



Regular City Council Meeting  
7:00 p.m., Monday, Jan. 18, 2022  
Farmington City Hall  
23600 Liberty Street  
Farmington, MI 48335

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## REGULAR MEETING AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF ITEMS ON CONSENT AGENDA**
  - A. **Accept City of Farmington Board and Commission Minutes**
  - B. **City of Farmington Minutes**
  - C. **Farmington Monthly Payments Report**
  - D. **Building Department Second Quarter Report**
  - E. **Farmington Public Safety Monthly Report**
  - F. **Department of Public Works Quarterly Report**
4. **APPROVAL OF REGULAR AGENDA**
5. **PUBLIC COMMENT**
6. **PRESENTATIONS AND PUBLIC HEARINGS**
  - A. **Introduction of Chamber of Commerce Director Susan Arlin**
  - B. **Pathways Committee Presentation**
  - C. **OHM Warner Mansion Study Results**
7. **NEW BUSINESS**
  - A. **Special Event: Farmington Community Library, Family Fun in Riley Park & Pavilion Story Time**
  - B. **Second reading and adoption of proposed ordinance to amend the City of Farmington Code of Ordinances Chapter 2, "Administration," Article V, "Employee Benefits," Division 2 "Retirement System"**
  - C. **2022 DDA Community Events Calendar, Temporary Liquor License Applications, Street Closures and Sidewalk**
  - D. **Resolution for Oakland County Parks and Recreation Grant Opportunity**
  - E. **Adopt Notice of Intent and Reimbursement Resolution for 2022 Capital Improvement Bonds to finance the Farmington Road Streetscape**
8. **PUBLIC COMMENT**
9. **CITY COUNCIL COMMENTS**
10. **ADJOURNMENT**

*The City will follow its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 474-5500, ext. 2218 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: January 18, 2022</b>	<b>Item Number 3A</b>
<b>Submitted by: Melissa Andrade, Assistant to the City Manager</b>		
<b><u>Agenda Topic:</u> Accept Minutes from City's Boards and Commissions</b>		
CIA: December 2021 DDA: December 2021 Historical: December meeting canceled Parking: December meeting canceled Pathways: December 2021 Planning: December 2021 ZBA: January meeting canceled Library: December 2021(draft) Farmington/Farmington Hills Arts Commission: December meeting canceled Commission on Children, Youth and Families: December 2021 (draft) Emergency Preparedness Committee: November 2021		

**CITY OF FARMINGTON  
GRAND RIVER CORRIDOR IMPROVEMENT AUTHORITY  
MINUTES  
December 16, 2021**

**CALL TO ORDER**

The Farmington Grand River Corridor Improvement Authority meeting was called to order at 8:03 a.m. by Chairman King.

Members Present: Accettura, Bowman, Carron, King, O'Dell, Graham, Thomas  
Members Absent: Graham  
Staff: Christiansen

**APPROVAL OF AGENDA**

Motion by O'Dell, supported by Carron to approve the agenda. Motion approved unanimously.

**APPROVAL OF MINUTES**

Motion by O'Dell, supported by Thomas to approve the October 14, 2021 minutes. Motion approved unanimously.

**2021-2022 GRAND RIVER CORRIDOR IMPROVEMENT AUTHORITY BUDGET AND WORK PLAN PRESENTATION**

Director Christiansen presented and reviewed the current 2021-2022 Grand River Corridor Improvement Budget and the 2020-2021 Work Plan with the CIA Board. The Board discussed and commented on the budgets and the work plan.

**DISCUSSION OF 2023-2028 CAPITAL IMPROVEMENT PROGRAM**

Director Christiansen reviewed the 2022-2027 City of Farmington Capital Improvement Program with the CIA Board and discussed the 2023-2028 Capital Improvement Program. The Board reviewed the Calendar for Fiscal Year 2023-2028 Capital Improvement Program Process prepared by City Administration with the Board.

Motion by O'Dell supported by Bowman to approve Patrick Thomas as the Grand River Corridor Improvement Authority representative on the City of Farmington 2023-2028 Capital Improvement Program Steering Committee and to forward to the City of Farmington 2023-2028 Capital Improvement Program Steering Committee the suggestions/recommendations from the Grand River Corridor Improvement Authority for the 2023-2028 Capital Improvement Program. Motion approved unanimously.

**GRAND RIVER CORRIDOR VISION PLAN UPDATE**

Director Christiansen discussed the current status of the Grand River Corridor Vision Plan Update. The current/final draft Grand River Corridor Vision Plan Update 2021 was presented and reviewed. Discussion and review of the final draft included the implementation section. Review and action on the final draft will be considered at the next meeting.

**2022 SCHEDULE OF CIA REGULAR BOARD MEETINGS**

Motion by O'Dell supported by Thomas to approve the 2022 Schedule of CIA Regular Board Meetings. Motion approved unanimously.

**PUBLIC COMMENT**

None.

**BOARD COMMENT**

None.

**ADJOURNMENT AT 9:05 am**



6:00PM Wednesday, Dec 1, 2021  
City Hall Council Chambers  
23600 Liberty Street  
Farmington, MI 48335

## MINUTES

**The December 1<sup>st</sup> DDA Board Meeting was called to order by Todd Craft at 6:03pm.**

### 1. Roll Call

Present: Sara Bowman, Tom Buck, Tom Pascaris, Todd Craft, Chris Halas, Donovan Singleton, Claire Perko

Others Present: Kate Knight, Jess Westendorf, Carmine Avantini (CIB Planning)

Absent: Linda Deskins (listened via phone), Miguel Williams

### 2. Approval of Items on Consent Agenda

#### a. Minutes: November 3, 2021 DDA Regular Meeting

Motion to approve the items on the consent agenda by Bowman, second by Buck. Motion passes unanimously.

### 3. Approval of Regular Agenda

Motion to approve the items on the regular agenda by Halas, second by Pascaris. Motion passes unanimously.

### 4. Public Comment

Opened and closed by Craft at 6:05om

### 5. Financial Snapshot

Overview by Knight. This snapshot includes a roof repair on the properties managed by the DDA. Winterization of Thomas Street location under consideration by city administration.

### 6. Executive Director Update

Overview by Knight.

- TIF Training with CIB Planning is in the agenda today
- Shop Small season is among us, kicked off with Ladies Night Out on 11/18 with over 300 women shopping, drinking and socializing. LNO was noted as a win for Dearborn Music and other participating merchants. Small Business Saturday on 11/27 kicked off the Chamber's Holly Days celebration including Green's Gifts and Giving market.
- Completed Instagram training with our partners at Local Hop, a partnership through Main Street Oakland County, paid for with a matching grant through Oakland County.
- Downtown Farmington gift card has launched through Yiftee with a huge thank you to Linda Deskins for helping.
- We are at the finish line for the Farmington Road Streetscape with one last easement location to check off the list. With construction in mind, there is significant redevelopment on the Farmington road corridor:
  - GLP's Farmington Savings State Bank and neighboring storefronts
  - Page's is a under purchase agreement for a brewery
  - Jill's Pharmacy relocating to newly renovated location across the street
  - Apothecary coffee shop currently in interior demolition
  - A RRC target project with MEDC consultant

- Halls are decked with garland and twinkle lights. Sixteen additional trees on Grand River will be illuminated very soon.

## **7. DDA TIF Financing Application Training and Toolkit Package, CIP Planning**

Overview by Avantini of CIB Planning- Creating a process for using project specific TIF Capture as a tool.

- The goal is to use tax capture as an incentive to close the feasibility “gap” on development projects. Project-specific requests will be available for submittal via applications. There will be a detailed application process and review procedures outlined to ensure fairness and that projects awarded will meet the development goals and focuses outlined by DDA. The application will be not only easy to understand but also give all info needed to make good decisions. Guidelines will be established to follow for judging the application including a scoring system for consistency.
- Next steps: 1) Prioritization of projects 2) Development and approval of the Project Specific TIF 3) Development and approval of application evaluation guidelines 4) Development and approval of specific scoring criteria 5) Preparation and approval of Tax Capture Development Agreement framework 6) Final application approval by the DDA and City Council
- Question and discussion of fees associated with applications to rule out projects that are not serious and cover administrative overhead.

## **8. Request to Publish Annual Report**

Motion by Buck, Second by Singleton to authorize the publication of the Fiscal Year 2020-21 Annual Report on the DDA website. Motion passes unanimously.

## **9. DDA Formalized Recommendations for 2023-2028 Capital Improvement Plan**

This is our opportunity as a board to make priority recommendations for the city to spend money on. Knight is requesting that the board to review and send any feedback by 12/10.

Examples of projects to include: Pocket Park near enterprise building, complete street project, plaza at the Masonic, storybook walk pathway etc.

Discussion of question regarding financial feasibility of wish list and requesting clarity on the goal of the document and requesting a clearer summarization of cost by category. Clarification that this isn't a budget but a visionary document. Discussion ensued. The board to review document and recommended priorities and additions.

## **10. Committee Updates:**

### **a. Events Update**

Updates by Westendorf:

A record turnout for the volunteer decorating event at Riley Park with many new faces. A huge thank you to Linda Deskins for her volunteer recruitment efforts and Todd & Linda both for holding down the fort on the decorating day.

Ladies Night Out: A successful event including a magical snow storm, a pop-up artisan market at Riley Park, a treat pop-up by Lekker Choco at Browndog, and 30 participating merchants.

The launch of a new Syndicate apparel item.

Small Business Saturday featuring the launch of the Downtown Farmington eGift Card through Yiftee. Yiftee consumer interface review and discussion.

Social media summary overview of November including reach and engagement charts and highlighting top posts of the month. An “average/good” industry standard engagement rate is 1%-3.5% and Downtown Farmington’s Facebook page had an average of 9.5% in November. A great sign of engaged followers.

### **b. Promotions Committee**

Overview by Halas:

Yiftee – there is a huge demand to shop local in Downtown Farmington and this is another vehicle to use. We will be using social media, a-frames, our water bill insert and more to promote this launch. Leveraging our engaged audience ie both merchants **and** users. Shoutouts to promo committee members Jaki LeMense for offering her professional photography and Carl Johnson of Saint Creative for graphic design.

**c. Organization Committee**

Update by Westendorf. Deskins noted record turnout for volunteer decorating

**d. Design Committee**

Has not met but will be reviewing Apothecary design considerations soon.

**e. Public Art Committee**

Has not met yet but will be discussing a program for public art at Farmington City Hall.

**f. Business Development Committee**

Has not met but have been working on necessary PSD meetings. Send CIP directions to Tom Pascaris, copy Kate.

**11. Other Business**

None

**12. Board Comment**

Halas: Thanks for facilitating meeting movement to the Council Chambers to allow for a safer distance between people.

Bowman: Sue Arlin is moving into the Executive Director position at the Chamber of Commerce. She is incredibly qualified and looking forward to collaborate with us. Bowman encourages board members to invite her in.

Craft: Looking forward to collaboration between Chamber and DDA that Susan will bring.

Buck: Thank you for the Sipp smoothie dinner during the board meeting.

**13. Adjournment**

Motion by Buck, second Bowman by to adjourn. Motion passes unanimously.

*Dates of Interest:*

Dec 4: Holly Days and Light Up the Grand Parade

December 31: Harry Potter and the Holiday Skate Event at Riley Park, event info on Facebook

January 5: DDA Regular Board Meeting



## FARMINGTON PATHWAYS COMMITTEE

7:00 p.m.

Meeting Minutes <Draft>

December 8, 2021

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1. CALL TO ORDER  
Called the meeting to order at 7:10
2. ROLL CALL  
All members present
3. APPROVAL OF AGENDA  
moved to approve, Sue Lover supported by Joe V., unanimously approved
4. APPROVAL OF MINUTES
  - a. After Following corrections, Sue, moved to approve the minutes, supported by Maria, unanimous
  - b. Meeting Minutes corrections for, November 10, 2021  
Sue - Adjournment by Sue, supported by Maria, year end report 5E  
Susan discussed, not Sue
5. OLD BUSINESS
  - a. SAFE ROUTES TO SCHOOL (SRTS) CHATHAM HILLS TO LONGACRE CONNECTION UPDATE
    - i. New documen from SRTS in Lansing - Parent and community response has been sent twice, and will be published in city managers meeting. Also plan to bring the topic up in January to City Council.
    - ii. Chris sent email to Pathways Committee with this info.
    - iii. Susan - key points include: 27-28% walk or bike to school.
      1. Has your child asked you to walk to school? (yes)
      2. Will you let them (No, and why
      3. Noted that "...It doesn't matter what you do, we're not walking..." could be a mark against improving. This is anecdotal, since larger group responses do support the improvement overall.
      4. Using estimates from engineers, we need to prepare for an expense, as we bring to City Council, Pathways Committee would like City Council to know that this improvement will require some funding from the city.
      5. Tim doesn't want to provide too much detail on this in our presentation to City Council in Februrary. All agreed that we should just summarize, and bring greater detail as we know more about SRTS project. STRS project is multi-year.
  - b. YEAR END REPORT UPDATE
    - i. Tim listed the proposed topics and will present at the next PC meeting
    - ii. Susan will send bike riding pictures, Heritage pathwalks, and Ferndale trip. want to show that Pathways Committee is a hands-on group.
    - iii. Proposed content
      1. Intro
      2. SRTSchools - looking at ways to improve the connections
      3. McGee hill, Old Farmington road bridge

4. Flanders Sub/Riverwalk
  5. Library walk path (Asked to Consult) <Library/DDA/Pathways>
  6. Summer Sidewalk project
  7. M5 pedestrian bridge (FHills and MDOT)
  8. Bike lanes Shiawassee, Gill,
  9. Chris added 10mile sidewalk improvements completed between Liberty Hill and FPS.
  10. Oakland street sidewalk improvements will be completed in spring
- c. OLD FARMINGTON ROAD BRIDGE UPDATE
- i. Sue mentioned that she and Chris met with the professor, who is new to the topic, different prof than who originally was working with Sue..
  - ii. Chris offered to have a zoom meeting with the professor, but has not heard back from him.
  - iii. Since the project switched professors, now focus has changed by the teaching professor to a smaller scale. Still hope to have results before the next meeting, but not sure what the results will look like.
- d. 9 MILE/GRAND RIVER BICYCLE IMPROVEMENT STUDY
- i. Chris reached out to Farmingto Hills, who are supportive of doing a joint project at 9 mile /GR to 275. There is a grant available for funding help, but due date for submittal is Jan 14. Still might be able to work it for the 2022 budget. Crossover could be possible by improving the pedesetian bridge.
  - ii. Oakland Co has a trail planned that shows this path is being considered.

## 6. NEW BUSINESS

- a. Susan and Sue mentioned meeting with Maria of Library and KickstART Duane Hayes to discuss Storybook Walkway. They passed Kevin Christiansen's name and the Library wants to see what is needed to move the storybook walkway project forward
- i. Shared some ideas, but very broad at this time.
  - ii. Looking for operational side of the project and would like to get it done before street scape.
  - iii. Kevin mentioned the DDA design committee, and that Kate Knight may already have spoken to the Library.
  - iv. Complexities of the shared parking lot of Williams Family medicine and Firestone, where the path will cross through. Proposing to design architects to incorporate the walkway, streetscape renovation, and parking lot improvements and line up timing. Best case for this may be 2023 but is uncertain at this time. This raises concerns about grant expiring. Grant amount is \$1k
  - v. Bill suggested 'selling' stories to be represented on the path to help raise money, similar to 'buying bricks to help fundraise. Bill also asked if the 1k grant could be applied to help raise more? Kevin agreed with this thought and expanded on some similar topics of how to increase money available to complete this walkway..
  - vi. Duane Hayes (KickstART gallery) in the meeting with Sue & Susan talked about selling 'phrases' similar to Bill's suggestion. Sponsor a sidewalk block.
  - vii. Kevin mentioned Sue...somebody, not Lover or Arlin....also has a landscape company and could provide a quote on imprinted bricks/pavers.

b. ANY NEW TARGET AREAS?

- i. Sidewalk renovations: Chris said the city chose the Pathways Committee recommended section.
- ii. Kevin - Grand River Corridor Improvement Authority - UM School of natural resources. Power Road x Gr RV. and eastward, study of the river. Published on city website. note: Joe V. did a report on this early in Pathways Committee. can provide if needed
- iii. Kevin C - Art. City has two parks with service memorials and 9/11 memorial and thought the Pathways Committee could consider ways of tying these memorials and parks together. Grand River separates them. (City Hall park, and park behind Masonic Temple Maybe there could be a better pathway built to connect the parks. Ideas:
  - i. 'Steps' walking to the other park. (boots marching?)
  - ii. First Responders, Military are represented.
  - iii. Consider something to tie and relate the parks.
- iv. How to improve the connect the downtown area to the mansion. Warner mansion is important to Farmington history, but the location being just outside of downtown area makes it feel remote.
- v. Riley park to Shiawassee connection. Originally a switchback, but are now looking at a straight path.
  - i. No starting point yet, still assessing the hill and how to maintain it
  - ii. Also not sure where path will connect to..
- vi. Bill spoke to Engineer about M5 pedestrian bridge and they do have some short-term improvements planned for Folsom. Bill will send the picture the Bridge engineer sent him.

7. PUBLIC COMMENT

No Public Comment.

8. COMMITTEE MEMBER COMMENT

Brent thanked everyone for the thoughtful card.

9. ADJOURNMENT

Bill moved Tim supported, meeting adjourned at 8:01 PM

Next meeting: January 12, 2022

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
23600 Liberty Street  
Farmington, Michigan  
December 13, 2021

Chairperson Majoros called the meeting to order in Council Chambers, 23600 Liberty Street, Farmington, Michigan, at 7:00 p.m. on Monday, December 13, 2021.

**ROLL CALL**

Present: Crutcher, Majoros, Mantey, Perrot, Westendorf  
Absent: Kmetzo, Waun  
A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen; Building Official Bowdell; Recording Secretary Murphy; Beth Saarela, City Attorney; Brian Golden, Director of Media Services; Brian Belesky, Audiovisual Specialist.

**APPROVAL OF AGENDA**

MOTION by Westendorf, seconded by Crutcher, to approve the agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. October 11, 2021 Minutes**

MOTION by Perrot, seconded by Crutcher, to approve the items on Consent Agenda.  
Motion carried, all ayes.

**REQUEST TO SCHEDULE PUBLIC HEARING FOR SPECIAL LAND USE –  
PROPOSED SAVVY SLIDERS, 22420 FARMINGTON ROAD**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated that if we could just quickly go through the staff report. I know that we have representatives here of the Applicant and also we have OHM Advisors here in attendance this evening, so it might be appropriate if you like, an introduction of those attendees, and maybe just a quick overview by the Applicant and then they can make their request and we can move on.

Majoros replied I'm comfortable with that but I'll be honest, I don't think we need to go through this twice. If we have a public hearing which we will in the month of January, we'll go through that in great detail, we've got a couple other topics we need to get through today. I'm happy with an introduction and I think the team is as well, but we don't need to go through letters of opinion and informal proposals because we'll do that in detail at the appropriate forum.

Christiansen said that's great and we'll take that tactic. I appreciate that, Mr. Chair, and with that I'll just quickly go through this overview. As indicated in the staff report that you have before you, the Applicant/Petitioner which is Savvy Sliders and their interest is represented by Steven Bacall, with Bacall Group Associates, and Steven Bacall also is coordinating with Stonefield Engineering and Design on behalf again of the Applicant and the Special Land Use application that's been submitted again on behalf of Savvy Sliders. The purpose is to renovate and repurpose the former TCF Bank which is located at 22420 Farmington Road, and there's a review letter from OHM in your packet. The existing former bank is currently vacant which I think you're aware, but that the proposed project would result in interior improvements, façade modifications to the existing building and also includes a new reconstructed drive-thru which is the reason for the Special Land Use. Exterior building and site improvements are also proposed, plans are attached with your packet. The existing commercial property is C-2, Community Commercial in its current zoning. As indicated, drive-thru establishments are a Special Land Use in the C-2 Community Commercial District and require a public hearing, a Special Land Use consideration and a site plan review and approval. The Applicant is here again this evening. The purpose this evening as indicated is to introduce the project and to briefly review some of the materials submitted and then to entertain a request to schedule the required Public Hearing which at this point is being requested for the January 10, 2022 Planning Commission meeting.

Chairperson Majoros thanked Christiansen for the overview. He stated out of the respect for the Applicants that are here, would you like to come up please and give your name and address and again, just a quick overview that we'll be going through in detail at the January session if that indeed happens which I'm assuming it will and we'll probably do the same for OHM. So, thank you very much for being here, take it away.

Michael Gold, Stonefield Engineering & Design, came to the podium and stated their address is 607 Shelby Street, Detroit, Michigan, here representing the Applicant, Steven Bacall, Savvy Sliders. As Mr. Christiansen said, we're just renovating and retrofitting the existing drive-thru bank and proposing a drive-thru restaurant at the hard corner of Farmington and Nine Mile. We also recognize that it's a nice gateway into the City and want to bring more life to this property, so we're proposing some more greenery and landscaping and again, liven the place up. With that, I'll let Steven introduce himself.

Steven Bacall, Bacall Group Associates, came to the podium. He stated that Mike pretty much took the words out of my mouth. But we're excited about this project. I'm Steven Bacall by the way, address is 7091 Orchard Lake Road in West Bloomfield, Suite 260, with Bacall Group. We're basically a family run commercial retail development company. Outside of West Bloomfield we specialize in being developers of Walgreens, Family Dollar, Auto Zone, and a few others. We've partnered with Savvy Sliders to do this

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development for them and we're looking forward to bringing this project to life at Nine Mile and Farmington, the former TCF, so to bring some new energy there.

Majoros thanked them both and stated he is looking forward to a more detailed review. He stated I'd like to turn it over to the representative from OHM, if there are any headlines of what we should be kind of thinking about as we go through the January details with you.

Austin Downie, OHM Advisors, came to the podium and stated I am here along with Matt Parks, thanks for the introduction. We conducted a very preliminary review of the application for Savvy Sliders and so far so good, in January we'll be happy to go over more comments. Right now the comments in our letter are more so for the benefit of them prior to their next submittal which will involve a more detailed review and I'll be happy to go over more comments in January like I said. And now, the Planning comments which Jennifer Morris who was not able to make it here tonight, went through for us, I'm sure if need be Kevin could shine some light on those for you guys but until then we'll look forward to further review in January.

Majoros asked do we anticipate that from what we've read in your correspondence now to what we review in January, will there be any subsequent perhaps revisions or points of view on what was pointed on in what was a pretty detailed note.

Christiansen replied the possibility of some modifications between now and the Public Hearing if it is schedule as requested, certainly then would be identified in any updated correspondence. Also, too, this is, as Mr. Downie indicated, a preliminary review, they'll do a deeper dive particularly as it relates to the Special Land Use because there's special considerations and also, too, they will conduct an engineering review as well with respect to support facilities, water, sewer, road, circulation, etc., so you'll have an expansion of this instrument here with a detailed review, more comprehensive, for the January meeting if that's where it's going to go.

Majoros stated I think we've all had a chance to look at it, there's a lot of things in here that are pretty standard, run of the mill type stuff, so I look forward to more detail then, I appreciate it. I'll now open it up to Commissioners if there's any comment or question for either OHM or for the Petitioner.

Crutcher asked if the floor plans submitted, that's just an idea of the plan, it's not the plan for the building and Bacall replied those are not full plans. Gold stated the floor plan that was submitted was more of a conceptual of what the interior layout could look like but no, that is not of this building.

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Bacall stated like Mike said, this is just a conceptual plan to give you an idea of what to expect and Gold stated it doesn't have a drive-thru either on the plans.

Christiansen put up the most current and accurate plans on the screen and stated these are supplemental.

Majoros said I do have a couple questions and one is I don't know Savvy Sliders as a business so is this the first, is it the tenth of ten, or is there 100 of them? And the second thing is when we consider a lot of drive-thrus we often go through, I remember doing this for Panera, how much business is going to be drive-thru? I mean obviously that's going to be one of the biggest items here, I mean the rest of it looks relatively good, of course the engineering drawings, etc., will go through their site plan approval. But when we do that will probably an area that will be addressed in January, is this 50% drive-thru, is it 10%? I know it's hard to predict but if there is any metrics or data from other establishments.

Crutcher asked for clarification, is this a carry-out that you can sit down at or a sit down that you can carry out?

Bacall replied it's going to be more of a sit down with carry-out, family style sit down dining with carry out.

Chairperson Majoros opened the floor for a motion from the Commissioners.

MOTION by Crutcher, supported by Perrot, to approve the request to schedule a public hearing for Special Land Use for proposed Savvy Sliders, 22420 Farmington Road, for the January 10, 2022 Planning Commission meeting.

Motion carried, all ayes.

**DETERMINATION OF SIMILAR USE – PROPOSED DASHMART, 22054 FARMINGTON ROAD**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated this item is a review and consideration of a proposed DashMart business intended to be located at 22054 Farmington Road in the Farmington Crossroads Shopping Center as proposed. The business is currently not permitted in the Zoning District and location which is proposed. As such, the Applicant is requesting a determination of similar use by the Planning Commission in accordance with Zoning Ordinance Section 35-30, a copy of which is attached with your staff packet. The subject property is zoned C-2, Community Commercial. The existing shopping center commercial unit at the shopping center proposed to be used by DashMart is currently occupied by

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Brixmore Properties, property manager of the Farmington Crossroads Shopping Center for their offices. A proposed floor plan, a layout for the interior of the unit has been submitted for DashMart. No exterior building modifications or site improvements are proposed. The Applicant has submitted the site plan application for this item and support material for the proposed DashMart business. Mr. Jason Nesler, representing Brixmore Properties on behalf of DashMart, is here in attendance this evening to review the proposed DashMart business with the Commission. This is somewhat of a unique situation, Mr. Chairman, this is not something typically that is engaged with respect to uses that don't fit specifically within a particular zoning district for various reasons. As such, this section of the Zoning Ordinance allows for Applicants to petition the Planning Commission for the Commission's determination, in this case as to whether the use being proposed is a use similar to ours and can enjoy the same sort of opportunities in that Zoning District. I will tell you and in attendance this evening as well, is Mr. Jeff Bowdell, the City Building Official Code Enforcement Officer. Mr. Bowdell and myself and the Economic and Community Development Department were engaged by Mr. Nesler and the interest to locate this use a while back. We've had several engagements, meetings, discussions, the interesting thing about the use as proposed and there's a lot of detail in the materials here that didn't fit within the C-2 District based upon how the use functions and operates. And it also, though, didn't fit within another Zoning District, the Industrial Zoning District, where initially it was really most appropriate to be situated but because it had some commercial elements to it, it doesn't fit within that Zoning District as well. What I will tell you and Mr. Bowdell can certainly make some comments, too, from his perspective and in his capacity as Building Official, that what's being proposed is to establish a DashMart operation at Farmington Crossroads in an existing commercial unit where the unit will be used as it would be a grocery store; however, it's not customer based, parking in the parking lot, coming in the front door, and shopping for your groceries. It is more akin to a warehouse type operation where the grocery store provides opportunity for items to be packaged together via online ordering and then instead of an individual consumer yourself, myself, coming into the front door, those items are delivered to those purchasers, those customers. So, it was more akin to a warehouse with a distribution and in so it did not fit within the context of the definition of commercial retail within the C-2 and so it most appropriately after review looked to fit within an Industrial designation, however, there is a commercial customer element to this. So, I'll let Mr. Nesler expound upon that, that's really the overview I'm giving to you. After all of this, Mr. Bowdell and I had a meeting with Mr. Nesler and having dialogue back and forth it was decided that this was the course of action to be taken in accordance with this section of the Zoning Ordinance. The City Attorney then has been engaged and provided you with an overview of the circumstances here that we did send to you in a separate correspondence for this evening so that's something to consider as well and the City Attorney is here to help guide us through this as well and help answer any questions. so, with that, Mr. Chair, I'll turn this back over to you. One thing I will ask is that Mr. Nesler,



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again here with Mr. Brixmor, who just had hip surgery and we're glad to see him here this evening and if it's okay, Mr. Chair, to allow him to speak from his chair.

Majoros thanked Christiansen for the overview and welcomed Mr. Nesler.

Jason Nesler, Brix more Properties, addressed the Commission. He stated basically at this point Door Dash provides a service of delivering foods from restaurants or from groceries, they'll basically pick up almost anything and take it to a place when it's ordered online. They came across a problem, they weren't always able to get the items from the stores or from the restaurants that they wanted when orders came in. They would get to a drugstore and there wouldn't be anything and then that would cause a problem because you've got somebody who is spending a lot of money for it. so, somebody in the company came up with a plan to create DashMart, this is basically set up like the back stock room of a grocer, everything is up on shelves, everything is ready to go. You come in and you say I want some Hostess Cupcakes and a jug of this milk, the order comes in to DashMart, somebody in the front goes and picks a couple things off the shelves, brings them to the front. Door Dash would then come in, grabs it, and is on their way. It's a pretty simple operation but I think somethings that's really going to be seen a lot in the future. We actually put one into our shopping center in Ypsilanti and it's been up and running now for about four months and is doing very well, hasn't caused us any problems, it gets a lot of use, DashMart has been very happy with it.

Majoros asked Christiansen if it would be proper to get a perspective from City legal or ask questions of the Petitioner first and Christiansen replied I think I would ask through the Chair to the City Attorney what she things the appropriate next steps are here in light of those items.

Majoros stated there will probably be a lot of dialogue and discussion, I would probably recommend we get the City Attorney's perspective now and we can hear that and direct questions accordingly.

City Attorney Saarela stated due to the fact that we don't have any particular use for this in our Zoning District, we have to try and figure out what Zoning District it fits into. What you're really doing is you're looking for a Zoning District that supports similar types of uses of the Zone and comparing the characteristics of the type of use with the types of uses in the District. So, in this case, there's two possible districts it may fit into, the C-2 and the Industrial Districts. So, what you're going to be looking at is it more like a C-2 retail drug store commercial type use or is it more like an industrial warehousing type use. and the types of things you're going to be looking at is visual similarity, does it look like a warehouse, does it look like a retail store; you're looking at traffic, does it have the type of traffic you're going to see with a retail store or is this the type of truck traffic or in and out traffic in a warehouse. Again, you can look at things like type of product that they're

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going to have on site, is it more of a retail product or is this something you will see in a more industrial warehouse setting. Is there outside storage, what is the visual impact of how they're keeping the products on site. You can look at the noise that can be generated and compare it to noise generated similar to a retail store use or similar to a warehouse type use, hours of operation, lighting, size and use, these are the types of factors you're going to want to look at, maybe ask questions about it or ask the Applicant for more detail so they can plan. And once you pick a district for this type of use, all future applications for this type of use in the future will go in there.

Majoros thanked Saarela for the information and he then opened the floor up to questions and comments from the Commissioners.

Commissioner Westendorf asked just to clarify, is the general public a shopper, if you will, and be able to access this store or is the building really just for employees and dashers.

Nesler replied they actually have a model set up that people can walk into the front area which is a little vestibule reception area, order on an I-pad, pick-up at that time, but the largest percentage is definitely for Door Dashers.

Westendorf stated so there's no register, check-out area, if someone wanted to come and shop like at a regular grocery store and Nesler replied no, it's not like a regular cash register line-up like that, it will be like an I-pad, a tablet, credit card only. Westendorf said so no long lines and by far the bulk of the people here are going to be the employees and Nesler replied the Door Dashers, yes. Westendorf asked roughly how many employees are we talking about and how many Dashers, how big of an operation is this?

Nesler replied right now we're seeing about four or five employees at any given time at the current DashMart, and I really don't have any numbers on the number of cars that it would produce. The one thing that is good to note about that, though, because that area they're going to be taking over is my office right now and we have great access on the back side with parking stalls and everything, so we wouldn't be tying up traffic in the front. You know certainly people would be able to come to the front if they needed to, but the back will be the main access, the doors, Door Dash would be able to park back there.

Westendorf stated so the Dashers would line up on the back and the front of the building would really be the occasional walk-in and Nesler replied correct.

Director Christiansen stated to help Commissioner Westendorf, there is an overview that is in your staff packet dated November 18<sup>th</sup>, 2021, submitted by Door Dash as part of this application and it does indicate a little about Door Dash. they do talk about that Dashers are independent contractors and utilize personal vehicles to complete the deliveries from the facility on average. they expect to see between 75 and 150 independent contractor

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delivery drivers arriving throughout the day with order volumes spread across all their operating hours. and then they indicate here that a typical DashMart facility employs between 15 and 20 employees, with four to six employees on site simultaneously. Now, this is a very general summary so there are probably some variations depending upon this particular location or level of operation, but just an FYI to maybe help answer your question.

Majoros asked can an individual consumer come in as if they were going to any other of the facilities in your property or anywhere else and walk around the facility and choose individual items and the answer to that question is no and Nesler replied that's correct.

Majoros stated I think that's a pretty critical distinction.

Commissioner Crutcher stated that's not unusual in grocery stores in some places, you walk in and you can't walk and pick up stuff off the shelf, you have to go to a counter and ask someone to give it to you, that's not unusual for that to happen in a store.

Majoros stated but I would say I can walk into about 98.9% of Farmington businesses and if it's an individual retail establishment, granted pharmacy, understood, right, special use case, but in most instances, I can walk into a retail establishment in Farmington and pick the items I'm going to be choosing and pay for them.

Commissioner Mantey stated what stood out to me when I read the letter that was provided is that the main access would be in the rear and Nesler replied correct. Mantey went on to say I also noticed that it had peak hours for the traffic they would expect would be from 7:30 to 11:00, later at night, which I know would overlap with the time of the close of the restaurants at the center and would be taking trash out to the one dumpster, so I was a little worried about Dashers who are in a rush at peak time, that being a little bit dangerous for them to use those back drives while people are trying to take trash out at the restaurants. so, I was curious, I did look at DashMart and I notice there's one in Ferndale but the other operations in that shopping center were closed before those peak hours. So, I'm curious at the Ypsilanti location are there any restaurants or anything open late or does it kind of shut down and then it kind of builds up with the Dash runners.

Nesler replied in Ypsilanti they have a restaurant next door to them, I believe they close at 9:00, there's a Planet Fitness, Dollar Tree, Big Lots, all close at 9:00, too.

Mantey asked is it a similar layout with kind of traffic flow in the back and Nesler replied it's very similar.

Crutcher asked if the Door Dash people have to get out of their vehicle or is it sent to their car window and Nesler replied no, they get out of their vehicle and walk in, and they let

the person at the desk know that they're there and then they get their order. Crutcher asked why don't they enter through the parking lot instead of the alley and Nesler replied because if we put them in the back, there wouldn't be any traffic congestion. This particular space is in the elbow of the center and it's just high traffic anyway, so this will push them to the back out of everybody's way.

Director Christiansen stated Mr. Chairman, if I might be able to provide you with some information, up on screen right now, this is the aerial view of the Farmington Crossroads Shopping Center and as Mr. Nesler is indicating, the unit proposed to be occupied by DashMart is 22054, which is right at the elbow, and what is unique about this center in its construction and configuration you'll see that pretty substantial parking area that's in that southeast corner that's directly behind this unit and so there's access to the rear of the unit, there's significant parking, there's circulation, there's means of ingress and egress that then is pretty much restricted from Farmington Road and back out to Nine Mile Road, a little bit of constriction as you get past the larger buildings on the north end of the center. but this is just the conditions for your information which has also been part of our discussion between Mr. Bowdell, Mr. Nesler and myself, they were certainly very much concerned about the impact on the existing tenant while trying to blend in together. and to answer Mr. Crutcher's question, they did present then this as their desired needs facilitating their drivers choosing not to use the front parking lot because it does get very heavily used, this is informational for you.

Crutcher then said other than the fact that they're Door Dash going into this building, it doesn't look any different than a shopper going to pick something up from the store and Nesler replied right. Crutcher then stated you said someone could using an online app, go in, order something, and pick it up and Nesler replied if the item is available, yes. Crutcher then asked if they paid at the door or on the app and Nesler replied they can pay with a credit card on the app.

Majoros stated it's a pick and pack operation. A consumer is not going to be walking the aisle, picking up purchases. other companies can do it, right, but your cost structure would go through the roof.

Commissioner Perrot asked if Door Dash's corporate give any kind of guidance as to what is preferred, a stand-alone versus a strip mall, you talk about the Ypsi location being in a strip mall, do they give any kind of governance or advisement of what they prefer to see?

Nesler replied not that I've seen so far, this being the second store that we're looking at with them, I haven't seen a preference anywhere, I think they're just tightening the demographics, this is where we want to be and they want to be here in Farmington.

Perrot stated the glaring concern for me is, and shame on me for not driving through here, but are these alleys, do they have dedicated traffic flows, are they one way in? Christiansen replied they're two-way and in my earlier comment I made there is a little constriction between the wells that are adjacent to the rear of the bigger box on the north end. but most of it is two-way flow, it's not restricted egress and ingress so it's two-way ingress and egress and flows the whole south and then east side of the shopping center. Perrot said there's entrances to Farmington Road, there's entrances to Nine Mile, so if everybody decided to use the alleyway staying out of the traffic flow, sushi House is wildly popular, that parking field immediately right in front of there is always full. So, adding to that there are a lot of people that will sit and wait for people that are in the dollar store and the hardware store, so there's a lot of traffic that flows through this one corner of town but I'm just looking at the utilization of the alley and like I said having a dedicated traffic flow, Kevin said it's a two-way flow, so that can handle it in the back although it does look pretty cozy, that's the only concern I have with this. It's great there are dedicated entrance points to the two main roads, Farmington Road and Nine Mile, just it would be lovely if seeing this come to light being able to basically keep the business in the back versus out front.

Crutcher stated this looks like a grocery store other than you don't pick groceries yourself, you order stuff on line and have shoppers go in and get your stuff and walk out.

Majoros stated I have a couple questions. How do the Dasher delivery people know to go in the back, are there instructions to pick up in the back? Nesler replied there are pick-up instructions when they're headed to the facility. Majoros then said it's not like 25 new people a day, these are people's means of employment, they're going to figure out this is where I go. But do you know what percent of the business, of the volume, comes from walk-up consumer versus ordering online and Nesler replied the percentage of walk-in would be very low. Majoros then asked what the desired hours they're proposing are and Nesler replied they are looking for a 24-hour operation. Majoros then stated if you look at the one thing, 24-hour operation, traffic, etc., especially on the back side, alexander is what borders this. and if you look at this, at least on the parallel to Alexander and then Dollar Tree, you know there's no residential bordering that site there, I'm not sure what exactly is sharing the alley there and Christiansen replied it's industrial, a combination of use. there's no single family residential, there's a multiple family complex there, an apartment complex and then there is the office complex.

Majoros asked what would happen if they were not 24/7, if there were hours placed on it; would the company that is looking for this not want to do this, is 24/7 a mandatory? Nesler replied I can't say it would be breaking the deal but they push very hard to be able to do that.

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Crutcher asked if there were any 24-hour businesses in Farmington now and Christiansen replied I guess you know if you were to take a look at the retail or the commercial, typically not; however, you do have some operational type businesses, you may have some industrial that has some overnight work depending on which business it is and which location it is. It's not necessarily typical but it's not unprecedented for that. Crutcher then asked but no retail or commercial and Christiansen replied not typically. Crutcher then asked and no restaurant is 24 hours, or is Greene's? Christiansen replied sometimes, it just depends on the circumstances, time of year, the day of the week, whatever it might be. So, again, all that together. But it's not typical, but it's not unprecedented, it does happen.

Crutcher then said if anything, probably gas stations, and Christiansen replied that's true and gas stations have typically been 24/7, although that is changing, too. But what I can tell you is the City has a very strong Code of Ordinances and certainly an excellent Public Safety Department implementing those ordinances with respect to activity and to impact, delays, those kinds of things. And those businesses are very cognizant of their operation and mindful of that, Public Safety is pretty much on top of it. so, we have those rules and regulations in place, procedures, practices, if there's concern about that for those that do operate during the nighttime hours.

Perrot asked if the Petitioner had spoken to any of the surrounding businesses and Nesler replied I've had a couple of conversations with a couple of the tenants, nothing too deep. No one really had an opinion about it other than they want more people in the plaza so they want to make sure it stays occupied, you know, those people will go over and frequent the restaurant hopefully and everything, so there really hasn't been any questioning of what do you think about this.

Majoros asked if the type of inventory they carry is relatively fixed or is it based on availability or market conditions, is it basically dish soap, and as the Farmington demography dictates, they'll say hey, that's not moving, we're going to go to this, is it perishable, nonperishable, is it low cost items that are \$1.00, are there \$25.00; what is the composition of what they desire to be in the mix that's sold? Nesler replied from what I've seen in Ypsilanti, they come in with a set, okay, this is what they put in and as they go along just like any business that wants to grow, they're moving and changing their product, then they adjust as they go along, and they create probably within six months what's moving and what's not. Majoros asked if there is fresh fruit and vegetables and Nesler said yes, there are perishables, I've seen dairy and fruit in Ypsilanti. Majoros said so perishables, and household goods, and canned goods, and cleaning supplies and paper towel and all of that and Nesler replied correct.

Chairperson Majoros opened the floor for comments and/or questions from the Commission or staff. Hearing none, he stated what you had noted here is this could be a

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pivotal moment here as we look at this determination of similar use, with to your point kind of a changing economic model for businesses, that what we do here today could kind of be a forward looking determination as subsequent businesses come in, and this may help set the precedent for whether this goes into C-2 or Industrial District and Attorney Saarela replied correct.

Crutcher stated I have a question related to that. As an example, what they're trying to do here now is to start a business, start a thing to do, a business like that, like the Dollar Tree down the street, could they do the same thing?

Saarela responded are you talking about opening a different location and Crutcher replied if Dollar Tree decided to do a similar thing, have Door Dash come and pick up stuff? Saarela stated I think they can do that right now; I don't think there's anything in the Zoning Ordinance prohibiting online orders, I think places that we have in town already under the current retail structure has Door Dash coming, delivering from there.

Crutcher then asked so a neighboring business could start doing a curbside business and Saarela replied a lot of them already do. Crutcher asked how does that change moving forward and Saarela replied if you have any use coming in or you frequent a restaurant or a clothing store, if you have something coming in with online ordering only, this is the type of Zoning District you're going to be looking to put it in, so I think what you're looking at is the type of items they're selling, too. If you have online orders for large landscape materials or something of course, you're looking at something different.

Majoros stated you're right, the reality today is any business that's not looking to conduct business online, a convenience for consumers, right, there's only three ways to go here. One way to go is consumers can order online, the existing business can pick and pack, you can pay, you can come in and say just like you go to Panera, there's my order, I can pay, walk in, grab it and I'm out, very similar model. I'm the end consumer, not the Door Dasher. Then there's I'm sure what's called a pick and pack operation where 95% is much more of a --- let's not call it a direct consumer engagement, but businesses today you can pick up and you can order online and you can come get it, you can do the same thing and that's why the Ubers and everybody else is saying look, we have to fill up capacity so when Uber rides are down, I'll go deliver groceries or what have you. So, it's changing for sure. I think the fundamental question for this one is it's pretty much exclusively that. Whereas everyone at Dollar Tree today if they don't do online ordering, they're 100% direct consumer. Now that business model may change but they will always have that offering. This one does not have that offering.

Crutcher stated my question is what if they decided to change their model, Dollar Tree says they're going to go totally online ordering and no customers in the store and only pick-up would that now fall under this and Majoros replied would they get booted out, I

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don't know what would happen in a situation where an individual business that exists starts reframing and reshaping their business model to a what I'll call ---

Saarela stated you can have the Dollar Tree all of a sudden wanting outdoor items, you have to look how it fits into the current Zoning District and what's permitted. But if they start doing something at some of these other businesses that is not currently permitted, Jeff would write them a ticket and they would have to come into compliance or get some kind of variance or a site plan, so that's how it would work if there's something that is outside of what's permitted.

Christiansen stated another approach that is probably worth our discussion and consideration in light of our efforts currently with respect to the Zoning audit, is when we get to the Commercial portion of the Zoning Ordinance, Commercial District, we may have some dialogue about the changing nature of uses and how they function and operate and it may be that you might consider amending the Ordinance to provide standards. Maybe it's a Special Land Use, then there has to be Special Land Use statements and have certain criteria that it has to comply with in order to operate. I'm just saying this now in our discussion quickly but I think those things are worth consideration if you have an interest in doing that and that's what we're finding, quite a bit of change, in how things are operating and being conducted. Whether it is commercial, food and beverage, whether it is residential and we're going to talk a little bit about that tonight, the nature of how our uses are functioning to change current need, current demand. So, that's just an alternative, an approach like that. But this is unique, it's something we don't right now have in place and this situation tonight is specific to this situation which is what's before you. And I know there's been quite a bit of again, engagement with the Applicant on behalf of staff and back and forth and with the City Attorney, and correspondence with the City Attorney, and other information provided. So it is specific to this circumstance, to this application, at least this evening's consideration before you, and this location. And so you as a Commission in this session and I would defer back to the City Attorney, maybe there's some clarification needed, or more direction, you have the ability to put into place any standards or any requirements that you would feel would be necessary if you were to explore something like this, whatever the findings that need to be made to do that and whatever those standards are to be. Or you know whatever you choose as a Commission, depending upon if you feel there is some similarity or not. But I know that the attorney has prepared information to both those instances for you.

Westendorf asked just to clarify we said that if we approve this, the determination of similar use, then it would kind of be always available in the C-2 in the future; would we have to say tonight that it would be a Special Land Use in a C-2, how do we lay out those requirements in there?



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Saarela replied well, I think if you're going to start going in that direction, I think for C-2, next month in our review of C-2, at that time seek to have some more considerations, it will take some time to consider what standards, what Special Land Use standards would be appropriate other than just trying to come up with those right now.

Westendorf asked if the Applicant would have to put their project on hold because we can't determine until we amend the Ordinance or we can do a determination of similar use for the time being and Saarela replied you could, then you can amend the Ordinance. If anywhere it would fall under their site plan review process, so you could slot them in there but you don't have Special Land Use standards now unless you want to try and determine all that right now. But they would still be subject to go through site plan review, I don't know where they would be in their process depending on how long it takes to go through that review, if you're going to decide to amend that section, the typical time it takes to amend the Zoning Ordinance is at least a few months depending on how it goes with the recommending body, Council.

Christiansen stated the circumstance that is before you this evening as proposed for this use, their interest is in occupying an existing unit in an existing shopping center, with no exterior modifications, with interior changes only necessary for their operations and using an existing outside parking area with no improvements because you know the condition it needs to be in to operate and utilizing the rear for the ingress and egress for service so they're not really changing anything but the use itself is something that the City has not experienced, hence it doesn't have an approach for it currently.

Crutcher stated the only difference between this and if it were a true warehousing type facility is the fact that it's passenger vehicles coming up there, not trucks, for the drop off.

Saarela replied and it's the type of product and the visual aspect of it. I think Kevin is talking about the fact that the whole set up.

Christiansen said the other element is that they have indicated there will be some level of potential customer traffic to come in and whatever the percentage is and so if you look at the ordinance regulations in the Industrial District for warehouses, there's no commercial operation provided for in that warehouse which is why it didn't fit within the Industrial District as currently defined and it doesn't fit in the Commercial District either.

Majoros stated you can say the same thing, industrial use is probably a limited number of employees or whatever, heavy truck delivery and not this constant turn.

Crutcher asked how this would be different from an Amazon center?

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Christiansen replied if we were to look at that specifically and we don't have all the details on that but just generally and Mr. Bowdell is here, too, we would look at that kind of use as a warehouse distribution operation and that fits within the Industrial. and it depends on products, too and Mr. Bowdell and I have had this conversation about what is being transferred from warehouse and what type of product and the service of those products are.

Crutcher stated the point that is setting the precedent here the online retail delivery type center for what Door Dash is selling, to pick up and take somewhere. that's kind of the same thing that Amazon does with its contractors, they're not Amazon employees, they're going to drive up in a vehicle and pick stuff up and take it somewhere. I think in the language we have, we probably would not want to have that kind of thing in this district.

Saarela replied they're limited by size of operation, too, so we're not talking about a huge Amazon facility.

Majoros said it's the notion that Amazon has massive distribution facilities but you never know, they may want to take over Cowley's and have a micro distribution center.

Crutcher said but to do this type of thing, we could wind up with multiple.

Majoros stated it's not overnight, it's give this to me in three hours.

Christiansen stated in what we do in our capacity here at the City and what we're charged with and responsible for is the economic and community development department as a staff and our review of all proposals that come before the community, this one didn't fit. and there are others and the nature of things are changing and evolving and we expect and anticipate more of this in some sense if and when so it's very likely we need to take a hard look at what you as a Commission may want to do to prepare, and others, too, because there are a couple other nuances that are coming up as well. I mentioned some of the use types earlier and also things like conversion of commercial space just to open box assemblage type uses or gathering uses, older facilities that were never structured or equipped for that but that's a different conversation and we'll get there. So, we may have to look at amending our ordinance to certainly address this situation and derivatives thereof or however that turns out to be.

Majoros stated I don't know which way this will go but let's say hypothetically this is denied and we clarify ordinance language, the Petitioner has the ability to come back at a subsequent time, is that a fair statement?

Christiansen replied if they had not been through a particular process, let's just speculate for a minute that that is what transpires and if there were to be an amendment to the

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Zoning Ordinance that would provide for this type of use or something similar with Special Land Use consideration, having not gone through a Special Land Use process, that would be available. But again, in light of that it may be a period of time before that happens.

Perrot stated I have one last question for the Petitioner just because this comes up pretty regularly for us. and I might have missed it but there's no outdoor storage of any kind of product in the back, nothing like that, and Nesler replied that's correct. Perrot asked everything is contained within the confines and Nesler replied correct.

Westendorf said I don't know how important this is but I'm curious and I don't see it in the application, how many square feet is this space roughly and Christiansen replied in the packet there is a floor plan layout after application, I'm scrolling down to it, here it is right here, I don't know if it's in there, I'm having trouble reading it on screen and Nesler replied I believe it's around 4,500 and Christiansen replied something like that, give or take.

Mantey asked if there will be signage that will be marked as a DashMart and Nesler replied the location we have now does have a DashMart sign up.

Chairperson Majoros stated there's some thought to be put into it but I would call for a motion.

Further discussion was held regarding the contents of the motion.

MOTION by Crutcher, supported by Perrot, to move to approve the request of Door Dash Essentials, LLC, with respect to the property located at 22054 Farmington Road, I move to approve Applicant's request to find that the proposed use as an online retail and delivery center is most similar to a permitted use in the C-2, Community Commercial District. Although an online retail and delivery center is not specifically permitted in any zoning district currently established under the city of Farmington Zoning Ordinance, the proposed use is most closely resembles a general commercial/retail business or shopping center with 50,000 square feet of floor area or less, or a wholesale establishment because the delivery of fast serve grocery and fast food items and snacks is a retail service that provides convenience shopping of persons residing in nearby residential areas. the use is similar to a grocery store or restaurant use to the extent nearby residents are able to shop its food selections for delivery to the surrounding area for immediate consumption. The snack food selection is similar to the type of product found in a grocery store, convenience store, baker or restaurant. These types of uses typically also now have online order and delivery options. The use is consistent for placement near adjacent multiple-family residential, such as apartments, and surrounding residential neighborhoods because the users will be seeking to use the service for immediate delivery of food items for consumption. Long distance commutes for this type of item are not warranted as they are typically required for immediate consumptions and a delay in

commute would impact the usefulness of the service. Additionally, because the use will have limited patrons shopping at the delivery center in person, traffic will be limited to delivery trucks and contract delivery driver pick-up and the parking around the back delivery area is adequate for these purposes. Furthermore, the use appears similar to the surrounding retail and restaurant establishments as there will be no outdoor storage of products and the products for sale are similar to a restaurant or grocery store establishment. The use will not result in odor, glare or other exterior impacts that would disturb adjacent or surrounding retail users or residential uses and to include compliance with all Building Code requirements and the Zoning Ordinance, including rubbish and trash operations and disposal.

Director Christiansen stated within the context of that motion there are findings and there's also some specific considerations or items that have to be complied with in terms of its operations and I think that relates to the plans, too, so that seems to make sense and the only thing you need to do is get support for your motion, Mr. Chair.

Building Official Bowdell stated I don't know if this is appropriate but this is a business office presently going to go to a more grocery store type use, they don't create a lot of cardboard, they don't have the same trash needs, they're completely different, most grocery stores have cardboard bailers and a place to store that cardboard and things of that nature, as long as we can take care of that administratively as part of the motion, I think it's very necessary that something like that happen so I'd like to get that under control.

Crutcher amended his motion to include compliance with all Building Code Requirements and the Zoning Ordinance, including rubbish and trash operations and disposal.

A roll call vote was taken on the foregoing motion with the following result:

AYES: Crutcher, Perrot

NAYS: Majoros, Mantey, Westendorf

Motion failed for lack of support.

Attorney Saarela stated there are two options at this point, a motion to deny for whatever reasons you're seeking to deny, or a motion to table the request.

MOTION by Westendorf, supported by Crutcher, to move to table the request for Determination of Similar Use – Proposed DashMart, 22054 Farmington Road, for consideration at a future date and allow for time to amend the Ordinance accordingly.

Director Christiansen stated that the Petitioner should be consulted as to the desired action they wish to take.

Nesler stated he would like to table it for future consideration.

A roll call vote was taken on the foregoing motion with the following result:

AYES: Crutcher, Majoros, Mantey, Perrot, Westendorf

NAYS: None

Motion carried, all ayes.

### **REVIEW AND DISCUSSION – ZONING ORDINANCE AUDIT**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated this item is a review and discussion of the audit of the City of Farmington's Zoning Ordinance. Attached is a link to Chapter 35 – Zoning, City of Farmington, Code of Ordinances, and that link is listed here below. Attachments with this staff report and as the Commission is aware, this is an ongoing activity of the Planning Commission that we have undertaken for the last several months since summer. We were not able to continue with that at our November meeting as we were not able to convene in November, so we moved all the materials from the scheduled November meeting that was cancelled to this evening. So, what you have with your packet is a memorandum from the Assistant City Attorney, Ms. Saarela, and this letter which again is an October date prepared for the November meeting but certainly it is carried over this evening is Zoning Audit, Ordinance Audit Articles 4 and 5. Mr. Chair, I'm going to turn this back over to you and you certainly may wish to engage the Assistant City Attorney here with respect to the memorandum and what we're looking to achieve this evening.

Majoros stated with that I'll turn it over to Ms. Saarela for any help, consultation.

Attorney Saarela stated generally the dialogue just goes through, we went through the Master Plan, what the goals were in residential areas and highlighted each one of the Zoning Districts, there are goals in the Master Plan for each one of the Zoning Districts. So what I did is I went through and just pulled out the Master Plan to highlight the goals and the range of areas where we have residential zoning. And go through general topics of how the goals, what type of housing, what do we think in the future for types of housing, walkability, housing value, what the marketing locations are for the future, what are the main goals to support medium intensity growth and for development and redevelopment in key areas throughout the City. So, really with respect to, you'll be looking at each one of these types of zonings, residential zoning districts, low density residential, medium density and mixed use, so for each one of these you have focus areas in the City and the Master Plan talks about what the hope for the residential focus here is trying to determine whether you need to amend any of the regulations to meet the type of goals for long term.

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So, going through those residential zones is there anything that we feel is missing, the way things are developing for the future, is there anything that needs to be changed from what is already in place for residential.

Director Christiansen thanked Saarela for her coordinating together with respect to this overview and what we really need to be looking at in terms of the audit for the residential section. What I did just distribute to you, it's hard to have two things up on the computer and the screen at one time so I figured we would keep a reference to suggestions from the City Attorney if it's okay, Mr. Chair, on screen, and I produced a hard copy of the Zoning Ordinance Sections Article 4 and Article 5 for us to go through if that's reasonable for you. I think what might be most appropriate and as we have been working together and then back through the Chair then maybe address any concerns we have. The first section of the article, Article 4, and Article 4 is R-1, R-1A, R-1B single-family residential, R-1C single-family residential (country estates), and R-1D single-family residential (planned unit development districts). The reason we have different R classifications is because of the spatial requirements are different in those zoning districts. So, R-1 is your single-family residential Zoning District with the smallest minimum lot size, the smallest lot width requirement. and so if you were to look at that and you can scroll through and you'll see when you get to that point, the lot and yard regulations, you'll see R-1 has minimum lot area of 8,500 square feet and the minimum lot width of 70 feet. Whereas the R-1D is your largest single-family residential lot, it's 18,000 square feet and a minimum lot width of 100 feet. So, you go from R-1 to R-1D, so that's the differentiation. The intent section is pretty standard. I don't know, Mr. Chair, if anybody has any issue with the intent section. going on, next is the Table of Uses. the Table of Uses lists the permitted and SLU, Special Land Uses in the R-1 through R-1D District and you can see residential, all permitted, single-family detached, service office, you'll see bed and breakfasts, Special Land Use, home occupations, kennels, other associated uses, institutional, adult and child care facilities, cemeteries, institutional uses, churches, schools, municipal buildings, public, quasi-public and then other, accessory, essential public services, accessory buildings, etc. So, our ordinance, single-family section in those districts are pretty specific to what you might typically find in most traditional ordinances and that's single family residential, institutional, and some public properties.

Residential buildings, the lot and yard requirements as I alluded to, refer to spatial requirements in R-1 to R-1D, minimum lot area and width, front yard, side yard, side yard total, rear yard setback, building height and lot coverage. These are pretty standard requirements that we've had in place for quite a period of time and the City really was developed with these requirements and we've applied them pretty consistently over the years and it appears that it served the City well. We haven't been made aware of any real concern. You might recall that I believe back in 2015 there was an amendment to the Zoning Ordinance and for those of you on the Commission at the time may remember that we considered and approved a Zoning Ordinance Text Amendment reducing the front

yard setback to allow for expansion of existing buildings utilizing the front yard in exchange for certain architectural elements, windows and other things in the building, so we could allow expansions, people could expand and add onto their homes, expand their homes and still stay within the Ordinance requirements. So that was done in 2015. What's interesting about that and I think I can find it here, if you then as we go through here, I'll show you as we go, if you get out of the spatial requirements for nonresidential buildings, again, those are your not single-family that are permitted. If we keep going, Special Provisions, if you go then to the end of the Special Provisions which is the end of Section 35-74, that's on page 6 of 14, if you go to the end of Section 35-74, you see that little footnote down there (ordinance) in parentheses, you see on the end of it, 9/21/15, that's when the amendment to the Single-Family Section for reducing the front yard setback was approved and made effective. so you did that within the last five or six years in order to address the need for the ability to expand and for people to stay in their homes, that was all provided for. Again, back in the section above Special Provisions, that really relates to the R-1D single-family PUD District, and the only areas that were affected by that is Chatham Hills, larger lots, and these provisions in there. the older single-family subdivisions around the downtown and in proximity to are under regulations that are different than that with smaller lots, etc.

Chairperson Majoros opened the floor for questions from the Commissioners. He then said the only comment that I have and this is actually what Mr. Crutcher brought up one time before, the bed & breakfast Special Land Use, remember the notion just as we were talking about new retail paradigms previously air bnb's, rentals, is this something, because now we're into residential, is there anything we need to tackle or discuss at this point or not?

Christiansen replied the attorney and I looked back and forth at each other, there's an issue we've been dealing with in different ways. I've been dealing with it in my capacity here and as a Planner and in the industry with my planning colleagues and my engagement with nuances today that are needing to be addressed. I know the City Attorney has been dealing with that in her capacity as well. We do not currently permit by ordinance definition or as a permitted use or as a Special Land Use like we do for Bed & Breakfasts, like we do for home occupations, like we do for child care, adult, and youth, childrens' child care facilities, we don't provide for the air bnb scenario or short term rentals and it's something that is really at the forefront today at the local level in communities throughout the country. There's a different level of interest depending on what region you go to, where you're at, and what the demand and interest is. We haven't had a push in that direction yet, but there was a bill that was before the State legislature that went through the State House, that passed through the State House, allowing for short term rentals that now must go through the Senate and it's very possible, although speculative currently, that if it does more through the Senate and pass through the Senate the way that the bill practically has been written, it would usurp local authority or not

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require any sort of engagement at the local level because we would not have the ability to regulate. So, with that, Mr. Chair, I would like to defer back to the City Attorney because I know she is well aware of this, too.

Attorney Saarela stated there is legislation out there and there is a push to contact your Legislator about discussions of either modifying the proposed amendment to incorporate more local control, so I think that's sort of where it stands right now, I think it slowed down a little bit because it also got some level of pushback.

Christiansen stated it went through the House pretty quick and it's at the Senate's doorstep right now.

Majoros stated we have due process in place and we can deal with what happens at the State level.

Christiansen said the next section, Mr. Chair, 35-74, is site development requirements and it's what you would expect, there are provisions in here required for properties to have provided certain elements, parking, landscaping, other sorts of things, pretty standard, pretty consistent over the years, we haven't had any issues with it. All there is in our ordinance with respect to single-family, it's very specific, it's very structured, it has implemented our long range plans, our Master Plan, current Master Plan, as well as preceding Master Plans for years. Again, except for the change in 2015 and the item we're talking about right now, there hasn't been much concern that has been brought to our attention.

The next section is the two-family, three-family townhouse and single-family cluster. This is a multiple-family. So, the multiple-family defines in here in the intent section what a two-family dwelling is and you can imagine that's the duplex style dwelling typically, R-3 multiple-family, a higher density apartment style multiple-family, R-5 townhouse residential, townhouses, attached units, individual entrances. R-6 is a cluster to a large development of dwellings, low density but clustered with common walls, etc. We have you know multiple family throughout the community. We have attached product throughout the community, condominium type development. We have PUDs that have implemented a lot of that and so the underlining zoning has been kept and there's a PUD overlay for a lot of it and most of our apartments are traditional type apartments. So, we haven't been made aware that there's not a structure in our ordinance that currently doesn't accommodate any residential interest I can tell you and I think you probably see it, too, the demand for residents opportunities for single-family homes or condominiums, owner occupied condominiums or lease/rent apartments, is very strong and we continue to have a lot of interest there that want to build, don't want to blow my development update but the single-family homes at Liberty Hills, in the span of about four months, moving past being half sold out and permits issued and being built right now and that's not dissimilar



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with what happened with River Walk, with the thirty-three homes there in nine months. but in any event, we've got the MTC and others, so I think our regulations are doing really well to implement most of what we're seeing asked for consideration.

Crutcher asked are there R-2, two-family residential and Christiansen replied you know we don't have a specific duplex community but we do have duplexes in certain locations. not that they're zoned that way because there's some permissiveness with some older but we have that opportunity. You look here, you can see what's permitted, right, R-2, 3, 5, 6, single-families permitted, the duplex, all of that. What is SLU is Senior Assisted Living, we don't have a specific complex like that except for Farmington Place and we do have other apartment complexes.

Crutcher then asked in an R-2 area there are single-family homes and Christiansen replied that's correct.

Christiansen stated and you see home occupations and again, institutional uses, and public uses, it's very similar to single-family residential.

Westendorf said you mentioned that we don't have a lot of multi-family, that people have done PUD overlays instead; is it due to a lack of something in the ordinance or that was a better way to go for that particular project; is there something in the ordinance that we should be adjusting to accommodate that?

Christiansen replied that's a great question. I think that PUDs were used in some circumstances because it provided opportunity for some unique circumstances to become part of a development agreement or PUD agreement or how services are provided and how things were then able to be worked out. I think that the zoning provisions can achieve some of the same things that have, but I think just in so those circumstances and that's why PUDs were used, unique conditions or the ability to enter into agreements together.

He stated the next section then is similar, lot and yard requirements, pretty standard, we don't have any issue that's been brought to our attention. Nonresidential buildings is the same. Special provisions, as you get into the higher density districts, there's just some provisions that relate to some of the site spatial requirements, density and setbacks, etc., there hasn't been any issue with those as we move forward. Section 35-84 just refers to again site development requirements. Article 2, general provisions, specifies site plan review, focuses on parking and also talks about landscaping, so very similar to the single-family section.

So, I guess what I might suggest, Mr. Chair, if there's no issue with these provisions that maybe just go back now if it's reasonable and just take a look at the memorandum from the City Attorney with respect to these elements here that have been identified which are

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in our Master Plan. because these are just things that you as a Commission put in the Master Plan to make sure that in our residential developments, we were making sure that we took them into consideration, so I will refer that back to you.

Chairperson Majoros thanked Christiansen and stated I think that we all went through this in advance, you know the work that you, Kevin, City staff, our board, City Council, everyone that's done to put the framework in place I think has allowed us to achieve what we achieved now and what we will in the future. I think we've got a good line of sight for the needs for low, medium, high density. We've got a lot of diversity in our housing stock as it exists now and I think that we're well situated and are moving forward with these regulations and the things that are here. As I looked through this, I didn't see anything that felt warranted significant discussion but that was just me but I'll open it up for any commissioners that want to make any points or ask any questions. Our resident expert, Commissioner Waun, who I remember had a good point during the election. There was a debate about Maxfield and there was this notion of people were either looking to downsize or what have you, and she was making a good point about three-story residences, okay, maybe going for younger folks, but if we're looking for diversity of stock and things like that, that's probably much more down the road, that's not for something here. but those are just good things to keep in consideration when you've got someone with that long experience in residential real estate, right, you don't think about it, but then you're like, oh, boy, this is a nice development but three flights of stairs, right, those are real issues. I'll open the floor up for any questions.

Crutcher said I have a comment more than a question. How does this or does this even address some of these houses, especially some of these older houses not being able to accommodate multi-generational living; that's usually the place for two-family dwellings; is it possible as written for two families to live where we currently have designated as single-family?

Christiansen replied that's a great question because again with the changing interests come about and the way that the existing uses look to continue to be used or now want to be modified or changed to be used somewhat differently, we have to look to see if the regulations provide for that. Currently we have a definition of single-family and we have a limitation on occupancy and we have specifics in terms of how single-family dwellings within single-family neighborhoods are occupied and maintained and used, etc. And so when you start to see some changes where instead of what you might consider the traditional family structure and then extended family and then numbers of generations per se within one single unit, that starts to deviate from what's allowed by definition in the single-family district. and we haven't had any real issues or concerns or any interests that have come forward to consider any modifications but it's something that we've talked about. we know there's a dynamic that appears to be changing a little bit with respect to the interest of using single-family homes, that's one of them. We talked about a couple

other ones earlier, someone owning a unit and wanting to rent out, lease out, all of the units or all of the rooms, bedrooms in the unit; air bnb, short term rental, this is another scenario, it just hasn't come to us at this point so we're not seeing any call for change, but it's something we're paying attention to and it would require probably some ordinance adjustment if it gets to that point.

Attorney Saarela stated in that context you're looking at the definition of family and that coming up also in discussion in short term rentals and Christiansen replied potential legislative changes, so it could be family, could be caregiver. And I don't want to start talking about things that we're aware of that are possible in the future more than these are things that are currently being discussed and that's one of them. You know, something like being able to occupy a single-family home with successive generations that would involve age and place, maybe the original residents are long term residents, parents and their children are in the house and then their children's children, so you have three generations in the house, then all of a sudden you're converting a garage to part living space, then all of a sudden in the back you're wanting to build a detached structure to allow for family occupancy, that's beyond our ordinance currently.

Crutcher said you mean looking out my kitchen window and Christiansen replied and seeing all of the various structures on your property and Crutcher stated my daughter just moved back home. Christiansen stated but that hasn't come about yet and if it were to come, you know, a level of interest certainly, that would be something that we'd have to bring through the City's policy makers, yourself included, in terms of ordinance adjustment to accommodate that or not, having to go through that process. We haven't had any real significant interest and demand for that.

Chairperson Majoros inquired if this is an actual action item here or was this just a review and Christiansen replied as we have done with the previous sections now, we've gone through Articles 1, 2, 3, 4, 5; our next step is then to go through Articles 6 and 7. Article 6 is the Office Section of the Zoning Ordinance and Article 7 are the Commercial Districts. I would ask the City Attorney through the Chair if it might be reasonable to combine both of those, 6 and 7 together, unless you feel we need to focus on 6 and/or 7.

Saarela replied 7 may have issues, you might be able to development potential regulation, you might want to look at that in conjunction with Office and how does that potentially relate.

Majoros stated I'm not sure the timeline on the calendar, do they feel separate and distinct and Christiansen replied I think because of the level of Office use that we have in the Office District designation throughout the community, it wouldn't be unreasonable to combine that. I think we're going to want to concentrate, do a real thorough job, a deep dive of course of any district in our audit of the Commercial District because the

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Commercial Section is the CBD, Central Business District, and the Commercial District as well as there are other areas of change that are coming about, too. We had one tonight and there are others as well you might want to consider and we can do that at the next meeting if it's reasonable, Mr. Chair.

### **DISCUSSION OF 2023/2028 CAPITAL IMPROVEMENT PROGRAM**

Chairperson Majoros introduced this item and turned it over to staff.

Direction Christiansen stated this is the calendar that's now up on screen and in your packet for Fiscal Year 2023/2028, six-year Capital Improvement Program. The process that we have typically followed that we're looking to follow with this CIP Program update as you are aware, this is an annual task. The City prepares a six-year Capital Improvement Program on a yearly basis in preparation for entering into a budget period. this eventually is an instrument of the Planning Commission in accordance with the Michigan Planning Enabling Act and is part of the Master Plan process and is an instrument of the Planning Commission that is then acted on after a Public Hearing as required is held and is forwarded to the City Council and the City Council really folds this into all the work they do with the budget. It's not a budget, but it is part of the whole budgetary process and certainly a very useful and required tool for the City to have. So we started this year's CIP for 2023/2028, those six years upcoming, in October. We then looked to in November to have the DDA meet, discuss, and select their representative on the Steering Committee. The same thing with the Planning Commission on November 8<sup>th</sup> but as we were not able to meet, we moved that to this evening. So, you need to do that this evening, you move through. Other City boards, commissions, committees, have met and are doing the same thing. The CIA did not meet in November so they're going to do the same thing as you at their meeting coming up this month on the 16<sup>th</sup>. So, as we move through you'll see now to this evening, the Planning Commission should formalize items for submission to the CIP Steering Committee. What we really want to do is just take a quick broad brush stroke here, Mr. Chair, at the current CIP to see as a general overview is there anything that sticks out, anything really of issue to any of the Planning Commissioners, that you don't see in the current CIP, you don't recall from all of your work to date has had a part of any previous CIP or certainly the current 2022/2027 and the we'll take anything along those lines and move it forward to Administration in preparation for the Steering Committee meetings that are going to be scheduled to take place. the Steering Committee is set to meet the first week of January and into February, that's their time period. So, if there's something that as we'll look through quickly, we don't really get to tonight and/or that doesn't come about and it's still of interest to you, as we've done in the past, we can communicate certainly via email and share together as a Commission to make sure we've addressed everybody's issue. So, with that, Mr. Chair, I'll turn it back over to you and the first thing to do is select a representative and then we

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can just take a look at the current CIP and see if everybody is comfortable with where things are at right now and if there's anything new.

Majoros stated as I think we all know, I've been filling this row for X numbers of years, I'm happy to do it again, you know, it's good experience, it's a good process to get to know other people within the City, so you know I'm certainly not saying I have to do it and if someone else wants to come forward I'd be happy to kind of tell them kind of how I've done it before, but we'll open it up and see if anyone has a vested interest in doing it.

Commissioner Perrot stated Majoros has advocated on our behalf and is doing a bang up job there, and if you're available. Majoros replied I am, it's not a daunting timeframe, a couple meetings, and I think as a Board we do a pretty good job of talking about what our priorities are and what our philosophy is in approaching these items, we've been pretty well aligned there. the process has worked very well from that perspective, we're very just kind of asking questions, we know we're not the expert on Parks and Recreation, or equipment or what have you, we're just asking the right questions and setting ourselves up for success. It's not a budget but an assessment and I'll take that role on if that's okay.

MOTION by Westendorf, supported by Crutcher, to appoint Chairman Steve Majoros to the CIP Steering Committee for the 2023/2028 Capital Improvement Program.

Motion carried, all ayes.

Director Christiansen that he as Director of the Department, made a formalized submission that was a reflection of continuing to implement the current CIP and the number of projects and the level of requirement for implementing those projects, from all of our work administratively, my work, my department, our work in Economic and Community Development, it's ongoing and so that was the recommendation. There are some projects that are identified and we'll look at them real quick here that are at the top of the priority list and from our Department's perspective, we feel it's still a valid list and it's still a valid prioritization of those projects for the City. So, that being the case, all submittals including PC based upon our discussion tonight, you'll see the Steering Committee is going to be created. the Planning Commission, your first action is going to be in February, to schedule a Public Hearing for March, to let you know a draft will be created then in March you're scheduled to hold a Public Hearing and in April you're scheduled to approve the CIP if you don't do it at the March meeting, and that's your charge. So, as we go forward, Mr. Chair, this is the 2022/2027 CIP, we will not go through the Table of Contents beginning section, I think everybody is very well aware of the responsibilities, your resolution, your letter, your creation of what the CIP is, again, it's not a budget, it's a requirement by State law, by City Ordinance, Michigan Planning Enabling Act, the Capital Improvement Program is updated annually for six years and accompanies the Master Plan as an implementation tool. Again, benefits, it calls attention to community deficiencies, provides a means to correct them, identifies long term/short term goals,

expenditures, enhances the ability to secure grants, increases the likelihood of departmental/intergovernmental cooperation, also encourages efficient governance. Again, it's not a budget; some would say it's "a wish list". It's really identification of needs, prioritization of them, and identification of timeline and funding sources. Here is the Executive Summary, here's where the City budgets, and the expenditures in the budget for capital improvements, infrastructure, equipment goes to. And you can see in this pie chart, that a significant amount of revenue goes toward infrastructure related to roads, water and sewer, sidewalk and streetscapes; those are the big three pieces of the pie on the left side. Then to the right side you see, drains, buildings, grounds, land acquisition, redevelopment, recreation, culture, parking lots, vehicles and equipment. 2022/2027 CIP, a total of 117 projects at a cost total value of 28 million dollars. Project by year laid out in this document over six years, you can see 2022 9 million, all the way down to 2027 2.3 million at that time. And so quite a bit of resources are needed to implement this plan if all of these projects were to come to fruition but certainly the reality is one of the priority items. We get to the Executive Summary and this just lays out project costs, project added, completed, this is the summary that was done last year, this will be put together this year for this new document. Again, your charge this evening is anything new, anything that really you feel are priorities that aren't in this document. As we move through, the program summary, you know that this instrument, again, 117 projects, 28 million what's identified, CIP, the different categories I mentioned there, various tools in this City are used to get to this point. And you are involved in almost every one of them, in fact probably every one of them. City Master Plan 2020, Recreation Master Plan 2016, Vision Plan 2013, Downtown Area Plan 2015, Grand River Corridor Authority Plan 2013 that's currently being updated, the Orchard Lake/Ten Mile redesign analysis 2015, the Rouge River Nature Trail Project 2016, and the Downtown Master Plan 2017, all current plans and this is a current instrument as well. So, we're trying to make sure we stay on top of things by being current with these tools that you as a Commission work to help create and then moving forward with the implementation thereof. The Zoning Ordinance is one implementation tool, the CIP is another. Here's the funding sources, again, you absolutely need to think outside of the box continually with where are available revenues to implement what the City's goals and objectives are and we work on that daily in many different ways. Project prioritization, the CIP Program, I mentioned the nine categories, buildings and grounds, drain systems, land acquisition, redevelopment, parking lots, recreation, and culture, roads, sidewalks, streetscapes, building and equipment, water and sewer systems. If we go into this document and it's broken down into these nine areas, there's overviews for each one of these areas, but if it's appropriate, Mr. Chair, what I'd like to do is go to the Executive Summary and that really has the projects listed for each one of these areas I'm scrolling through right now that I mentioned. And in fact, I'm going to back up real quick just one second, we talk about implementation, okay, and this right here, does anyone know what that picture is right now? Drake Park, excellent. this is in the Capital Improvement Program. What just happened at Drake Park in this plan, we did the parking lot, the tennis courts were repurposed, the existing restroom

facilities are being modified and reconditioned and retrofitted and brought back to a very reasonable and good level of use by being repurposed. And you see the fields there as well, there's fencing out in the fields now that's coordinated with various interests. So, this is the tool that facilitated allowing that to happen because it was in the Recreation Master Plan and was part of the Capital Improvement Program, the implementation of the Recreation Master Plan, it then was eligible for certain resources to be used and gave Council a basis as well to make budgetary decisions. This is how this all works. Anyways, back to the Executive Summary, roads, boy, we know about roads, don't we, a lot going on there with priority projects. So what this is here, this is the Capital Improvement Plan Appendix A, the overview, so this lists project category and project names and really end up identifying as a summary each project within the nine categories and where they fall and the categorization of them, the rank, necessary short term, necessary long term, desired but not necessary: so, that's the ranking here. If you continue to go down, this right here are the nine categories here and this refers to projects within those nine categories and what they're named and just kind of gives an overview to each one of the areas in total in terms of the total costs of the projects and future costs, just identifies those from a general sense. This is really kind of a summary area here. But ultimately, it's this tool right here that probably is the priority or the main instrument of use. You can go and see the breakdown of all nine of those areas, all the projects, but right at the top of the list, sidewalks and streetscapes, Farmington Road Streetscape, priority project for 2022. It's been ongoing and has been moving forward, planned, designed, grant, engineering, all the elements required with the engineering design plans moving forward, construction plans, acquisition of easements, both physical easements, construction easements, putting everything into place so this project can be kicked off in 2022. It's at the top of the list, it's a priority project within the community as decided by yourselves and all those involved, all the departments, administrative staff, City management, all the boards, commissions, committees, yourselves and Council. You'll see in here Recreation and Culture, Drake Park improvements, we know that is something being achieved so that will probably come off the list unless there's some remaining items that necessitates them being on there. Shiawassee Park, downtown connection, the current consideration of the project proposed by Robertson Brothers Homes that City Council has entered into a purchase agreement with, for the acquisition and redevelopment of the Maxfield Training Center, part of that includes this connection in the plan and there it is. The other real big projects, Mr. Chair, that the City is considering right now in accordance with this overview, is the downtown parking lot center redevelopment which is the City's parking lot which serves all of the commercial building uses there, the municipal lot, so that might involve without having details in front of me, it might involve either a mill and fill or a pulverization, some storm water management, adjust of circulation, some other elements in that whole parking lot, so that's at the top of the list for redevelopment. I mentioned the connectivity with the Maxfield Training Center project which is a priority, parking lots as a whole, the municipal parking lots, all of them have some level of priority, there are some road elements and some sidewalks and streetscapes as well. So, these really have been

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the top projects, the ones that continue to be implemented as resources are identified and available and are budgeted for. So, I'll turn it back over to you, Mr. Chair, to ask the Commission if there's anything on this list that's of concern to you, anything else on the CIP or anything that you have some issue or concern about that you want to bring to the City's attention.

Chairperson Majoros opened the floor for comments from the Commission. He said I think we're well trained on the process, and it is an ongoing process, so when I'm on the Steering Committee I'm bringing things forward, so if you have something tonight, great; if not, you can certainly send me a note, we've done that in the past and I'll try to keep you updated as we move forward. So if there's anything from the Commissioners, if not, we'll kind of treat this as a process that we're well trained on and we'll move it forward.

### **2022 SCHEDULE OF PLANNING COMMISSION MEETINGS**

Chairperson Majoros introduced this item and turned it over to staff.

Director Christiansen stated the Planning Commission holds its meetings on the second Monday of the month.

MOTION by Westendorf, supported by Crutcher, to move to approve the 2022 schedule of Planning Commission Meeting dates.

Motion carried, all ayes.

### **UPDATE – CURRENT DEVELOPMENT PROJECTS**

Director Christiansen stated there are 147 pages of current development projects of which a link was provided to the Commission in their packets. He stated that's the level of work we have on our plates right now. We knew we were going to be doing these things right now and we are.

So, just quickly, Farmington States Savings Bank has windows, the Nine Mile gas station is moving really nicely in there and they're really repurposing the inside, we'll see what happens with the other corner we talked about tonight. We've got interest in that southern area which is nice. As I mentioned to you earlier, Liberty Hills, are half sold out and building on, you can see the addition that you approved for Krazy Krab with that nice park area that's going to be there, the parking lot is done, infrastructure going and we're working very closely with Robertson Brothers Homes as they continue to move through their due diligence with the Maxfield Training Center. You might note you see World Wide Center, Tropical Smoothie and all that, a bit shined and polished, a building permit out for the old Panera for Farmington Grill which is going to be like a coney island type of grill there coming along, you see some new uses in the downtown as well and we're just



City of Farmington Planning Commission

December 13, 2021

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starting to see things get back to their business and business operations, we're very excited about that. So, we have quite a bit going on and a lot of that is very much in part thanks to your efforts so thank you very much.

Majoros opened the floor for questions from the Commission.

Crutcher asked if we're preparing for the winter with shelters coming in and Christiansen replied that's an issue that has still not been resolved and is scheduled for Monday night's Council meeting to determine whether that's going to continue or not because without belaboring it there were four separate actions by Council to provide for that in 2020 and 2021, being a resolution, so that has to be acted on again, they'll be considering that on Monday.

Perrot stated the only comment I have is kind of recurring every year, for me it is I have absolute confidence with you being on the Steering Committee for the CIP, I would just reiterate the fact just how critical it is that we listen to our subject matter experts and that Council cannot cherry pick projects, we can't take a project off of page 5 and put in on page 1 just because we feel it should be there, we have to be scientific, we don't have the funding to cherry pick projects.

Majoros concurred stating and that's why we have great staff because they're the experts, not us, they know what equipment we need, they know what our priorities are, so the plans help guide us but yet it's a wish list and not a complete to do list and I believe our philosophy is and we've all talked this through, sometimes it's not the most glamorous project, but it's the most necessary project.

Majoros thanked Christiansen and stated in the last couple months think of the work that's been done, the MiMosa work is done, the work where the deli and the old dry cleaner, just a lot going on. Christiansen said the façade modification of the Olive Tree Plaza on Grand River in Farmington, you've got the bakery and Gift of India and the foot, ankle doctor there, so it's turned out really nice.

Christiansen thanked the Commission. 2021 has been a year of having to get back on track and continue to move forward with the goals and objectives you've set as a Commission. Just to let you know, I did meet today with our representative from the Michigan Economic Development Corporation that monitors our Redevelopment Ready Certification to make sure that with all of the things we have in place that we stay in step with our certification, that we're current with all the tools we have and that we are doing the things we need to do to maintain our certification, our recording, our annual report, our CIP planning, all of our planning tools that we have are current and in place and everything else that goes along with that and they were very pleased and we had a nice meeting today. They were very excited to be here in the City because they're helping us

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with some redevelopment opportunities now because as an RRC community we get to use their redevelopment services team resources for design and redevelopment. So, kudos to you and all of your efforts. and with that, Mr. Chair, thank you for agreeing again to serve on the CIP Steering Committee, it is absolutely much appreciated because you are excellent at it and certainly serve as a very valuable resource representing the omission on that committee. Merry Christmas, Happy New Year everyone.

**PUBLIC COMMENT**

None heard.

**PLANNING COMMISSION COMMENT**

None heard.

**ADJOURNMENT**

MOTION by Crutcher, supported by Perrot, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

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Secretary

**Farmington Community Library Board of Trustees**  
**Virtual Special Board Meeting - 6:00 p.m. – December 9, 2021**  
**Draft**

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Board Members Present: Kelly, Stryd, Duron-Willner, White, McClellan, Brown  
Board Members Absent: Hahn, Murphy  
Staff Members Present: Siegrist, Peterson, Wrench, McCormick, Showich-Gallup  
Staff Members Absent: None

**CALL TO ORDER**

The Board Meeting was called to order at 6:03 p.m. by Board President Duron-Willner.

**APPROVAL OF AGENDA**

**MOTION** by White to approve the Agenda for the December 9, 2021 Board meeting, was supported by Brown.

**Vote: Aye: All in favor**  
**Opposed: None**  
**Motion passed.**

**APPROVAL OF MINUTES**

**MOTION** by White to approve the Minutes of the Regular Board Meeting on November 11, 2021, was supported by McClellan.

**Vote: Aye: All in favor**  
**Opposed: None**  
**Motion passed.**

**OPERATING BILLS**

**MOTION** by Brown that the Board of Trustees approve expenditures totaling \$597,857 was supported by Kelly.

**Vote: Aye: All in favor**  
**Opposed: None**  
**Motion passed.**

**FINANCIAL REPORT**

**MOTION** by Brown to receive and file the Monthly Budget for November, 2021, was supported by White.

**Vote: Aye: All in favor**  
**Opposed: None**  
**Motion passed.**

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### **Finance Committee**

Brown, Hahn, McClellan met December 1 to discuss FCL Endowment Fund. Fund has lost \$1,400 since January. Committee will explore a planned giving policy.

### **FRIENDS' REPORT** (Delivered by K. Siegrist on behalf of Friends)

- Solicitation Letter is going out to current Friends within two weeks. When it comes, please pay.
- The Oscar Shorts event is scheduled for March 27, 2022.

### **LIBRARY DIRECTOR'S REPORT**

- Candid recognized FCL for 40 years as a Funding Information Network. Fundraising tools provided by FCL include classes on grant writing as well as the databases Foundation Directory Online, Foundation Grants to Individuals, and Foundation Map.
- K. Siegrist participated in FPS' Profile of a Lifelong Learner community session on November 18.
- Several FCL staff members celebrated milestone anniversaries of service.
  - 5 years - Martha Countegan, Judy Bencich-Wloch, Hannah Chow, Jennifer Pon, Beth Anthony, Lynn Cohen, Megan Drozan, Deb Hemmye, Sierra Lane, Mary Ann Gillard
  - 10 years - Mark Flessa, Crystal Corcoran, Sharon Lu
  - 15 years - Dave Durbin, Judy Donlin
  - 20 years - Maria Showich-Gallup, Gloria Finzel
  - 30 years - Kelley Siegrist, Linda Rindt-Franz
  - 40 years - Sherri Vaughn
- Assessment of FCL property was completed by the Michigan Municipal League. Last assessment was in 2012.
- K. Siegrist reviewed Actuarial Valuation Report from Municipal Employees' Retirement System (MERS) with board. Based on demographic assumptions updated in 2020 and economic assumptions updated in 2019, FCL had to increase level of contributions to retirement plan beginning in July, 2021, and contributions are expected to increase through 2028.
- FCL participated in Holly Days in downtown Farmington December 4.
- FCL will serve as a Community Partner with the Holocaust Memorial Center for its event January 27, 2022, based on the book *The Book Smugglers: Partisans, Poets, and the Race to Save Jewish Treasures from the Nazis* by David Fishman.
- New feature: spotlight on a staff member. This month: Crystal Peterson

### **FACILITIES REPORT**

- Donald Wrench has asked for a study to be done for options regarding the fire separation wall at Twelve Mile.
- Two bids were received for a space utilization study.

### **COMMITTEE REPORTS**

#### **Strategic Plan Committee**

Kelly, Stryd, and White met on December 8. Discussed proper role of trustees and of director in strategic planning. Director will join committee from now on. Also discussed potential deadline for this work, and proper length of time that strategic plan should cover. Strong desire for a plan that is useful, and that will be used.

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**Personnel Committee**

Personnel Committee (McClellan, chair) looked at issues brought forth by staff Working Conditions and Benefits Committee. With the director, Personnel Committee will look deeper at wage scale and organizational structure in the first quarter of 2022.

**UNFINISHED BUSINESS**

There was no Unfinished Business.

**NEW BUSINESS**

Hybrid meeting format, in-person plus online streaming. Public comment may be submitted online before meeting. Chairs are distanced in order to invite safe in-person attendance.

D. Duron-Willner introduced form that could potentially be used by community to give feedback on how resources are being used for wide variety of library services.

M. Stryd: community should be able to give input online, rather than having to print anything and submit.

**BOARD TRUSTEE COMMENTS AND ANNOUNCEMENTS**

Gift presented D. Duron-Willner to J. White for time served as board president. White thanked board members for the support they have given and highlighted a change in tone for board, for staff, for community.

**CORRESPONDENCE**

There was no correspondence to the Board Trustees from the public Board Comments form.

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

**MOTION** by Kelly to adjourn the Board Meeting, was supported by Brown.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board meeting was adjourned at 7:29 p.m. by President Duron-Willner. The next meeting of the Library Board is scheduled for Thursday, January 13, 2022, at 6:00 pm.

Respectfully Submitted,

Jim White, Secretary  
Library Board of Trustees

MINUTES  
COMMISSION ON CHILDREN, YOUTH and FAMILIES  
FARMINGTON/FARMINGTON HILLS

December 2, 2021

THE HAWK, FARMINGTON HILLS COMMUNITY CENTER {formerly known as Harrison H.S.  
Second Floor, Harrison Room located at 29995 W. Twelve Mile Rd., Farmington Hills,  
Mi. 48334

- 1) Call to Order 6:00 pm.

The meeting was called to order at 6:09 p.m. by Ed Cherkinsky. With some new faces at the meeting we did a roundtable introduction of everyone present at the meeting.

Present: Tammy Luty, Mary Newlin, Sharon Snodgrass, Marie Sarnacki, Marla Parker, Nyasha Boyd, Jordan Scrimger, Matthew Gale, Jason McDonald, Brian Spitsbergen, Ed Cherkinsky, Diane Hague, Bette Rose

- 2) Approval of Agenda

The agenda was motioned for approval by Ed Cherkinsky, and 2<sup>nd</sup> by Sharon Snodgrass. All approved.

- 3) Approval of October 7, Minutes

The minutes from October were motioned by Ed Cherkinsky and 2<sup>nd</sup> by Diane Hague. All approved.

- 4) Youth Division Update

The update included that the Afterschool program is planning on starting back in January but there can be no transportation from schools as Farmington Public Schools is missing 22 bus drivers and so no transportation to the After School Program to The Hawk can be provided. This will limit student participation. The city is in the process of hiring a person to oversee the Youth & Families Afterschool program. The program is planned to run on Tuesday and Thursday afterschool at The Hawk. Alternatives to this would be to discuss with the schools to see if the buildings can be used for the program as was done in the past at Warner Middle School.

- 5) Issues Committee Update

Diane Hague brought all the past information from the prior Tech Night events to the meeting. She will be out of town for three months and was looking for someone to take the information since at our prior meeting it was discussed and recommended by Jim Nash that we bring this event back because there still is a need for it. We would need a group to work on the program. Some discussion happened about when the event would take place and where due to us still being in a pandemic. It was discussed that maybe the event should be moved from March to

May where it could also be held outside versus inside a building. The information was passed to Marie Sarnacki.

The focus of the issues meeting in the past was discussed and this group had always met the Monday morning before the Thursday evening meeting. We discussed due to new members work schedules that the meeting should be an evening meeting and could be either a virtual Zoom Meeting or the meeting could be held right before the Thursday evening meeting. Jordan Scrimger offered that if it was done by Zoom she would be able to setup the link for the meeting. The issues committee takes ideas and then flushes out the idea and comes back with projects they want to work on.

#### 6) Call to Action Vote for dissolution and disbursal of funds

The Call to Action still has \$8,400 dollars left in the treasurer fund but no one left to run the program. Sharon Snodgrass raised a concern that if this program had been for addiction and violence, the purposes of the organization should be honored and give the gift to CARES but with a recommendation on how the funds should be used. She had already discussed with Todd Lipa and they are starting a program in this area in the near future.

We had a motion to dissolve the Call to Action. It was motioned by Sharon Snodgrass and 2<sup>nd</sup> by Brian Spitsbergen. All Approved.

The 2<sup>nd</sup> motion was to “Disburse funds to CARES 501c(3) for purposes of substance abuse and violence prevention use.” There were 8 votes in favor and no votes against.

#### 7) Spotlight Show Update

Sharon Snodgrass gave an update and said that she needs to talk to the city program manager Jacob Nothstin for the status of the video/filming of the city and how to better get to our target market. We need to find topics and how to share the information better so more people are getting the information from our committee.

#### 8) Volunteer Recognition Program

A discussion was had on if this program should continue this year because of the pandemic some places are using less volunteers. With the passing of Nancy Bates and this being one of her key past programs we felt that we should do the program this year. We felt there were still volunteers but we may have less applications submitted. The process in the pass was that awards would be announced at a May City Council meeting. There are several different types of awards: Family, Child, Business, Youth, Adult, Organization, Charity and Distinguished Public Servant Award, and the Romney Award.

Dates of the program will be determined by the May City Council Meeting date and Judge Marla Parker will be the main one involved in this program. Mary Newlin will check to get a date of future meetings to Marla Parker.

#### 9) New Business and Announcements

We discussed inviting the new Superintendent of Farmington Public Schools to a future meeting

and Tammy Luty will follow up with the district to see if he can attend our next meeting.

Tammy Luty also suggested that a future issue we should consider doing work around is Mental Health. Farmington High School had just had a student pass away due to suicide on Thanksgiving and with the recent high school shooting in Oxford and the Pandemic it was something that is affecting families and youth right now. It was discussed that we could partner with Farmington SAFE on this type of program. Mary Newlin will check with Ken Massey to see if they have anything planned this year so we don't duplicate efforts.

10) Future objectives and plans including election of new officers

This was moved to the January meeting.

10) Public Comments

We held a moment of silence to honor Nancy Bates who was a visionary and did work for this committee to start.

11) Adjournment 8:00 pm.

The meeting was adjourned at 7:32 p.m.

*NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/accommodations will be made. Thank you.*



**MEETING MINUTES**  
**FARMINGTON / FARMINGTON HILLS EMERGENCY PREPAREDNESS COMMISSION**  
**NOVEMBER 1, 2021 – 5:00PM**  
**FARMINGTON HILLS CITY HALL – VIEWPOINT ROOM**  
**3155 W. ELEVEN MILE RD.**  
**FARMINGTON HILLS, MI 48336**

**CALLED TO ORDER BY:** CHAIR AVIE AT 5:03PM

**MEMBERS PRESENT:** ECHOLS, AVIE, SCHERTEL, SLOAN, HOPFE, CIARAMITARO, WECKER

**MEMEBRS ABSENT:** NONE

**OTHERS PRESENT:** Helen Sell (CERT), Monica Murone (CERT), Noreen Yuskowatz (YMCA), B. Houhansisin (FPD), Ken Massey (council), J. Piggot (FHPD), Renee Austin (CERT), Janet Burch (CERT)

**APPROVAL OF AGENDA:**

Motion by Wecker, support by Schertel, to approve the agenda as submitted.  
Motion carried unanimously.

**APPROVAL OF MINUTES – JULY 12, 2021**

Motion by Ciaramitaro, support by Wecker, to approve the minutes as amended.  
Motion carried unanimously.

**APPROVAL OF MINUTES – SEPTEMBER 13, 2021**

Motion by Ciaramitaro, support by Schertel, to approve the minutes as submitted.  
Motion carried unanimously.

**BUDGET ITEMS:**

- D. Wecker requested money, up to \$500, to purchase 10 tourniquets for the EPC supported CPR classes. The tourniquets would be for in class use and also for purchase by students who are interested.

MOTION by Ciaramitaro, support by Schertel, to approve up to \$500 to purchase tourniquets.

No additional discussion was required.

Motion carried unanimously.

**NEW BUSINESS:**

- Membership vavancies – Farmington Hills has three (3) commissioner vacancies and one (1) alternate vacancy. Farmington has one(1) commissioner vacancy and one (1) alternate vacancy. Chair Avie would like to market this group more. There was no open house this year and we have not promoted in a while.

- EPC Promotional Items – Chair Avie recognizes a need to promote the EPS due to membership discussion. The EPC may need to purchase promotional items. Members will inventory current items and clean up the EPC closet at FHFDD Station 4 and provide recommendations at next meeting.
- The EPC needs to get ahold of FH/F to get a handle on the current social media situation. This will assist in promoting the EPC and our CERT team.
- We need to offer more education to the public. We have classes available (CPR, Stop the Bleed, Narcan administration, etc.) that we can teach. We can have an event at the Hawk where there are classes offered in a rotation – either one large event with rotating rooms, or regular class schedule.

**MICHIGAN AND REGIONAL CERT ACTIVITIES:**

- We need to revitalize the CERT team. We are in need of a CERT coordinator and looking for volunteers.
- Wecker is looking for volunteers from the CERT team to be patients for the EMT academy being held by FHFDD. Tim Tutak will be the contact for this activity.

**LIAISON REPORTS:**

COUNCIL – Ken Massey

- Reminder for members – at the end of your term as a commissioner, you are sent a letter asking if you would like to stay on the commission; if you reply yes, you will be reappointed at the next meeting. If you reply no, there will be a vacancy and then nominations will be taken.
- The EPC can probably use the City’s list-serv to get educational information out to the public.
- There were a number of trunk-or-treat activities last weekend that were successful and well attended.
- There was a water main break on 14 mile. There is no official boil water alert, but there are other, down-stream, main breaks due to the need to increase pressure in the area to support other communities.
- There is an election coming up next Tuesday, it would be great for everyone to get out and vote.

YMCA – Noreen Yuskowatz

- Held a trunk or treat on October 22 – it was open to everyone and very successful.
- For the Thanksgiving Holiday, the YCA is collecting food to distribute to families in need. There is a link on their website where people can sign up to either donate or receive donations.
- The plan for Santa is up in the air right now due to COVID – there may be an outdoor breakfast event or other activity.

FHPD – J. Piggot

- There has been some great police work going on in Farmington Hills in the last few weeks – unfortunately there were some recent incidents (murder of a 2 year old and kidnapping of a 9 year old, and two separate shootings on Halloween) that happened in

the City, and suspects were apprehended in the murder and kidnapping in a short amount of time. The police need the continued support of the community in apprehending suspects – the use of ring (or similar) doorbell video footage is extremely helpful in identification of suspects. Reminder that if you see something, say something.

- The Department is seeing an increase in the number of calls for service and they are motivated to serve the public.
- Staff was looking forward to the open house, which had to be canceled due to weather in the area.
- We can maybe use the CERT team if we knew how to contact people / had a list of training or groups. Would be helpful for things like information distribution (boil water alerts, etc.) but since we don't know what training is held by members, they can't be activated.

FPD – B. Houhanisin

- FPS is currently working on Holly Days and Light Up the Grand parade. Permits have been pulled and everything is on schedule.
- The porch of the Warner Mansion is collapsing on the south east side. The area will be roped off due to safety concerns during the tree lighting and other events.

**PUBLIC COMMENT:**

- Renee Austin – agreed that the CERT team roles need to be defined and put into lists. She has been on CERT for a while and is also confused about her role as a member.
- Tim Tutak – has 1,500 names on an email list that people have signed up to receive emergency preparedness related information in the past – will pass the list on to the EPC. Tim would also like to be present when the CERT equipment is inventoried.

**COMMISSIONER COMMENTS:**

NONE

**NEXT MEETING DATE:**

It was confirmed that the next meeting date is on Monday, January 10, 2022 at 5pm at Farmington Hills City Hall – Viewpoint Room.

**ADJOURNMENT:**

Chair Avie adjourned the meeting at 5:58pm.

Minutes drafted by Secretary Echols



Regular City Council Meeting  
7:00 pm, Monday, January 3, 2022  
Council Chambers  
23600 Liberty Street  
Farmington, MI 48335

**DRAFT**

## REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on January 3, 2022 in 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 7:00 pm by Mayor Bowman.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Johnna Balk	Councilmember	Present	
Sara Bowman	Mayor	Present	
Joe LaRussa	Mayor Pro Tem	Present	
Steve Schneemann	Councilmember	Absent	
Maria Taylor	Councilmember	Present	

#### **City Administration Present**

City Clerk Mullison  
City Manager Murphy  
City Attorney Schultz  
Director Weber

### 2. APPROVAL OF AGENDA

Move to approve the regular meeting agenda as presented.\*\*

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember

### 3. PUBLIC COMMENT

No public comment was heard.

**4. INTRODUCTION OF A PROPOSED ORDINANCE TO AMEND THE CITY OF FARMINGTON CODE OF ORDINANCES CHAPTER 2, "ADMINISTRATION," ARTICLE V, "EMPLOYEE BENEFITS," DIVISION 2 "RETIREMENT SYSTEM"**

City Manager Murphy and Director Weber recommended that certain language be amended in the current ordinance to bring Farmington's ordinance in line with the MERS Plan Document. There are no changes to benefit levels or pension amounts as a result of these proposed revisions.

**Move to approve introduction of a proposed ordinance to amend the City of Farmington Code of Ordinances Chapter 2, "Administration," Article V, "Employee Benefits," Division 2 "Retirement System," in order to clarify the terms and conditions of the City's participation in the Municipal Employees' Retirement System of Michigan (MERS) Program, including operation of the reserve accounts.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Balk, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	LaRussa, Taylor, Balk, Bowman
<b>ABSENT:</b>	Schneemann

**5. CONSIDERATION TO PURCHASE BLEACHERS**

Murphy reviewed three quotes and answered questions about bleacher quantities and sizes needed for optimal use and savings.

LaRussa thanked administration for coming back to Council with more information and asked about per unit savings with a more than ten-unit purchase. Discussion about usage, size, other proposed projects, timing of installation, and best options for funding the replacement of all twelve units as opposed to six. Council seemed in agreement to replace all bleachers needed from this year's General Fund or the Capital Improvement Fund. In response to questions by LaRussa, Weber indicated that he thought it was possible that this year's General Fund would be able to support the purchase of the bleachers but qualified it by stating that this was just his estimate as of today.

**Move to approve the purchase of twelve bleachers for Shiawassee and Drake Park using available funds in the General Fund to the greatest extent possible and any remaining balance required to come out of the Capital Improvement millage fund.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Taylor, Balk, Bowman, LaRussa
<b>ABSENT:</b>	Schneemann

## 6. EXTENSION OF THE WASTE MANAGEMENT CONTRACT

Murphy noted that the City's contract with Waste Management was done at the end of June 2022. He announced that Waste Management had agreed to a two (2) year extension at \$14.23 per household for the first year of the extension and an optional second year to be increased by the CPI. This extension includes two (2) additional weeks of yard waste pick-up.

Bowman thanked Mike Csapo of RRRASOC for all of the work he did on Farmington's behalf for this extension.

**Move to approve the proposed two (2) year contract extension with Waste Management, with the second year being optional and the addition of two (2) weeks of yard waste.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Balk, Councilmember
<b>AYES:</b>	Taylor, Balk, Bowman, LaRussa
<b>ABSENT:</b>	Schneemann

## 7. OTHER BUSINESS

Murphy announced that the Pathways Committee would be attending the next City Council meeting to give an update. Bowman asked Murphy to invite Susan Arlin, new director of the Greater Farmington Chamber of Commerce, to introduce herself at next meeting since she will already be there for the Pathways Committee update.

## 8. PUBLIC COMMENT

No public comment was heard.

## 9. COUNCIL COMMENT

Bowman publically commended Assistant to the City Manager Melissa Andrade for the recent New Year's Eve Harry Potter Skate event. She said it was a fun family event and it was unbelievable to see the support of all the volunteers and City Hall staff. She also took a moment to note that former Mayor John Richardson recently passed away. He was the Mayor of Farmington from 1975 to 1977 and was very involved with many aspects of community involvement throughout his entire life.

**10. ADJOURNMENT**

**Move to adjourn the meeting.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Balk, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember

The meeting adjourned at 7:36 p.m.

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Sara Bowman, Mayor

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Mary Mullison, City Clerk

Approval Date:

**\*\***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.



Special Council Meeting  
6:00 p.m., Monday, December 20, 2021  
Council Chambers  
23600 Liberty Street  
Farmington, MI 48335

**DRAFT**

## SPECIAL MEETING MINUTES

A special meeting of the Farmington City Council was held on December 20, 2021 in Farmington City Hall, 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 Sara Bowman.

### 1. ROLL CALL

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

#### **City Administration Present**

City Clerk Mullison  
City Manager Murphy  
City Attorney Saarela

### 2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember

### 3. PUBLIC COMMENT

No public comment was heard.



#### 4. WASTE MANAGEMENT EXTENSION DISCUSSION - MIKE CSAPO, RRRASOC

Mike Csapo, General Manager of Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC), detailed the process for either going out to bid with neighboring RRRASOC communities for waste services or extending Farmington's present contract with Waste Management for at least another year in spite of an increase in costs.

After discussion including the terms of both the present contract and the extension, the timeline for the proposed RFP process, and the merits of going out to bid with other communities, Council indicated that they would like to continue to be involved in the preliminary RFP process with Wixom and Farmington Hills but would prefer to extend Waste Management's contract if the terms were within acceptable bounds. Options to explore prior to a final decision might include an extended yard waste season, the quality of service desired, and the experiences of neighboring communities when they made recent changes in providers. Moving to the use of trash carts like the current recycling carts was also discussed.

A decision on whether to extend the Waste Management contract will be made at a Council meeting in January 2022.

#### 5. OTHER BUSINESS

Murphy asked if Department Heads could be given Council's cell numbers to use in case of emergency. By general consensus, Council agreed.

#### 6. PUBLIC COMMENT

No public comment was heard.

#### 7. COUNCIL COMMENT

LaRussa noted that Chamber of Commerce personnel was changing with the resignation of Duane Reynolds and Emily Karlichek.

#### 8. ADJOURNMENT

Move to adjourn the meeting.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	Balk, Councilmember

The meeting adjourned at 6:55 pm.

\_\_\_\_\_  
Sara Bowman, Mayor

\_\_\_\_\_  
Mary Mullison, City Clerk

Approval Date:



Regular City Council Meeting  
7:00 p.m., Monday, December 20, 2021  
Council Chambers  
23600 Liberty Street  
Farmington, MI 48335

**DRAFT**

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## REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on December 20, 2021 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 7:02 p.m. by Mayor Bowman.

### 1. ROLL CALL

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

#### **City Administration Present**

Director Christiansen  
DDA Executive Director Knight  
Assistant Superintendent Leach  
City Clerk Mullison  
City Manager Murphy  
City Attorney Saarela

### 2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Walt Gajewski.

### 3. APPROVAL OF ITEMS ON CONSENT AGENDA

- A. Accept City of Farmington Board and Commission Minutes
- B. City of Farmington Minutes
  - a. November 15, 2021 Special
  - b. November 15, 2021 Regular
  - c. December 6, 2021 Special
- C. Farmington Monthly Payments Report
- D. Farmington Public Safety Monthly Report

Move to approve the consent agenda with one correction in the November 15, 2021 Council Minutes Roll Call.\*\*

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Schneemann, Councilmember

### 4. APPROVAL OF REGULAR AGENDA

- A. Move to approve the regular agenda presented.\*\*

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Schneemann, Councilmember

### 5. PUBLIC COMMENT

Sarah Davies, 23120 Violet, Chair of the Farmington Beautification Committee, reminded about the Holiday Lights contest and also hoped Council would confirm new members for their committee later in this meeting.

### 6. PRESENTATIONS AND PUBLIC HEARINGS

- A. Farmington Farmers and Artisans Market Presentation

Market Manager Walt Gajewski updated Council on happenings from the 2020 and 2021 Market seasons and spoke about the immediate plans for the 2022 Market.

LaRussa thanked Gajewski and his volunteers and said that he was not surprised to hear the accolades and celebrations announced by Gajewski due to the quality of the Market and its offerings. He cited the Market as a positive impact for Farmington year after year.

Bowman highlighted Public Safety participation at the Market and the success of the newly added Walkabouts. She also loved the addition of the Market Street to this year's Founders Festival.

**Move to approve the Farmington Farmers Market for Saturdays in 2022 starting May 7<sup>th</sup> to October 29<sup>th</sup> with a provisional date on Saturday, November 5<sup>th</sup> from 9:00 am to 2:00 pm.**

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Schneemann, Councilmember

## 7. NEW BUSINESS

### A. Consideration of Resolution to participate in the National Opioid Litigation Settlement

City Attorney Saarela explained that the City was eligible to participate in a settlement arising out of the opioid crisis involving states and municipalities all over the country that have been affected by it. Any funds received from the settlements that have been reached against the three largest pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson must be spent on opioid remediation, which is defined in the settlement agreements. If a majority of the governments that sued the companies do not accept the settlement, the proposed deal will fail, and litigation will continue.

City administration recommended participation in the settlements, understanding that the likelihood of the City filing its own claims against the defendants was low.

**Move to approve the Resolution to participate in the National Opioid Litigation settlement, agreeing to the terms of the settlements and the release of claims against the companies named in the litigation, and authorizing the City Manager to register the City on the settlement website and take such further action as is necessary to receive the settlement funds.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Schneemann, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	Schneemann, Taylor, Balk, Bowman, LaRussa

### B. Resolution to extend usage of outdoor seating and temporary expanded areas

Director Christiansen requested that the special event authorization and requirements for reopening certain retail and restaurant/bar businesses in light of the COVID-19 pandemic be extended to April 14, 2022. He noted that City staff will update standards and procedures to

implement the continued authorization to include any updated and or amended health, safety, and welfare standards, including but not limited to ADA Compliance requirements and outdoor heating safety regulations.

**Move to adopt a Resolution extending Resolution 06-20-016 regarding relaxation of certain requirements for reopening retail and restaurant/bar businesses in light of COVID-19 Pandemic from October 31, 2021 to April 14, 2022.\*\***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Balk, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Taylor, Balk, Bowman, LaRussa, Schneemann

### **C. Appointments to the Farmington Beautification Committee**

Murphy requested that two vacancies be filled on the Farmington Beautification Committee.

**Move to appoint Alana Abdal and Sandy Smallish to serve 3-year terms on the Farmington Beautification Committee with the terms to end June 30, 2024.\*\***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Schneemann, Councilmember

### **D. Consideration of extension of Inspection Period under Agreement to Purchase and Develop Property related to the Maxfield Training Center and Grand River/Thomas Street parcels**

Murphy introduced Jim Clark of Robertson Brothers, who was seeking an extension of the inspection period because the condition of the slope on the north side of the site leading down to the river is still being reviewed. A four-month extension effectively results in an extension of all dates under the previously signed Purchase Agreement (PA).

Clark answered questions from Council about previous testing done, reasons for the delay, stabilizing the bank, consideration of alternate path sites, and the viability of a scaled-down number of units if the condition of the bank proves to be an issue. In response to a query by LaRussa, Clark said that he could not promise that this four-month extension would be enough time to do the engineering studies they need to do.

Bowman requested clarification on the letter attached\*\* that referenced a “pedestrian conveyance” analysis that would take another two months and approximately \$15,000 to \$20,000 to complete. Clark said that what to do, who pays for it, and who designs it is unclear since their proposal was accepted with a trolley system and not a switchback path. He suggested that a study session with Council might be needed to get a better definition of exactly what the City is looking for before a new proposal is made.

Schneemann commented that Clark had not known about the hill conditions when the PA was signed, and it was noted that he has been directly involved in the negotiations as the Council representative on the team. Schneemann relayed thoughts about moving east with the pathway and ideas about working more with the topography. In response to a concern expressed by LaRussa, Clark said that he thought that there had been excellent communication between the City and his group and that he believed that one board member doesn't bind a city. He indicated that Council had been very clear that they had to be approached with any new thoughts or opinions, which was what he was doing here.

Discussion ensued about whether it would be quicker for the City to do some of the studies and services discussed at this meeting. City administration indicated that they did not have any better or faster connections than the developer had.

**Move to approve a four-month extension to the inspection period under the Agreement to Purchase and Develop Property, and authorize the City Manager and City Attorney to finalize the correspondence amendment to the Purchase Agreement to be signed by the Mayor and City Clerk.\*\***

<b>RESULT:</b>	<b>APPROVED [3-2]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Balk, Councilmember
<b>AYES:</b>	Balk, Schneemann, Taylor
<b>NAYS:</b>	Bowman, LaRussa

**E. Consideration to approve pay application for Drake Park improvements**

Assistant Superintendent Leach requested a fourth payment for a project that includes improvements to Drake Park, Flanders Park, and City Hall.

**Move to approve Payment Application No.4 in the amount of \$977.00 for Drake Park Improvements to Asphalt Specialist Incorporated (ASI).\*\***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Bowman, LaRussa, Schneemann, Taylor, Balk

**F. Consideration to approve construction estimate for the Oakland Street Reconstruction-Water Main Replacement**

Leach asked for payment for work completed in November 2021 for the Oakland Street Reconstruction project.

**Move to approve payment to V.I.L. Construction Incorporated for Construction Estimate No. 3 in the amount of \$227,503.18 for the Oakland Street Reconstruction-Water Main Replacement Project \*\***

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	LaRussa, Schneemann, Taylor, Balk, Bowman

**G. Consideration to ratify payment to D’Angelo Brothers Incorporated for the emergency sanitary sewer repair on Oakland Street**

Leach recommended payment to D’Angelo Brothers Incorporated for emergency sanitary sewer repair near 34101 Oakland Street.

**Move to ratify payment to D’Angelo Brothers Incorporated for the emergency sanitary sewer repair on Oakland Street in the amount of \$16,520.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Balk, Councilmember
<b>SECONDER:</b>	LaRussa, Mayor Pro Tem
<b>AYES:</b>	Schneemann, Taylor, Balk, Bowman, LaRussa

**H. Consideration to approve payment to Pipeline Management for protruding tap removal, sewer cleaning and CCTV of the sanitary sewer on Oakland Street**

Due to several items identified by Orchard Hiltz & McCliment (OHM) during the Oakland Street road reconstruction, OHM recommended having Pipeline Management cut out protruding taps, clean, and CCTV the entire length of sanitary sewer prior to placing the wearing course of asphalt. Leach noted the devices and procedure used to accomplish this, specifying some of the difficulties encountered.

**Move to approve payment to Pipeline Management in the amount of \$25,597.25 for protruding tap removal, sewer cleaning and CCTV of the sanitary sewer on Oakland Street.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Taylor, Balk, Bowman, LaRussa, Schneemann



**I. Consideration to approve payment application for Shiawassee and Drake Park restroom improvements**

Leach recommended payment for restroom improvements in progress at both Drake and Shiawassee parks.

**Move to approve Payment Application No. 2 in the amount of \$85,309.88 for the Shiawassee & Drake Park Restroom Improvement to Summit Company.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Balk, Councilmember
<b>AYES:</b>	Balk, Bowman, LaRussa, Schneemann, Taylor

**J. Consideration to approve payment to Luigi Ferdinandi & Son Cement Company for the Farmington 2020 Sidewalk Program**

Leach submitted a balancing change order for the Farmington 2020/21 Sidewalk Program and has requested Luigi Ferdinandi & Son Cement Company to provide updated unit pricing to potentially extend the sidewalk improvement contract an additional year.

**Move to approve payment to Luigi Ferdinandi & Son Cement Company, Change Order No.3, Construction Estimate No.4, in the amount of \$39,921.85 for the Farmington 2020 Sidewalk Program.\*\***

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Mayor Pro Tem
<b>SECONDER:</b>	Taylor, Councilmember
<b>AYES:</b>	Bowman, LaRussa, Schneemann, Taylor, Balk

**8. PUBLIC COMMENT**

Susan Kramer, 24105 Twin Valley Court, asked Council to have consideration for anyone coming in to build at the Maxfield site because the hill is changing. She questioned whether other developers would have been as diligent in their studies as Robertson Brothers and noted that extensions are to be expected in this economy.

**9. CITY COUNCIL COMMENT**

LaRussa wished residents Happy Holidays and mentioned the Beautification Committee map for the holiday decorating contest. He said that he was grateful for his colleagues and noted that it had been a very difficult year of challenges, but that he felt that Farmington rose to the occasion as it always does. He looked forward to 2022 and the transformational projects that are planned.

Balk seconded LaRussa and thanked City Administration and staff for numerous meetings and tours as well as thanking her fellow councilmembers for assistance to get up to speed as a new councilmember. She also encouraged the community to join in the holiday events and celebrations.

Bowman wished a safe and happy new year to everyone.

## 10. ADJOURNMENT

Move to adjourn the meeting.

<b>RESULT:</b>	<b>APPROVED AS PRESENTED [UNANIMOUS]</b>
<b>MOVER:</b>	Taylor, Councilmember
<b>SECONDER:</b>	Balk, Councilmember

Meeting adjourned 8:40 p.m.

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Sara Bowman, Mayor

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Mary J. Mullison, City Clerk

Approval Date:

\*\*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.

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> January 18, 2022	<b>Item Number 3C</b>	
<b>Submitted by:</b> Amy Norgard, Controller			
<u><b>Agenda Topic</b></u> Farmington Monthly Payments Report – December 2021			
<u><b>Proposed Motion</b></u> Approve Farmington Monthly Payments Report – December 2021			
<u><b>Background</b></u> See attachment			
<u><b>Materials Attached</b></u> AP Monthly Payments Report 123121			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

# CITY OF FARMINGTON - MONTHLY PAYMENTS REPORT

**MONTH OF DECEMBER 2021**

<b>FUND #</b>	<b>FUND NAME</b>	<b>AMOUNT:</b>
101	GENERAL FUND	\$ 343,483.12
202	MAJOR STREET FUND	\$ 21,498.93
203	LOCAL STREET FUND	\$ 327,809.09
359	2013 LTGO BONDS (OPEB)	\$ 300.00
401	CAPITAL IMPROVEMENT MILLAGE	\$ 184,722.61
592	WATER & SEWER FUND	\$ 367,238.08
595	FARMINGTON COMMUNITY THEATER FUND	\$ 31,595.47
640	DPW EQUIPMENT REVOLVING FUND	\$ 26,915.97
701	AGENCY FUND	\$ 4,776.59
736	PUBLIC EMPLOYEE HEALTH CARE FUND	\$ 57,369.07
	<b>TOTAL CITY PAYMENTS ISSUED:</b>	<b>\$ 1,365,708.93</b>
136	47TH DISTRICT COURT FUND	\$ 92,319.17
244	CORRIDOR IMPROVEMENT AUTHORITY FUND	\$ 1,251.93
248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	\$ 71,267.62
	<b>TOTAL OTHER ENTITIES PAYMENTS ISSUED:</b>	<b>\$ 164,838.72</b>
	<b>TOTAL PAYMENTS ISSUED</b>	<b>\$ 1,530,547.65</b>

A detailed Monthly Payments Report is on file in the Treasurer's Office.

# CITY OF FARMINGTON - ACH PAYMENTS REPORT

**MONTH OF DECEMBER 2021**

<b>TRANSFER FROM:</b>	<b>TRANSFER TO:</b>	<b>DESCRIPTION:</b>	<b>AMOUNT:</b>
Agency Tax	Farmington Public Schools	Tax Payment #11	4,636.02
Agency Tax	Oakland County	Tax Payment #11	7,814.18
Agency Tax	Farmington Comm. Library	Tax Payment #11	496.72
Agency Tax	Farmington Public Schools	Tax Payment #12	326,436.58
Agency Tax	Oakland County	Tax Payment #12	94,856.69
Agency Tax	Farmington Comm. Library	Tax Payment #12	27,701.51
General Fund	Chase (Payroll Acct)	Direct Deposit Payroll	236,123.73
General Fund	Federal Gov't	W/H & FICA Payroll	82,813.05
General Fund	MERS	November Transfer	97,089.85
General Fund	MERS HCSP	November Transfer	5,548.32
General Fund	ICMA	ICMA Plans - City & Dept. Hea	20,773.18
General Fund	Total Administrative Services Corp.	Flexible Spending Accounts	1,939.44
	<b>TOTAL CITY ACH TRANSFERS</b>		<b>906,229.27</b>
Court Fund	Chase (Payroll Acct)	Direct Deposit Payroll	84,339.97
Court Fund	Federal Gov't	W/H & FICA Payroll	27,702.31
Court Fund	Total Administrative Services Corp.	Flexible Spending Accounts	1,270.48
Court Fund	ICMA	Health Savings/401 Accounts	11,576.31
	<b>TOTAL OTHER ENTITIES ACH TRANSFERS</b>		<b>124,889.07</b>

**CITY OF FARMINGTON**  
**BUILDING DEPARTMENT**

***2nd Quarter Report***

***October 1, 2021***  
***through***  
***December 31, 2021***

***Jeffrey Bowdell***  
***Building Official***  
***Building Inspector***

FY 2021 - 22

MONTH	NEW HOMES		HOME REMODEL		SHEDS/GARAGES		COMMERCIAL REMODEL		COMMERCIAL BUILDING		INDUSTRIAL REMODEL	
	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value	No. of Permits	Value
JULY	0	\$0	3	\$177,397	0	\$0	3	\$2,575,000	0	\$0	0	\$0
AUGUST	2	\$662,399	1	\$26,921.25	2	\$7,550	3	\$1,052,000	0	\$0.00	0	\$0
SEPTEMBER	0	\$0	2	\$307,040	2	\$27,500	1	\$64,950	0	\$0	0	\$0
OCTOBER	0	\$0	3	\$63,300	0	\$0	3	\$272,439	0	\$0	0	\$0
NOVEMBER	0	\$0	4	\$167,221.00	1	\$1,300	3	\$86,000	0	\$0	0	\$0
DECEMBER	0	\$0	0	\$0	0	\$0	2	\$90,305	0	\$0	0	\$0
JANUARY	0											
FEBRUARY	0											
MARCH	0											
APRIL	0											
MAY	0											
JUNE	0											
<b>TOTAL</b>	<b>2</b>	<b>\$662,399</b>	<b>13</b>	<b>\$741,879.25</b>	<b>5</b>	<b>\$36,350</b>	<b>15</b>	<b>\$4,140,694</b>	<b>0</b>	<b>\$0.00</b>	<b>0</b>	<b>\$0</b>

## 2021 - 22 CASH SHEET SUMMARY

	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March	April
Building	\$33,050	\$27,890	\$15,085	\$21,145	\$16,465	\$5,300				
Building Registration	\$420	\$360	\$420	\$510	\$420	\$210				
Building Bond	\$2,000	\$1,350	\$700	\$1,750	\$300	\$200				
Performance Bond	\$0		\$0	\$0	\$0	\$0				
Water Tap/Meter	\$4,000	\$7,700	\$0	\$0	\$0	\$0				
Sewer Tap	\$0	\$0	\$0	\$0	\$0	\$0				
Construction Water	\$0	\$0	\$0	\$0	\$0	\$0				
Water/Sewer Debt	\$0	\$0	\$0	\$0	\$0	\$0				
Sign	\$0	\$568	\$411	\$426	\$60	\$80				
Sign Registration	\$0	\$120	\$60	\$0	\$30	\$0				
Fence	\$50	\$205	\$95	\$320	\$410	\$95				
Fence Registration	\$30	\$60	\$0	\$30	\$30	\$0				
Pool	\$0	\$0	\$0	\$0	\$0	\$0				
Approach/Sidewalk	\$0	\$0	\$0	\$125	\$125	\$0				
Mechanical	\$2,760	\$3,565	\$2,307	\$2,710	\$5,425	\$3,845				
Mechanical Registration	\$60	\$105	\$75	\$120	\$90	\$75				
Electrical	\$1,057	\$4,123	\$4,218	\$3,468	\$4,245	\$3,145				
Electrical Registration	\$30	\$271	\$240	\$270	\$180	\$240				
Plumbing	\$1,465	\$2,475	\$1,155	\$1,325	\$2,080	\$905				
Plumbing Registration	\$120	\$210	\$60	\$120	\$240	\$60				
Zoning Board of Appeals	\$0	\$0	\$0	\$0	\$0	\$0				
Engineering Fees	\$25,500	\$0.00	\$0	\$0	\$3,500	\$0				
Planner Fees	\$0	\$225.00	\$0	\$225	\$5,325	\$0				
Plan Review	\$4,490	\$746.00	\$0	\$0	\$0	\$0				
Foreclosures	\$0	\$0	\$0	\$0	\$0	\$0				
False Alarm	\$295	\$845	\$315	\$75	\$745	\$295				



## 2021 - 22 CASH SHEET SUMMARY

Other	\$200	\$250	\$0	\$350	\$100	\$50				
<b>Total</b>	<b>\$75,527.00</b>	<b>\$51,068.00</b>	<b>\$25,141.00</b>	<b>\$32,969.00</b>	<b>\$39,770.00</b>	<b>\$14,500.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>



2021 - 22 CASH SHEET SUMMARY

\$0.00	\$0.00



## BUILDING PERMITS

2021 - 2022

2020 - 2021

2019 - 20

MONTH	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	32	\$ 33,050.00	26	\$ 5,665.00	38	\$7,216
AUGUST	55	\$27,890	42	\$8,175	21	\$13,974
SEPTEMBER	45	\$15,085	44	\$19,770	35	\$6,933
OCTOBER	61	\$21,145	38	\$15,630	55	\$10,405
NOVEMBER	41	\$16,465	20	\$3,935	16	\$7,440
DECEMBER	16	\$5,300	13	\$4,905	15	\$8,925
JANUARY			25	\$7,925	18	\$3,931
FEBRUARY			20	\$3,060	15	\$4,815
MARCH			36	\$8,055	10	\$ 3,805
APRIL			47	\$15,870	4	\$ 420
MAY			45	\$10,060	25	\$ 7,810
JUNE			30	6560	42	\$ 11,175
<b>TOTAL</b>	<b>250</b>	<b>\$118,935</b>	<b>386</b>	<b>\$109,610</b>	<b>294</b>	<b>\$86,849</b>

## ELECTRIC PERMITS

	2021 - 2022		2020 - 2021		2019 - 2020	
MONTH	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	16	\$1,057	19	\$2,070	17	\$1,964
AUGUST	28	\$4,123	9	\$1,388	10	\$951
SEPTEMBER	23	\$4,218	23	\$3,115	17	\$2,153
OCTOBER	24	\$3,468	24	\$2,368	11	\$2,162
NOVEMBER	32	\$4,245	19	\$2,009	10	\$2,161
DECEMBER	21	\$3,145	10	\$1,670	4	\$1,351
JANUARY			16	\$2,114	8	\$1,356
FEBRUARY			15	\$1,753	10	\$1,180
MARCH			20	\$3,728	7	\$1,310
APRIL			19	\$3,015	3	\$263
MAY			27	\$3,837	10	\$925.00
JUNE			19	\$4,393	19	\$2,218.00
<b>TOTAL</b>	<b>144</b>	<b>\$20,256</b>	<b>220</b>	<b>\$31,460</b>	<b>126</b>	<b>\$17,994</b>

## MECHANICAL PERMITS

	2021 - 2022		2020 - 2021		2019 - 2020	
MONTH	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	17	\$2,760	16	\$2,850	24	\$2,945
AUGUST	19	\$3,565	7	\$1,290	14	\$1,805
SEPTEMBER	12	\$2,307	11	\$1,870	13	\$1,630
OCTOBER	19	\$2,710	25	\$4,570	14	\$2,240
NOVEMBER	27	\$5,425	15	\$2,320	10	\$1,410
DECEMBER	18	\$3,845	11	\$2,060	12	\$2,065
JANUARY			18	\$2,400	10	\$1,395
FEBRUARY			10	\$1,810	10	\$1,525
MARCH			8	\$1,450	3	\$815
APRIL			14	\$2,460	1	\$50.00
MAY			25	\$4,500	9	\$1,325.00
JUNE			25	\$3,966	19	\$2,700.00
<b>TOTAL</b>	<b>112</b>	<b>\$20,612</b>	<b>185</b>	<b>\$31,546</b>	<b>139</b>	<b>\$19,905</b>

## PLUMBING PERMITS

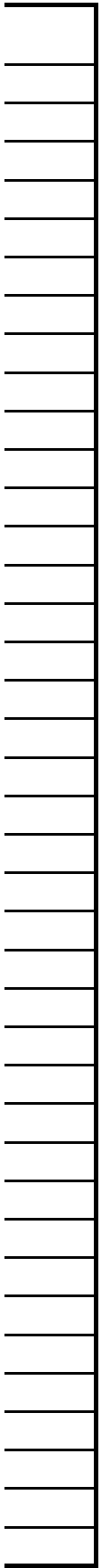
	2021 - 2022		2020 - 2021		2019 -2020	
MONTH	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES	NUMBER OF PERMITS	FEES
JULY	6	\$1,465	8	\$1,555	4	\$631
AUGUST	11	\$2,475	6	\$855	9	\$1,061
SEPTEMBER	6	\$1,155	13	\$2,220	8	\$778
OCTOBER	6	\$1,325	7	\$1,320	13	\$2,101
NOVEMBER	11	\$2,080	6	\$810	9	\$1,100
DECEMBER	6	\$905	7	\$760	10	\$1,665
JANUARY			8	\$1,195	4	\$635
FEBRUARY			3	\$550	8	\$1,430
MARCH			9	\$1,740	5	\$950
APRIL			8	\$2,305	1	\$100
MAY			11	\$2,645	6	\$760
JUNE			8	\$1,865	11	\$1,825
<b>TOTAL</b>	<b>46</b>	<b>\$9,405</b>	<b>94</b>	<b>\$17,820</b>	<b>88</b>	<b>\$13,036</b>















CODE ENFORCEMENT LOG

MONTH: December 2021

VIOLATIONS	METHOD OF CONTACT					RESULTS						
	PHONE	Drive by	LETTER	WARNING TICKET	TOTAL	COMPLIANCE	NON-COMPLIANCE	COURT	PENDING	CITY COUNCIL	ZONING BOARD	TOTAL
Automobiles												
Recreational Vehicles	3						3					3
Trash/litter/debris												
Streets / Sidewalks												
Comm. Property Maint. Parking lot lights												
Signs												
Housing Code												
Fences												
Exterior house lights												
Zoning:												
Work (no permit)		1					1					1
Grass (over 8")												
Comm. Vehicle												
Yard Waste @ Curb												
Unlicensed Vehicle												
Conditions/rodent/vermin												
Blight/cars/outside junk												
Trash/recycle storage												
<b>Total</b>	<b>3</b>	<b>1</b>					<b>4</b>					<b>4</b>

INSPECTIONS	
Gas Pressure Tests	1
Rough Building	5
Final Building	14
Foundation	0
Observable Component	1
Roof	10
Heating/Cooling	34
Fireplace	0
Foreclosures	0
Post Hole	1
Footing/sidewalk forms	0
<b>Total</b>	<b>66</b>

PLAN REVIEW	
Signs	0
Buildings	0
Fences	0
Decks	0
Hood Suppression	0
Demolition	0
Fire Repairs	0
Pool	0
Shed	0
Swim Club	0
<b>Total</b>	<b>0</b>







## FARMINGTON PUBLIC SAFETY DEPARTMENT

23600 Liberty Street  
Farmington, MI 48335  
248-474-4700

Ted Warthman, Public Safety Director



# MONTHLY PUBLIC SAFETY REPORT December 2021

### **Identity Theft**

On December 7<sup>th</sup> a Farmington Road resident reported at the front desk that she was the victim of an identity theft. The victim advises that she received a notice from Wells Fargo Bank stating that an unknown person had attempted to open a credit card in the victim's name. The account was denied, and the victim did not experience any loss.

### **False Identification to Police**

On December 7<sup>th</sup> officers responded to the Marathon Gas Station on Grand River Avenue for a report of a retail fraud (shoplifting). Upon arrival, officers learned that the suspect had stolen a butane torch and hand sanitizer from the store and left on foot. Officers located the suspect who still had the stolen items on him. The suspect provided a name to officers, but when officers looked up the name provided, they discovered that the name was spelled wrong and that the driver's license photo was of someone else. The man was arrested for providing false identification to officers and was processed at the Farmington Jail. The man's fingerprints revealed his true identity, and he was advised that he would be arrested for trespassing should he return to the Marathon Gas Station.

### **Stolen Auto**

On December 8<sup>th</sup> officers responded to the Drakeshire Apartments for a report of a stolen auto. Upon arrival the officers learned that the victim had accidentally left his keys in the lock to the building door. When the victim went to retrieve the keys, he noticed that both his keys and his 2017 Honda CR-V were missing. The vehicle was entered into the statewide system as stolen.

### **Stolen Packages**

On December 8<sup>th</sup> this department was contacted by the Detroit Police Department and advised that they had stopped a suspect who had several Amazon packages from various Farmington addresses. Officers made contact with the owner of the packages and learned that they had received notification from Amazon that their packages had been delivered but did not have the packages on their doorstep. Detroit Police arrested the suspect for being in possession of stolen property. The investigation is ongoing.

MONTHLY PUBLIC SAFETY REPORT  
December 2021

**Vandalism**

On December 10<sup>th</sup> the property manager at Brookdale Condos reported a vandalism at the police front desk. The property manager advised that an unknown subject had placed an oily substance in the community pool, forcing the complex to drain the pool and clean it. The manager advised that the pool house has a key fob system for controlled entry and that the last persons to use the fob system was a condo owner who has been harassing management. The incident was turned over to the detective bureau for further investigation.

**Missing Package**

On December 20<sup>th</sup> a Farmington Oaks Apartments resident came into the police desk to report that she had ordered an item from an internet dealer but that it never arrived. The complainant checked with USPS who advised that they had delivered the item on December 15<sup>th</sup>. The complainant contacted the company she purchased the item from and they advised that they will reimburse her. A report was filed.

**CO Alarm**

On December 29<sup>th</sup> Officers responded with Engine 1 to a doctor's office on Grand River Avenue for a report of a carbon monoxide detector activation. Upon arrival officers checked the office for CO gas with negative results. None of the building occupants were experiencing any CO exposure symptoms. Officers noted that the carbon monoxide detector was an older model and appears to have malfunctioned.

**Burglary**

On December 30<sup>th</sup> officers responded to the Basement Burger Bar on Grand River Avenue for a report of a burglary. Upon arrival officers met with the restaurant owner and learned that sometime overnight an unknown person had broken into the building and stole cash from the register. A review of the surveillance video revealed three young teenagers had broken into the building and stolen the money. The incident was turned over to the detective bureau for further investigation.

**Stolen Vehicle**

On December 30<sup>th</sup> an officer responded to a residence on the 23000 block of Hawthorne Street for a report of a stolen vehicle. Upon arrival the officer met with the victim who advised that sometime overnight his 2014 Chevrolet work van was stolen. The report was turned over to the detective bureau for further investigation.

MONTHLY PUBLIC SAFETY REPORT  
December 2021

**DECEMBER 2021 ABBREVIATED CRIME REPORT**

Crime Part	Crime Category	Dec-2021	Nov-2021	Percent Change	YTD 2021	YTD 2020	Percent Change
A	ASSAULT - SIMPLE	4	2	100.0%	30	27	11.1%
A	BURGLARY - ALL OTHER	2	0	-	4	3	33.3%
A	BURGLARY - RESIDENTIAL	0	0	-	1	0	-
A	DAMAGE TO PROPERTY	1	3	-66.7%	20	5	300.0%
A	DRUG OFFENSES	1	0	-	10	5	100.0%
A	EMBEZZLEMENT	0	0	-	1	3	-66.7%
A	FORGERY / COUNTERFEITING	0	1	-100.0%	2	2	0.0%
A	FRAUD	4	0	-	25	15	66.7%
A	INTIMIDATION / STALKING	1	0	-	2	5	-60.0%
A	LARCENY - ALL OTHER	1	0	-	20	16	25.0%
A	LARCENY - FROM AUTO (LFA)	1	0	-	23	13	76.9%
A	LARCENY - RETAIL FRAUD	0	0	-	2	2	0.0%
A	MOTOR VEHICLE THEFT / FRAUD	2	0	-	9	3	200.0%
A	ROBBERY	0	0	-	2	0	-
A	SEX CRIME	2	0	-	4	2	100.0%
A	STOLEN PROPERTY	0	0	-	1	0	-
A	WEAPONS OFFENSE	0	1	-100.0%	11	6	83.3%
A	<b>Total</b>	<b>20</b>	<b>7</b>	<b>185.7%</b>	<b>175</b>	<b>109</b>	<b>60.6%</b>
B	ACCIDENT - HIT & RUN	0	0	-	3	2	50.0%
B	BURGLARY - ALL OTHER	0	0	-	0	1	-100.0%
B	FRAUD	0	0	-	0	1	-100.0%
B	HEALTH AND SAFETY	0	2	-100.0%	4	1	300.0%
B	LIQUOR LAW VIOLATION	2	1	100.0%	16	13	23.1%
B	MISSING PERSON / RUNAWAY	0	0	-	0	2	-100.0%
B	OBSTRUCTING JUSTICE	2	2	0.0%	21	19	10.5%
B	OBSTRUCTING POLICE	0	0	-	9	8	12.5%
B	OUI OF LIQUOR / DRUGS	7	5	40.0%	56	39	43.6%
B	PUBLIC PEACE	1	3	-66.7%	17	16	6.3%
B	TRESPASSING / INVASION OF PRIVACY	0	1	-100.0%	1	4	-75.0%
B	<b>Total</b>	<b>13</b>	<b>14</b>	<b>-7.1%</b>	<b>140</b>	<b>122</b>	<b>14.8%</b>
C	ACCIDENT	26	21	23.8%	203	155	31.0%
C	ALL OTHER OFFENSES	771	738	4.5%	7,401	6,714	10.2%
C	FAMILY OFFENSE	4	7	-42.9%	72	58	24.1%
C	MISSING PERSON / RUNAWAY	0	1	-100.0%	8	0	-
C	WARRANT	13	15	-13.3%	148	97	52.6%
C	<b>Total</b>	<b>911</b>	<b>861</b>	<b>5.8%</b>	<b>8,769</b>	<b>7,731</b>	<b>13.4%</b>

DEPARTMENT OF PUBLIC WORKS QUARTERLY REPORT  
OCTOBER THROUGH DECEMBER 2021

Description		Reg Hours	Reg Gross	Ot Hours	OT Gross	Gross Explanation
BUILDINGS & GROUNDS	101-265.00-706.000	462	8,843.07	0	0	8,843.07
BUILDINGS & GROUNDS, OVERTIME	101-265.00-709.000	0	0	36.5	1,515.38	1,515.38
CEMETERIES	101-276.00-706.000	201.5	5,527.72	0	0	5,527.72
CEMETERIES, SEASONAL	101-276.00-707.000	26.25	301.88	0	0	301.88
CEMETERIES, OVERTIME	101-276.00-709.000	0	0	9.25	380.33	380.33
PUBLIC WORKS	101-441.00-706.000	397.5	10,972.75	0	0	10,972.75
PUBLIC WORKS, SEASONAL	101-441.00-707.000	0.25	2.88	0	0	2.88
PUBLIC WORKS, OVERTIME	101-441.00-709.000	0	0	96	3,912.09	3,912.09
DDA	101-442.00-706.000	36.75	1,026.45	0	0	1,026.45
DDA, SEASONAL	101-442.00-707.000	3	34.5	0	0	34.5
DDA, OVERTIME	101-442.00-709.000	0	0	4.75	199.59	199.59
PARKING LOTS	101-443.00-706.000	7.5	201.24	0	0	201.24
PARKING LOTS, OVERTIME	101-443.00-709.000	0	0	7	284.56	284.56
SIDEWALKS	101-444.00-706.000	15	418.95	0	0	418.95
RUBBISH-RECYCLING COLLECTION	101-528.00-706.000	663.5	17,414.81	0	0	17,414.81
RUBBISH-RECYCLING COLLECTION , OVERTIME	101-528.00-709.000	0	0	48	1,977.24	1,977.24
PARKS	101-751.00-706.000	574.5	15,796.63	0	0	15,796.63
PARKS, SEASONAL	101-751.00-707.000	35.5	408.25	0	0	408.25
PARKS, OVERTIME	101-751.00-709.000	0	0	82	3,454.89	3,454.89
WARNER HOME	101-804.00-706.000	32.5	901.62	0	0	901.62
WARNER HOME, OVERTIME	101-804.00-709.000	0	0	0.5	20.69	20.69
ROUTINE MAINTENANCE, MAJOR STREETS	202-463.00-706.000	91	2,495.07	0	0	2,495.07
ROUTINE MAINTENANCE, MAJOR STREETS, SEASONAL	202-463.00-707.000	2	23	0	0	23
ROUTINE MAINTENANCE, MAJOR STREETS, OVERTIME	202-463.00-709.000	0	0	13.25	558.23	558.23
TRAFFIC SERVICES MAINTENANCE, MAJOR STREETS	202-474.00-706.000	6.25	173.4	0	0	173.4
WINTER MAINTENANCE, MAJOR STREETS	202-478.00-706.000	1.5	43.11	0	0	43.11
WINTER MAINTENANCE, MAJOR STREETS, OVERTIME	202-478.00-709.000	0	0	11.75	499.52	499.52
SWEEP & FLUSH, TRUNK	202-488.00-706.000	1.75	49.16	0	0	49.16
SWEEP & FLUSH, TRUNK, OVERTIME	202-488.00-709.000	0	0	8	330.96	330.96
TREES & SHRUBS, TRUNK	202-490.00-706.000	1	29.35	0	0	29.35

DRAINAGE, DITCHES, TRUNK	202-491.00-706.000	13.5	380.22	0	0	380.22
GRASS & WEED CONTROL, TRUNK	202-493.00-706.000	6	160.98	0	0	160.98
GRASS & WEED CONTROL, TRUNK, SEASONAL	202-493.00-707.000	2	23	0	0	23
TRAFFIC SIGNS & SIGNALS, TRUNK	202-494.00-706.000	0.75	22.01	0	0	22.01
TRAFFIC SIGNS & SIGNALS, TRUNK, OVERTIME	202-494.00-709.000	0	0	2	82.74	82.74
WINTER MAINTENANCE, TRUNK	202-497.00-706.000	0	0	0	0	0
WINTER MAINTENANCE, TRUNK, OVERTIME	202-497.00-709.000	0	0	16.75	653.4	653.4
ROUTINE MAINTENANCE, COUNTY ROAD	202-508.00-706.000	5.25	140.31	0	0	140.31
ROUTINE MAINTENANCE, COUNTY ROAD, OVERTIME	202-508.00-709.000	0	0	4	166.36	166.36
WINTER MAINTENANCE, COUNTY ROAD	202-510.00-706.000	0	0	0	0	0
WINTER MAINTENANCE, COUNTY ROAD, OVERTIME	202-510.00-709.000	0	0	8.75	375.47	375.47
TRAFFIC SERVICES MAINTENANCE, COUNTY ROAD	202-511.00-706.000	1.25	35.05	0	0	35.05
ROUTINE MAINTENANCE, LOCAL STREETS	203-463.00-706.000	144.5	3,935.26	0	0	3,935.26
ROUTINE MAINT., LOCAL STREETS, STORM CLEAN-UP	203-463.00-706.011	120.25	3,209.01	0	0	3,209.01
ROUTINE MAINTENANCE, LOCAL STREETS, SEASONAL	203-463.00-707.000	3	34.5	0	0	34.5
TRAFFIC SERVICES MAINTENANCE, LOCAL STREETS	203-474.00-706.000	4.5	125.26	0	0	125.26
TRAFFIC SERVICES MAINTENANCE, LOCAL STREETS, OVERTIME	203-474.00-709.000	0	0	0.5	21.83	21.83
WINTER MAINTENANCE, LOCAL STREETS	203-478.00-706.000	1	28.74	0	0	28.74
WINTER MAINTENANCE, LOCAL STREETS, OVERTIME	203-478.00-709.000	0	0	3	117.36	117.36
SUPERVISION, WATER/SEWER	592-620.00-706.000	11	318.61	0	0	318.61
TRANSMISSION & DISTRIBUTION, WATER	592-621.00-706.000	389.25	10,904.42	0	0	10,904.42
TRANSMISSION & DISTRIBUTION, WATER, OVERTIME	592-621.00-709.000	0	0	138.5	5,720.38	5,720.38
SEWER LINES	592-622.00-706.000	23.25	659.84	0	0	659.84
MAINTENANCE, METERS	592-623.00-706.000	5.75	167.33	0	0	167.33
MAINTENANCE, HYDRANTS	592-624.00-706.000	467.75	13,184.27	0	0	13,184.27
MAINTENANCE, HYDRANTS, OVERTIME	592-624.00-709.000	0	0	19	809.33	809.33
MAINTENANCE, SEWAGE RETENTION FACILITY	592-625.00-706.000	71.75	2,054.07	0	0	2,054.07
MAINTENANCE, SEWAGE RETENTION FACILITY, OVERTIME	592-625.00-709.000	0	0	66	2,729.86	2,729.86
MAINTENANCE, SEWER PUMPS	592-626.00-706.000	64	1,830.32	0	0	1,830.32
METER READINGS & UTILITY BILLING	592-632.00-706.000	74.25	2,103.96	0	0	2,103.96
MISCELLANEOUS CUSTOMER SERVICES	592-633.00-706.000	7.75	225.16	0	0	225.16
MAINTENANCE, EQUIPMENT	592-668.00-706.000	16	451.04	0	0	451.04
INSPECTIONS, WATER/SEWER, MISS DIGS	592-671.00-706.000	118.5	3,435.59	0	0	3,435.59
INSPECTIONS, WATER/SEWER, MISS DIGS, OVERTIME	592-671.00-709.000	0	0	7.25	302.57	302.57

CAPITAL OUTLAY	640-000.00-706.000	284	8,147.88	0	0	8,147.88
CAPITAL OUTLAY, OVERTIME	640-000.00-709.000	0	0	0.5	21.56	21.56
Grand Totals:		4,394.50	116,240.67	583.25	24,134.34	140,375.01

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<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: January 18, 2022</b>	<b>Item Number 6B</b>
<b>Submitted by:</b> Christopher M. Weber, Director of Finance and Administration		
<b>Agenda Topic:</b> Pathways Committee Presentation and Reappointment		
<b>Proposed Motion:</b> NA		
<b>Background:</b>  City Council established the Pathways Committee in November 2020. The Committee has met monthly since their first meeting in February 2021 and worked on a variety of projects. The Committee will present an overview report of their first year.		
<b>Materials:</b>		

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> January 18, 2022	<b>Reference Number 7A</b>
<b>Submitted by:</b> Melissa Andrade		
<b>Description</b> Special Event Request – Pavilion Story Time & Family Fun in Riley Park, Library		
<p><b>Requested Action</b> Move to approve Farmington Community Library Special Event Application for:</p> <ul style="list-style-type: none"> <li>• Pavilion Story Time, Thursdays on June 16, 23 and 30; and July 7, 14(possibly Founders week), 21 &amp; 28 from 11 a.m. until noon; and</li> <li>• Family Fun in Riley Park, Wednesday evenings on June 22, July 6, 20, August 3 and 17, 2022 with set-up time starting at 6 p.m. and the actual concert from 7 until 8 p.m.</li> </ul> <p>Provided that all pandemic-related guidelines are followed.</p>		
<p><b>Background</b></p> <p>The City received two special event requests from Maria Showich-Gallup, Librarian with the Farmington Community Library.</p> <p>Both are popular annual events that have been a part of the community for about 14 years.</p>		
<b>Materials: Two applications: Family Fun in Riley Park and Pavilion Story Time</b>		



Event Name Pavilion Story time

CITY USE ONLY
Approval Needed:
<input type="checkbox"/> City Manager
<input type="checkbox"/> City Council
<input type="checkbox"/> Approved
<input type="checkbox"/> Denied



## City of Farmington Special Event Application

This application is for all events in Riley Park and any other event in the City of Farmington that will bring in more than 25 people. Complete this application in accordance with the city of Farmington's Special Events Policy and return it to the City Manager's Office at least 30 days prior to the starting date of the event. If your event is approved, you will receive a written confirmation of approval.

Park fees are \$100 for residents and \$200 for non-residents.

Event Name Pavilion Storytime

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of myself or the sponsoring organization, the following:

- a. For public events, a certificate of insurance and endorsement must be provided naming the City of Farmington as additional insured. See Parks Reservation, Facility Use, and Special Events Policy, page 19, item J, for specific requirements and limits.
- b. If the event includes solicitation by workers standing in street intersections, the required safety precautions will be maintained at all times in accordance with the Department of Public Safety. Reference the Parks Reservation, Facility Use, and Special Events Policy, page 20, item K.
- c. All food vendors must be approved by the Oakland County Health Department and follow all required health regulations. Each food vendor must provide the City with a Certificate of Insurance as well as an endorsement naming the City of Farmington as additional insured. Form CG 20 26 or its equivalent is recommended. See Parks Reservation, Facility Use, and Special Events Policy, page 20, item M for more details.
- d. The approval of this special event may include additional requirements and/or limitations based on the city's review of this application, and in accordance with the city's Parks Reservation, Facility Use, and Special Events Policy. The event will be operated in conformance with the written confirmation of approval. See Parks Reservation, Facility Use, and Special Events Policy, page 21, item Q.
- e. The sponsoring organization may provide a security deposit for the estimated fees as may be required by the city and will promptly pay any billing for city services which may be rendered. See Parks Reservation, Facility Use, and Special Events Policy, page 17, items E and F.

**To the fullest extent permitted by law, the individual or sponsoring organization assume(s) all risks and agrees to defend, pay on behalf of, indemnify, and hold harmless, the City of Farmington, including all of its elected and appointed officials, all employees and volunteers, against any and all claims, demands, suits, or loss, including all costs connected therewith, including but not limited to attorney fees, and for any damages which maybe asserted, claimed, or recovered against or from the City of Farmington, by reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof, which arise out of your actions during this event.**

As the duly authorized individual or agent of the sponsoring organization, I hereby apply for approval of this special event, affirm the above understandings, and agree that I (or the sponsoring organization) will comply with the city's Parks Reservation, Facility Use, and Special Events Policy, the terms of the Written Confirmation of Approval and all other city requirements, ordinances and other laws which apply to this special event.

12/27/21  
Date

Mari Shawich Gully  
Signature

RETURN THIS APPLICATION AT LEAST THIRTY (30) DAYS PRIOR TO THE FIRST DAY OF THE EVENT TO:

City Manager's Office  
23600 Liberty Street  
Farmington, MI 48336

Phone: 248-474 5500, ext. 2221

*Failure to provide the above items shall result in cancellation of the event. The city shall not be liable for any cost incurred.*

Sponsoring Individual/Organization's Name: Farmington Community Library

Individual/Organization Phone: 248-473-3118

Individual/Organization Address: 23500 Liberty St.

Organization's Contact: Maria Showich Gallup Phone: 248-473-3118

Contact's Title: Interim Branch Head E-mail: ms.gallup@farmlib.org

Address: 23500 Liberty St

Event Name: Paulina Storytelling

- Type of Event:
- |   |   |
|---|---|
| <input type="radio"/> Sponsored/City Operated   | <input type="radio"/> Co-Sponsored (all parties must provide info and sign application) |
| <input checked="" type="radio"/> Non-Profit     | <input type="radio"/> For Profit  |
| <input type="radio"/> Political or Ballot Issue | <input type="radio"/> Wedding   |
| <input type="radio"/> Video or Film Production  | <input type="radio"/> Running Event   |
| <input type="radio"/> Block Party               | <input type="radio"/> Other (describe)  |

Riley Park Permit Fee:  
\$100 residents/\$200 non-residents

Event Purpose: outdoor Storytime for families to enjoy

Event Dates: June 16, 23, 30, July 7, 14(? Squirrels) 21, 28

Event Times: \_\_\_\_\_

Event Location: Sundquist Pavilion

Number of People Expected: 50-100

Contact Person on Day of Event: Maria Showich Gallup

Phone: 734-395-6037

Email: ms.gallup@farmlib.org

Estimated Time of Setup: 15 min

Estimated Time of Cleanup: 15 min

Crowd Control Plans:

Sidewalk use?  YES  NO

If yes, describe sidewalk use:

Reserved Parking: Are you requesting exempt Parking? (See Policy Section 5)

YES  NO

If yes, list the lots or locations where parking is requested:

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Will street closures be necessary?  YES  NO

If yes, describe street closures, include time of closure and re-open:

Will music be provided?  YES  NO

If yes, describe amplification and proposed location of band, speakers, equipment, etc.:

Will electricity be needed for the event?  YES  NO

Will the following be constructed or located in event area?

Booths	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Tents/Canopies	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Rides	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Tables	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Portable Toilets	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Inflatables	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Food Vending	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Other Vendors	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>

Other (describe)

If yes to food vendors, concessions, and/or other vendors, please list all of the vendors by vendor name, refer to Policy Section IV.2.N for license and insurance requirements:

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*\*If mobile food vending is proposed as part of an activity that also requires a special event permit, no additional or separate mobile food vending permit shall be required as state in the City Cod of Ordinances (Appendix A in policy).*

**An Event Map [is] [is not] attached.** If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

**For events in Riley Park: Invitation to Civic Organizations and Merchants in the Event Vicinity.** Non-profit organizations and local merchants in the vicinity of Riley Park – the Central Business District -- should be given the opportunity to participate in the special event to the greatest extent practical; e.g., a local Deli might come out and sell bratwurst. You must demonstrate that reasonable efforts have been made with regard to such inclusion and participation. The City Manager’s office shall be responsible for determining whether this requirement has been met.

- I have invited local businesses to participate.  
Those invited include:

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**Event Signs:** Will this event include the use of signs  YES  NO

If yes, refer to Policy Section 8 for requirements and describe the size and location of your proposed signs. All signage must be approved by the City Manager’s Office.

**Event Cost Worksheet**

	Cost	Quantity	Total
Park usage fee			
Public Safety Assistance			
Public Services Assistance			
Cones			
Additional Barricades			
Additional Trash Barrels			
Other			
Total			0

Usage fee for Riley Park is \$100 for residents, \$200 for non-residents. Assistance from Public Services or Public Safety is \$65/hour with a minimum of two hours. The Pubic Services fee includes four trash barrels and four barricades. If additional equipment is needed, the fee will be determined by Public Services. Equipment is limited to cones, barricades and trash barrels.

Checks can be dropped off or mailed to the City Manager’s Office at Farmington City Hall: 23600 Liberty Street, Farmington, MI 48335. Make checks payable to the “City of Farmington.” There is a processing fee for credit cards payments. Credit card payments must be made at City Hall, we do not take credit card information via the phone.

Event Name Family Fun In Riley Park

CITY USE ONLY
Approval Needed:
<input type="checkbox"/> City Manager
<input type="checkbox"/> City Council
<input type="checkbox"/> Approved
<input type="checkbox"/> Denied



## City of Farmington Special Event Application

This application is for all events in Riley Park and any other event in the City of Farmington that will bring in more than 25 people. Complete this application in accordance with the city of Farmington's Special Events Policy and return it to the City Manager's Office at least 30 days prior to the starting date of the event. If your event is approved, you will receive a written confirmation of approval.

Park fees are \$100 for residents and \$200 for non-residents.



Event Name Family Fun in Riley Park

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of myself or the sponsoring organization, the following:

- a. For public events, a certificate of insurance and endorsement must be provided naming the City of Farmington as additional insured. See Parks Reservation, Facility Use, and Special Events Policy, page 19, item J, for specific requirements and limits.
- b. If the event includes solicitation by workers standing in street intersections, the required safety precautions will be maintained at all times in accordance with the Department of Public Safety. Reference the Parks Reservation, Facility Use, and Special Events Policy, page 20, item K.
- c. All food vendors must be approved by the Oakland County Health Department and follow all required health regulations. Each food vendor must provide the City with a Certificate of Insurance as well as an endorsement naming the City of Farmington as additional insured. Form CG 20 26 or its equivalent is recommended. See Parks Reservation, Facility Use, and Special Events Policy, page 20, item M for more details.
- d. The approval of this special event may include additional requirements and/or limitations based on the city's review of this application, and in accordance with the city's Parks Reservation, Facility Use, and Special Events Policy. The event will be operated in conformance with the written confirmation of approval. See Parks Reservation, Facility Use, and Special Events Policy, page 21, item Q.
- e. The sponsoring organization may provide a security deposit for the estimated fees as may be required by the city and will promptly pay any billing for city services which may be rendered. See Parks Reservation, Facility Use, and Special Events Policy, page 17, items E and F.

**To the fullest extent permitted by law, the individual or sponsoring organization assume(s) all risks and agrees to defend, pay on behalf of, indemnify, and hold harmless, the City of Farmington, including all of its elected and appointed officials, all employees and volunteers, against any and all claims, demands, suits, or loss, including all costs connected therewith, including but not limited to attorney fees, and for any damages which maybe asserted, claimed, or recovered against or from the City of Farmington, by reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof, which arise out of your actions during this event.**

As the duly authorized individual or agent of the sponsoring organization, I hereby apply for approval of this special event, affirm the above understandings, and agree that I (or the sponsoring organization) will comply with the city's Parks Reservation, Facility Use, and Special Events Policy, the terms of the Written Confirmation of Approval and all other city requirements, ordinances and other laws which apply to this special event.

12/27/21  
Date

Maura Stewart Kelly  
Signature

RETURN THIS APPLICATION AT LEAST THIRTY (30) DAYS PRIOR TO THE FIRST DAY OF THE EVENT TO:

City Manager's Office  
23600 Liberty Street  
Farmington, MI 48336

Phone: 248-474 5500, ext. 2221

*Failure to provide the above items shall result in cancellation of the event. The city shall not be liable for any cost incurred.*

Sponsoring Individual/Organization's Name: Farmington Community Library

Individual/Organization Phone: 248-473-3118

Individual/Organization Address: 23500 Liberty St.

Organization's Contact: Maria Showich-Gallup Phone: 248-473-3118

Contact's Title: Interim Branch Head E-mail: ms.gallup@farmlib.org

Address: 23500 Liberty St

Event Name: Family Fun in Riley Park

- Type of Event:
- |   |   |
|---|---|
| <input type="radio"/> Sponsored/City Operated   | <input type="radio"/> Co-Sponsored (all parties must provide info and sign application) |
| <input checked="" type="radio"/> Non-Profit     | <input type="radio"/> For Profit  |
| <input type="radio"/> Political or Ballot Issue | <input type="radio"/> Wedding   |
| <input type="radio"/> Video or Film Production  | <input type="radio"/> Running Event   |
| <input type="radio"/> Block Party               | <input type="radio"/> Other (describe)  |

Riley Park Permit Fee:  
\$100 residents/\$200 non-residents

Event Purpose: Free Family Entertainment

Event Dates: June 22, July 6, July 20, Aug. 3, 17

Event Times: 7 p.m.

Event Location: Riley Park Sundquist Pavilion

Number of People Expected: 100 +

Contact Person on Day of Event: Maria Shovich-gallup

Phone: 734-395-6037

Email: ms.gallup@farmlib.org

Estimated Time of Setup: 1 hr.

Estimated Time of Cleanup: 1/2 hr.

Crowd Control Plans:

Sidewalk use?  YES  NO

If yes, describe sidewalk use:

Reserved Parking: Are you requesting exempt Parking? (See Policy Section 5)

YES  NO

If yes, list the lots or locations where parking is requested:

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Will street closures be necessary?  YES  NO

If yes, describe street closures, include time of closure and re-open:

Will music be provided?  YES  NO

If yes, describe amplification and proposed location of band, speakers, equipment, etc.:

Will electricity be needed for the event?  YES  NO

Will the following be constructed or located in event area?

Booths	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Tents/Canopies	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Rides	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Tables	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Quantity: <input type="text" value="2"/>
Portable Toilets	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Inflatables	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Food Vending	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>
Other Vendors	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Quantity: <input type="text"/>

Other (describe)

If yes to food vendors, concessions, and/or other vendors, please list all of the vendors by vendor name, refer to Policy Section IV.2.N for license and insurance requirements:

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*\*If mobile food vending is proposed as part of an activity that also requires a special event permit, no additional or separate mobile food vending permit shall be required as state in the City Cod of Ordinances (Appendix A in policy).*

**An Event Map [is] [is not] attached.** If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also show any streets or parking lots that you are requesting to be blocked off.

**For events in Riley Park: Invitation to Civic Organizations and Merchants in the Event Vicinity.**

Non-profit organizations and local merchants in the vicinity of Riley Park – the Central Business District -- should be given the opportunity to participate in the special event to the greatest extent practical; e.g., a local Deli might come out and sell bratwurst. You must demonstrate that reasonable efforts have been made with regard to such inclusion and participation. The City Manager’s office shall be responsible for determining whether this requirement has been met.

I have invited local businesses to participate.

Those invited include:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Event Signs:** Will this event include the use of signs  YES  NO

If yes, refer to Policy Section 8 for requirements and describe the size and location of your proposed signs. All signage must be approved by the City Manager’s Office.

**Event Cost Worksheet**

	Cost	Quantity	Total
Park usage fee			
Public Safety Assistance			
Public Services Assistance			
Cones			
Additional Barricades			
Additional Trash Barrels			
Other			
Total			0

Usage fee for Riley Park is \$100 for residents, \$200 for non-residents. Assistance from Public Services or Public Safety is \$65/hour with a minimum of two hours. The Public Services fee includes four trash barrels and four barricades. If additional equipment is needed, the fee will be determined by Public Services. Equipment is limited to cones, barricades and trash barrels.

Checks can be dropped off or mailed to the City Manager’s Office at Farmington City Hall: 23600 Liberty Street, Farmington, MI 48335. Make checks payable to the “City of Farmington.” There is a processing fee for credit cards payments. Credit card payments must be made at City Hall, we do not take credit card information via the phone.

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: January 18, 2022</b>	<b>Item Number 7B</b>
<b>Submitted by:</b> David Murphy, City Manager and Chris Weber, Director of Finance and Administration		
<b>Agenda Topic:</b> Adoption of a proposed ordinance to amend the City of Farmington Code of Ordinances Chapter 2, "Administration," Article V, "Employee Benefits," Division 2 "Retirement System." <b>Second Reading</b>		
<b>Proposed Motion:</b> Move to adopt an ordinance to amend the City of Farmington Code of Ordinances Chapter 2, "Administration," Article V, "Employee Benefits," Division 2 "Retirement System," in order to clarify the terms and conditions of the City's participation in the Municipal Employees' Retirement System of Michigan (MERS) Program, including operation of the reserve accounts.		
<b>Background:</b>  At the January 3, 2022 Council Meeting, City Council approved the introduction of an ordinance to amend the retirement system. This is the second reading of the ordinance amendment.  <u>From the January 3, 2022 staff report:</u>  The City of Farmington joined MERS in 2010. As a result of joining MERS, the City agreed that the retirement system be administered in accordance with the MERS Plan Document. As a result, several provisions in the existing retirement ordinance became obsolete, including the methodology for tracking different types of reserves. This ordinance amendment removes the obsolete language. See letter from the Retiree Health Care Board of Trustees Attorney.  Additionally, the City approved changes to pension benefits for Public Safety (effective for employees hired on or after December 1, 2019) and Command Officers (effective for employees hired on or after February 1, 2020) adding an age requirement in addition to years of service.  There are no changes to benefit levels or pension amounts.		
<b>Materials:</b> <b>Red-lined version of retirement ordinance</b> <b>Letter from Attorney</b>		

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON

ORDINANCE NO. C-\_\_\_\_-2021

**AN ORDINANCE TO AMEND THE CITY OF FARMINGTON CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION," ARTICLE V, "EMPLOYEE BENEFITS," DIVISION 2 "RETIREMENT SYSTEM," IN ORDER TO CLARIFY THE TERMS AND CONDITIONS OF THE CITY'S PARTICIPATION IN THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEMS OF MICHIGAN (MERS) PROGRAM, INCLUDING OPERATION OF THE RESERVE ACCOUNTS.**

THE CITY OF FARMINGTON ORDAINS:

**Section 1 of Ordinance. Ordinance Amendment.**

Chapter 2, "Administration," Article V, "Employee Benefits," Division 2 "Retirement System," of the City of Farmington Code of Ordinances is hereby amended to read as follows:

**Sec. 2-376. Retirement system effective date; continuation; purpose.**

The City of Farmington Employees' Retirement System, created according to the provisions of Chapter 5, Section 5.11 of the Charter of the City, as amended, ~~is continued~~ for the purpose of providing retirement income to qualifying employees and former employees, and survivor income to their qualifying beneficiaries. As of July 1, 2010 ~~the effective date of this amended and restated ordinance [division]~~, the city has joined the Municipal Employees' Retirement Systems of Michigan (MERS), and the Retirement System shall be administered in accordance with the MERS Plan Document, as amended, on and after that date ~~which shall serve as the systems' board of trustees.~~

**Sec. 2-377. Short title; application; effective date of restatement.**

- (a) This division may be cited as the "City of Farmington Retirement Ordinance".
- (b) ~~This restatement will apply to individuals employed by the city on and after the effective date of the restatement.~~ The pension benefits of an individual whose city employment terminated before July 1, 2010 ~~the effective date of this restatement~~ will be governed by the provisions of the ~~retirement system-City of Farmington Retirement e~~Ordinance in effect on the date the individual last terminated city employment.

**Sec. 2-378. Definitions.**

As used in this division:

*Accumulated member contributions* means the balance in a member's individual account in the member reserve.



*Base salary* means the current salary received by the member for regular hours worked in a specific period as defined in the member's employment agreement with the city.

*Beneficiary* means an individual who is being paid or who has entitlement to the future payment of a pension due to a reason other than the individual's membership in the retirement system.

*Board of Trustees* means the MERS Retirement Board as established under Section 36 of the Municipal Employees Retirement Act of 1984, as amended (MCL 38.1536).

*City* means the City of Farmington, Michigan.

*Compensation* means the salary or wages paid an employee for personal services rendered the city while a member of the retirement system. Salary and wages shall include longevity pay; overtime pay; shift differentials; pay for periods of absence from work by reason of vacation, holiday, or sickness; accrued vacation time; accrued compensatory time; deferred compensation amounts under deferred compensation programs recognized by the board of trustees. Compensation shall not include any remuneration or reimbursement not specifically stated to be included such as: allowances for clothing, equipment, cleaning and travel; reimbursement of expenses; bonuses; payments in consideration of unused sick leave; fringe benefits and items of remuneration which are the basis of a potential or actual benefit from another retirement program.

*Credited service* means years and fractions of a year (in whole months) of personal service rendered the city, including time for paid periods of absence, while a member of the retirement system and any qualifying service credited by specific board of trustee resolution consistent with applicable law.

*Final average compensation (FAC)*, depending on the member's benefit group, means:

- (1) *FAC-5* means the average of the annual compensations paid a member during any five (5) consecutive twelve-month periods of credited service producing the highest average compensation.
- (2) *FAC-3* means the average of the annual compensation paid a member during any three (3) consecutive twelve-month periods of credited service producing the highest average compensation.

*MERS Plan document* means the Municipal Employees' Retirement System document of 1996, as amended, adopted pursuant to 1984 PA 427, as amended.

*Pension* means a series of equal monthly payments by the retirement system. Payment may be for a temporary period or throughout the future life of a retired member or beneficiary.

*Regular interest* means such rate or rates of interest per annum, compounded annually, as the board of trustees shall from time to time adopt.

*Retired member* means an individual who is being paid a pension on account of the individual's membership in the retirement system.

**Sec. 2-379 – 2-380** [Unchanged]

**Sec. 2-381. Termination of membership.**

An individual shall cease to be a member upon termination of employment or upon becoming employed in an excluded position as provided for membership in section ~~2-379~~380. Upon

reemployment by the city in an included position entitling the employee to membership, the individual shall again become a member.

**Sec. 2-382. Vested termination of membership.**

A member who ceases to be a member prior to attainment of normal retirement age for a reason other than retirement or death shall be a vested former member if the member has ten (10) or more years of credited service except for general members and administrative officers and department heads, which groups are required to have seven (7) or more years of credited service; or, the number of years of credited service otherwise provided in the member's employment agreement, and the individual's accumulated member contributions have not been refunded. ~~During a period of absence from city employment, the balance in the member reserve shall be accumulated at regular interest.~~

**Sec. 2-383 – 2-386** [Unchanged]

**Sec. 2-387. Benefit groups, composition of.**

The following benefit groups are designated for the purpose of determining benefit eligibility conditions, benefit amounts, and member contribution rates:

- (1) *Benefit group general.* All members not included in another benefit group.
- (2) *Benefit group public safety hired prior to December 1, 2019.* All members employed in the public safety department who are members of the Police Officers Association of Michigan (POAM.) hired prior to December 1, 2019.
- (3) *Benefit group public safety command hired prior to February 1, 2020.* All members employed in the public safety department who are members of the Command Officers Association of Michigan (COAM) and the director and deputy director of public safety, unless the director ~~or deputy director~~ elects to participate in the defined contribution retirement plan provided by the city hired prior to February 1, 2020.
- (4) *Benefit group public safety dispatch.* All members employed in the public safety department who are members of the Police Officers Association of Michigan/Dispatchers (POAM) employee group.
- (5) *Benefit group department of public services DPW.* All members employed in the public services department who are members of the ~~International Union of the American Federation of State, County and Municipal Employees (AFSCME) employee group~~ Technical, Professional, and Officeworkers Association of Michigan (TPOAM) hired before July 1, 2013.
- (6) *Benefit group administrative officers and department heads.* All members employed by the city to be the official head of a city department or the city manager, unless the administrative officer or department head elects to participate in the defined contribution retirement system provided by the city.
- (7) *Benefit group public safety on or after December 1, 2019.* All members employed in the public safety department who are members of the Police Officers Association of Michigan (POAM.) hired on or after December 1, 2019.
- (8) *Benefit group public safety command hired on or after February 1, 2020.* All members employed in the public safety department who are members of the Command Officers

Association of Michigan (COAM) and the director and deputy director of public safety, unless the director elects to participate in the defined contribution retirement plan provided by the city hired on or after February 1, 2020.

**Sec. 2-387 – 2-390** [Unchanged]

**Sec. 2-391. Same—Age and service requirements.**

The minimum age and service requirements for normal retirement shall be determined in accordance with the following table:

Benefit Group	Age	Normal Retirement Eligibility Years of Credited Service
General	60	7
Public safety (POAM) <u><a href="#">hired prior to December 1, 2019</a></u>	00	25
Public safety (COAM); director and deputy director <u><a href="#">hired prior to February 1, 2020</a></u>	00	25
Public safety dispatch (POAM/Dispatch)	60	10
Public services DPW (AFSCME)	60	10
Administrative officers and department heads	58	7
<u><a href="#">Public safety (POAM) on or after December 1, 2019</a></u>	<u><a href="#">50</a></u>	<u><a href="#">25</a></u>
<u><a href="#">Public safety command; director and deputy director (COAM) hired on or after February 1, 2020</a></u>	<u><a href="#">50</a></u>	<u><a href="#">25</a></u>

Upon normal retirement as provided in this section, an individual shall be paid a pension computed according to section 2-393.

**Sec. 2-392 – 2-403** [Unchanged]

**Sec. 2-404. Same—Commencement, duration and change.**

- (a) A normal, early or disability pension shall commence the first day of the calendar month next following a member's or vested terminated member's date of retirement. A preretirement survivor pension shall commence the first day of the calendar month next following the month in which occurs the death causing payment of the pension. A postretirement survivor pension shall commence the first day of the calendar month next following the death causing payment of the pension.
- (b) Pensions shall be paid in twelve (12) equal installments on ~~or before the first~~ the 18th of each month.
- (c) Termination of payment of a pension shall occur at the end of the calendar month in which occurred the event causing the termination. Payment shall be made for the full month of termination.
- (d) A change in the amount of a pension shall occur the first day of the calendar month next following the effective date of the event causing the change.

**Sec. 2-405. Member contributions—Amounts.**

- (a) Member contributions to the retirement system shall be deducted from each member's paycheck, in accordance with the member's employment agreement, at the following rates:

Benefit Group	% of Annual Compensation
General	<del>none</del> <u>1.50%</u>
<u>Public safety (POAM) hired prior to December 1, 2019</u> <del>Public safety (POAM)</del>	<del>3.00%</del> <u>4.50%</u>
<u>Public safety (COAM); director and deputy director hired prior to February 1, 2020</u> <del>Public safety (COAM) and director and deputy director</del>	<u>4.50%</u> <del>3.00%</del>
Public safety dispatch (POAM/dispatch)	none
Public services DPW (AFSCME)	<del>none</del> <u>1.50%</u>
Administrative officers and department heads	<u>4.50%</u> <del>3.00%</del>
<u>Public safety (POAM) on or after December 1, 2019</u>	<u>4.50%</u>
<u>Public safety command; director and deputy director (COAM) hired on or after February 1, 2020</u>	<u>4.50%</u>

Continuation of employment by a member shall constitute consent and agreement to the deduction of applicable member contributions.

- (b) The employer shall pick up the member contributions required by this section for all compensation earned after the effective date of this subsection. The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The employer shall pick up the member contributions from funds established and available in the salaries account, which funds would otherwise have been designated as member contributions and paid to the retirement system. Member contributions picked up by the employer pursuant to this subsection shall be treated for all other purposes of this and other laws of the employer in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The member does not have the option of receiving the picked-up member contributions in cash

instead of having it paid into the retirement systems. The provisions of this subsection are intended to be in full compliance with the MERS Plan document.

**Sec. 2-406** [Unchanged]

**Sec. 2-407. Board of trustees—Authority and responsibility.**

The administration, management and responsibility for the proper operation of the retirement system, and for interpreting and making effective the provisions of the retirement ordinance are vested in a board of trustees. The board shall exercise all authority in ways consistent with the purpose of the plan as set forth in section 2-376. The Farmington Employees' Retirement System shall be administered by the Municipal Employees Retirement System (MERS) board of trustees in accordance with the MERS Plan document ~~and this division.~~

**Sec. 2-408 – 2-412** [Unchanged]

**Sec. 2-413. ~~Member reserve~~Reserve Accounts.**

Appropriate reserve accounts shall be maintained pursuant to the MERS Plan Document, which shall be credited with investment income and/or interest in accordance therewith.

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~~(a) The member reserve is the fund in which contributions deducted from the compensation of members, or otherwise paid to the retirement system by a member or on the member's behalf, are accumulated, at regular interest, and which shall be charged with refunds and transfers of accumulated member contributions.~~

~~(b) The city shall cause the applicable member contributions to be deducted from the compensation of each member. The deducted member contributions shall be paid to the retirement system and shall be credited to the members' individual accounts.~~

~~(c) A member's accumulated contributions shall be transferred to the benefit reserve if a pension becomes payable on account of the member's retirement or death.~~

**Sec. 2-414 through 2-417** [Deleted]

**Sec. 2-~~418~~414. Assignments prohibited.**

The right of an individual to a pension, to a refund of accumulated member contributions, the pension itself, or any other right accrued or accruing to any individual, and the monies and assets of the retirement system, shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or other process of law, except an eligible domestic relations order (EDRO), as specified in Public Act No. 46 of 1991 (MCL 38.179 et seq.), and shall be unassignable except as otherwise specifically provided herein. However, if a member is covered by a group insurance or prepayment plan participated in by the city, and should be permitted to, and elect to, continue such coverage as a retired member, may authorize the board of trustees to have deducted from his/her pension the payments required of him/her to continue coverage under such group insurance or prepayment plan; provided further that the city shall have the right to setoff for any claim arising from embezzlement by or fraud of a member, retired member or beneficiary.

**Sec. 2-~~419~~415. Subrogation; right of setoff.**

- (a) If an individual becomes entitled to a pension or other benefit payable by the retirement system as a result of an accident or injury caused by the act of a third party, the city shall be subrogated to the rights of the individual against the third party to the extent of city financed benefits which the retirement system pays or becomes liable to pay.
- (b) The retirement system shall have the right of setoff to recover overpayments made by the retirement system and to satisfy any claim arising from embezzlement or fraud committed by a member, retired member, vested former member, beneficiary, or other individual having a claim to benefits.

**Sec. 2-~~420~~416. Correction of errors.**

Should any change or error in the records of the city or the retirement system result in any person receiving from the system more or less than the individual would have been entitled to receive had the records been correct, the board of trustees shall correct such error and as far as is practicable shall adjust the payment of the benefit in such manner that the actuarial equivalent of the benefit to which such person was correctly entitled shall be paid.

**Sec. 2-~~421~~417. Internal Revenue Code qualification.**

The city intends the retirement system to be a qualified pension plan under Section 401 of the Internal Revenue Code, as amended, or successor provisions of law, and that the trust be an exempt organization under Section 501 of the Internal Revenue Code. The board of trustees may adopt such additional provisions to the retirement system as are necessary to fulfill this intent.

- (1) *Prohibition against reversion.* The pension plan and trust have been created for the exclusive benefit of the members and beneficiaries as set forth herein. The funds thereof have been established for the benefit of the members and for the operation of the pension system. No part of the principal and income of any of the funds of the plan and trust shall revert to or be returned to the city prior to the satisfaction of all liabilities hereunder to all members, beneficiaries and anyone claiming by or through them.
- (2) *Termination or partial termination.* In the event of termination or partial termination of this plan, a member's interest under the plan as of such date is nonforfeitable to the extent funded in conformity with Section 411(d)(3) of the Code and Regulations Section 1.411(d)-2 and any other applicable Internal Revenue Code sections.
- (3) *Merger, consolidation or transfer.* In conformity with Section 414(1) of the Internal Revenue Code, in the case of any transfer of assets or liabilities of this plan to any other plan, each plan participant would (if the plan then terminated) receive a benefit immediately after the transfer that is equal to or greater than the benefit the participant would have been entitled to receive immediately before the transfer (if the plan had then terminated).
- (4) *Limitations of benefits.* Notwithstanding any other provisions of this division, benefits paid under the provisions of this division shall not exceed the limitations of Internal Revenue Code Section 415 that are applicable to governmental plans, the provisions of which are hereby incorporated by reference.
- (5) *Required distributions.* Notwithstanding any provisions in this division to the contrary, the distribution of benefits shall begin not later than April 1 following:

- a. The later of the calendar year in which the member attains age seventy and one-half (70½), or the calendar year in which the member retires; or
- b. The member's death.

**Sec. 2-~~422~~418. Fraud penalty.**

Whoever with intent to deceive shall make any statement or report under this division which is untrue, or shall falsify or permit to be falsified any record or records of the retirement system, or who shall otherwise violate the provisions of this division, or as it may from time to time be amended, with intent to deceive, shall be guilty of a misdemeanor.

**Sec. 2-~~423~~419. Contractual nature of the pension plan.**

The accrued financial benefits of the retirement system shall be a contractual obligation of the city and shall not be diminished or impaired by the city. Terms of this division shall constitute the only basis in which each such contractual obligation shall arise and accrue, and no benefits shall arise and accrue to any member or retired member except those specifically provided for in this division, and in accordance with the terms thereof.

**Secs. 2-~~424~~420—2-427. Reserved.**

**Section 2 of Ordinance. Repealer.**

All ordinances, parts of ordinances, or sections of the City of Farmington Code of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 3 of Ordinance. Severability.**

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Section 4 of Ordinance. Savings.**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

**Section 5 of Ordinance. Effective Date.**

This ordinance shall be effective upon publication in the manner prescribed by law.

**Section 6 of Ordinance. Enactment.**

This Ordinance is declared to have been enacted by the City Council of the City of Farmington at a meeting called and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and ordered to be given publication in the manner prescribed by law.

Ayes:

Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN    )  
                                  )ss.  
COUNTY OF OAKLAND    )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021, the original of which is on file in my office.

\_\_\_\_\_  
MARY MULLISON, City Clerk  
City of Farmington

Adopted:  
Published:  
Effective:



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**VANOVERBEKE**  
**MICHAUD &**  
**TIMMONY, P.C.**  
ATTORNEYS AND COUNSELORS

MICHAEL J. VANOVERBEKE  
THOMAS C. MICHAUD  
JACK TIMMONY  
FRANCIS E. JUDD  
AARON L. CASTLE  
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**MEMORANDUM**

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**TO: CHRIS WEBER, TREASURER-FINANCE DIRECTOR**

**FROM: AARON L. CASTLE**

**RE: CITY OF FARMINGTON RETIREMENT ORDINANCE RESTATEMENT**

**DATE: AUGUST 26, 2021**

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This memorandum is provided to briefly outline the proposed amendment and restatement of the City of Farmington Retirement Ordinance (the "Retirement Ordinance") as prepared by this office and enclosed for your reference. The proposed revisions/updates are intended to clarify and bring the Retirement Ordinance current in light of the July 1, 2010 transition of the City of Farmington Employees' Retirement System (the "Retirement System") to the Municipal Employees' Retirement System of Michigan ("MERS").

More specifically, the provisions of the Retirement Ordinance have been updated to clarify certain definitions and plan provisions and to remove obsolete language. Significant updates/amendments to the Retirement Ordinance are as follows:

1. **Sec. 2-376. Retirement system effective date; continuation; purpose.** – Amended to clarify the July 1, 2010 transition to MERS and that the MERS Plan Document governs the administration of the Retirement System on and after that date.
2. **Sec. 2-377. Short title; application; effective date.** – Amended to clarify that the pension benefits of individuals that retired from employment prior to July 1, 2010, will be governed by the provisions of the Retirement Ordinance in effect at the time of separation from employment with the City of Farmington.
3. **Sec. 2-378. Definitions.** - The term "Board of Trustees" was added to clarify that the Retirement System is managed and administered by the MERS Retirement Board.
4. **Sec. 2-407. Board of Trustees – Authority and responsibility.** – Amended to clarify that the current administration of the Retirement System, by the MERS Retirement Board, is done pursuant to and in accordance with the MERS Plan Document.

***Retirement Ordinance Restatement***  
***August 26, 2021***

5. **Sec. 2-413. Reserve Accounts.** – Amended to indicate that reserve accounts will be maintained in accordance with the MERS Plan Document. All references to the former reserve accounts maintained by the City were removed.

The proposed updates and amendments are based on my review of the historical information provided to this office as well as this office's discussions with the City Manager, City Treasurer/Finance Director, City Attorney, and representatives at MERS. It is noted that adoption of the proposed text amendments to the Retirement Ordinance will require formal action of the Farmington City Council. As always, please do not hesitate to contact this office if you have any questions or concerns. Thank you.

Enclosure

cc: David Murphy  
Tom Schultz

## *DIVISION 2. RETIREMENT SYSTEM<sup>1</sup>*

### **Sec. 2-376. Retirement system effective date; continuation; purpose.**

The City of Farmington Employees' Retirement System, created according to the provisions of Chapter 5, Section 5.11 of the Charter of the City, as amended, ~~is continued~~ for the purpose of providing retirement income to qualifying employees and former employees, and survivor income to their qualifying beneficiaries. As of [July 1, 2010](#) ~~the effective date of this amended and restated ordinance [division]~~, the city has joined the Municipal Employees' Retirement System [of Michigan](#) (MERS), [and the Retirement System shall be administered in accordance with the MERS Plan Document, as amended, on and after that date.](#) ~~which shall serve as the systems' board of trustees.~~

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-377. Short title; application; effective date ~~of restatement.~~**

- (a) This division may be cited as the "City of Farmington Retirement Ordinance".
- (b) ~~This restatement will apply to individuals employed by the city on and after the effective date of the restatement.~~ The pension benefits of an individual whose city employment terminated before [July 1, 2010](#) ~~the effective date of this restatement~~ will be governed by the provisions of the ~~retirement system~~ [City of Farmington Retirement Ordinance](#) in effect on the date the individual last terminated city employment.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-378. Definitions.**

As used in this division:

*Accumulated member contributions* means the balance in a member's individual account in the member reserve.

*Base salary* means the current salary received by the member for regular hours worked in a specific period as defined in the member's employment agreement with the city.

*Beneficiary* means an individual who is being paid or who has entitlement to the future payment of a pension due to a reason other than the individual's membership in the retirement system.

*Board of Trustees* means [the MERS Retirement Board as established under Section 36 of the Municipal Employees Retirement Act of 1984, as amended \(MCL 38.1536\).](#)

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<sup>1</sup>Editor's note(s)—Ord. No. C-747-2010, adopted June 21, 2010, amended Div. 2 in its entirety to read as herein set out. Former Div. 2 pertained to the same subject matter, was comprised of §§ 2-376Editor's note(s)—2-427, and derived from Ord. No. C-707-2005, adopted May 2, 2005; Ord. No. C-720-2006, adopted Sept. 18, 2006; and Ord. No. C-734-2008, adopted Aug. 18, 2008.

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*City* means the City of Farmington, Michigan.

*Compensation* means the salary or wages paid an employee for personal services rendered the city while a member of the retirement system. Salary and wages shall include longevity pay; overtime pay; shift differentials; pay for periods of absence from work by reason of vacation, holiday, or sickness; accrued vacation time; accrued compensatory time; deferred compensation amounts under deferred compensation programs recognized by the board of trustees. Compensation shall not include any remuneration or reimbursement not specifically stated to be included such as: allowances for clothing, equipment, cleaning and travel; reimbursement of expenses; bonuses; payments in consideration of unused sick leave; fringe benefits and items of remuneration which are the basis of a potential or actual benefit from another retirement program.

*Credited service* means years and fractions of a year (in whole months) of personal service rendered the city, including time for paid periods of absence, while a member of the retirement system and any qualifying service credited by specific board of trustee resolution consistent with applicable law.

*Final average compensation (FAC)*, depending on the member's benefit group, means:

- (1) *FAC-5* means the average of the annual compensations paid a member during any five (5) consecutive twelve-month periods of credited service producing the highest average compensation.
- (2) *FAC-3* means the average of the annual compensation paid a member during any three (3) consecutive twelve-month periods of credited service producing the highest average compensation.

*MERS Plan document* means the Municipal Employees' Retirement System document of 1996, as amended, adopted pursuant to 1984 PA 427, as amended.

*Pension* means a series of equal monthly payments by the retirement system. Payment may be for a temporary period or throughout the future life of a retired member or beneficiary.

*Regular interest* means such rate or rates of interest per annum, compounded annually, as the board of trustees shall from time to time adopt.

*Retired member* means an individual who is being paid a pension on account of the individual's membership in the retirement system.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-379. Included positions.**

An individual who is employed by the city in a permanent position shall be a member of the retirement system unless employed in an excluded position enumerated in section 2-380. For purposes of this section, a permanent position is defined as a position normally requiring twelve (12) months' of work per year. In case of doubt, the board of trustees shall decide who is a member.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-380. Excluded positions.**

- (a) Any position held by a retired member.
- (b) Members of boards and commissions paid exclusively on a per diem basis.
- (c) Any position held by a person who is included in any other pension or retirement system or plan by reason of the compensation paid by the city, except the Federal Old Age, Survivors and Disability Insurance program.

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- (d) Part-time positions. For purposes of this section, a part-time position is a position normally requiring less than twelve months of work per year.
  - (e) Positions held by persons engaged on a contractual or fee basis where they are not recipients of the standard existing fringe benefits provided by the city.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-381. Termination of membership.**

An individual shall cease to be a member upon termination of employment or upon becoming employed in an excluded position as provided for membership in section 2-380~~79~~. Upon reemployment by the city in an included position entitling the employee to membership, the individual shall again become a member.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-382. Vested termination of membership.**

A member who ceases to be a member prior to attainment of normal retirement age for a reason other than retirement or death shall be a vested former member if the member has ten (10) or more years of credited service except for general members and administrative officers and department heads, which groups are required to have seven (7) or more years of credited service; or, the number of years of credited service otherwise provided in the member's employment agreement, and the individual's accumulated member contributions have not been refunded. ~~During a period of absence from city employment, the balance in the member reserve shall be accumulated at regular interest.~~

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-383. Credited service, earning of.**

Service rendered by a member shall be credited to the member's individual credited service account in accordance with any rules the board of trustees shall prescribe. In no case shall:

- (1) More than one (1) year of credited service be credited on account of all service rendered by a member in any one (1) calendar year.
- (2) Less than ninety (90) hours of credited service in a calendar month be credited as a month of service for the general employee group and department heads and administrator group; and ninety-six (96) hours of credited service in a calendar month be credited as a month of service for the COAM Command, POAM Public Safety, POAM Dispatch and DPW AFSCME groups.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-384. Credited service, forfeiture of.**

Credited service shall be forfeited if an individual ceases to be a member and does not qualify as a vested former member. Credited service shall be forfeited if an individual, including a vested former member, receives a refund of accumulated member contributions.

(Ord. No. C-747-2010, § 1, 6-21-10)

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### **Sec. 2-385. Credited service, reinstatement of.**

A member may have forfeited credited service attributable to service rendered during a period in which the member was required to contribute to the retirement system restored upon satisfaction of each of the following conditions:

- (1) Reemployment by the city occurs within five (5) years from the date the member last ceased to be a member.
- (2) The retirement system is paid the total amount of funds previously withdrawn by the member plus compound interest at the rate determined by the board of trustees from the dates of withdrawal to the dates of repayment.
- (3) The repayment is initiated and completed within the time periods established by the board of trustees.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-386. Purchase of service credit; service credit for military service.**

A member may purchase service credit as approved by council resolution and as allowed by MERS Plan provisions for the purchase of service credit.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-387. Benefit groups, composition of.**

The following benefit groups are designated for the purpose of determining benefit eligibility conditions, benefit amounts, and member contribution rates:

- (1) *Benefit group general.* All members not included in another benefit group.
- (2) *Benefit group public safety.* All members employed in the public safety department who are members of the Police Officers Association of Michigan (POAM.)
- (3) *Benefit group public safety command.* All members employed in the public safety department who are members of the Command Officers Association of Michigan (COAM) and the director and deputy director of public safety, unless the director or deputy director elects to participate in the defined contribution retirement plan provided by the city.
- (4) *Benefit group public safety dispatch.* All members employed in the public safety department who are members of the Police Officers Association of Michigan/Dispatchers (POAM) employee group.
- (5) *Benefit group department of public services DPW.* All members employed in the public services department who are members of the International Union of the American Federation of State, County and Municipal Employees (AFSCME) employee group.
- (6) *Benefit group administrative officers and department heads.* All members employed by the city to be the official head of a city department or the city manager, unless the administrative officer or department head elects to participate in the defined contribution retirement system provided by the city.

(Ord. No. C-747-2010, § 1, 6-21-10)

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**Sec. 2-388. Benefit groups—Effect on retirement eligibility.**

Retirement eligibility conditions shall be those applicable to the member's benefit group at time of termination of membership as outlined in section 2-391.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-389. Same—Effect on pension amount.**

Pension amounts shall be determined based upon plan or ordinance provisions and benefit group in effect at time of termination of membership, provided no accrued vested benefits of a member shall be diminished or decreased thereby.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-390. Normal retirement—Conditions.**

An individual may retire upon satisfaction of each of the following requirements:

- (1) A written application for retirement has been filed with the board of trustees in accordance with procedures established by the board of trustees.
- (2) Employment in an included position as defined in section 2-379 is terminated prior to the effective date of retirement.
- (3) The individual meets the applicable age and/or service requirements for normal retirement.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-391. Same—Age and service requirements.**

The minimum age and service requirements for normal retirement shall be determined in accordance with the following table:

Benefit Group	Age	Normal Retirement Eligibility Years of Credited Service
General	60	7
Public safety (POAM)	00	25
Public safety (COAM); director and deputy director	00	25
Public safety dispatch (POAM/Dispatch)	60	10
Public services DPW (AFSCME)	60	10
Administrative officers and	58	7

department heads		
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Upon normal retirement as provided in this section, an individual shall be paid a pension computed according to section 2-393.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-392. Same—Vested terminated (former) member.**

- (a) A vested terminated (former) member may retire upon filing written application for retirement on or after attainment of age sixty (60) years except that terminated (former) vested public safety members who terminated before July 1, 2010, must be sixty-five (65) years old to qualify for retirement benefits.
- (b) Withdrawal of accumulated member contributions and forfeiture of credited service attributable to a period during which contributions to the retirement system were required by or on behalf of a vested terminated member shall constitute forfeiture of all rights in and to the portion of the pension attributable to the forfeited credited service.
- (c) Upon retirement as provided in this section, a vested terminated (former) member shall be paid a pension computed according to the provisions of section 2-393 in effect on the date the employee ceased to be a member.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-393. Normal retirement pension; amount.**

The applicable benefit formula under the straight life form of payment, as provided in section 2-395, based upon a member's benefit group, age, years and fractions of a year of credited service and final average compensation (FAC) is as indicated below:

Benefit Group	Benefit Formula
General	2.25% of FAC-5 × credited service
Public safety (POAM)	2.5% of FAC-3 × credited service
Public safety (COAM); director and deputy director	2.5% of FAC-3 × credited service
Public safety dispatch (COAM/Dispatch)	2.25% of FAC-5 × credited service
Public services DPW (AFSCME)	2.25% of FAC-5 × credited service
Administrative officers and department heads	2.5% of FAC-3 × credited service

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-394. Reemployment by city; effect on pension payments.**

If a retired member becomes reemployed in a position with the city which is normally covered by the retirement system and is then receiving retirement benefits of any nature from the retirement system, the following conditions shall apply:

- (1) The retired member's pension payments shall be suspended effective as of the first of the month following the sixtieth day after the retired member's rehire date, unless reemployment by the city has ended by that date.
- (2) The retired member's pension payments shall be reinstated as of the first of the month following termination of the retired member's reemployment.



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- (3) The amount of the reinstated pension shall be the amount the retired member would have received had the retired member not become reemployed by the city.

Paragraphs (1), (2) and (3) above shall not apply and pension payments shall continue without change due to reemployment by the city if:

- (1) The retired member is not included as a member of the retirement system during the period of reemployment; and
- (2) The retired member is eligible only for those benefits that the city provides for retired members and those benefits required by law; and
- (3) One (1) or more of the following applies:
  - a. The retired member is employed by the city for less than twelve (12) months in any twelve-month period.
  - b. The retired member is elected or appointed as a city official to an office that the retired member did not hold just prior to retirement for a term of office that begins after the member's retirement date, or to the same office that the retired member held just prior to retirement for a term of office that begins at least two (2) years after the member's retirement date.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-395. Form of payment of a pension.**

A member may elect to have pension payments made under any one (1) of the following forms of payment and name a survivor beneficiary. Payment shall be made under form of payment SL if there is not a timely election of another optional form of payment.

- (1) *Option SL - Straight life pension.* The retired member is paid a pension for life under form of payment SL. Upon death of the retired member, no continuing pension benefits shall be paid.
- (2) *Option Survivor Pension and Option Life Payment with Years Certain Pension.* The retired member is paid a reduced pension for life under optional forms of payment as allowed by the MERS Plan document, provided that the optional benefit is actuarially equivalent to the straight life (SL) pension benefit. If the named survivor beneficiary under Option Survivor Pension predeceases the retired member, the retired member is paid the unreduced straight life pension until death.

(Ord. No. C-747-2010, § 1, 6-21-10)

### **Sec. 2-396. Disability retirement; conditions.**

The board of trustees may retire a member who becomes incapacitated for continued employment by the city if each of the following conditions are met:

- (1) Application for disability retirement is filed with the board of trustees.
- (2) The member meets all criteria established by the board of trustees for disability retirement and is approved by the board of trustees for disability retirement.

(Ord. No. C-747-2010, § 1, 6-21-10)

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**Sec. 2-397. Disability retirement pension; amount; form of payment.**

Eligibility for disability retirement and the amount of a disability pension shall be provided according to the MERS Plan document as approved by the board of trustees.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-398. Disability retirement; special provisions if duty incurred.**

Duty disability eligibility and benefits shall be provided according to the MERS Plan document as approved by the board of trustees.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-399. Disability retirement pension; suspension/termination of disability pension.**

Reinstatement of service credit shall be according to the MERS Plan document, as approved by the board of trustees, in the event of suspension/termination of a disability pension.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-400. Survivor pension—Conditions for automatic pension to spouse.**

A pension shall be paid for life to the surviving spouse of a deceased member in accordance with the MERS Plan document, as approved by the board of trustees, and applicable law.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-401. Same—Amount of automatic pension to spouse.**

The amount of an automatic pension payable to the spouse shall be computed in accordance with the MERS Plan document, as approved by the board of trustees.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-402. Guaranteed minimum aggregate payout.**

If all pension payments permanently terminate before there has been paid an aggregate amount equal to the retired member's, deceased member's, or deceased vested former member's accumulated member contributions at time of retirement, the difference between the amount of accumulated member contributions and the aggregate amount of pension payments made shall be paid to such individual or individuals as the former member may have named on a form provided by and filed with the retirement system. If no such named individual survives, the difference shall be paid to the individual's estate.

(Ord. No. C-747-2010, § 1, 6-21-10)

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**Sec. 2-403. Pensions—Payment.**

All payments from the retirement system shall be made as approved by the board of trustees and as permitted by applicable law.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-404. Same—Commencement, duration and change.**

- (a) A normal, early or disability pension shall commence the first day of the calendar month next following a member's or vested terminated member's date of retirement. A preretirement survivor pension shall commence the first day of the calendar month next following the month in which occurs the death causing payment of the pension. A postretirement survivor pension shall commence the first day of the calendar month next following the death causing payment of the pension.
- (b) Pensions shall be paid in twelve (12) equal installments on or before the first of each month.
- (c) Termination of payment of a pension shall occur at the end of the calendar month in which occurred the event causing the termination. Payment shall be made for the full month of termination.
- (d) A change in the amount of a pension shall occur the first day of the calendar month next following the effective date of the event causing the change.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-405. Member contributions—Amounts.**

- (a) Member contributions to the retirement system shall be deducted from each member's paycheck, in accordance with the member's employment agreement, at the following rates:

Benefit Group	% of Annual Compensation
General	none
Public safety (POAM)	3.00%
Public safety (COAM) and director and deputy director	3.00%
Public safety dispatch (POAM/dispatch)	none
Public services DPW (AFSCME)	none
Administrative officers and department heads	3.00%

Continuation of employment by a member shall constitute consent and agreement to the deduction of applicable member contributions.

- (b) The employer shall pick up the member contributions required by this section for all compensation earned after the effective date of this subsection. The contributions so picked up shall be treated as employer contributions in determining tax treatment under the United States Internal Revenue Code. The employer shall pick up the member contributions from funds established and available in the salaries account, which funds would otherwise have been designated as member contributions and paid to the retirement system. Member contributions picked up by the employer pursuant to this subsection shall be treated for all other purposes of this and other laws of the employer in the same manner and to the same extent as member contributions made prior to the effective date of this subsection. The member does not have the option of receiving the picked-up member contributions in cash instead of having it paid into the retirement systems. The provisions of this subsection are intended to be in full compliance with the MERS Plan document.

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(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-406. Same—Refunds.**

Refund of accumulated member contributions shall be made according to the MERS Plan document, as approved by the board of trustees. Except as otherwise provided in the MERS Plan document, after four (4) years from the date an employee ceases to be a member, any balance of accumulated contributions standing to the member's credit in the member reserve unclaimed by the member or the member's legal representative, shall be transferred to the general reserve.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-407. Board of trustees—Authority and responsibility.**

The administration, management and responsibility for the proper operation of the retirement system, and for interpreting and making effective the provisions of the retirement ordinance are vested in a board of trustees. The board shall exercise all authority in ways consistent with the purpose of the plan as set forth in section 2-376. The Farmington Employees' Retirement System shall be administered by the Municipal Employees Retirement System (MERS) board of trustees in accordance with the MERS Plan document ~~and this division.~~

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-408. Same—Reports.**

The board of trustees shall prepare an annual financial report for each fiscal year. The annual report shall contain information about the financial, actuarial and other activities of the retirement system during the fiscal year. A copy of the annual financial report shall be furnished to the city council each year showing the fiscal transactions of the system for the preceding fiscal year. The board of trustees shall furnish the city council such other information about the retirement system as the city council may from time to time request.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-409. Same—Investment authority and restrictions.**

The board of trustees are the trustees of the monies and assets of the retirement system. The board of trustees has the authority and power to invest and reinvest the monies and assets of the retirement system subject to all terms, conditions, limitations and restrictions imposed by the State of Michigan on the investments of public employee retirement systems. In exercising its discretionary authority with respect to the management of the monies and assets of the retirement system, the board of trustees shall exercise the care, skill, prudence, and diligence, under the circumstances then prevailing, that an individual of prudence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and similar objectives.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-410. Same—Use of assets; prohibited actions.**

- (a) All assets of the retirement system shall be held and invested for the sole purpose of meeting the legitimate obligations of the retirement system and shall be used for no other purpose.
- (b) Members of the board of trustees and its employees and consultants are prohibited from:

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- (1) Having a beneficial interest, direct or indirect, in an investment of the retirement system.
  - (2) Borrowing money or assets of the retirement system.
  - (3) Receiving any pay or payment from any individual or organization providing services to the retirement system other than compensation for personal services or reimbursement of authorized expenses.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-411. Same—Experience tables and regular interest.**

- (a) The board of trustees shall from time to time adopt such mortality and other tables of experience, and a rate or rates of regular interest as are necessary in the proper operation of the retirement system on an actuarial basis.
- (b) For purposes of determining a benefit which is actuarially equivalent to any other benefit, the actuarial reserve required to provide the benefit must be equal to the actuarial reserve required to provide such other benefit computed on the basis of a consistent set of actuarial assumptions as approved by the board of trustees.
- (c) A change of assumptions will not affect any benefit for which payments have already started.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-412. Financial objective of the retirement system; city contributions.**

- (a) The financial objective of the retirement system is to establish and receive city contributions to the retirement system each fiscal year which, together with the contributions made by or on behalf of members during the fiscal year, shall be sufficient to (i) fully fund the costs of benefits likely to be paid on account of service rendered by members during the year, and (ii) finance unfunded costs of benefits likely to be paid on account of service rendered by members prior to the current year over a period of not more than twenty (20) years.
- (b) The board of trustees shall designate an actuary to evaluate the retirement system on an annual basis and shall certify to the city council the amount of annual contribution needed to meet the financial objective of the system and to finance unfunded pension reserves for retirant and beneficiary pension benefits over a period not to exceed twenty (20) years, and the city council shall appropriate and cause the contribution to be paid to the retirement system.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-413. Reserve Accounts~~Member reserve.~~**

Appropriate reserve accounts shall be maintained pursuant to the MERS Plan Document, which shall be credited with investment income and/or interest in accordance therewith.

- ~~(a) The member reserve is the fund in which contributions deducted from the compensation of members, or otherwise paid to the retirement system by a member or on the member's behalf, are accumulated, at regular interest, and which shall be charged with refunds and transfers of accumulated member contributions.~~
- ~~(b) The city shall cause the applicable member contributions to be deducted from the compensation of each member. The deducted member contributions shall be paid to the retirement system and shall be credited to the members' individual accounts.~~

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(c) ~~A member's accumulated contributions shall be transferred to the benefit reserve if a pension becomes payable on account of the member's retirement or death.~~

~~(Ord. No. C 747 2010, § 1, 6 21 10)~~

#### **~~Sec. 2 414. Benefit reserve.~~**

~~The benefit reserve is the fund which is charged with all pension payments and refunds of accumulated member contributions which have been transferred to this account. If a disability pension is terminated and the individual returns to city employment, the individual's pension reserve at that time shall be transferred from the benefit reserve to the member reserve and the general reserve in the same proportion as the pension reserve was originally transferred.~~

~~(Ord. No. C 747 2010, § 1, 6 21 10)~~

#### **~~Sec. 2 415. General reserve.~~**

~~The general reserve is the fund to which is credited city contributions, investment earnings, and any other contributions or earnings of the system the disposition of which is not specifically provided for. City contributions shall be determined by annual actuarial valuation using a generally recognized level percent of payroll actuarial cost method. Transfers from this reserve shall be made to the benefit reserve to cover the amount actuarially determined to cover retirement benefit payments. There shall be transferred from this reserve account all amounts required to credit regular interest to the other reserve accounts. If in any fiscal year the amount in the member reserve or the benefit reserve is insufficient to pay in full the amount due to members leaving the system or the amount due to retired members and beneficiaries, the city shall provide such insufficiency.~~

~~(Ord. No. C 747 2010, § 1, 6 21 10)~~

#### **~~Sec. 2 416. Assets not segregated.~~**

~~The descriptions of the reserve accounts shall be interpreted to refer to the account records of the retirement system and not to the segregation of monies or assets by reserve account.~~

~~(Ord. No. C 747 2010, § 1, 6 21 10)~~

#### **~~Sec. 2 417. Interest credited to reserve accounts.~~**

~~(a) The board of trustees shall each calendar year credit regular interest on the individual balances, as of the end of the previous calendar year, in the member reserve and the actuarial rate of interest shall be credited on the balance in the benefit reserve. The amounts of interest to be credited shall be charged to the general reserve.~~

~~(b) If the balance in the general reserve is insufficient to cover the amounts of interest charged to it, the city shall provide such insufficiency. The board of trustees shall determine the rate or rates of interest to be used for crediting of interest.~~

~~(Ord. No. C 747 2010, § 1, 6 21 10)~~

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**Sec. 2-4148. Assignments prohibited.**

The right of an individual to a pension, to a refund of accumulated member contributions, the pension itself, or any other right accrued or accruing to any individual, and the monies and assets of the retirement system, shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency law, or other process of law, except an eligible domestic relations order (EDRO), as specified in Public Act No. 46 of 1991 (MCL 38.179 et seq.), and shall be unassignable except as otherwise specifically provided herein. However, if a member is covered by a group insurance or prepayment plan participated in by the city, and should be permitted to, and elect to, continue such coverage as a retired member, may authorize the board of trustees to have deducted from his/her pension the payments required of him/her to continue coverage under such group insurance or prepayment plan; provided further that the city shall have the right to setoff for any claim arising from embezzlement by or fraud of a member, retired member or beneficiary.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-4159. Subrogation; right of setoff.**

- (a) If an individual becomes entitled to a pension or other benefit payable by the retirement system as a result of an accident or injury caused by the act of a third party, the city shall be subrogated to the rights of the individual against the third party to the extent of city financed benefits which the retirement system pays or becomes liable to pay.
- (b) The retirement system shall have the right of setoff to recover overpayments made by the retirement system and to satisfy any claim arising from embezzlement or fraud committed by a member, retired member, vested former member, beneficiary, or other individual having a claim to benefits.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-41620. Correction of errors.**

Should any change or error in the records of the city or the retirement system result in any person receiving from the system more or less than the individual would have been entitled to receive had the records been correct, the board of trustees shall correct such error and as far as is practicable shall adjust the payment of the benefit in such manner that the actuarial equivalent of the benefit to which such person was correctly entitled shall be paid.

(Ord. No. C-747-2010, § 1, 6-21-10)

**Sec. 2-41721. Internal Revenue Code qualification.**

The city intends the retirement system to be a qualified pension plan under Section 401 of the Internal Revenue Code, as amended, or successor provisions of law, and that the trust be an exempt organization under Section 501 of the Internal Revenue Code. The board of trustees may adopt such additional provisions to the retirement system as are necessary to fulfill this intent.

- (1) *Prohibition against reversion.* The pension plan and trust have been created for the exclusive benefit of the members and beneficiaries as set forth herein. The funds thereof have been established for the benefit of the members and for the operation of the pension system. No part of the principal and income of any of the funds of the plan and trust shall revert to or be returned to the city prior to the satisfaction of all liabilities hereunder to all members, beneficiaries and anyone claiming by or through them.

- 
- (2) *Termination or partial termination.* In the event of termination or partial termination of this plan, a member's interest under the plan as of such date is nonforfeitable to the extent funded in conformity with Section 411(d)(3) of the Code and Regulations Section 1.411(d)-2 and any other applicable Internal Revenue Code sections.
  - (3) *Merger, consolidation or transfer.* In conformity with Section 414(1) of the Internal Revenue Code, in the case of any transfer of assets or liabilities of this plan to any other plan, each plan participant would (if the plan then terminated) receive a benefit immediately after the transfer that is equal to or greater than the benefit the participant would have been entitled to receive immediately before the transfer (if the plan had then terminated).
  - (4) *Limitations of benefits.* Notwithstanding any other provisions of this division, benefits paid under the provisions of this division shall not exceed the limitations of Internal Revenue Code Section 415 that are applicable to governmental plans, the provisions of which are hereby incorporated by reference.
  - (5) *Required distributions.* Notwithstanding any provisions in this division to the contrary, the distribution of benefits shall begin not later than April 1 following:
    - a. The later of the calendar year in which the member attains age seventy and one-half (70½), or the calendar year in which the member retires; or
    - b. The member's death.

(Ord. No. C-747-2010, § 1, 6-21-10)

#### **Sec. 2-4~~18~~<sup>22</sup>. Fraud penalty.**

Whoever with intent to deceive shall make any statement or report under this division which is untrue, or shall falsify or permit to be falsified any record or records of the retirement system, or who shall otherwise violate the provisions of this division, or as it may from time to time be amended, with intent to deceive, shall be guilty of a misdemeanor.

(Ord. No. C-747-2010, § 1, 6-21-10)

#### **Sec. 2-4~~19~~<sup>23</sup>. Contractual nature of the pension plan.**

The accrued financial benefits of the retirement system shall be a contractual obligation of the city and shall not be diminished or impaired by the city. Terms of this division shall constitute the only basis in which each such contractual obligation shall arise and accrue, and no benefits shall arise and accrue to any member or retired member except those specifically provided for in this division, and in accordance with the terms thereof.

(Ord. No. C-747-2010, § 1, 6-21-10)

#### **Secs. 2-4~~20~~<sup>4</sup>—2-427. Reserved.**



<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: January 18, 2022</b>	<b>Item Number</b>  7C
<b>Submitted by: Kate Knight, DDA Director</b>		
<b><u>Agenda Topic:</u></b> Consideration to Adopt Resolution Approving the 2022 DDA Community Events Calendar, Temporary Liquor License Applications, Street Closures and Sidewalk		
<b><u>Proposed Motion:</u></b> Move to adopt resolution approving the 2022 DDA community events calendar, temporary liquor license applications, street closures, and designated sidewalk shopping dates as presented.		
<b><u>Background:</u></b>  The Farmington Downtown Development Authority, on behalf of the Downtown Farmington business community, is requesting that the City Council adopt a resolution approving the 2022 community events calendar, temporary liquor license applications, and street closures.  In addition, the DDA respectfully requests the Mayor and Council permission on behalf of all the businesses within the Farmington DDA district, to participate in Sidewalk Shopping on any event day during 2022.		
<b><u>Materials:</u></b> Draft Resolution 2022 DDA Community Events Calendar		

## 2022 Event Specifications

Event	Proposed 2022 Dates	Date details	Event Specs	Issues/Comments	Business or Community-Oriented	Ranking (Opportunity for Business Engagement)	Budget Impact
<b>Public Art Event</b>	February	Virtual Event	Month long event, or one day? Incorporate Syndicate	Event impacted by COVID-19 gathering restrictions	Community	5	PSD/Public Art Budget
<b>Ladies Night Out</b>	April 21, Nov 17	Last Thursday in April, 3 <sup>rd</sup> (typ 2 <sup>nd</sup> ) Thursday in Nov	Open House: 5-9pm	Business participation is high.	Business	1	PSD
<b>Art on the Grand</b>	June 4-5 (Sat. – Sun.) Set up starts June 3 Event impacted by potential COVID-19 conditions.	First weekend in June	Saturday: 10 am – 7 pm Sunday: 11 am – 5 pm	In partnership with City of Farmington Hills Cultural Arts. 2020 AoG was canceled in March (COVID-19) 2021 reduced program, back full strength 2022	Both, structured to be in scale with and beneficial to business and restaurants	3	Sponsor/revenue funded
<b>Rhythms in Riley Park</b>	June 10 - Aug. 26	13 concert dates	Fridays: 7pm – 9pm	Series experienced growth in 2021/canceled in 2020	Community	7	Sponsor funded
<b>Lunch Beats</b>	June 8– Aug 24	13 concert dates	Wednesdays: 12pm-1pm	Series attendance doubled from 2018 to 2019. Average attendance 100 each week. Need to extend reach to nearby office complexes.	Community, specifically bringing in employees who may not live in Farmington. Opportunity for 2021: drawing workforce from home offices	6	PSD/ Sponsor funded
<b>Grand Raven Festival</b>	Month of October	31 Days of Raven	Bonfires, ravencrows, films or other programming	New program in 2020 Strong repeat with public art and programming in 2021	Community	8	Sponsor
<b>Harvest Moon Celebration</b>	Sept. 15,16, 17 (Thurs. – Fri.) Set up starts Sept. 14	Third full weekend in Sept.	<u>Thursday: 6 pm-11pm</u> “Low-Key Social Night” <u>Friday: 6pm-11pm</u> Harvest Moon Dance Taste of Farmington <u>Saturday: 6pm-11pm</u> Harvest Party	Needs a strong HMC Committee and more volunteer support; three night formula worked!	Community, for the most part. The Taste on Friday night welcomes restaurant participation.	4	Sponsor and revenue funded

<b>Small Business Saturday</b>	November 26	Saturday after Thanksgiving	Open House, 10am-4pm	Business participation is good.	Business	2	PSD

**Considerations:**

1. Update sponsor packages in preparation for maximizing window of opportunity for sales
2. Support Staff for Events:

Public Art Event	Businesses/Knight/Westendorf
Art on the Grand	Knight/Westendorf
Rhythms in Riley Park	Concert Producer/Knight/Westendorf
Lunch Beats	Concert Producer/Knight/Westendorf
Harvest Moon Celebration	Volunteers/Knight/Westendorf
Fall Programming	Volunteers/Knight/Westendorf
Small Business Saturday	Volunteers/Businesses/Westendorf
Ladies Night Out	Volunteers/Businesses/Westendorf

## DRAFT RESOLUTION #

### A RESOLUTION OF THE FARMINGTON CITY COUNCIL APPROVING THE DOWNTOWN DEVELOPMENT AUTHORITY'S 2022 EVENT CALENDAR WHICH INCLUDES DATES, TIMES, LOCATIONS, AUTHORIZATION FOR ROAD CLOSURES, AND AUTHORIZATION TO APPLY FOR TEMPORARY LIQUOR LICENSES.

WHEREAS, the Farmington Downtown Development Authority (DDA) has approved a 2022 schedule of events which includes: Public Art Event, two Ladies Night Out, Art on the Grand, Lunch Beats, Rhythms in Riley Park, Harvest Moon Celebration, Grand Raven Festival, and Small Business Saturday.

WHEREAS, the DDA requests approval for the entire year to assist their efforts with planning, cross promoting, and sponsorship opportunities; and

WHEREAS, the proposed calendar of events will require authorization from the City Council to close roads for certain events and to authorize the DDA to apply for temporary liquor licenses.

NOW, THEREFORE BE IT RESOLVED that the Farmington City Council hereby approves the DDA's 2022 Calendar of Community Events with the following conditions:

1. Ladies Night Out
  - a. Days: Thursday April 21st, Thursday November 17<sup>th</sup>
2. Art On the Grand
  - a. Days: Saturday, June 4, 10am-7pm, and Sunday, June 5, 11am-5pm  
Location: Closure of Grand River (from Farmington Rd. to Grove St.) and Market Place from Grand River to alley to the south of 33171 Grand River Avenue (Tubby's)
  - b. Other: Hold the State of Michigan Department of Transportation harmless for liability, which may result in the closing of Grand River and authorize City departments to provide the service required for the Art on the Grand.
3. Lunch Beats
  - a. Days: Wednesdays, June 8-August 24, 12:00pm-1:00pm
  - b. Location: Pavilion Area and Riley Park
  - c. Other: Food truck option as permitted within DDA events, first right of refusal to downtown business
4. Rhythms in Riley Park
  - a. Days: Fridays, June 10 – August 26, hours 7-9pm
  - b. Location: Pavilion area and Riley Park
5. Harvest Moon Celebration
  - a. Days: Thursday, September 15, Friday, September 16, and Saturday, September 17 2022. Hours Each Night: 6pm-11pm.
  - b. Location: Pavilion/Riley Park area and the adjacent parking lot
  - c. Temporary Liquor License: Authorization for the DDA to apply for a temporary liquor license September 15, 16 17

6. Grand Raven Festival
  - a. Month of October
  - b. Location: Riley Park and DDA District
7. Small Business Saturday
  - a. Day: Saturday November 26th
8. Sidewalk Shopping
  - a. The Farmington DDA requests to implement downtown-wide Sidewalk Shopping on *any* event day during 2022.

**Farmington City Council  
Staff Report**

**Council Meeting  
Date:** 1-18-22

**Item  
Number  
7D**

**Submitted by:** City Manager

**Agenda Topic:** Resolution for Oakland County Parks and Recreation Grant Opportunity

**Proposed Motion:** Approve the attached resolution authorizing administration to submit for the Oakland County Parks and Recreation grant.

**Background:** The Capital Improvement Millage Fund 2021/22 budget contains an appropriation of \$28,300 for the replacement of the Shiawassee Park wooden playscape fence. Administration and the Design Committee have reviewed options for the fence and have identified an aluminum fence similar in material and design to the fencing used at Our Lady of Sorrows as the preferred type of fence. The cost of this fence, including the addition of a maintenance gate, is estimated to be \$60,000. Administration would like to pursue a grant through Oakland County Parks and Recreation to purchase this fence. The grant would cover 50% of the cost.

A resolution authorizing administration to submit for this grant is required. This resolution is being brought to you this evening but does not need to be approved until February 14<sup>th</sup> so it could wait until the February 7<sup>th</sup> meeting. Attached are pictures of the proposed type of fence from Our Lady of Sorrows and a bid document from a potential vendor. Chuck is trying to get an updated cost estimate. It should be noted that the purchase of the fence would not be approved at this meeting. The only approval requested is to be able to submit an application for the Oakland County Parks and Recreation Grant Program.

The turnaround time on this grant is extremely tight, as many grants seem to be. Details and application process for this grant were released in December.

**Materials:** Fence picture, resolution



Fence at Our Lady of Sorrows



**CITY OF FARMINGTON**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING PARTICIPATION IN THE  
PARK IMPROVEMENTS GRANT PROGRAM**

WHEREAS the City of Farmington desires to submit an application titled “Shiawassee Park Playscape Fence Replacement” to the Oakland County Parks and Recreation Park Improvements Grant Program for the replacement of the wooden playscape fence, including the addition of a maintenance access gate, in the amount of \$60,000; and

WHEREAS the proposed application is supported by the Community’s 2019 Recreation Master Plan and 2022-27 Capital Improvement Plan; and

WHEREAS the Grant Program requires a minimum local match of twenty-five percent (25%) of the requested grant; and

WHEREAS the Grant Program requires that the City of Farmington certify compliance with all Grant Program requirements, including commitment to long-term maintenance and all project cost overruns.

NOW THEREFORE BE IT RESOLVED that the City of Farmington hereby approves participation in the Park Improvements Grant Program and authorizes the submission of a Park Improvements Grant Program application for \$60,000.

BE IT FURTHER RESOLVED that the Grant Program application is supported by the City of Farmington’s 2019 Recreation Master Plan and 2022-27 Capital Improvement Plan.

BE IT FURTHER RESOLVED that the City of Farmington acknowledges and certifies compliance with all grant program requirements, including commitment to long-term maintenance and all project cost overruns.

BE IT FURTHER RESOLVED that the City of Farmington shall make a local match through financial commitment in cash, force account, federal or state funds, private funds, or donated labor/materials directly related to the project for \$30,000.

BE IT FURTHER RESOLVED that the City Manager will be authorized to sign all grant-related documents on behalf of the City of Farmington.

ROLL CALL

Ayes:

Nays:

Absent:

RESOLUTION DECLARED ADOPTED.

**CERTIFICATION**

I, Mary Mullison, duly authorized Clerk for the City of Farmington, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Farmington City Council at a regular meeting held on Monday, \_\_\_\_\_, in the City of Farmington, Oakland County, Michigan.

CITY OF FARMINGTON

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MARY MULLISON, CLERK



<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: January 18, 2022</b>	<b>Item Number 7E</b>
<b>Submitted by:</b> David Murphy, City Manager		
<b>Agenda Topic:</b> Consideration to Adopt Notice of Intent and Reimbursement Resolution for 2022 Capital Improvement Bonds to Finance the Farmington Road Streetscape		
<b>Proposed Motion:</b> Move to adopt Notice of Intent and Reimbursement Resolution for 2022 Capital Improvement Bonds to finance the Farmington Road Streetscape.		
<b>Background:</b> City Administration is recommending that the City Council adopt the attached resolution which provides notice of intent to issue Capital Improvement Bonds to fund the Farmington Road Streetscape. The resolution instructs the City Clerk to publish a notice, notifying electors of the City's intent to issue bonds and their referendum rights which run from the publication of the notice for 45 days. The 45-day period would conclude in early March 2022.  The proposed amount contained in the notice is \$3,000,000, which is conservatively high. The not-to-exceed amount is based on current estimates with an added contingency. Once the project is bid and costs are more certain, the amount can be reduced, but can't be increased. Also, before the bonds can be issued, Council would have to adopt another resolution authorizing the issuance of the bonds.  The bonds are intended to be repaid 50% from the City's Capital Improvement Millage Fund and 50% from DDA Capture.  Attached to this report is a letter from the City's Bond Attorney describing the process and the notice of intent resolution.		
<b>Materials:</b> Letter from Bond Attorney Notice of Intent Resolution		

Founded in 1852  
by Sidney Davy Miller



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January 11, 2022

Mr. Christopher M. Weber  
Director of Finance and Administration  
City of Farmington  
23600 Liberty Street  
Farmington MI 48332-9002

Re: City of Farmington Capital Improvement Bonds for Farmington Road Streetscape Project

Dear Chris:

As we discussed, I have enclosed a Notice of Intent Resolution for consideration for approval by the City Council at its meeting on January 18th. This Resolution authorizes the publication of a Notice of Intent relating to the City's Bonds to be issued to pay part of the cost to acquire and construct improvements to Farmington Road, including road, streetscape, sidewalk, island, lighting and landscaping improvements and all related appurtenances and attachments (the "Project").

The enclosed Notice of Intent Resolution indicates the City's intent to issue its limited tax full faith and credit Capital Improvement Bonds in an amount not to exceed \$3,000,000 to pay all or part of the cost of the Project. The Notice of Intent Resolution authorizes the City Clerk to publish a notice of intent to issue Bonds in the *Farmington Observer* indicating the City's intent to issue Bonds for the project in an amount not to exceed \$3,000,000.

The Resolution does not obligate the City to issue Bonds up to the full amount. The actual amount of the Bonds will be based on the construction cost available this spring after bids are received and can be decreased from the not to exceed amount, but could not be increased above that amount. It is also expected that the City will use grant funds and contributions from Oakland County to pay part of the cost of the Project, which will reduce the amount to be paid from the Bonds.

The Notice provides that the City will pledge its limited tax full faith and credit as security for the Bonds. The proceeds of the Bonds may be used to pay for the construction of the Project as well as reimburse the City for the engineering, design and other preliminary costs related to the Project. The Bonds will also be used to pay issuance costs related to the Bonds. The Bonds are secured by the City's limited tax full faith and credit pledge. It is expected that the DDA will pledge its tax increment revenues to pay half the cost of the Project over 15 years, and the other

Mr. Christopher M. Weber

-2-

January 11, 2022

half of the cost of the Project will be paid by the City from its capital projects millage over the next 7 years.

The Revised Municipal Finance Act requires the City to notify the electors of the City of its intent to issue the Bonds by publishing a notice which gives the voters a referendum right on the issuance of the Bonds. The Bonds can be issued without a vote of the City electors unless a petition is filed with the City Clerk within 45 days of publication of the notice signed by at least 10% of the registered electors of the City. The form of Notice of Intent is included in the Resolution on page 3. **The Notice of Intent must be published as a display advertisement at least one-quarter (1/4) page in size in a newspaper of general circulation in the City.**

Paragraph 4 of the Resolution contains language required by the Internal Revenue Code which authorizes the City to reimburse itself from Bond proceeds for certain costs relating to the project incurred prior to issuance of the Bonds. The language of the Resolution is taken from the IRS regulations and, not surprisingly, it therefore reads as tax jargon. This is intended to provide you with flexibility relating to the use of the Bond proceeds in the event the City incurs hard construction costs before the Bonds are actually issued.


If the Notice of Intent Resolution is approved by Council and the Notice of Intent is published shortly thereafter, the 45 day referendum period will expire in early March. After construction bids are received in March, the City Council would need to adopt a resolution to authorize the issuance of the Bonds and that resolution would determine the size of the Bond issue.

We would appreciate receiving three (3) certified copies of the Resolution upon its adoption as well as three (3) Affidavits of Publication from the newspaper in which the Notice of Intent is published. **Please remind the newspaper that the Notice must be a quarter page ad.**

If you have any questions, please do not hesitate to contact me.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By:   
Patrick F. McGow

**MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.**

Mr. Christopher M. Weber

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January 11, 2022

Enclosure

cc: David Murphy  
Kari Blanchett  
Tom Schultz  
Kate Knight

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**NOTICE OF INTENT RESOLUTION  
CAPITAL IMPROVEMENT BONDS**

**CITY OF FARMINGTON**  
County of Oakland, State of Michigan

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Minutes of a regular meeting of the City Council of the City of Farmington, County of Oakland, State of Michigan, held on the 18th day of January, 2022, at 7:00 o'clock p.m. prevailing Eastern Time.

PRESENT: Members \_\_\_\_\_

\_\_\_\_\_

ABSENT: Members \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, the City of Farmington, County of Oakland, State of Michigan (the "City"), intends to authorize the issuance and sale of one or more series of general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to pay part of the cost to acquire and construct improvements to Farmington Road, including road, streetscape, sidewalk, island, lighting and landscaping improvements and all related appurtenances and attachments (the "Project"); and

WHEREAS, the total amount of bonds to be issued to finance the acquisition and construction of the Project shall not exceed Three Million Dollars (\$3,000,000); and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the City intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Notice of Intent Authorized. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Farmington Observer*, a newspaper of general circulation in the City.

2. Form of Notice of Intent. The notice of intent shall be published as a **display advertisement not less than one-quarter (1/4) page in size** in substantially the form attached to this Resolution as Exhibit A.

3. Approval of Notice of Intent and Publication. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds, and the manner of publication directed, is adequate notice to the taxpayers and electors of the City, and is the method best calculated to give them notice of the City's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. Reimbursement Declaration. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) The City reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the City subsequent to sixty (60) days prior to today.

(b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$3,000,000.

(c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the Bonds to reimburse the City for a capital expenditure made pursuant to this resolution.

5. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

AYES: Members \_\_\_\_\_  
\_\_\_\_\_

NAYS: Members \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

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Mary J. Mullison  
City Clerk

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, State of Michigan, at a regular meeting held on January 18, 2022, and that the meeting was conducted and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of the meeting were kept and will be or have been made available as required by the Open Meetings Act.

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Mary J. Mullison  
City Clerk

## **EXHIBIT A**

### **NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF FARMINGTON OF INTENT TO ISSUE BONDS AND THE RIGHT OF REFERENDUM THEREON**

PLEASE TAKE NOTICE that the City Council of the City of Farmington, County of Oakland, intends to authorize the issuance and sale of general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in one or more series in a total principal amount of not to exceed Three Million Dollars (\$3,000,000), for the purpose of paying part of the cost to acquire and construct improvements to Farmington Road, including road, streetscape, sidewalk, island, lighting and landscaping improvements and all related appurtenances and attachments.

#### **BOND DETAILS**

The bonds will mature in annual installments not to exceed fifteen (15) in number, with interest rates to be determined at a public or negotiated sale but in no event to exceed the maximum permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

#### **SOURCE OF PAYMENT OF BONDS**

THE PRINCIPAL OF AND INTEREST ON SAID BONDS shall be payable from the general funds of the City lawfully available for such purposes including property taxes levied within applicable constitutional, statutory and charter tax rate limitations.

#### **RIGHT OF REFERENDUM**

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FOUR (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Mary J. Mullison  
Clerk, City of Farmington

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