



**Regular City Council Meeting
6:30 p.m., Monday, March 23, 2020
Council Chamber
23600 Liberty Street
Farmington, MI 48335**

REGULAR MEETING AGENDA

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Public Comment**
- 4. Consideration to approve Michigan Department of Natural Resources Trust Fund Grant Resolution for Drake Park Facilities Improvement**
- 5. Consideration to approve Michigan Department of Natural Resources Recreation Passport Grant Resolution for Drake Park Facilities Improvement**
- 6. Discuss State of Michigan Executive Order 2020-15**
- 7. Consideration to approve Resolution Declaring Local State of Emergency (COVID-19)**
- 8. Other Business**
- 9. Public Comment**
- 10. Council Comment**
- 11. Adjournment**

Farmington City Council Staff Report	Council Meeting Date: March 23, 2020	Item Number 4
Submitted by: David Murphy, City Manager		
Agenda Topic: Consideration to Approve Michigan Department of Natural Resources Trust Fund Grant Resolution for Drake Park Facilities Improvement		
Proposed Motion: Move to Approve Michigan Department of Natural Resources Trust Fund Grant Resolution for Drake Park Facilities Improvement		
<p><u>Background:</u></p> <p>Drake Park is in need of repair and upgrading. City Administration, in coordination with the City's Engineers, have developed a plan which includes:</p> <p>Parking Lot Improvements – Includes repaving, reorienting of traffic flow, adding of a central storm water garden, adding of new catch basin structures, and movement of the entire lot to the north to accommodate a new walking path.</p> <p>Walking Path – Includes widening of the existing path to Longacre Elementary, extending of the path to the south of the parking through to the sidewalk on Drake Road (currently the path terminates at the east end of the parking lot), and adding ADA paths to the dugouts.</p> <p>Tennis Courts – Includes removing of tennis court and fencing. In the concept map, the tennis court area is shown as being converted to grass. Administration is currently considering adding volleyball courts, gaga pits, or other amenities. Playground equipment is available at Long Acre Elementary.</p> <p>Baseball Diamonds – Replacement of 4 sets of bleachers.</p> <p>The total cost of the project is estimated to be approximately \$365,000. City Administration would like to submit for two different grants. The Recreation Passport Grant Program pays up to 50% of the project costs up to \$150,000. The Natural Resources Trust Grant pays up to 75% of the project costs up to \$300,000. As part of the application process for each grant, City Council must pass a resolution of support for the project and commit to matching funds.</p>		
<p><u>Materials:</u></p> <p>Trust Fund Resolution</p>		

CITY OF FARMINGTON
OAKLAND COUNTY, MICHIGAN

RESOLUTION NO. _____

A RESOLUTION TO APPROVE THE SUBMITTAL OF A MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT FOR DRAKE PARK

WHEREAS, The City of Farmington has recognized through its Parks and Recreation 5-Year Parks and Recreation Plan the need to improve its existing parks; and

WHEREAS, The City of Farmington has developed a concept for improvements at Drake Park; and

WHEREAS, the City is requesting \$300,000.00 to come from the Michigan Department of Natural Resources Trust Fund Grant to be used towards the proposed improvements to Drake Park including the project's engineering; and

WHEREAS, the City is providing a 25% match to the Michigan Department of Natural Resources Trust Fund Grant of \$75,000.00 from the City's general funds.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council hereby approves the Submittal of the Michigan Department of Natural Resources Trust Fund Grant and its match.

AYES:
NAYES:
ABSENT:

MOTION DECLARED ADOPTED.

I, Mary J. Mullison, duly authorized City Clerk for the City of Farmington do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on this _____ day of _____ 2020, in the City of Farmington, Oakland County, Michigan.

Mary J. Mullison, City Clerk

Farmington City Council Staff Report	Council Meeting Date: March 23, 2020	Item Number 5
Submitted by: David Murphy, City Manager		
Agenda Topic: Consideration to Approve Michigan Department of Natural Resources Recreation Passport Grant Resolution for Drake Park Facilities Improvement		
Proposed Motion: Move to Approve Michigan Department of Natural Resources Recreation Passport Grant Resolution for Drake Park Facilities Improvement		
<p><u>Background:</u></p> <p>Drake Park is in need of repair and upgrading. City Administration, in coordination with the City's Engineers, have developed a plan which includes:</p> <p>Parking Lot Improvements – Includes repaving, reorienting of traffic flow, adding of a central storm water garden, adding of new catch basin structures, and movement of the entire lot to the north to accommodate a new walking path.</p> <p>Walking Path – Includes widening of the existing path to Longacre Elementary, extending of the path to the south of the parking through to the sidewalk on Drake Road (currently the path terminates at the east end of the parking lot), and adding ADA paths to the dugouts.</p> <p>Tennis Courts – Includes removing of tennis court and fencing. In the concept map, the tennis court area is shown as being converted to grass. Administration is currently considering adding volleyball courts, gaga pits, or other amenities. Playground equipment is available at Long Acre Elementary.</p> <p>Baseball Diamonds – Replacement of 4 sets of bleachers.</p> <p>The total cost of the project is estimated to be approximately \$365,000. City Administration would like to submit for two different grants. The Recreation Passport Grant Program pays up to 50% of the project costs up to \$150,000. The Natural Resources Trust Grant pays up to 75% of the project costs up to \$300,000. As part of the application process for each grant, City Council must pass a resolution of support for the project and commit to matching funds.</p>		
<p><u>Materials:</u></p> <p>Recreation Passport Resolution</p>		

CITY OF FARMINGTON
OAKLAND COUNTY, MICHIGAN

RESOLUTION NO. _____

A RESOLUTION TO APPROVE THE SUBMITTAL OF A MICHIGAN DEPARTMENT OF NATURAL RESOURCES PASSPORT RECREATION GRANT FOR DRAKE PARK

WHEREAS, The City of Farmington has recognized through its Parks and Recreation 5-Year Parks and Recreation Plan the need to improve its existing parks; and

WHEREAS, The City of Farmington has developed a concept for improvements at Drake Park; and

WHEREAS, the City is requesting \$150,000.00 to come from the Michigan Department of Natural Resources Passport Recreation Grant to be used towards the proposed improvements to Drake Park including the project's engineering; and

WHEREAS, the City is providing a 50% match to the Michigan Department of Natural Resources Passport Recreation Grant of \$75,000.00 from the City's general funds.

NOW, THEREFORE, BE IT RESOLVED THAT, the City Council hereby approves the Submittal of the Michigan Department of Natural Resources Passport Recreation Grant and its match.

AYES:
NAYES:
ABSENT:

MOTION DECLARED ADOPTED.

I, Mary J. Mullison, duly authorized City Clerk for the City of Farmington do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on this _____ day of _____ 2020, in the City of Farmington, Oakland County, Michigan.

Mary J. Mullison, City Clerk

**Farmington City Council
Staff Report**

**Council Meeting
Date: March 23, 2020**

**Reference
Number
7**

Submitted by: City Manager David Murphy

Description Consideration to approve Resolution Declaring Local State of Emergency (COVID-19)

Requested Action Approve Resolution Declaring Local State of Emergency (COVID-19)

Background

Declarations of a State of Emergency as a result of the COVID-19 virus have now been issued by the President of the United States, the Governor of the State of Michigan, and the Oakland County Executive. There exists a mechanism by which the City can also declare a local state of emergency. The declaration of a local emergency situation is provided for in the State Emergency Management Act, Act 390 of 1976, MCL 30.401, *et seq.* The State Act is primarily focused on actions by the State, but does include some provisions for declaring a local state of emergency that gives a municipality like Farmington various additional authority and options to deal with emergency situations and disasters and the like. The question before Council is whether to do that now.

Note that the City has also adopted its own “Emergency Preparedness” Chapter of the City Code, which is found at Chapter 14 of the Code, which invokes the State Act as a basis for its adoption. The City’s Ordinance sets forth the various duties and authorities of the Mayor and also for the “Emergency Management Coordinator,” who is required to be appointed under the State Act. Farmington also approved an Emergency Operations Support Plan in 2018 (updating previous plans) under which it agrees to work cooperatively with Oakland County for emergency responses. That sort of plan is expressly contemplated under the State Act. The City’s adopted Emergency Management Plan identifies Public Safety Director Frank Demers as the City’s Emergency Management Coordinator.

The City’s Emergency Preparedness Ordinance contemplates the involvement of City Council at various points during the decision-making processes in the event of a declared local state of emergency.

The attached Resolution would declare a Local State of Emergency to be in effect until the Governor’s State of Emergency is terminated or the City Council terminates the local state of emergency.

In addition to that declaration, there are some **additional provisions** in the attached Resolution for Council’s consideration.

The first paragraph generally confirms the appropriateness of the City Manager closing municipal buildings and facilities to the public, and acknowledges his authority to determine staffing throughout this situation.

Paragraph two is intended to authorize the City Manager to do appropriate things during the emergency situation—some of which might otherwise come to City Council—to make sure that there is continuity in City business operations.

The third paragraph relates to any public meetings that are held during the declaration. To the extent the City is obligated to allow physical public attendance at those meetings—which can have an electronic or remote attendance as a result of the Governor’s Executive Order 2020-15 relating to Open Meetings Act compliance—the resolution sets some rules as to how the public is to behave during those meetings, including compliance with social distancing measures, etc.

We cannot say at this time whether it is required that the City invoke the emergency provisions of the State Act or the City’s ordinance. But the decision to do so does make it easier for the City to be “lighter on its feet” in responding to some issues (especially given the issues with calling Council meetings at this point) and gives the City a tool by which to do other things like those set forth in paragraph 2 and paragraph 3 of the Resolution.

Relative links:

Link to the City of Farmington Emergency Support plan that was adopted at the Dec. 17, 2018 Council Meeting:

[https://ci.farmington.mi.us/getattachment/e6a8554d-47c6-42d7-afaf-68b1a7b144a6/181217-\(1\).aspx](https://ci.farmington.mi.us/getattachment/e6a8554d-47c6-42d7-afaf-68b1a7b144a6/181217-(1).aspx)

Link to State of Michigan’s Emergency Management Act:

[http://www.legislature.mi.gov/\(S\(vu2arxo4kz5b3bzo2i0uaaq5\)\)/mileg.aspx?page=GetObject&objectname=mcl-Act-390-of-1976](http://www.legislature.mi.gov/(S(vu2arxo4kz5b3bzo2i0uaaq5))/mileg.aspx?page=GetObject&objectname=mcl-Act-390-of-1976)

Materials: resolution

**CITY OF FARMINGTON
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION DECLARING LOCAL STATE OF EMERGENCY
(COVID-19)**

RECITALS:

A. The President of the United States, the Governor of the State of Michigan, and the Oakland County Executive have all declared a State of Emergency, and federal, state, and county orders, directives, guidelines, and recommendations, including from the Centers for Disease Control ("CDC"), have been issued in an effort to control the COVID-19 Coronavirus pandemic declared by the World Health Organization (WHO).

B. These federal, state, and county orders, directives, guidelines, and recommendations have included closing business establishments; cancelling, postponing, and limiting the numbers at gatherings of people; postponing or limiting the number of persons required to physically attend public meetings; and calling for appropriate steps to be taken by local governments in an effort to control the spread of COVID-19.

C. These federal, state, and county orders, directives, guidelines, and recommendations have been changed or updated on a frequent basis, and further changes or updates are expected. Most recently, on March 18, 2020, the Governor issued Emergency Executive Order 2020-15, temporarily authorizing remote participation in public meetings and hearings as a suspension of the rules and procedures for physical presence at meetings and hearings of public bodies under the Open Meetings Act.

D. COVID-19, and the possible exposure to persons afflicted with it, constitute a clear and present danger to the health, safety, and welfare of City personnel and persons doing business with or residing in the City.

E. Under the authority and responsibilities provided in the State of Michigan's Emergency Management Act, MCL 30.410, the Mayor and City Council of the City of Farmington have determined to declare a Local State of Emergency due to COVID-19, and recognize and/or confirm, in accordance with the City Charter, the appointment of the Director of Public Safety, Frank Demers, as the Emergency Management Coordinator for all purposes under the Act, including coordination with any and all other federal, state, county, and local governmental entities.

F. The City Council has further determined that certain additional emergency measures and actions should be taken or authorized.

IT IS THEREFORE DECLARED by the Mayor and by the City Council of the City of Farmington, Oakland County, Michigan, that there is a Local State of Emergency in the City due COVID-19, on the basis of the States of Emergency already declared by the President of the United States, the

Governor of the State of Michigan, and the Oakland County Executive; that, in accordance with the City Charter, the Director of Public Safety, Frank Demers, is and has been appointed as the Emergency Management Coordinator for all purposes under the Act; that the response and recovery elements of the City's emergency operations plan have been activated; and that local resources are to be used to the fullest extent possible.

IT IS FURTHER DECLARED THAT:

1. Except for legally required meetings and necessary exceptions that absolutely require physical presence, and subject to restrictions approved by the Mayor, City owned or occupied buildings are closed to the public, with the City Manager authorized and directed to determine and provide public notice of this closure and the manner in which the public may communicate with City offices, which shall continue to be staffed by City personnel in a manner and at a level determined by the City Manager.

2. The City Council authorizes the City Manager to take appropriate measures, in his discretion, to respond to or protect City citizens, businesses, and personnel from the declared State of Emergency by adopting and enforcing all appropriate measures, including but not limited to:

- a. Taking actions necessary to comply with a federal, state, or county order or directive that is binding on the City.
- b. Limiting City meetings and functions to those required by law.
- c. Extending deadlines for City responses to submissions and applications for City approvals, permits, and inspections.
- d. Temporarily releasing all non-essential City personnel from reporting to the City offices for work.
- e. Approve the payment of bills after additional approval of the City Treasurer as necessary to avoid interest, penalties, or delinquency.
- f. Authorize temporary employees or contractors, equipment rental, supply and material purchases, and necessary contracts.
- g. Cancelling, postponing, or establishing emergency rules for any public meeting of a City board, commission, or committee (not including City Council).

3. That for public meetings that are subject to the Open Meetings Act, and where the attendance is not completely electronic/remote by members of the public and the public body (e.g., where some component of the meeting is held at the a city facility and the City determines that it is obligated to permit the public to attend in person under the OMA and/or Executive order 2020-15), the number of persons physically attending should be documented and limited, to the extent possible and legal, in an effort to protect the health and safety of persons that do attend by the following measures:

- a. The City will make reasonable efforts to implement the authority provided in the Governor's March 18, 2020, Emergency Executive Order 2020-15, to allow remote participation in public meetings and hearings.
- b. Persons that do physically attend a meeting are required to provide their name, address, and an email address or phone number for follow-up contact in the event someone at that meeting tests positive for COVID-19.

- c. Members of the public desiring to attend a meeting are requested to refrain from doing so in person, in favor of attending remotely by viewing and participating in one of the ways provided in the Governor's Emergency Executive Order 2020-15 to be described on the City's website and in the Notice of the meeting, or may be prohibited from attending in person to the extent possible and legal or ordered by state or federal authorities, provided remote attendance is provided for the public in accordance with Executive Order 2020-15.
- d. Members of the public that attend a meeting in person shall refrain from all physical contact with and maintain a minimum distance of six (6') feet from other persons in attendance at the meeting or in the building in which it is held.
- e. Members of the public that attend and speak at a meeting shall refrain from touching the microphones, podium, and tables and from approaching the members or support staff for the council/board/commission/committee.
- f. Public comment as required by the Open Meetings Act and/or Executive Order 2020-15 shall occur at the beginning of the Agenda.
- g. Measures as necessary shall be taken to comply with the maximum number of persons at a gathering as ordered, directed, or recommended by the President, CDC, Governor, or County Executive.

4. This Declaration shall remain in effect until the Governor's declared State of Emergency is terminated or the Mayor determines that the COVID-19 emergency upon which this Declaration is based no longer exists in the City.

IT IS FURTHER ORDERED AND DECLARED THAT NOTICE OF THIS DECLARATION SHALL BE PROVIDED TO:

- Emergency Management and Homeland Security Division, Michigan State Police
- Oakland County Executive
- Oakland County Homeland Security Division Manager, Emergency Management Coordinator
- Any other individual or entity required by law or by the City's Emergency Operations Plan

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Mary Mullison, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Farmington, County of Oakland, and State of Michigan, at a regular meeting held this ____ day of March, 2020, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and Executive Order

2020-15, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Mary Mullison, City Clerk
City of Farmington