

MINUTES  
CITY COUNCIL MEETING  
CITY OF FARMINGTON HILLS  
OCTOBER 10, 2016 – 7:30 PM  
CITY HALL – COUNCIL CHAMBER

The regular meeting of the Farmington Hills City Council was called to order by Mayor Massey at 7:30 p.m.

Council Members Present: Bridges, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: Bruce

Others Present: City Manager Boyer, City Clerk Smith, Directors Gajda, Mondora and Monico, Police Chief Nebus, Fire Chief Unruh and City Attorney Joppich

**PLEDGE OF ALLEGIANCE**

Lt. Larry Gauthier of the Fire Department led the pledge of allegiance.

**APPROVAL OF AGENDA**

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

MOTION CARRIED 6-0.

**EMERGENCY PREPAREDNESS COMMISSION “TIP OF THE MONTH”**

The following Tip of the Month was read by Kerry Jackson, Emergency Preparedness Commission Chairperson:

**City of Farmington Hills  
EMERGENCY PREPAREDNESS COMMISSION  
Tip of the Month  
OCTOBER 2016**

**October is Fire Safety Month**

**Fire Safety**

The Emergency Preparedness Commission would like to remind everyone to install smoke alarms on every level of your residence: outside bedrooms on the ceiling or high on the wall, or at the top of open stairways or at the bottom of enclosed stairs and near, but not in, the kitchen. Test and clean smoke alarms once a month. Replace batteries at least once a year. (Remember to annually change batteries by changing them every New Year's Day or perhaps when the clocks are changed in the spring or the fall.)

Smoke detectors don't last forever, please replace smoke alarms at least every 10 years. This includes wired types.

Remember, a fire can engulf a home in approximately five minutes. Should you have a house fire, get out quickly. Do not stop to fight the fire yourself; do not stop to look for family keepsakes. Remember that you are your family's most important keepsake, so keep safe and get out alive. Prepare yourself and your family by having an occasional fire drill.

**Trick or Treat**

With “Trick or Treating” just around the corner, remember that Halloween costumes can sometimes be dangerous. If you buy or rent your costumes, please look for the “flame-resistant” label. Flame-resistant is not the same as flame-proof, but it will resist catching fire and can be extinguished more easily. If you make your own costume, try to avoid large flowing costumes made of lightweight cloth. Consider using make-up instead of a mask, as mask can obscure your vision.

While it is fun to be out at night and going door-to-door for treats, there are alternatives. Sometimes condominiums, apartment complexes, local churches, and organizations host indoor “angels night” parties, or outdoor trick-or-treat events. Maybe you can attend one of these as a family.

For more information regarding the Emergency Preparedness Commission visit the website at [www.fhready.org](http://www.fhready.org).

**PROCLAMATION RECOGNIZING OCTOBER 9 – 15, 2016 AS FIRE PREVENTION WEEK**

The following proclamation was read by Councilmember Bridges and accepted by Lt. Larry Gauthier and Fire Inspector Stan Barnes.

**PROCLAMATION  
Fire Prevention Week  
October 9 – 15, 2016  
*“Don’t Wait – Check the Date!  
Replace Smoke Alarms Every 10 Years”***

- WHEREAS,** the Farmington Hills Fire Department is committed to ensuring the safety and security of all those living in and visiting our City; and
- WHEREAS,** over 3,200 people die as a result of home fires each year, with \$14.3 billion in direct damage and 15,700 civilian injuries; and
- WHEREAS,** a recent questionnaire from the National Fire Protection Association (NFPA) showed that three out of every five home fire deaths resulted from fires in homes with no smoke alarms (38%) or no working smoke alarms (21%); and
- WHEREAS,** Farmington Hills Fire Fighter/Paramedics are dedicated to reducing the occurrence of home fires and home fire deaths and injuries through prevention and proper education; and
- WHEREAS,** the Fire Department joins with the NFPA in promoting the Fire Prevention Week 2016 theme, “Don’t Wait – Check the Date! Replace Smoke Alarms Every 10 Years,” which represents the final year of the three-year effort to educate the public about the basic but essential elements of smoke alarm safety.

**NOW, THEREFORE, BE IT RESOLVED** that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim October 9 – 15, 2016 as **Fire Prevention Week** in the City of Farmington Hills, and urge all citizens to protect their homes and families and to support the efforts of the City’s fire and emergency services.

Lt. Gauthier thanked the Mayor and Council for the recognition and commented that the Fire Department Open House held October 7, 2016 was a great opportunity to support Fire Prevention Week and opportunity for the public to come and learn fire prevention messages. It was attended by approximately

700 people. He stated that they also held their school fall assemblies on fire prevention. He thanked the sponsors, other Departments and support of Council on the Open House event.

Inspector Stan Barnes thanked the Mayor and Council for the proclamation and commented that education is key to fire prevention and the Department has allowed them to be proactive and spread these fire prevention messages to children through the fall assembly programs. He stated that they reach over 5000 students and parents with these messages. He commented that 2 students from Farmington stated that the reason why they were able to make it out safely from a fire was due to the messages they heard at the fall assembly program weeks prior and none of this could happen without the support of Council.

**PROCLAMATION RECOGNIZING OCTOBER 2016 AS NATIONAL BREAST CANCER AWARENESS MONTH**

The following proclamation was read by Councilmember Steckloff and accepted by Fire Inspector John Kastran:

**PROCLAMATION  
National Breast Cancer Awareness Month  
October 2016**

**WHEREAS,** since about 1 in 8 U.S. women (approximately 12%) will develop invasive breast cancer over the course of her lifetime, National Breast Cancer Awareness Month is dedicated to increasing public knowledge about the importance of early detection of breast cancer; and

**WHEREAS,** breast cancer is the most common cancer in women in the U.S., except for skin cancer, and breast cancer death rates are higher than those for any other cancer besides lung cancer; and

**WHEREAS,** according to the American Cancer Society, an estimated 246,660 new cases of invasive breast cancer are expected to be diagnosed in women in the U.S., along with 61,000 new cases of non-invasive breast cancer, and an estimated 40,450 women are expected to die from the disease in 2016 alone; and

**WHEREAS,** death rates have decreased since 1989 as a result of increased awareness, treatment advances, and earlier detection through screening with mammography, which is recognized as the single most effective method of detecting breast changes that may be cancerous long before physical symptoms become apparent; and

**WHEREAS,** there are over 2.8 million women with a history of breast cancer in the U.S. today including women currently being treated and women who have finished treatment.

**NOW, THEREFORE, BE IT RESOLVED** that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim October 2016 as **National Breast Cancer Awareness Month** and encourage citizens to become aware of their risk for breast cancer and undertake regular screenings for early detection, and if diagnosed, to talk to their health care providers about treatment options.

Unions President/Inspector of the Fire Department, John Kastran, spoke of the efforts of the Fire Department to design t-shirts in support of Breast Cancer Awareness and having a portion of the proceeds from the sales of the shirts to go towards the cause.

**APPROVED 10/24/2016**

Councilmember Steckloff spoke of the importance of early detection and education on symptoms and being proactive with your own health. She dedicated this month to a friend of hers who recently found out she was terminal. She urged all women and men to do self breast exams regularly as this is not only a disease for women. She announced that a week and half ago was her last chemotherapy treatment and she thanked everyone for their love and support.

**PROCLAMATION RECOGNIZING OCTOBER 2016 AS DOMESTIC VIOLENCE AWARENESS MONTH**

The following proclamation was read by Councilmember Rich and accepted by Lt. Jon Haupt of the Police Department:

**PROCLAMATION  
Domestic Violence Awareness Month  
October 2016**

- WHEREAS,** domestic violence is a widespread, serious crime that annually affects over four million Americans of all races, ages, genders, and income levels; and
- WHEREAS,** one in three Americans have witnessed an incident of domestic violence, and children who grow up in violent homes are believed to be abused and neglected at a rate higher than the national average; and
- WHEREAS,** domestic violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and
- WHEREAS,** domestic violence is an intolerable offense against human dignity that shatters the lives and families of those touched by this crime; and
- WHEREAS,** the City of Farmington Hills and HAVEN developed the Farmington Hills High Risk Response Team, an award-winning multi-disciplinary group of private and public organizations dedicated to the identification of high risk domestic violence cases and the creation of a coordinated community response, including prevention and education; and
- WHEREAS,** Domestic Violence Awareness Month provides an opportunity for citizens to learn about domestic violence prevention and to show support for the organizations and individuals who provide critical advocacy, services, and assistance to victims.

**NOW, THEREFORE, BE IT RESOLVED** that I, Ken Massey, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim October 2016 as **Domestic Violence Awareness Month** in the City of Farmington Hills and encourage all citizens to work together to eliminate domestic violence from our community.

Lt. Haupt stated that Colleen Monaghan from HAVEN was unfortunately ill and could not be at the meeting this evening. He accepted the proclamation on their behalf and spoke of the program developed by the Farmington Hills Police Department and HAVEN to educate and create awareness on domestic violence. He stated that they soon hope to take this program to the County level and become a model program on this issue for other agencies to follow. He thanked the Mayor and Council for the recognition.

Police Chief Nebus mentioned that Lt. Haupt received an award for his work on domestic violence and also serves as an instructor on this issue.

Mayor Massey commented that through these proclamations and recognition throughout the past months on various issues, he feels this shows that Farmington Hills is a community that cares and wants their residents to be safe and to create awareness on these important issues.

**UPDATE FROM WATER RESOURCE COMMISSIONER JIM NASH ON THE MIDDLEBELT TUNNEL PROJECT**

Mayor Massey stated that a number of issues and questions have been forwarded to the City by residents based on past discussions and this information has been forwarded to the Water Resource Commission so that they could address the questions and concerns of the residents.

Water Resource Commissioner Nash stated that his staff will go over a quick presentation on where they are with the project and he feels this will answer some of the questions and then they will answer any further questions. He introduced Joel Brown, Project Manager, to review the project.

Mr. Brown provided a power point presentation that included the project purpose, progress update, completed work to date and remaining work to be done. Mr. Brown also reviewed the traffic impacts and proposed time frame for opening Middlebelt Road and the impact on residential wells. He noted that 77 complaints were received and after an assessment they determined 35 of those were impacted by the project. They are evaluating 13 other assessments and 4 residents had enacted mitigation measures on their own and are seeking reimbursement.

Mr. Brown noted that out of the 35 impacted, they have drilled 19 new wells to date and put 2 homeowners on city water connections and have done 10 well corrections. They currently have 1 new well scheduled to be drilled and 3 homeowners scheduled to be put on municipal water. Currently there are 4 residents on temporary tanks and 2 of them are scheduled for municipal water and are receiving bottled water in the interim while the water main is being constructed. He stated that recently they were notified of 7 additional wells that have been impacted, which is why they still have 13 assessments to complete.

Mr. Brown acknowledged the frustration from the residents and stated that the residents impacted by the project will be reimbursed and made whole either through the insurance company or by WRC.

He discussed the testing completed on the new wells and results from those tests.

Mr. Brown stated that going forward, WRC will monitor the well impacts as they stop dewatering for the project and handle any issues on a case-by-case basis and mitigate any issues as necessary.

Mr. Brown explained that the cost of the project is being negotiated with the contractor based on the scope change and they have filed an insurance claim with CHUBB to address current issues and any future issues. WRC is also working with Wade-Trim with regard to design costs and have retained legal counsel to assist with all of these measures.

As far as future mitigation, Mr. Brown stated that they need to complete the project without delay and they will identify recoverable costs and take those to the insurance company and if they can't recover all costs, they will pursue litigation.

Councilmember Steckloff inquired how many residents were expected to receive city water and how that would be funded. She stated that WRC has met with the city on several occasions to provide updates and

she feels Council has heard different figures previously and she is shocked to hear that so many residents are on temporary tanks. She wants to know what will be done about the communication going forward and if there has been any testing done on the temporary tanks as some of them were green in appearance.

Mr. Brown stated that currently there are 5 residents planned to be put on city water and the County is paying for that with separate funds from this project. The temporary tanks that were noted as being green by their Inspector have been replaced. He explained that this is a transient process and they have been handling issues as they arise on a case-by-case basis. He stated that there have been additional impacts reported since they last met with Council and they are working to assess and mitigate those issues.

Water Resource Commissioner Nash stated that he has provided his personal cell phone number to residents to contact him to try and correct any issues and they have been addressing complaints within 12-24 hours if they have been contacted. He stated that issues were discovered after the project had begun and while they were trying to mitigate the issues, they could not stop the project as that would have been too costly. He stated that they reached out to residents before the project started by hosting a community forum at which they had over 100 people attend. Mr. Nash stated that September 12<sup>th</sup> was the first notice they received that a resident had been impacted by the project. He noted that one well is being replaced by city water as the 2 attempts to drill a new well for that resident failed. He added that they were just recently notified of the 7 additional residents that said they have been impacted and are in the process of contacting those residents. He commented that the project has been a major impact on few but a major hassle for many due to the cut through traffic and road closures. Mr. Nash stated that they are attempting to get Middlebelt Road open within 5-6 weeks. He understands that residents are mad and they have a right be mad at him but they are here to do what they can to fix these issues. He apologized for the impact on the residents and indicated that those impacted would be made whole financially. He invited residents to contact him after this meeting with any further questions or concerns.

Councilmember Lerner stated that he feels information is less than forthcoming from the WRC Office and he expressed concern that Council is hearing otherwise from residents and that there are still issues and calls that are not being returned.

Mr. Nash stated that Pat Roberts is his field manager and has a great reputation and he believes that whenever they receive a call they do return those calls and he has offered his cell phone number for people to call him directly if they feel they are not getting a proper response.

Mr. Brown stated that he feels some of the frustration that Council will hear from residents is due to WRC trying to work with their insurance company to recuperate some of the costs and they have conveyed this to the insurance company and WRC is going to act independently if needed to make the residents whole.

Mr. Lerner stated that it is his understanding that all of the additional costs and overruns are simply being added to the total cost of the project. He inquired how far the project was over budget.

Mr. Brown replied that those costs are being added to the total cost of the project but they are going to go after those recoverable costs for reimbursement. He stated that the project is not over budget at this time.

Mr. Lerner inquired what happens if a well goes bad 1 or 5 years from now. Mr. Nash stated that they will monitor this project and if there is still an impact down the road from this project, it will be covered.

Mayor Massey inquired if there are any residents that have incurred costs to date that are still waiting for payment. Mr. Brown confirmed that there are residents still waiting for reimbursement as they have been working with their insurance company.

Mayor Massey suggested WRC reimburse the residents and work out reimbursement to WRC with the insurance company.

Councilmember Bridges stated that he appreciates Mr. Nash acknowledging the need and desire to respond to residents and explaining the process they are going through to seek reimbursement and make the residents financially whole. He asked that Mr. Nash aggressively seek reimbursement for the residents and keep on schedule to complete the project as soon as possible.

Commissioner Nash explained that WRC has been meeting with the health department and city staff throughout the project and at the time they first met with City Council they had approximately 48 contacts or complaints from residents that has now increased to 77 so the numbers presented were accurate at that time; but this is an ongoing proje

Mayor Pro-Tem Knol inquired what was being done to address the iron bacteria identified during testing. Mr. Brown responded that in the past they have installed an iron filtration system. Another option is to open up the well and steam it out and chlorinate it to kill the existing bacteria but it appears the iron filtration system along with a water softener typically mitigates the issue. They are evaluating each on a case-by-case basis.

Commissioner Nash added that these results were just received on Friday so they will be addressing this issue right away.

Mayor Pro-Tem Knol inquired about fixing or replacing not only wells but water softener systems that have been damaged.

Mr. Brown stated that the process was to refer the residents to the insurance company to mitigate this and if there are shortcomings, a subcontractor will be hired by WRC to evaluate the case and follow that contractor's suggestion for mitigation. He noted that some systems have already been replaced.

Mayor Pro-Tem Knol asked that this is done as soon as possible and for WRC to pay for it as Mayor Massey mentioned and then seek reimbursement from their insurance company.

Commissioner Nash explained that at one point the insurance company sent them a letter that if they went ahead to mitigate issues on their own, they would not reimburse those costs. He stated that WRC had to get past this and have decided that they will mitigate on their own anyway if necessary and seek legal action if necessary to be reimbursed.

Mayor Massey commented that that the bottom line is that the residents did not start this project and it is not their responsibility to fight the insurance company. Commissioner Nash agreed.

Councilmember Rich thanked the residents for coming out to make sure that the WRC hears the issues and concerns so that they can be addressed as soon as possible and thanked Commissioner Nash and his staff for coming out to have this conversation. She asked for clarification on the 13 residents that are still under evaluation.

Mr. Brown explained that 7 of the 13 were complaints that they just recently heard about and the other complaints had come in just before that so there was a new wave of incoming issues. The process is to assess the situation and determine if it was a project impact. In some instances it has not been related to the project and was a mechanical problem. If determined it is a project impact, they go to mitigation

recommendations and in the past were referred to the insurance company but he hears Council's comments this evening so WRC will mitigate the issue immediately.

Dr. Rich inquired what is being done to make sure these residents have clean water at this time. Mr. Brown stated that for those without water, they are on temporary tanks and have been provided bottled water to drink.

Mayor Massey suggested that Council hear from residents at this time.

Dan McRoberts, 28725 Greencastle, stated that this past spring he noticed a sulfur smell and black silt and then eventually had no water. He stated that he was then put on a temporary tank and spoke of the failed attempts to drill a new well. He expressed concern with how long it has taken to get test results and waiting for WRC to go through the process with their insurance company. Mr. McRoberts stated that he was in the process of trying to refinance his home but could not go through with it as he could not get a loan approved without having water. He stated that there are still many unanswered questions. He is fearful that the water could still be contaminated and would prefer to be put on city water.

Melanie Williams, 28455 E. Greenmeadow Circle, stated that she has had water issues since August, 2015. She stated that city water was only offered to a portion of the subdivision but feels the best option would be to offer that to the entire subdivision as there is no assurance that the water will be safe for consumption. She is angry that plans were not in place at the beginning of the project to protect residents and she is upset with city officials and inquired what will be done to assure residents that their water is safe.

Justin Williams, 28455 E. Greenmeadow, stated that he feels the poor planning by WRC was belabored at the last meeting and residents heard that this is not a city issue but a WRC project and was done by court order. He stated that he will be holding all of Council accountable to put pressure on WRC as they are the elected officials that are supposed to protect the residents. He stated that this is affecting home values and the residents' peace of mind and wants to know what the city has done since the last meeting when residents brought up these issues.

Greg Roller, 28280 Greenmeadow Circle, stated that his water was going bad and for 2 weeks nobody was available to address his issue. The water conditions destroyed his water system and he had gone 3 weeks with no water. He blames the problems on the water levels and well depths not being checked to begin with and feels that was inept and that he has been lied to. He feels the project should be shut down and an investigation conducted. His impression is that the WRC does not have to answer to anyone.

Ken Polk, 28331 Montpelier Ct., stated that his home was the one that tested for the hazardous chemical mentioned by Mr. Brown. He hired a private contractor at his expense who confirmed that the pipes are made of copper and iron and there is no plastic piping that would have caused that chemical as he feels WRC has led Council to believe. He added that he is on a temporary tank and worried with the cold weather on its way that it could freeze and he is not sure why this is not being taken care of while the weather is still nice.

Daren Griffith, 28671 Greencastle, thanked everyone for taking the time to discuss this issue. He stated that he has heard that the project was being done because minimum standards were not being met with regard to sanitary sewer overflows (SSO) and WRC was ordered by the court to fix the problem. He believes that this particular solution was not mandated and the design was that of WRC and that the City should have reviewed the water issue before the project was approved and that they did not have to approve this particular plan. Mr. Griffith stated that he spoke with Mr. Nash at the Costick Center and he was told he would get a call back in a week and 7 weeks later he called and still had no return phone call.

When he did speak to WRC he was directed to the insurance company and he agrees with Mayor Massey that WRC should pay for costs up front and deal with the insurance company themselves. He added that equipment has failed due to the dewatering for the project and all homes have been affected.

Robert Buxbaum, candidate for WRC, expressed concern with sewer gas building up which is often explosive and questioned what is being done with this project to ensure that doesn't happen.

Jan Kwiatowski, 28021 Greenmeadow, stated that according to Mr. Nash the project was in discussion in 2004 so in 12 years residents were not informed of potential well issues and he does not understand why. He feels there will be future problems with dirt and water back up from the streets that will be flushed into the system and enter the wells. He inquired if the tests done and future testing will be presented to Council so that they are known to the public. He asked for residents to be provided with the site where they can view the regulations that are to be met by this project and testing.

Steve Stimson, 28287 Montpelier Ct., stated that he currently has no major issues with his well but almost everyone around him is having issues and he is concerned how this will impact his new pump. He added that when he moved in 19 years ago the residents voted on water and sewer and sewers passed by one vote and water failed by 19 votes at the time. As more and more residents are on spaghetti lines for city water, he feels that would leave very few that are not and it would take only a few votes to impose city water and that cost on the rest of the subdivision; and he feels the County should have a plan to address that situation.

Dan Quirolo, 28396 Greenmeadow Circle, stated that he also still has water but with all of the problems in the neighborhood he is concerned he will have problems also. He commented that he has heard tonight that the County will reimburse residents for current or future issues but he is concerned whether that will actually happen. Mr. Quirolo expressed concern with the lack of planning and oversight for this project and he hopes that the City will stand behind the residents if there are future problems.

Greg Arsenault, 28000 Greenmeadow Circle, stated that he has lived here over 25 years and indicated that while he has not had a water issue yet, there has been a lot of disruption with trucks coming in and drilling over the past year. He feels the problem could be solved by having city water put in for the entire subdivision and as many of the residents without water cannot sell their homes. Mr. Arsenault thought perhaps the residents could get some financial assistance to help put in city water.

Mayor Massey inquired if WRC is reviewing the option of city water to the entire subdivision.

Mr. Brown responded that they have targeted the loop area for city water where they were unable to drill a well and where it is already available. He stated that they have drilled wells in the past successfully and that is the most cost effective option to get the residents back to a viable water source.

Mayor Massey questioned for whom it is more cost effective. Commissioner Nash replied it is most cost effective for the project.

Mayor Massey stated that this project is a debacle and WRC is hearing this loud and clear and residents are here tonight because they don't have water, which is a basic human need. Mistakes in the design of this project have led to these issues. He added that Middlebelt Road has been closed for 8 months and residents have been without proper water for a year. He wanted to know if Council would be receiving all of the water test results and when.

Mr. Brown stated that all of the tests to date were forwarded to the city offices and 9 tests have been run as presented earlier.

Mayor Massey inquired how many test sequences would be done going forward and when will that be done.

Mr. Brown stated that they could review the most effective procedure for testing to ensure water quality going forward. He stated that a reasonable time frame to assess the properties and get permitting and an effective mitigation option would be 3 weeks to a month.

Mayor Massey inquired when the tunnel project would be complete and when Middlebelt Road would be open. He also questioned why crews were not working around the clock and the original deadline for final completion of the project.

Mr. Brown replied that the tunnel project would be substantially complete by January and Middlebelt Road would be open by the end of November but would still have surface impacts until January. The crews are not working around the clock but working 6 days a week 12 hours a day. The original deadline was to have the project substantially complete by September and final completion by November.

Mayor Massey stated that residents do not care what hours contractors typically work; this project needs to be completed, city water connected for those without water and a testing system that will be made public. He stated that this project had to be done due to the SSO issue and there may have been other design options. He stressed that the issue needs to be mitigated and if longer hours are necessary that needs to be done.

Mayor Pro-Tem Knol stated that she feels every well in that subdivision needs to be tested whether they had issues or not as they still have concerns with the quality of water and this needs to be done immediately.

Councilmember Lerner requested that the WRC representatives speak to every resident here that is still having issues out in the hallway before they leave this evening. He is concerned with the fact that WRC will step up to cover costs if they are not covered by the insurance company as he is not sure what that means but he feels WRC needs to step up now to take care of the residents and for WRC to take the issues up with the insurance company. The problems need to be addressed even if that means overtime 7 days a week.

Commissioner Nash mentioned that they started this process already. He stated that this is not the City's fault and they have been working with the city staff throughout the process and the staff is excellent. If anyone is to blame it is him. He asked staff to address gas build up and possible explosions as mentioned by one of the speakers.

Mayor Massey stated that there was concern expressed about the buildup of methane gas that would cause an explosion and in a storm water run-off system you wouldn't expect to have methane gas as there is venting in place. Mr. Brown concurred with that statement and indicated that he believes they have venting with this project.

Mayor Massey addressed the concern expressed regarding the back up of water and dirt into the system and explained that the project is actually designed to alleviate backing up of storm water into the sanitary sewer preventing that overflow that could contaminate the system, which is probably the reason DEQ mandated the project to be done. Mr. Brown confirmed those statements.

Mayor Massey commented that one resident has asked what the City has done since the last meeting at which this was discussed.

City Manager Boyer stated that staff has had two meetings with Commissioner Nash and his staff to review the concerns of the residents and have discussed different recommendations and how to address future concerns and assure residents that the water quality is good. Staff met with WRC again today and had gathered questions from the residents since that last meeting and provided those to WRC.

Mayor Massey requested the WRC team to come back with a project plan (revised Gantt Chart) showing what still needs to be done and "hard" dates when those items will be completed and how that will be accelerated from the original plan within a week to staff to distribute to Council along with the DEQ water testing results.

He also requested that the water testing is conducted down the road as well so the residents have peace of mind that they have clean water.

Commissioner Nash and Mr. Brown agreed to provide this information.

Mayor Massey also requested that any residents that have incurred costs to date should be compensated and the insurance company needs to hear this from Council as the residents deserve action.

### **CORRESPONDENCE**

Mayor Pro-Tem Knol noted that the Michigan Attorney General is speaking at a seminar on Identity Theft on Tuesday, October 11, 2016 at the Costick Center sponsored by the Commission on Aging.

Councilmember Lerner mentioned that there was another CPR save this week in the city.

### **CONSENT AGENDA**

MOTION by Bridges, support by Lerner, to approve Consent Agenda items #12 and #13.

Roll Call Vote:

Yeas: BRIDGES, KNOL, LERNER, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: BRUCE

Abstentions: NONE

MOTION CARRIED 6-0-1-0.

MOTION by Rich, support by Steckloff, to approve Consent Agenda items #14 and #15.

Roll Call Vote:

Yeas: KNOL, LERNER, MASSEY, RICH AND STECKLOFF

Nays: NONE

Absent: BRUCE

Abstentions: BRIDGES

MOTION CARRIED 5-0-1-1.

### **PUBLIC QUESTIONS AND COMMENTS**

Angie Smith, Farmington Public School Candidate, introduced herself. She was glad to hear the city was working with the school regarding offering CPR in the schools and she is running for office hoping to bridge the gap between the City and Schools.

Mayor Massey congratulated Ms. Smith on receiving a life-saving award for conducting the Heimlich maneuver on a student who was choking.

**COUNCIL MEMBER'S COMMENTS AND ANNOUNCEMENTS**

The following comments and announcements were made:

Councilmember Rich commented on the Fire Department Open House held Friday, October 7<sup>th</sup> and congratulated all departments for their participation. She stated that her next Sunday Walk and Talk is scheduled for October 13<sup>th</sup> at 12:30pm.

Mayor Massey mentioned that a national broadcast and panel discussion was held on mental health issues called Ride the Tiger last week and it was an honor to participate.

**CITY MANAGER UPDATE**

City Manager Boyer provided the following:

- The Costick Center is closed this week for water main repair
- October 22<sup>nd</sup> the Police Department is again participating in a prescription drug take-back whereby residents can drop off old prescription drugs
- RRRASOC is hosting its last hazardous waste day at the Southfield location on October 15<sup>th</sup> from 9am-2pm

**NEW BUSINESS**

**CONSIDERATION OF APPROVAL OF A REQUEST FROM CHEF'S TABLE 12, INC. FOR THE TRANSFER OF OWNERSHIP FOR A 2016 CLASS C LIQUOR LICENSE AND SDM LICENSE WITH SUNDAY SALES (PM), DANCE-ENTERTAINMENT, OUTDOOR SERVICE (1 AREA) AND NEW SPECIFIC PURPOSE (FOOD) PERMITS LOCATED AT 31425 W. 12 MILE ROAD.**

City Clerk Smith acknowledged that this is a transfer of ownership of a Class C liquor license with various permits and the Class C license was originally issued from the city's quota of licenses to the former Tribute Restaurant at this same location. The license later transferred to 12 Mile Orchard Operations, Inc. at that same location without knowledge of the City that the transfer was approved by the LCC. It has been held in escrow at this location since that time. She noted that there currently is no agreement with the City for this license to come back to the city should the business cease operations and the applicant's attorney has indicated that his client has no authority to sign such an agreement. She stated that the license is being transferred to the applicant per a lease agreement with the owner that states the interest in the license would revert back to 12 Mile Orchard Operations, Inc., should the applicant cease operations at that location. Clerk Smith added that the application was routed to all departments and there were no objections. She mentioned that the general manager was present at the meeting if Council had any questions.

MOTION by Lerner, support by Steckloff, that the City Council of Farmington Hills hereby recommends Approval to the Michigan Liquor Control Commission for the request from Chef's Table 12, Inc. for the transfer of ownership of a 2016 Class C and SDM Liquor Licenses with Sunday Sales (PM), Dance-Entertainment, and Outdoor Service (1 Area) permits and a new Specific Purpose (Food) permit located at 31425 W. 12 Mile Road, Farmington Hills, MI, as outlined in the application submitted to the City; subject to the facility complying with and maintaining all applicable Code requirements and following the City's standard Certificate of Occupancy approval process.

Roll Call Vote:

Yeas: BRIDGES, KNOL, LERNER, MASSEY, RICH AND STECKLOFF  
Nays: NONE

Absent: BRUCE  
Abstentions: NONE

MOTION CARRIED 6 – 0.

**CONSIDERATION OF APPROVAL OF A REQUEST FROM STAR LODGES, LLC FOR THE TRANSFER OF OWNERSHIP, LOCATION AND CLASSIFICATION OF A CLASS C LIQUOR LICENSE AND SDM LICENSE TO A B-HOTEL LICENSE WITH NEW SUNDAY SALES PERMITS, DANCE-ENTERTAINMENT, OUTDOOR SERVICE AREA, ADDITIONAL BAR AND SPECIFIC PURPOSE (FOOD) PERMITS TO BE LOCATED AT 33043 HAMILTON COURT.**

City Clerk Smith explained that this was a request to transfer ownership and location of a Class C license from the City of Farmington as well as a classification change to a B-Hotel license to be used at 33043 Hamilton Court for the new hotel being built. She noted that the application was routed to all departments and there were no objections.

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby recommends Approval to the Michigan Liquor Control Commission of the request from Star Lodges, LLC for the transfer of ownership and location of a Class C with SDM License, transfer of classification to a B-Hotel License and new Sunday Sales (PM) Dance-Entertainment, Outdoor Service Area, Additional Bar and Specific Purpose (Food) permits to be located at 33043 Hamilton Court, Farmington Hills, MI, as outlined in the applications submitted to the City; subject to the facility complying with and maintaining all applicable Code requirements and following the City's standard Certificate of Occupancy approval process.

Roll Call Vote:

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

MOTION CARRIED 6 – 0.

**CONSIDERATION OF AN APPLICATION FOR SPECIAL ASSESSMENT DEFERMENT. CMR 10-16-108**

Finance Director Gajda explained that the City received an application for special assessment deferment from Mr. and Mrs. Casab and staff is recommending denial of the application due to fact that they do not meet the required guidelines with regard to household income. He stated that he explained the recommendation of denial and discussed options with Mrs. Casab and her daughter this evening.

Councilmember Lerner inquired if Mr. and Mrs. Casab could re-apply should their circumstances change. Director Gajda confirmed that they could.

MOTION by Lerner, support by Rich, that the City Council of Farmington Hills hereby denies the Special Assessment Deferment Application request from Mr. and Mrs. Casab, due to their total Household Income exceeding the established income guidelines.

MOTION CARRIED 6 – 0.

**CONSIDERATION OF APPROVAL OF THE INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 18, "OFFENCES," ARTICLE IV, "OFFENSES AGAINST PROPERTY" TO**

**ADD A REGULATION PROHIBITING THE UNLAWFUL ENTRY INTO OR LOITERING UPON PUBLIC ACCESS RESTRICTED AREAS.**

Attorney Joppich mentioned that this ordinance was previously discussed by City Council at their last study session meeting. He explained that the recommendation is to amend the city's ordinance regarding offenses against property to add a section that would make it unlawful to enter posted restricted areas in order to protect city employees and city property. He noted that a violation of this ordinance would be a misdemeanor. This is the first reading of the ordinance and it would come back to City Council for enactment at their next meeting.

MOTION by Knol, support by Rich, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an ordinance to amend the Farmington Hills Code of Ordinances by amending Chapter 18, "Offenses," Article IV, "Offenses Against Property" to add a regulation prohibiting the unlawful entry into or loitering upon public access restricted areas by anyone without the express permission of a city official or employee.

Roll Call Vote:

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

MOTION CARRIED 6 – 0.

**CONSIDERATION OF APPROVAL OF A RESOLUTION INCREASING AND/OR CONFIRMING COMPENSATION FOR FARMINGTON HILLS ELECTION INSPECTORS, EFFECTIVE WITH THE NOVEMBER 8, 2016 GENERAL ELECTION.**

City Clerk Smith stated that this item was also brought to Council at their last study session meeting. She had discovered that it had been a while since Election Inspectors had received an increase in pay in Farmington Hills and after surveying surrounding communities, she felt it was important to remain competitive in order to keep Inspectors in Farmington Hills. Therefore, she is proposing an increase for Election Inspectors and/or confirmation of pay for other positions that people may work on Election Day.

MOTION by Steckloff, support by Rich, that the City Council of the City of Farmington Hills, increases and/or confirms compensation for Farmington Hills Election Inspectors, effective with the November 8, 2016 General Election, as follows:

	<b>CURRENT RATE</b>	<b>NOV 2016 RATE</b>
<b>Chairpersons</b>	\$180	<b>\$225</b>
<b>Co-Chairs</b>	\$160	<b>\$200</b>
<b>General Election Inspectors</b>	\$140	<b>\$180</b>
<b>Student Inspectors</b>	\$10/hour	<b>\$12.50/hour</b>
Limited to 10 hrs per labor laws		
<b>Training</b>	\$15 per session	\$15 per session
<b>Use of Cell Phone</b>	\$10/Election	\$10/Election
<b>Inspector returning to City Hall w/Chairperson</b>	\$5/Election	<b>\$10/Election</b>
<b>Precinct Captains</b>	\$300	\$300
<b>Absent Voter Counting Board (AVCB)</b>		
Chair(s)	\$300	\$300
Co-Chair	\$250	\$250

General Inspectors	\$140	\$160
<b>Receiving Board Members</b>	\$50	\$50
<b>Receiving Board Members (Late shift)</b>	\$75	\$75

MOTION CARRIED 6 – 0.

**CONSENT AGENDA**

**RECOMMENDED APPROVAL OF AWARD OF BIDS FOR COSTICK CENTER BOILER REPLACEMENT AND RELATED SERVICES TO VARIOUS VENDORS IN A TOTAL AMOUNT OF \$315,949.00. CMR 10-16-109**

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby authorizes the City Manager and Cunningham-Limp to issue contracts, in the following amount for boiler replacement and related services:

Item	Award Amount	Contractor(s)
Neshap Survey	\$1,500	Allowance (will quote)
Demolition	Included	Tech Mechanical (Included in Base Bid)
HVAC/Boilers (Including Controls)	\$208,000	Tech Mechanical
Electrical	\$10,000	Shoreview Electric
Pre-Construction Services, Design, Engineering, General Conditions, Specialty Items and Overhead	\$55,239	Cunningham-Limp w/ Sidock Architects
Project Contingency	\$41,210	Allowance
Project Grand Total	\$315,949	Not to exceed Grand Total

Roll Call Vote:

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

MOTION CARRIED 6 – 0.

**RECOMMENDED APPROVAL OF EXTENSION OF BID AWARD FOR CONCRETE REPAIR & REPLACEMENT AT THE ICE ARENA TO HARTWELL CEMENT IN AN AMOUNT NOT TO EXCEED \$34,000.00. CMR 10-16-110**

MOTION by Bridges, support by Lerner, that the City Council of Farmington Hills hereby waives the formal bid requirements and authorizes the City Manager to issue a purchase order to Hartwell Cement to repair and replace concrete at the Ice Arena in an amount not to exceed \$34,000.00 in accordance with all terms and conditions set forth in the 2015 bid for Concrete Replacement, Catch Basin Rehabilitation and Sump Pump Connection.

Roll Call Vote:

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

MOTION CARRIED 6 – 0.

**APPROVED 10/24/2016**

**RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF SEPTEMBER 26, 2016.**

MOTION by Rich, support by Steckloff, that the City Council of Farmington Hills hereby approves the study session meeting minutes of September 26, 2016, with a minor spelling correction.

Roll Call Vote:

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

MOTION CARRIED 5-0-1-1.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR MEETING MINUTES OF SEPTEMBER 26, 2016.**

MOTION by Rich, support by Steckloff, that the City Council of Farmington Hills hereby approves the regular meeting minutes of September 26, 2016 as submitted.

Roll Call Vote:

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

MOTION CARRIED 5-0-1-1.

**ATTORNEY'S REPORT**

The City Attorney's report was received by Council and there were no questions.

**ADJOURNMENT**

There being no further business, Mayor Massey adjourned the regular City Council meeting at 10:37pm.

Respectfully submitted,



Pamela B. Smith, City Clerk