



Regular City Council Meeting
7:00 p.m., Monday, October 15, 2018
City Council Chambers
23600 Liberty Street
Farmington, MI 48335

FINAL

REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on October 15, 2018, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:05 PM by Mayor Schneemann.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor Pro Tem	Present	
William Galvin	Councilmember	Present	
Joe LaRussa	Councilmember	Present	
Steve Schneemann	Mayor	Present	
Maria Taylor	Councilmember	Present	

City Administration Present

Director Christiansen
Director Demers
Superintendent Eudy
City Clerk Mullison
City Manager Murphy
City Attorney Schultz
City Treasurer Weber

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

Doug Reynolds, 23634 Longacre, of the Emergency Preparedness Commission, spoke about what to do during a power loss and about Halloween safety.

4. APPROVAL OF ITEMS ON CONSENT AGENDA

A. City Council meeting minutes

- September 17, 2018 Special Meeting
- September 17, 2018 Regular Meeting
- October 1, 2018 Regular Meeting

B. Accept minutes from City's boards and commissions

- C. Farmington monthly payments report
- D. Farmington Public Safety monthly report
- E. Consideration to schedule program year 2018 Community Development Block Grant Application Public Hearing
- F. Move to ratify request for Declaratory Ruling and filing of the Lead and Copper Concurrence Petition
- G. Consideration to approve second amendment to City Manager’s Employment Agreement

Move to approve the consent agenda as presented.

RESULT: APPROVED AS PRESENTED [UNANIMOUS]
MOVER: Taylor, Councilmember
SECONDER: Bowman, Mayor Pro Tem

5. APPROVAL OF REGULAR AGENDA

Move to approve the regular agenda as amended, with the addition of Item 7I - Special Event application submitted to the DDA from Tomorrow Productions.

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: Bowman, Mayor Pro Tem
SECONDER: LaRussa, Councilmember

6. UNFINISHED BUSINESS

A. Consideration to approve amendment to Tobacco Ordinance

Director Demers recapped the proposed change to the Tobacco Ordinance. Council questioned Demers and City Attorney Schultz about specific concerns with both the ordinance and vape products, especially as it applies to public schools. Fine structure decisions were also addressed. Council appreciated Demers work on improving the ordinance and keeping current issues in sight.

Move to approve Ordinance to amend the City of Farmington Code of Ordinances, Chapter 20, to include vape and electronic cigarettes.

Friendly amendment made by Taylor and accepted by LaRussa to change language of ordinance in Section C adding “for each offense”. **

RESULT: APPROVED AS AMENDED [UNANIMOUS]
MOVER: LaRussa, Councilmember
SECONDER: Taylor, Councilmember
AYES: Schneemann, Taylor, Bowman, Galvin, LaRussa

7. NEW BUSINESS

A. Consideration to approve noise variance for Michigan Department of Transportation (MDOT) for resurfacing, bridge reconstruction and maintenance during the 2019 construction season

City Manager Murphy introduced MDOT’s proposals and OHM’s recommendations for approval of a noise variance. He spoke about a public forum held September 26, 2018 that allowed residents and MDOT representatives to interface. Superintendent Eudy introduced Laurie Swanson and Kelsey Cox of MDOT to give an overview of the program and explain when and where the closures might occur. April 15 through October 1 is the stated target period.

Taylor asked what will be done to notify residents that closures or noise might be expected. Swanson indicated that message boards will be used as well as press releases. Lane closures will also be put into an online resource, Mi Drive. Bowman asked about how typical this in terms of timing. Swanson indicated that they like to avoid peak hours.

Move to approve nighttime and weekend work by Michigan Department of Transportation (MDOT) for resurfacing and bridge reconstruction and maintenance during the 2019 construction season, pursuant to Section 19-127 of the City Ordinance and as requested by letter dated October 8, 2018.

RESULT: APPROVED AS PRESENTED [UNANIMOUS]
MOVER: Bowman, Mayor Pro Tem
SECONDER: Taylor, Councilmember

B. Resolution to approve Farmington Area Citizen Emergency Response Team (CERT)

Director Demers explained what the CERT program is and what it provides to the community. Tim Tutak, CERT Instructor, spoke about what CERT can do for our combined communities.

Bowman asked about where Farmington Hills stood in this endeavor and was told that Farmington Hills has already approved this program and is just waiting for Farmington to get on board.

Move to approve Resolution to participate with the Farmington/Farmington Hills Community Emergency Response Team, better known as Farmington Area CERT. **

RESULT: APPROVED AS PRESENTED [UNANIMOUS]
MOVER: Taylor, Councilmember
SECONDER: LaRussa, Councilmember

C. Consideration to approve conceptual/preliminary PUD site plan and PUD agreement – Samurai Steak House

Director Christiansen summarized the proposed project to improve a developed site and an undeveloped site into both Samurai Sushi and Samurai Steakhouse. He pointed out elements of site development that have changed since the PUD last came before Council. Galvin indicated that he was quite excited to see this project come to fruition and addressed parking concerns and other public concerns. LaRussa asked about deadlines and timelines and asked the city attorney to pay attention to them. Taylor asked for a full overview for the project, specifically about parking allowances, and Christiansen complied. Taylor requested that before moving this PUD forward the city look into alternative ways to make the developer pay for getting these allowances. Bowman cited the City's Master Plan and that this project is exactly the type we need. She indicated her approval of all the applicant has already done and is very comfortable with the current plan.

Michael Kemsley, representative of XIE ZHENG, LLC, commented about their excitement about being able to open the sushi portion of their project soon and thanked Council for their input and consideration.

Schneemann acknowledged that Farmington has not seen new retail footage built in twenty years and that this project represents the first of many to come in the future. He also spoke about needing a comprehensive way to address the issue of increasing development and density creating pressure on our parking requirements. As modes of mobility change, parking spaces might be looked at as a different kind of an asset. He directed Superintendent Eudy to make it a top priority to keep parking markings on Grand River pristine. Schneemann also cited community outreach to adjacent neighbors that did not generate any complaint.

LaRussa offered Council's support to the applicant as liaison to neighbors.

Taylor asked to have a change to the motion that was proposed incorporating parking offsite. Schultz indicated that a substantive request should not be tacked on in a public meeting setting.

Taylor moved to table the proposed motion, but with no support, the motion failed.

LaRussa asked what the impact would be of postponing this decision. Christiansen indicated that it is quite a time-sensitive opportunity and that delay will impact the applicant's financing. Kemsley indicated that they are on their third extension and every extension is costly and delays the process. Schultz clarified that this is a negotiation process, and should be previously discussed rather than dropped on the applicant at this meeting.

Galvin, as liaison to parking committee, mentioned that parking changes, modifications, additions and management is an ongoing process.

Move to conditionally approve the Samurai Steakhouse PUD Concept Plan and PUD Agreement with XIE ZHENG, LLC, for demolition and redevelopment of a new mixed-use building and realignment of parking areas, to occur on two adjacent parcels that will make up one integrated development, because the project meets the eligibility requirements of a planned unit development as a result of its redevelopment of

properties that, at the completion of the project, will better contribute to the vibrancy of downtown Farmington.

Approval is subject to the following conditions:

a. Incorporation of the following changes to PUD Concept Plan in a Final PUD Concept Plan to be reviewed and approved administratively for attachment to the PUD Agreement:

- Comments/recommendations in the PUD site plan planning/conceptual design review letter from OHM Advisors dated August 6, 2018.
- Comments/recommendations in the PUD site plan engineering/conceptual design review letter from OHM Advisors dated August 6, 2018.
- Conditions of approval in the motion of approval of the PUD Concept Plan by the Planning Commission of August 13, 2018.

b. Final review and approval of all legal descriptions and other exhibits.

c. Final review and approval of the of the PUD Agreement by the City Manager and City Attorney, including any minor amendments deemed necessary to comply with the City’s ordinances and Council requirements.

d. Final site plan by the Farmington Planning Commission that incorporates all requirements of the PUD Agreement, as revised. **

RESULT:	APPROVED AS PRESENTED [4-1]
MOVER:	Galvin, Councilmember
SECONDER:	Bowman, Mayor Pro Tem
AYES:	Bowman, Galvin, LaRussa, Schneemann
NAYS:	Taylor

D. Consideration to approve Change Order No.2 and Construction Estimate No.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project

Superintendent Eudy summarized the previous change orders, and indicated additional roads to be resurfaced.

Move to Approve Change Order No.2 and Construction Estimate No.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project to Pro-Line Asphalt Paving Corporation, located at 11797 29 Mile Road Washington Twp., MI 48095 in the amount of \$27,174.10 which includes the release of held retainage.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	Taylor, Councilmember
AYES:	Bowman, Galvin, LaRussa, Schneemann, Taylor

E. Consideration to ratify final payment of the emergency replacement of the Sodium Hypochlorite Injection System

Director Eudy asked for ratification of final payment for training and operation of the new Sodium Hypochlorite Injection System.

Move to ratify final payment to Oakland County Water Resource Commissioner for the emergency replacement of the Sodium Hypochlorite injection system in the amount of \$4,752.06, and payment to Detroit Pump in the amount of \$11,706.00.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	LaRussa, Councilmember
SECONDER:	Taylor, Councilmember
AYES:	Galvin, LaRussa, Schneemann, Taylor, Bowman

F. Consideration to approve Change Order No. 6 and Construction Estimate No.3, for the Farmington DPW wall repair & roof replacement project

Superintendent Eudy requested approval for Change Order No. 6. Schneemann asked about specifics of the project and was informed that repairs needing to be made were not as had been originally anticipated.

Move to approve Change Order No. 6, and Construction Estimate No. 3 in the amount of \$18,180.00 to R. Graham Construction, located at 30966 Grand River, Farmington MI 48336 for the Farmington DPW Wall Repair & Roof Replacement Project.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Taylor, Councilmember
SECONDER:	Bowman, Mayor Pro Tem
AYES:	LaRussa, Schneemann, Taylor, Bowman, Galvin

G. Consideration to renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County for 2018-19

Superintendent Eudy explained the renewal requested and LaRussa asked about strength of staffing within the Department of Public Works.

Move to authorize the City Manager to renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County for 2018-19.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	LaRussa, Councilmember
SECONDER:	Taylor, Councilmember

H. Consideration to approve request for third extension for 47th District Courthouse purchase agreement

City Manager Murphy recapped the history of previous extensions and spoke about the Planned Unit Development plan the applicant has already gained approval for. Bowman asked City Attorney Schultz how the City and Council can get the School Board to act on this request. Schultz indicated that there are many impediments to an agreement or project of this nature and he thinks that the pace of the process is a normal one. Bowman then directed a question to City administration inquiring about holding more frequent intergovernmental meetings to help with joint ventures. Murphy stated that administration could do that.

Dan Blugerman was invited by Schneemann to answer Bowman. He stated that there is a timetable already set up with a school board meeting imminent, with possible approval before any new school board should be seated. LaRussa reiterated that the Council's expectation should be set with a realistic deadline if this is a normal timeframe. Blugerman answered that the applicant has a short term to close after approval by the school board. Schultz reminded Council that time was set very ambitiously in order to set the developer's feet to the fire. Schneemann was not in favor of extending any more than the forty-five days requested.

Move to approve Consent to Third Extension of Sale of Land Agreement with the Ten Mile Development Group, LLC, with the expectation that the sale of the land will close within 7 days after the School District approves the easement termination and new driveway easements. **

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	Galvin, Councilmember
AYES:	Schneemann, Taylor, Bowman, Galvin, LaRussa

I. Consideration to approve Special Event application submitted to the DDA from Tomorrow Productions

City Manager Murphy introduced a Special Event Permit that would allow some closures of Grand River Avenue on Sunday, October 21, 2018.

Move to approve the Special Event request.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Taylor, Councilmember
SECONDER:	LaRussa, Councilmember

8. DEPARTMENT COMMENT

Director Demers thanked the City Attorney for help developing the Vape ordinance. He also noted that a CPR/AED instructional training to residents was being offered by the Public Safety Department. He mentioned that his department was ready for their upcoming Halloween patrol.

Bowman asked about the vaping ordinance and whether Farmington Hills is on board with a similar ordinance. Demers indicated that they were seriously looking at a vaping ordinance with action on it soon. Schneemann commended Demers for Public Safety's response to a recent significant event and the effectiveness of a townhall opportunity for the community to come together and get information. Demers made Council aware of the progress of the case. Schneemann also thanked Demers for the vaping ordinance and looked forward to the coming crosswalk ordinance.

City Treasurer Weber informed the public and Council about how to find out details about the coming millage question. LaRussa thanked Weber and Murphy and the rest of Council for supporting recent millage informational meetings that were held throughout the city. Taylor added that she had heard from residents that they felt that the presentations were useful and informative. Schneemann also thanked Weber for his best efforts toward the millage.

Superintendent Eudy reminded the community about yard waste and leaf collection and their scheduled dates.

Director Christiansen gave a synopsis of ongoing work on the City of Farmington Master Plan Update 2018 and announced upcoming public meetings. Galvin inquired about an open permit for a gas station at Nine Mile and Farmington Road, and Christiansen detailed progress on that project. Taylor asked about the old bank building at Farmington and Grand River and was updated on that property.

City Clerk Mullison reported on progress toward preparedness for the upcoming Midterm election and drew attention to deadlines for and the process of voting by absentee ballot.

City Manager Murphy informed Council about a resident who was concerned about bicycling by Citizens Bank and had concerns about his family's safety. He reported that headway had been made with Citizens Bank toward fixing the problem. Schneemann asked Director Demers what the ordinance was regarding bicycling on sidewalks. Demers offered to research the question and get back to Schneemann. Taylor also asked Demers to work to strike an ordinance that required bicycles to be registered by the city.

9. CITY COUNCIL COMMENTS

Galvin thanked Department Heads for their extra effort, especially Demers, Weber, Eudy and Christiansen. He highlighted the Haunted Market later this month and the upcoming Skate Swap in November.

Taylor requested a study session on developing and establishing a parking fund within the next few months.

LaRussa thanked all present on work done. He commented about differing modes of transportation and their effect on our city and would like to review our ordinances and policy statement so that we can treat all of our applicants equally. He asked to add this topic to the work plan.

Schneemann reminded all to exercise their constitutional right and get out and vote on November 6th. He called on our citizens to make a decision about the direction that our community will take for this decade and beyond.

10. ADJOURNMENT

Move to adjourn the meeting.

RESULT:	APPROVED AS PRESENTED [UNANIMOUS]
MOVER:	Taylor, Councilmember
SECONDER:	Bowman, Mayor Pro Tem

Meeting adjourned at 8:57 p.m.

Steve Schneemann, Mayor

Mary J. Mullison, City Clerk

Approval Date: November 19, 2018

******To view approved documents, please see the Agenda Packet link that is relevant to this meeting at <http://farmgov.com/City-Services/Government/Agendas-and-Minutes/City-Council.aspx> or contact the City Clerk.