



**Special City Council Meeting
7:00 PM, MARCH 7, 2016
City Council Chambers
Farmington City Hall
23600 Liberty Street
Farmington, MI 48335**

FINAL

SPECIAL MEETING MINUTES

A special meeting of the Farmington City Council was held on Monday, March 7, 2016 in the Conference Room, Farmington City Hall, 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 6:00 p.m. by Mayor William Galvin.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Councilmember	Present	
Greg Cowley	Councilmember	Present	
William Galvin	Mayor	Present	
Steve Schneemann	Mayor Pro Tem	Present	
Jeff Scott	Councilmember	Present	

City Administration Present

Director Christiansen
City Manager Murphy
Recording Secretary Murphy
City Attorney Schultz

2. APPROVAL OF AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Schneemann , Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

3. PUBLIC COMMENT

Students from Catholic Central High School introduced themselves stating that they were attending tonight's meeting for a class assignment.

4. BOARD & COMMISSION INTERVIEWS

A. Consideration to Reappoint Tom Buck to the Downtown Development Authority

Council interviewed Tom Buck for his reappointment to the Downtown Development Authority.

Motion to approve reappointment of Tom Buck to the Downtown Development Authority for a 4-year term ending 2/28/2020.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Scott, Councilmember
SECONDER:	Steve Schneemann, Mayor Pro Tem
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

5. CONSIDERATION TO APPROVE UPDATED SPECIAL EVENTS POLICY

A. Proposed Special Events Policy

Murphy advised that a year ago Council requested City Administration review and update the special events policy. Since that time the current policy was distributed to all department heads for their review and comments. Feedback from the department heads was incorporated into the draft document and then submitted to Council for review.

Galvin asked if the document would be nonbinding and Schultz responded that it will be binding on things allowed in the parks and once the document language is settled the next task will be to update the special event ordinance.

Galvin noted there are residents who have been delayed in applying for a special event permit until the policy has been approved.

Discussion followed regarding what would trigger the requirement for Council approval of a special event request.

Murphy commented the purpose of this provision is to reduce the number of events that would require Council approval.

Galvin commented the policy gives preference to Farmington/Farmington Hills residents in holding special events.

Responding to a question from Cowley, Murphy stated special events involving food trucks would likely require Council approval.

Responding to a question from Bowman, Schultz advised a date may be reserved for an annual event, however, Council approval would still be required each year.

Discussion followed regarding the section of the policy that directs an applicant to invite local businesses to participate in a special event to the greatest extent practical, depending upon its nature and purpose. Schultz advised this stipulation applies to events in Riley Park and indicated that the event holder would have to show that they made a reasonable effort to include merchants and provide proof of same.

Galvin stated this policy addresses concerns expressed by the DDA that special events could potentially take business away from the local merchants.

Further discussion was held on policy language and Murphy suggested putting wording in to include compatible businesses within the Central Business District.

Schneemann stated the language is too broad and should be more closely defined. He recommended providing event sponsors with a handout to use in approaching local businesses. He would also like a check box included in the application that confirms the event sponsor had approached businesses in the downtown to participate in the event.

Motion to approve the proposed Special Events Policy with amendments agreed upon by Council. [SEE SPECIAL EVENTS POLICY].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Jeff Scott, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

6. BOARD AND COMMISSION INTERVIEW: SCHEDULED AT 7:00 P.M.

A. Consideration to Appoint Brian Spitsbergen to the Commission on Children, Youth and Families

Council interviewed Mr. Spitsbergen for a position on the Commission on Children, Youth and Families.

Motion to appoint Brian Spitsbergen to the Commission on Children, Youth and Families to fill an unexpired term ending 12/31/2017.

RESULT: APPROVED [UNANIMOUS]
MOVER: Steve Schneemann, Mayor Pro Tem
SECONDER: Greg Cowley, Councilmember
AYES: Bowman, Cowley, Galvin, Schneemann, Scott

7. CONSIDERATION TO APPROVE INTERLOCAL AGREEMENT FOR CLEMIS IT SERVICES

Murphy advised the Oakland County Court and Law Enforcement Management Information System (CLEMIS) has revised the IT services agreement with local communities and has requested approval/execution of the new agreement. The agreement governs IT service provisions by CLEMIS to member communities. The agreement was revised to reflect current IT practices.

Galvin confirmed through his conversation with Chief Demers that this is a procedural action only.

Cowley asked if everyone was satisfied with the service and Murphy responded in the affirmative.

Motion to approve an interlocal agreement for Oakland County Court and Law Enforcement Management Information System (CLEMIS) IT services as presented. [SEE ATTACHED AGREEMENT].

RESULT: APPROVED [UNANIMOUS]
MOVER: Greg Cowley, Councilmember
SECONDER: Jeff Scott, Councilmember
AYES: Bowman, Cowley, Galvin, Schneemann, Scott

8. CONSIDERATION TO APPROVE DDA AND CITY INTERGOVERNMENTAL AGREEMENT

Murphy advised this intergovernmental agreement was originally prepared as a result of the DDA’s action to move forward with a reorganization plan with the City of Farmington, which resulted in the creation of an overall Economic and Community Development Department.

The agreement provided for the City Manager to act as the Executive Director of the DDA and the incumbent was absorbed into the City Manager’s office as Assistant to the City Manager.

The agreement had an initial two-year term which expired on June 30, 2015. The DDA compensates the City a total of \$66,000 for providing a contractual service, which

represents \$6,000 for finance/accounting services and \$60,000 toward the economic development services.

City Administration is requesting City Council approve renewal of the agreement until June 30, 2017 at which time the DDA board will reassess its ability to function separately as is provided for in the state statute. The agreement was approved by the DDA board at their last meeting.

Motion to adopt a resolution to renew an Intergovernmental Agreement for Economic and Community Development Services effective July 1, 2015 to June 30, 2016, and thereafter from July 1, 2016 to June 30, 2017. [SEE ATTACHED RESOLUTION].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sara Bowman, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

9. CONSIDERATION TO ACCEPT PROPOSAL OF RECONNAISSANCE-LEVEL HISTORIC STUDY

A. Acceptance of Proposal City-Wide Reconnaissance-Level Historic Survey by Oakland County Economic Development & Community Affairs

Present: Laura Myers, Historical Commission Chair
Ron Campbell, Principal Planner and Design/Preservation Architect for Oakland County

Laura Myers advised the Oakland County Economic Development and Community Affairs depart has proposed conducting a free city-wide historic resource survey, the results of which would provide what they consider to be contributing or non-contributing historic structures in the city.

Ron Campbell discussed the proposed survey and other free services offered by Oakland County.

Responding to a question from Cowley, Myers confirmed the survey would provide an inventory of historic structures in Farmington.

Bowman asked if current legislation regarding Historic Districts would impact the cost of the survey and Campbell responded in the negative.

Schneemann asked how this survey would dovetail with a paid survey conducted several years ago. Myers responded the earlier survey included only buildings in the downtown, but no residences.

Schneemann expressed concern over the possible conflict of opinions between the earlier survey and the proposed one.

Campbell explained the process of conducting the survey and what it would involve.

Scott addressed the expectations of the survey and further discussion was held. An April timeline was also discussed as to the start of the project.

Galvin asked Myers if residents could address their questions to the Historical Commission about the survey and she responded yes.

Motion to accept a City-Wide Reconnaissance-Level Historic Survey proposal from Oakland County Economic Development & Community Affairs. [SEE ATTACHED PROPOSAL].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Sara Bowman, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

Council recessed the meeting at 7:55 p.m.

Council resumed the meeting at 8:07 p.m.

10. CONSIDERATION TO APPROVE THE DISSOLUTION OF SWOCC

Murphy advised that the City of Novi had already approved the dissolution of SWOCC and Farmington Hills was in the process of doing the same.

Schultz advised Council had been informed a while ago about reduced revenues coming in from SWOCC. He discussed the history of moving the process forward towards dissolution. He stated he was asked to put together an agreement that would voluntarily dissolve the entity known as SWOCC. He advised Council was provided with a document prepared by his office detailing same. He indicated the last day for SWOCC employees would be March 31st, 2016. He noted the SWOCC Board had approved this unanimously at a meeting in February.

Cowley discussed the make-up of SWOCC and its supporting staff. He indicated Novi is moving in the direction of channeling cable services through their school system. He gave a history of the entity and what the expectations were for public access. He discussed diminishing revenue for public access, but noted that no services will be

eliminated that are presently in place today. He also noted the building will be put up for sale.

Discussion followed regarding future plans for service and related funding of \$18,000 from PEG fees. Murphy stated he is exploring two possibilities and is confident one of them will be put in place.

Motion to approve the Dissolution and Liquidation Agreement related to the Southwestern Oakland Cable Commission, i.e. known as SWOCC, subject to approval by the Cities of Farmington Hills and Novi. [SEE ATTACHED AGREEMENT].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Jeff Scott, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

11. SPECIAL EVENT REQUEST

Motion to approve a Special Event Request from the Farmington Family YMCA to conduct an Easter Egg Hunt in Shiawassee Park on Saturday, March 19, 2016 from 9:00 a.m. to 2:00 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sara Bowman, Councilmember
SECONDER:	Steve Schneemann, Mayor Pro Tem
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

12. CONSIDERATION TO APPROVE FOUR TEMPORARY RESIDENT PARKING PERMITS FOR THE NORTH LOT

Murphy advised that in an effort to ease the transition to time limited parking enforcement in the north municipal lot, the Parking Advisory Committee is recommending that four (4) parking permits be issued, at no cost, for Saturday parking in the North Lot, excluding the front row spaces; one permit to each of the four (4) apartments of the Cook Building Apartments for a total of four (4) permits; each permit would only be valid for the remainder of each resident’s current lease and limited to the current resident’s usage.

Louay Jardack, 32892 Robin Hood Drive, Beverly Hills, one of the owners of the Cook Building where the apartments are located, was present. He detailed the history of his ownership and what attracted him to purchase it, citing the apartments with the parking

in the back. He spoke of his dislike for the temporary parking permits and how it will impact his investment.

Murphy explained how the Parking Advisory Committee reached its decision regarding the proposed permits.

Bowman spoke on seeing both sides of the issue and queried how one would effectuate a long term solution to this problem and not just a temporary fix.

Cowley stated a venture capitalist is coming to speak to the Parking Advisory Committee on March 16th to tell them how they were able to help both Royal Oak and East Lansing in financing the deck structures and further discussion was held.

Schneemann asked if there were any private parking places in the vicinity and discussion followed. He stated the need to be fair and equitable in this situation, noting the temporary parking permits were a step in the right direction.

Scott asked if these were the only apartments in the downtown that do not have parking and Murphy responded in the affirmative. Scott spoke about the challenge of living in an urban area and the issue of parking.

Cowley expressed support for the permits even though it is a band aid approach. He believes the Parking Committee is on track, and that they understand not everyone is going to be happy. He stated the ultimate solution is to expand and increase parking capacity and to do it quickly is the mission of the Parking Committee.

Galvin stated that progress does not happen without disruption. Everything in business advancement is about disruption. You cannot advance and make progress with status quo. He expressed his concern that by allowing permits they will be giving away city property for free. He stated the City and the DDA need to work expeditiously to find ways to increase parking capacity, specifically in the North lot.

Motion to adopt a resolution to approve four temporary resident parking permits in the north municipal lot for Saturdays only. [SEE ATTACHED RESOLUTION].

RESULT:	APPROVED [4-1]
MOVER:	Sara Bowman, Councilmember
SECONDER:	Steve Schneemann, Mayor Pro Tem
AYES:	Bowman, Cowley, Schneemann, Scott
NAYS:	Galvin

13. CONSIDERATION TO APPROVE LIQUOR LICENSE FOR FARMINGTON BREWING COMPANY

Present: Jason Hendricks and Jason Schlaff, co-owners of Farmington Brewing Company

Schneemann recused himself from this Agenda item.

Schlaff stated the Farmington Brewing Company has wildly exceeded its ability to produce enough beer for the growing brewery market in this area. He indicated they are in the process of leasing one of the three suites located in the Noonan Building on Nine Mile Road to establish a production brewery which will not offer any form of customer service other than a tour of the facility. No sales will be conducted out of that location, just distribution to existing customers. He indicated they are amenable to the resolution provided by the City Attorney with the caveat that they may wish to rezone that property in the future.

Bowman thanked the applicant for staying in Farmington.

Cowley questioned whether the Liquor Commission is involved in the process, and the applicant responded they are Step 2 of the application.

Motion to approve a Liquor License for Farmington Brewing Company subject to the resolution in the agreement with language being worked out between management and the City Attorney. [SEE ATTACHED LOCAL GOVERNMENT APPROVAL].

RESULT:	APPROVED [4 - 0]
MOVER:	Jeff Scott, Councilmember
SECONDER:	Sara Bowman, Councilmember
AYES:	Bowman, Cowley, Galvin, Scott
RECUSED:	Schneemann

14. REVIEW OF PURCHASE AGREEMENT FOR OLD 47TH DISTRICT COURTHOUSE PROPERTY

Present: Roger Scherr, SDS Ventures
Dan Blugerman, Thomas A. Duke Company

Christiansen advised the city has received an offer to purchase the courthouse property on Ten Mile Road. The proposed purchase agreement from SDC Ventures is similar to a previous agreement with Balfour. The proposed purchase price is \$420,000. He stated there are other potential buyers currently inquiring about the property.

Scherr provided a profile and history of SDS Ventures. He stated the proposed project on the approximately 4-acre site is for single family, detached homes of 1800 to 2400 square feet, built on 55 foot lots.

Schneemann inquired about material that will be utilized on the homes. Schultz advised this project will likely be developed as a Planned Unit Development.

Responding to a question from Scott, Scherr stated he has not yet reviewed the Downtown Area Master Plan. Scott noted the proposed project differs from the Master Plan. Discussion was held on lot size width.

Bowman expressed support for the concept plan, but questioned whether the sledding hill would be protected.

Galvin expressed support for the project and was excited about the single family homes. He thanked Mr. Scherr for the presentation.

15. CONSIDERATION OF PUD AMENDMENT FOR GRAND RIVER – HALSTEAD PLAZA

Present: Lonnie Zimmerman, Architect, Siegal/Tuomaala Associates Architects and Planners, Inc.

Christiansen advised this agenda item is a review and consideration to amend the Grand River & Freedom Road Planned Unit Development (PUD) in order to modify the required/approved screening wall along the east side of the site behind The Tile Shop.

Christiansen provided a history of the ongoing project, stating the wall that was previously approved was an 8-foot masonry wall.

Zimmerman advised they already have site plan approval for the office building and will start construction as soon as they have the necessary approvals.

Zimmerman stated when the original PUD was done they based it on information that was available at the time, but have learned a lot since then. He stated that the wall is concrete and is leaning in areas along the east property line. He indicated there are retaining walls on the residential side that partially drop down eleven feet from the parking lot grade. He stated that area is leaning and was reinforced probably twenty or more years ago with a horizontal structural beam which is not doing the job.

Zimmerman indicated the project architects have recommended taking down the first 20 feet of the wall to avoid blocking visibility. He advised the next 141 feet is strictly a screen wall, it's an embossed concrete poured wall they originally planned to remove and replace. He stated thorough examination of the wall by engineers revealed the first 141 feet is in much better shape than originally thought. So the new plan is to build up the concrete wall with masonry to make it a minimum of eight feet high.

Zimmerman stated the new plan for the retaining wall that is leaning is to replace the carport in order for a buttress to be installed. He provided further detail on the installation of the buttresses and rebuilding of the carport. He stated they have been working with the adjacent property owner regarding this new plan.

Zimmerman stated they are requesting that the PUD be modified to permit them to work with the existing wall, add extra height with the vinyl fence over the top of it. He stated another option would be to take the screen wall portion off entirely and build a solid vinyl fence entirely at that point without the existing concrete screen wall there.

He stated the water main easement is driving a lot of their decisions and a new masonry wall is out of the question there.

Schultz stated if there is an amendment to the PUD it has to go back before the Planning Commission, a public hearing must be held, and then back to Council with the proper documents and final approval.

Scott spoke about the obstacles associated with the new plan and indicated he could not support a change.

Christiansen provided clarification on the project and discussion followed.

Bowman commented she has been knowledgeable about this wall since her time on the Planning Commission. She stated if the wall is the only obstacle holding up the project, she would approve of it.

Schneemann stated he cannot support the first option presented. He then had further discussion on the plans. He inquired regarding the color proposed for the vinyl fence and Zimmerman responded dark grey.

Schultz brought up the issue of getting a bond put in place in order to start the project and further discussion was held.

16. OTHER BUSINESS

CONSIDERATION OF PROPOSED RESOLUTION REGARDING HB5232

Christiansen stated this item is for consideration of a proposed resolution regarding HB5232 and the requested action is to direct City Administration to prepare a resolution opposing House Bill 5232 that relates to local Historic District's Act.

Christiansen indicated a summary of the legislation was included in the packets along with a statement opposing the changes. Also included is a statement prepared by Laura Myers, Chair of the Historical Commission, with respect to their position on HB5232.

Christiansen stated the Historical Commission has asked the City Council to approve a resolution opposing the changes to the more formal local Historic District Act.

Schultz stated that Farmington is not one of the Historic Districts affected by the proposed legislation.

Galvin suggested bringing back this item on the March 21st agenda.

Galvin inquired as to how many communities not affected by this bill are passing resolutions and Christiansen responded he did not know.

Schultz stated he was unable to find a resolution that has been passed in one of the 78 communities directly affected by the legislation.

Bowman indicated she is in favor of supporting the Historical Commission but thinks there is a better way of showing support than drafting a nonbinding resolution on a nonbinding commission.

Cowley asked for a full and complete understanding of the House bill.

Schneemann expressed concern regarding the proposed legislation, noting he doesn't support the State Legislature telling individual communities what they can and cannot do. He also expressed concern regarding the letter from Laura Myers.

No action was taken on this item.

17. COUNCIL COMMENT

No Council Comment was heard.

18. CONSIDERATION TO ENTER INTO CLOSED SESSION TO DISCUSS CONFIDENTIAL COMMUNICATION FROM CITY ATTORNEY

1. Motion to go into closed session to discuss confidential communication from the City Attorney.

RESULT:	APPROVED [UNANIMOUSLY]
MOVER:	Steve Schneemann, Mayor Pro Tem
SECONDER:	Greg Cowley, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

Council entered closed session at 10:45 p.m.

1. Motion to exit closed session.

RESULT:	APPROVED [UNANIMOUSLY]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Jeff Scott, Councilmember
AYES:	Bowman, Cowley, Galvin, Schneemann, Scott

Council exited closed session at 11:29 p.m.

19. ADJOURNMENT

1. Motion to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Schneemann, Mayor Pro Tem
SECONDER:	Sara Bowman, Councilmember
AYES:	Cowley, Galvin, Bowman, Scott, Schneemann

The meeting was adjourned at 11:29 p.m.

William E. Galvin, Mayor

Susan K. Halberstadt, City Clerk

Approval Date: April 18, 2016