	\$18.79	\$281.85	\$15.42	\$231.30
15-inch	Dimple	EA	15	\$20.70	\$310.50	\$18.79	\$281.85	\$20.56	\$308.40
18-inch	Ribbed	EA	10	\$26.00	\$260.00	\$22.58	\$225.80	\$18.57	\$185.70
8-inch	Dimple	EA	10	\$26.00	\$260.00	\$22.58	\$225.80	\$24.76	\$247.60
24-inch	Ribbed	EA	10	\$51.20	\$512.00	\$33.90	\$339.00	\$33.99	\$339.90
24-inch	Dimple	EA	10	\$51.20	\$512.00	\$33.90	\$339.00	\$38.84	\$388.40
End sections with straps									
12-inch		EA	5	\$65.00	\$325.00	\$50.00	\$250.00	\$49.00	\$245.00
15-inch		EA	5	\$83.00	\$415.00	\$65.00	\$325.00	\$65.00	\$325.00
18-inch		EA	5	\$108.00	\$540.00	\$75.00	\$375.00	\$75.00	\$375.00
24-inch		EA	5	\$165.00	\$825.00	\$125.00	\$625.00	\$120.00	\$600.00
Bolts/Nuts									
2" x 8 in x 100 pieces w/nuts	Carrage	EA	5	\$350.00	\$1,750.00	\$175.00	\$875.00	\$300.00	\$1,500.00
Total Itemized Bids					\$68,234.90		\$61,787.20		\$58,517.45



DATE: 4/28/2025

DEPT: FIRE DEPARTMENT

RE: EXTENSION OF AWARD FOR EOC (EMERGENCY OPERATION CENTER) AUDIO

AND VISUAL EQUIPMENT

ADMINISTRATIVE SUMMARY

- Sealed bids were advertised, publicly opened and read aloud by the University of California, CA in cooperation with Omnia Partners for Audio-Visual Goods & Services. The awarded contract with AVI-SPL LLC is offered to the City as a national cooperative bid. Participating in a cooperative purchase provides cost saving for the City due to the buying power of a national cooperative.
- The Fire Department as part of the State of Michigan grant funded Fire Headquarters addition to allow for a dedicated EOC has worked with on the design for EOC related audio and visual equipment for the new EOC and attached conference room. The equipment selected will allow emergency management staff to utilize this space as a Command Center during events and the ability to support multiple agencies.
- The proposal includes 5- years' maintenance and warranty on all equipment.
- Funding for this equipment will be reimbursed by the State of Michigan EOC Grant.

RECOMMENDATION

• IT IS RESOLVED that the City Council of Farmington Hills authorize the City Manager to issue a purchase order to AVI-SPL in the amount of \$201,797.00 for the purchase and installation of audio and visual equipment for the EOC and Conference room.

###

Prepared by: Jason Olszewski, Deputy Fire Chief

Reviewed by: Nikki Lumpkin, Senior Buyer

Reviewed by: Michelle Aranowski, Director of Central Services

Department Approval: Jon Unruh, Fire Chief

Executive Approval: Gary Mekjian, P.E., City Manager

MINUTES CITY OF FARMINGTON HILLS FARMINGTON HILLS CITY COUNCIL CITY HALL – COMMUNITY ROOM APRIL 14, 2025 – 5:30PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Rich at 5:31pm.

Council Members Present: Aldred, Boleware (arrived at 5:33), Bruce, Dwyer, Knol and Rich

Council Members Absent: Bridges

Others Present: City Manager Mekjian, Assistant City Manager Mondora, City

Clerk Lindahl, Deputy Clerk Hopper, Directors Aranowski, Kettler-Schmult, Rushlow, and Skrobola, Fire Chief Unruh, and

City Attorney Joppich

DISCUSSION ON PUBLIC ART FUNDING ORDINANCE

Director of Planning and Community Development Kettler-Schmult and Planning Consultant Bahm (Giffels Webster) led this continuing discussion on the draft Public Art Funding Ordinance.

- This ordinance is separate from the ongoing Planned Unit Development (PUD) ordinance update but incorporates previous Council feedback about requiring public art through the site plan process.
- Included in the Council packet was a memorandum from Economic Development Director Brockway relative to an informal survey conducted with local businesses, gathering their opinions on the potential public art requirement.
- The draft ordinance was modeled after similar ordinances in Southfield and other communities. Key components included:
 - Definitions for art, artists, and construction costs.
 - Including a section on intent.
 - Establishing public art as a site standard, similar to landscaping or lighting, with thresholds for applicability. Guidelines could be presented as a stand-alone document.
 - Guidelines for placement and maintenance of art, with the Arts Commission serving as the review authority.
 - Limited exceptions for properties without public visibility.
 - o The ordinance was structured to align with the City's existing zoning and municipal codes.

Council Discussion:

- The informal business survey included only 6 corporate entities and provided mixed feedback: some businesses supported the concept, while others expressed concerns about costs or preferred to contribute funds rather than install art on their properties.
- Council Member Knol requested greater flexibility in the ordinance to allow businesses the option of donating to a public art fund rather than installing art on-site. This would enable the City to concentrate art installations in high-traffic districts.
- City Attorney Joppich emphasized the importance of balancing regulatory requirements with property rights. The draft ordinance includes exemptions and carefully structured donation options to ensure legal defensibility and reasonableness. The donation option is voluntary and intended to respect property owners' rights while maintaining the ordinance's intent.

Summary of Changes and Next Steps:

Mayor Rich highlighted major adjustments made to the ordinance:

- Non-profits are now exempt.
- A \$2 million minimum construction threshold was established.

Council reached consensus to move the draft ordinance forward to the Planning Commission for further review.

DISCUSSION ON PERMANENT CONSOLIDATION OF VOTING PRECINCTS

Referencing her April 14, 2025 memorandum *Precinct Consolidation,* City Clerk Lindahl led a discussion on the permanent consolidation of voting precincts:

- Following the passage of Proposal 2, state law now allows precinct sizes to increase from 2,999 to 4,999 active registered voters. The City currently has approximately 57,000 active registered voters, with about 54% enrolled in either the permanent absentee application list or the permanent ballot list.
- Voter turnout in the November 2024 General Election was 73% of registered voters and of that, 66% voted by absent voter ballot or Early Voting. All indicators suggest that this trend will continue over the next several years as more voters take advantage of the convenience of the various voting options.
- Consolidation would improve efficiency and yield cost savings (approximately \$234,000) in areas such as election inspector wages, equipment testing, and future election equipment purchases (anticipated for 2027).
- The current proposal focused on consolidating precincts where it would not affect ballot types due to overlapping political districts (House, Senate, County Commissioner, and school districts).

Proposed consolidation plan:

- Proposed precincts to be consolidated included 5 & 6, 7 & 8, 18 & 19, and 22 & 23.
- Precinct 8 could relocate to precinct 7's location and precinct 9 could move to precinct 8's old location, which would provide better parking and a more accessible location than precinct 9's current location (STEAM).
- The initial proposal to consolidate precincts 1 & 2 was withdrawn due to planned residential developments (Stonefield of Farmington Hills and The Emerson), which could increase voter registration by approximately 1,000 voters in that area.

Council discussion:

- Council expressed support for the consolidation plan, noting the clear data supporting the approach.
 Also, consolidation is a common trend across cities following redistricting. There were minimal downsides, given the decreasing number of in-person voters.
- The Clerk's Office is coordinating outreach with local Republican and Democratic clubs, with meetings scheduled to explain the proposed changes.
- The changes would not be implemented until after the November 2025 election, allowing time to
 evaluate impacts. The adjustments could later be reversed if necessary, though no major issues
 were anticipated.
- The changes would not alter any district boundary lines. All voters will receive updated voter ID
 cards and details regarding their polling location. The City's communications team would also assist
 in spreading information. Minimal public impact was expected since most precincts already shared
 polling locations.

Next steps:

No objections were raised. Council members supported proceeding with the planning and outreach process for the proposed precinct consolidation.

DISCUSSION ON THE 2025 PUBLIC SAFETY MILLAGE RENEWAL BALLOT LANGUAGE

Overview of the Draft Resolution and Process:

City Attorney Joppich introduced the draft resolution regarding a charter amendment for the renewal of one of the City's two public safety millages. This millage, originally added to the City Charter in 1995 and last renewed in 2015, is due for renewal, which requires a charter amendment.

The renewal process requires City Council approval of a resolution, which includes the ballot language for voter consideration in November. The ballot proposal would extend the millage authorization from July 1, 2026, through July 30, 2036.

City Attorney Joppich explained that the draft language underwent an informal non-binding review by the Attorney General's Office to ensure compliance; a formal word by word review will follow submission.

Millage Rate and Financial Implications:

City Manager Mekjian reviewed the financial details of the renewal. The current public safety millage rate is 1.4764 mills but is projected to decrease to 1.3596 mills in 2026 due to the Headlee Amendment rollback. The proposal seeks to restore the millage rate to its original 1.4764 mills, which would equate to an estimated \$14.77 annual increase for a property with a taxable value of \$126,503.

If the millage is not fully restored, the City would face an annual revenue shortfall of approximately \$575,000. The total projected revenue for 2026 with the restored millage is estimated at \$7.268 million.

Finance Director Skrobola confirmed these figures and explained that the revenue helps fund public safety services, including staffing for police officers and firefighters.

Council Discussion:

- Council Member Dwyer reviewed the historical context of the millage and asked the portion of public safety staffing funded by it. Finance Director Skrobola estimated that the millage supports salaries for approximately 50 police officers and firefighters (combined).
- Council Member Boleware raised concerns about the impact of incremental tax increases on residents, seeking clarification on how the Headlee rollback and property value changes might affect future tax payments. Skrobola explained that while the \$14.77 annual increase is the initial impact, property value growth or sales (uncapping events) could influence future rates.
- Council Member Knol further clarified that although property values may rise, the Headlee Amendment caps the City's overall tax revenue, leading to millage rate reductions over time when growth occurs through new development or property transfers.
- Council Member Bruce emphasized the importance of maintaining the millage to ensure adequate
 public safety funding, noting that the \$14.77 increase translates to just four cents per day and helps
 preserve emergency response times and staffing levels.

Council reached consensus to move forward with this ballot proposal and language.

Next Steps and Public Outreach:

The ballot language will be finalized and brought back for a Council vote in April, requiring a three-fifths supermajority for approval.

Fire Chief Unruh indicated that the City would engage in its usual public outreach, providing neutral data and information to homeowners associations and civic groups.

City Manager Mekjian and Attorney Joppich stressed that the City's role is limited to sharing factual information. Any advocacy for or against the millage would come from independent groups.

DISCUSSION ON THE USE OF CITY FACILITIES POLICY REGARDING SIGNATURE GATHERING

City Manager Mekjian, City Clerk Lindahl, and City Attorney Joppich led this continuing discussion regarding signature gathering at City-owned facilities. Background documentation had been provided to Council in the packets, including minutes of recent discussions regarding this issue.

- Previous updates to the City's consolidated facility use policy, adopted in 2018, explicitly prohibited signature gathering at most City facilities. However, recent changes have allowed signature gathering at specific locations, including outdoors areas of the amphitheater and traditional public forums within parks (excluding parking lots).
- Tonight's discussion focused on whether to expand permitted locations for signature gathering at additional City facilities and, if so, to define appropriate conditions such as distance from entrances and enforcement procedures.

Legal Considerations:

- Attorney Joppich explained that allowing petition gathering at additional City facilities—beyond traditional public forums—requires careful consideration of constitutional free speech protections.
- Opening non-traditional public forums (such as City buildings) for petitioning could raise legal
 questions regarding consistency and fairness, which would need to be addressed through clear,
 enforceable policies.
- Expanding access for signature gathering does not automatically open facilities to all forms of First Amendment activity, but the policy would need to be carefully structured.

Council Discussion:

Mayor Rich outlined the options before Council:

- 1. Open all remaining City facilities to signature gathering.
- 2. Open only some additional facilities.
- 3. Maintain the current restrictions with no additional openings.

Council Member Bruce expressed support for expanding access, emphasizing the importance of free speech and political engagement. He suggested establishing clear guidelines for distance from building entrances with posted signage to inform both petitioners and the public. He also recommended a trial period of one year to assess the effectiveness of the policy. More flexibility regarding signature gathering would align Farmington Hills with other municipalities, allowing reasonable accommodations for signature gathering at public facilities. Regarding enforcement, he thought that any issues relative to rules violations or uncooperative petitioners should be referred directly to the police.

Council Member Knol supported expanding signature gathering rights at City facilities, emphasizing that Farmington Hills is more restrictive than most surrounding communities. She supported establishing reasonable distance requirements from entrances. She shared examples from other municipalities, including Farmington, where signature gathering is allowed in designated areas without significant issues. She underscored the importance of balancing free speech rights with public accessibility and safety, and believed any issues with aggressive petitioners could be managed by contacting law enforcement.

Council Member Boleware agreed, supporting allowing signature gathering at key locations such as City Hall, the Costick Center, and the Hawk. She noted that requiring petitioners to remain far from entrances, such as at public sidewalks, is impractical at some facilities due to distance and parking lot layouts. She reaffirmed her support for free speech and democratic participation.

Council Member Aldred also voiced support for expanding access, particularly at City Hall, referencing past peaceful protests that demonstrated the community's ability to engage responsibly. However, he also expressed practical concerns about how signature gathering could function at the Hawk and Costick Center due to multiple entrances and parking lot configurations. He questioned how to effectively implement distance requirements at these facilities without disrupting regular users, such as families attending events or classes.

Mayor Pro Tem Dwyer expressed broad support for expanding signature gathering rights, endorsing a flexible approach that could be reassessed if issues arise.

Council Consensus on Facilities and Implementation:

Council discussed whether signature gathering at City facilities should be governed by the specific layout of each building, or whether a general rule not to block entrances would be sufficient.

City Manager Mekjian recommended excluding the police station and fire headquarters due to safety and operational concerns. It was also noted that the Court House and the Library were governed independently and had their own policies and rules.

City Manager Mekjian cautioned Council to proceed with eyes open, acknowledging the potential for disruptions or confrontational situations, particularly from paid petitioners or groups with external funding. He cited past incidents involving aggressive signature gathering.

City Clerk Lindahl reminded Council that City Hall becomes a voting precinct 40 days before each election, and the Costick Center serves as an early voting site. During these periods, the state-mandated 100-foot rule restricting petition activities near entrances will apply.

Council supported the general rule of not blocking entrances (without applying a strict measurement) of each of the three buildings under consideration (The Hawk, Costick Center, and City Hall). However, there should be an opportunity for someone to enter the building without engaging with the signature gathering activity. For instance, petitioners could be permitted on sidewalks adjacent to entrances but prohibited from blocking the immediate walkways leading to those entrances.

City staff will bring aerial views of each building back to Council that will show potential allowable areas for signature gathering, as discussed this evening.

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DRAFT

It was suggested that the expanded signature gathering policy could be implemented through 2026, with a review scheduled for early 2027, after the next midterm election cycle, to assess the program's effectiveness and make adjustments if necessary.

ADJOURNMENT

The Study Session meeting was adjourned at 6:42pm.

Respectfully submitted,

Carly Lindahl, City Clerk

MINUTES CITY OF FARMINGTON HILLS CITY COUNCIL MEETING CITY HALL – COUNCIL CHAMBER APRIL 14, 2025 – 7:30 PM

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

Council Members Present: Aldred, Boleware, Bruce, Dwyer, Knol, and Rich

Council Members Absent: Bridges

Others Present: City Manager Mekjian; Assistant City Manager Mondora; City Clerk Lindahl; Directors Aranowski, Brockway, Kettler-Schmult, Rushlow, and Schnackel, and City Attorney Joppich

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Betty Burrell, who celebrated her 100th birthday on March 12, 2025.

Mayor Rich offered the following comments regarding Bettey Burrell:

"On this milestone birthday we want to thank you for being a valued member of the Farmington Hills community. Your presence and contributions over the years have helped make Farmington Hills the wonderful place it is today, and we are so grateful that you chose to raise your children in Farmington Hills and call the city home since the 1960s. You also helped shape the lives of countless youth from Farmington Hills, providing safe activities like creating a skating rink in your backyard and volunteering as a Girl Scout leader. And by the way, Betty was a Rosie the Riveter for real.

"Betty continues her love for bowling by bowling in two leagues each week and being a member of the Women's Bowling Association, USBC, all with an amazing average of 121. I met her on one of her league events and watched her bowl a 130. Amazing!

"Our city thrives because of residents like Betty who share kindness and dedication with everyone around them. Your role in shaping the character of Farmington Hills is so deeply appreciated.

"We hope that your special day and this year ahead brings you joy, laughter, and time spent with family and friends. May the year ahead be filled with health, happiness, and wonderful memories. Once again, happy birthday and thank you for being such a cherished part of our Farmington Hills community."

APPROVAL OF REGULAR SESSION MEETING AGENDA

MOTION by Dwyer, support by Boleware, to approve the agenda as published with the removal of item #6.

MOTION CARRIED 6-0.

PROCLAMATION RECOGNIZING NATIONAL LIBRARY WEEK

The following proclamation was read by Councilmember Boleware and accepted by Farmington Community Library Director Kelley Siegrist. Others present included FLC Board President Ernie McClellan, Jr., Treasurer Kathie Brown, Trustee Sharon Snodgrass, and Trustee Steven Snead. Mr. McClellan offered remarks regarding the breadth of current library programs and invited everyone to visit the library.

PROCLAMATION In Recognition of National Library Week April 2025

WHEREAS, libraries spark creativity, fuel imagination, and inspire lifelong learning,

offering a space where individuals of all ages can explore new ideas and

be drawn to new possibilities; and,

WHEREAS, libraries serve as vibrant community hubs, connecting people with

knowledge, technology, and resources while fostering civic engagement,

critical thinking, and lifelong learning; and,

WHEREAS, libraries provide free and equitable access to books, digital tools, and

programming, ensuring that all individuals—regardless of background—

have the support they need to learn, connect, and thrive; and,

WHEREAS, libraries partner with schools, businesses, and organizations, connecting

the dots to maximize resources, increase efficiency, and expand access

to essential services, strengthening the entire community; and,

WHEREAS, libraries empower job seekers, entrepreneurs, and lifelong learners by

providing access to resources, training, and opportunities that support

career growth and economic success; and,

WHEREAS, libraries nurture young minds through story times, STEAM programs,

and literacy initiatives, fostering a lifelong love of learning; and,

WHEREAS, libraries protect the right to read, think, and explore without

censorship, standing as champions of intellectual freedom and free

expression; and,

WHEREAS, dedicated librarians and library workers provide welcoming spaces that

inspire discovery, collaboration, and creativity for all.

NOW, THEREFORE, BE IT RESOLVED that I, Theresa Rich, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim that the library is an essential part of Farmington Hills, even as National Library Week ends. I encourage all residents to visit the

Page 3 of 14

Farmington Community Library throughout the year to explore its resources and celebrate all the ways that the library draws us together as a community.

ANNOUNCEMENTS/PRESENTATIONS FROM CITY BOARDS, COMMISSIONS AND PUBLIC OFFICIALS

There were no announcements/presentations.

CORRESPONDENCE

Mayor Rich acknowledged emails received regarding deer population management in the City.

Mayor Rich also acknowledged an invitation to Council from the Jain Society of Greater Detroit to attend an event marking Mahavira Janma Kalyanaka.

CONSENT AGENDA

MOTION by Boleware, support by Bruce, to approve the consent agenda items #7 through #21 as read by Mayor Pro Tem Dwyer.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Boleware, support by Knol, to approve the consent agenda items #22 & #23 as read by Mayor Pro Tem Dwyer.

Roll Call Vote:

Yeas: ALDRED, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: BOLEWARE

MOTION CARRIED 5-1.

CONSENT AGENDA ITEMS FOR DISCUSSION

There were no consent agenda items for discussion.

COUNCIL MEMBERS' COMMENTS AND ANNOUNCEMENTS

Mayor Rich stated that she attended a meeting with mayors from across Michigan as part of the U.S. Conference of Mayors. She reported that a bipartisan group of 225 mayors from across the country had sent a letter to congressional leadership outlining key priorities intended to strengthen federal-local partnerships and address critical issues. These priorities included the preservation of tax-exempt municipal bonds and continued funding for programs such as Meals on Wheels. Mayor Rich indicated she would provide a copy of the letter to the Council.

CITY MANAGER UPDATE

City Manager Mekjian reported that the Costick swim pool is closed until further notice due to a mechanical failure. The part is on order.

PUBLIC HEARING

PUBLIC HEARING AND CONSIDERATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2025-2026 PROJECTED USE OF FUNDS. CMR 4-25-50

Community Development and Special Projects Coordinator Emmanuel presented the proposed use of Community Development Block Grant (CDBG) funds for the 2025-2026 program year. The presentation as part of the federally required public process for the City's annual action plan.

Notice of the hearing and 30-day public comment period was published in the *Oakland Press* and posted on the City's website and social media platforms.

All CDBG expenditures benefit low and moderate income persons as defined by HUD (US Department of Housing and Urban Development). Income limits and eligible funding areas are determined annually by HUD.

While HUD has not yet issued the final allocation for 2025-2026, the City anticipates receiving the same funding as the previous year, estimated at \$365,398. Additionally, approximately \$50,000 in program income is expected from the repayment of home repair loans, bringing the total projected budget to \$415,398.

Proposed PY2025-26 Budget:

Housing Rehabilitation: \$312,898

This includes home repairs for approximately 17 existing single-family homes, along with staff salaries, fringe benefits, and administrative costs related to rehabilitation.

Public Services – \$42,500

In compliance with HUD's 15% cap on public service expenditures, funding will support nonprofit organizations classified as public service providers, including South Oakland Shelter (operating as Lighthouse), Haven, Cares, and Common Ground.

Program Administration – \$60,000

This is within HUD's 20% administrative cap and covers staff salaries and fringe benefits, legal notices, printing, auditing services, office supplies, and financial support for the Fair Housing Center of Metro Detroit.

Public Hearing:

Mayor Rich opened the public hearing . No members of the public indicated they wished to speak, and Mayor Rich closed the public hearing and brought the matter back to Council for discussion and/or action.

MOTION by Aldred, support by Knol, that the City Council of Farmington Hills hereby approves the Community Development Block Grant Program Year 2025-2026 budget to include: 1) \$312,898 for Housing Rehabilitation, 2) \$42,500 for Public Services activities, and 3) \$60,000 for Program Administration. Any change in funding amount will be reflected in an adjustment to the Housing Rehabilitation activity; and

FURTHER RESOLVES that the City Manager be authorized to prepare and submit an application for Community Development Block Grant funds to the U.S. Department of Housing and Urban Development (HUD) within sixty days of the date allocations are announced but no later than August 16, 2025.

MOTION CARRIED 6-0.

UNFINISHED BUSINESS

CONSIDERATION OF APPROVAL OF ENACTMENT OF ORDINANCES C-2-2025 AND C-3-2025 TO AUTHORIZE THE CONVEYANCE OF CITY OWNED PROPERTY, PARCELS 22-23-34-408-003 (VACANT LAND) AND 22-23-408-008 (VACANT LAND), TO CLAUDIO RODRIGO AGUILERA QUEZADA AND LUISA NAYELI CRUZ; AND SUMMARIES FOR PUBLICATION. CMR 4-25-51

Director of Economic Development Brockway presented this request for approval of the two ordinances as described authorizing the conveyance of two City-owned parcels of vacant land to Mr. Claudio Rodrigo Aguilera Quezada and Mrs. Luisa Nayeli Cruz. The first reading of the ordinances took place at the March 24th City Council meeting. The properties are each proposed to be sold for \$5,000. Deposits for each parcel have been received, and the City Attorney's Office has drafted the necessary sale documents. Upon Council's approval, the purchasers will proceed to closing and will combine the acquired lots with their existing residential parcels.

MOTION by Bruce, support by Aldred, that the City Council of Farmington Hills hereby approves the second reading and adoption of Ordinance Nos. C-2-2025 and C-3-2025 authorizing the conveyance of Parcel Nos. 22-23-34-408-008 and 22-23-34-408-003 to Claudio Rodrigo Aguilera Quezada and Luisa Nayeli Cruz for the sum of \$10,000, and authorizes the City Manager to sign the quit claim deeds and any other documents necessary for closing and conveying said properties to Claudio Rodrigo Aguilera Quezada and Luisa Nayeli Cruz, conditioned upon and subject to compliance with the terms of the Purchase Agreement between Claudio Rodrigo Aguilera Quezada and Luisa Nayeli Cruz and the City.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

NEW BUSINESS

TRANSMITTAL AND ACCEPTANCE OF THE 2025/2026 - 2030/2031 CAPITAL IMPROVEMENTS PLAN. CMR 4-25-52

Director of Planning and Community Development Kettler-Schmult presented the formal transmittal of the Capital Improvements Plan (CIP) for fiscal years 2025/2026 through 2030/2031, as required by the City Charter. The CIP had been reviewed and approved by the Planning Commission at its March 20, 2025 meeting. The transmittal was timed to coincide with preparations for the upcoming budget cycle, ensuring that Council has the plan in advance for review and integration into the budgeting process.

Council Member Aldred expressed appreciation for the CIP, noting its value in outlining a comprehensive, staged approach to capital investment across various departments, including public works, roads, and other major expenditures. He emphasized the importance of this long-term planning tool in informing the budget process. He reiterated a concern previously raised regarding the adequacy of funding for playground structures and playground accessibility improvements, stating that current allocations fall short of what is needed for the City's children and families.

Mayor Rich agreed with Council Member Aldred's concerns regarding the level of funding dedicated to playground structures, particularly for accessibility improvements. This issue would be addressed further during budget discussions and the Mayor requested that City Manager Mekjian be prepared for further discussion on this matter.

Mayor Pro Tem Dwyer commented on the length and complexity of the CIP, noting that at 56 pages, it would not be possible to review the document in detail during tonight's meeting. He suggested and reserved the possibility of scheduling a future study session to allow Council to thoroughly review and discuss the CIP, similar to the process undertaken by the Planning Commission.

MOTION by Aldred, support by Knol, that the City Council of Farmington Hills hereby accept the 2025/2026 – 2030/2031 Capital Improvements Plan.

MOTION CARRIED 6-0.

CONSENT AGENDA

RECOMMENDED ACCEPTANCE OF BEAUTIFICATION COMMISSION 2024 ANNUAL REPORT. CMR 4-25-53

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby receives and files the Beautification Commission 2024 Annual Report and 2025 Goals.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF THE GATEWAY LANDSCAPING PROJECT AT ORCHARD LAKE ROAD AND THE I-696 INTERCHANGE TO RELIABLE LANDSCAPING, INC. IN THE AMOUNT OF \$1,065,920.75, AND A CONTINGENCY OF \$110,000 FOR UNFORESEEN CHANGES AT THE CITY'S DISCRETION. CMR 4-25-54

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves the Gateway Landscaping project be awarded to the lowest competent bidder, Reliable Landscaping, Inc. of Canton, MI, in the amount of \$1,065,920.75, and a contingency of \$110,000 be approved for unforeseen changes at the city's discretion, and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk be authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE ELMHURST ROAD RECONSTRUCTION PROJECT TO FLORENCE CEMENT IN THE AMOUNT OF \$707,504.55. CMR 4-25-55

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves the Elmhurst Road Reconstruction Project be awarded to the lowest competent bidder, Florence Cement of Shelby Township, Michigan, in the amount of \$707,504.55, and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk be authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE GRAMERCY COURT ROAD RECONSTRUCTION PROJECT TO GREAT LAKES CONTRACTING SOLUTIONS, LLC IN THE AMOUNT OF \$690,731.87. CMR 4-25-56

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves the Gramercy Court Road Reconstruction Project be awarded to the lowest competent bidder, Great Lakes Contracting Solutions, LLC of Waterford, Michigan, in the amount of \$690,731.87, and

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IT IS FURTHER RESOLVED, the City Manager and the City Clerk be authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF CONTRACT FOR THE HALSTED ROAD RECONSTRUCTION PROJECT TO MARK ANTHONY CONTRACTING, INC. IN THE AMOUNT OF \$4,255,957.62. CMR 4-25-57

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves the Halsted Road Reconstruction Project be awarded to the lowest competent bidder, Mark Anthony Contracting, Inc. of Milford, MI in the amount of \$4,255,957.62, and

IT IS FURTHER RESOLVED, the City Manager and the City Clerk be authorized to execute the contract on behalf of the City.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF AWARD OF BID FOR THE CONCRETE REPLACEMENT, CATCH BASIN REHABILITATION AND SUMP PUMP CONNECTION PROGRAM TO OLSON CEMENT WORK, INC. IN THE APPROXIMATE AMOUNT OF \$782,962.50 FOR A ONE (1) YEAR TERM WITH OPTIONAL RENEWALS. CMR 4-25-58

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby authorizes the City Manager to award the bid for the Concrete Replacement, Catch Basin Rehabilitation and Sump Pump Connection Program to Olson Cement Work, Inc. for a one (1) year term in the approximate amount of \$782,962.50 with four (4) additional one (1) year renewal options at a 3.5% increase per year not to exceed the annually budgeted amount, beginning in year two (2), upon mutual consent of the City and vendor.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A QUIT CLAIM DEED TO SFO PARTNERS LLC TRANSFERRING OWNERSHIP OF RIGHT-OF-WAY. CMR 4-25-59

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby authorizes the execution and delivery of the quit claim deed to SFO Partners LLC to clear the title issue and allow for the proper sequencing of ownership transfer for the proposed road right-of-way. This will ensure that the City only accepts the right-of-way after all required infrastructure improvements have been completed and approved.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE Absent: BRIDGES Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A CONCESSIONS ATTENDANT. CMR 4-25-60

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Alexa Bailey as a Concessions Attendant, who is related to an employee of the City, Stan Bailey, who works in the Farmington Hills Fire Department.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A YOUTH CENTER SITE SUPERVISOR. CMR 4-25-61

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Julia Lincourt as a Youth Center Site Supervisor, who is related to an employee of the City, Olivia Lincourt, who is a Camp Counselor for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR AN ICE ARENA ATTENDANT. CMR 4-25-62

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Luke Combs as an Ice Arena Attendant, who is related to an employee of the City, Sheri Combs, who is a Skating Director for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR TWO LIFEGUARDS. CMR 4-25-63 AND CMR 4-25-64

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Adam Saganski as a Lifeguard, who is related to an employee of the City, Ivy-Elizabeth Saganski, who is a Lifeguard for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Cooper Bishop as a Lifeguard, who is related to an employee of the City, Jace Bishop, who is a Lifeguard for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A CAMP INSTRUCTOR. CMR 4-25-65

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Alexander Kelly as a Camp Instructor, who is related to an employee of the City, Elizabeth Kelly, who is an employee in the Recreation Division of Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A GUEST SERVICES COORDINATOR. CMR 4-25-66

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Amber Warju as a Guest Services Coordinator, who is related to an employee of the City, Nathalia Damasceno, who is a Tech in the Makerspace for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF A REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A BUILDING ATTENDANT/ZAMBONI DRIVER. CMR 4-25-67

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby approves an employment request per Section 10.01A of the City Charter for Gavin Sibley as a Building Attendant/Zamboni Driver, who is related to an employee of the City, Michele Sibley, who is a On-Ice Skating Coach for Special Services.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

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MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF PURCHASE OF ONE E35 R2-SERIES BOBCAT COMPACT EXCAVATOR FOR FARMINGTON HILLS PARKS AND GOLF MAINTENANCE FROM DOOSAN BOBCAT NORTH AMERICA IN THE AMOUNT OF \$58,530.64. CMR 4-25-68

MOTION by Boleware, support by Bruce that the City Council of Farmington Hills hereby authorizes the City Manager to approve a purchase order in the amount of \$58,530.64 for one (1) E35 R2-Series Bobcat Compact Excavator, to Doosan Bobcat North America and to take delivery of the equipment via Carleton Bobcat of Motor City as an authorized dealer.

Roll Call Vote:

Yeas: ALDRED, BOLEWARE, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: NONE

MOTION CARRIED 6-0.

RECOMMENDED APPROVAL OF CITY COUNCIL STUDY SESSION MEETING MINUTES OF MARCH 24, 2025.

MOTION by Boleware, support by Knol, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of March 24, 2025.

Roll Call Vote:

Yeas: ALDRED, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: BOLEWARE

MOTION CARRIED 5-1.

RECOMMENDED APPROVAL OF CITY COUNCIL REGULAR SESSION MEETING MINUTES OF MARCH 24, 2025.

MOTION by Boleware, support by Knol, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of March 24, 2025.

Roll Call Vote:

Yeas: ALDRED, BRUCE, DWYER, KNOL, AND RICH

Nays: NONE
Absent: BRIDGES
Abstentions: BOLEWARE

MOTION CARRIED 5-1.

ADDITIONS TO AGENDA

There were no additions to the agenda.

PUBLIC COMMENTS

Dr. Karen Peper confirmed that her email sent earlier today had been received by City Council.

Robert Tarakis, Holly Hill Drive, spoke on behalf of himself and neighboring residents regarding the City's changeable illuminated sign along 11 Mile Road. The sign's constant scrolling messages, abrupt color changes, and fluctuating brightness levels create a persistent and avoidable disturbance, particularly at night. The sign's illumination intrudes into nearby homes, disrupting residents' sleep and potentially impacting property values. Despite some City efforts to reduce brightness, the improvements have been minimal, and repeated requests to have the sign turned off from dusk to dawn have been denied. He submitted videos demonstrating the sign's impact from his and neighbors' perspectives and urged the Council to reconsider turning off the sign during overnight hours when traffic along 11 Mile is reduced.

City Manager Mekjian apologized for the disruption caused by the sign and assured Mr. Tarakis that the City will revisit this issue.

Thomas Progar, Flanders Street, opposed deer culling. He claimed that such efforts often fail to produce long-term reductions in deer populations, as seen in cities like Stevens Point, Wisconsin. He said that culling often requires ongoing, costly efforts with little success. However, if culls were approved, he suggested sharpshooters should be used to prioritize public safety. On the other hand, he argued that addressing distracted driving, which contributes significantly to deer-related accidents, could be a more effective solution. He also recommended better enforcement and public education regarding the City's deer feeding ban.

Kimberly Korona, Flanders Street, was opposed to the use of lethal methods to control the local deer population, arguing that violence toward wildlife is often ineffective. She advocated for non-lethal alternatives, including public education campaigns on deer-vehicle collision prevention, Lyme disease, deer-proofing strategies, and the existing feeding ban, citing Rochester Hills' mailing program as a model. She also recommended using electronic signage and adjusting speed limits in high deer traffic areas, along with expanding green spaces to provide safe habitats. She urged Council to reject lethal measures, stating that many residents value coexistence with wildlife but may not have voiced their views.

Eric Kraus, resident, proposed a change to Ordinance 34-4.14, Commercial Vehicles. He explained that he and his wife operate a food truck business using an enclosed trailer that resembles a standard car trailer without external equipment such as ladders or attachments. The trailer complies with all existing ordinance regulations, including weight limits, axle count, and vehicle type, except for its height, which is approximately ten and a half feet, exceeding the current eight-foot limit outlined in the ordinance. The trailer serves as the primary means of transportation for their business and requires a truck for towing. Mr. Krauss requested that the ordinance be amended to permit such vehicles to be stored on residential property.

Mayor Rich asked City Manager Mekjian to look into this issue.

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Mayor Rich acknowledged the following persons who had submitted public comment in writing: Alyssa Harold, Carol Schuler, Carole Heinrich, Chris Bixby, George Curran, Irwin Moyna, Julien Solomon, Michael Yandora, Sheila Walters, Todd Greenlee, Kristin Dillon, Christa Linderer, Frederick Flock, Brian Petrak, Kelly Kokenos, Lynn Halton, Michael Flees, Patrick Attard, Shelly Gower, Jim Snyder.

CITY ATTORNEY REPORT

The Attorney was received by Council.

ADJOURNMENT

Mayor Rich noted that the next City Council meeting will be on April 28 on the second floor of The Hawk.

The regular session of City Council meeting adjourned at 8:20PM.

Respectfully submitted,

Carly Lindahl, City Clerk