



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

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## REGULAR MEETING AGENDA

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**
4. **APPROVAL OF ITEMS ON CONSENT AGENDA**
  - A. **City Council meeting minutes**
    - September 17, 2018 Special Meeting
    - September 17, 2018 Regular Meeting
    - October 1, 2018 Regular Meeting
  - B. **Accept minutes from City's boards and commissions**
  - C. **Farmington monthly payments report**
  - D. **Farmington Public Safety monthly report**
  - E. **Consideration to schedule program year 2018 Community Development Block Grant Application Public Hearing**
  - F. **Move to ratify request for Declaratory Ruling and filing of the Lead and Copper Concurrence Petition**
  - G. **Consideration to approve second amendment to City Manager's Employment Agreement**
5. **APPROVAL OF REGULAR AGENDA**
6. **UNFINISHED BUSINESS**
  - A. **Consideration to approve amendment to Tobacco Ordinance**
7. **NEW BUSINESS**
  - A. **Consideration to approve noise variance for Michigan Department of Transportation (MDOT) for resurfacing, bridge reconstruction and maintenance during the 2019 construction season**
  - B. **Resolution to approve Farmington Area Citizen Emergency Response Team (CERT)**
  - C. **Consideration to approve conceptual/preliminary PUD site plan and PUD agreement – Samurai Steak House**
  - D. **Consideration to approve change order no.2 and construction estimate no.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project**
  - E. **Consideration to ratify final payment of the emergency replacement of the Sodium Hypochlorite Injection System**

- F. Consideration to approve change order no. 6 and construction estimate no.3, for the Farmington DPW wall repair & roof replacement project**
- G. Consideration to renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County for 2018-19**
- H. Consideration to approve request for third extension for 47<sup>th</sup> District Courthouse purchase agreement**

**8. DEPARTMENT COMMENT**

**9. CITY COUNCIL COMMENTS**

**10. ADJOURNMENT**





**DRAFT**

## STUDY SESSION MINUTES

A special meeting of the Farmington City Council was held on September 17, 2018, 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 6:01 p.m. by Mayor Steve Schneemann.

### 1. ROLL CALL

Attendee Name	Title	Status	Arrived
Sara Bowman	Mayor Pro Tem	Present	
William Galvin	Councilmember	Present	
Joe LaRussa	Councilmember	Absent	6:02 p.m.
Steve Schneemann	Mayor	Present	
Maria Taylor	Councilmember	Present	

#### City Administration Present

Superintendent Eudy  
City Clerk Mullison  
City Manager Murphy  
City Attorney Saarela  
City Treasurer Weber

### 2. APPROVAL OF AGENDA

Move to approve the agenda as presented.

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

### 3. PUBLIC COMMENT

No public comment was heard.

### 4. PRESENTATION BY MATT PARKS, OHM REVISED STATE OF MICHIGAN LEAD & COPPER RULE

Matt Parks and Lindsey Kerkez from Orchard, Hiltz & McCliment, Inc. (OHM) presented information about the Lead and Copper Rule. Requirements, protocols, and required testing were discussed.

Bowman asked about funding for future testing and work. Superintendent Eudy explained that Farmington is already building a database about homes and inventory, and that funding will need to be looked at by 2025. City Attorney Saarela spoke to the legal ramifications that are being looked at with this issue. Parks advised being proactive rather than reactive in planning for this project.

Bowman also inquired about instances of testing that are already being done, and Superintendent Eudy explained what is happening.

Galvin emphasized that a property inventory and a plan for funding is a good thing to have for the City.

Schneemann requested that Superintendent Eudy bring a biennial report to Council on this issue.

## **5. DISCUSSION ON ROAD PROJECTS**

City Manager Murphy and City Treasurer Weber discussed items that will be on the regular agenda for Lilac Street and Chesley Street. Information on bids was referenced and the budgeting for the project was discussed. Treasurer Weber indicated that funds that were not spent last year could be used for this project. Parks indicated that the Chesley project bid came in as a reasonable amount and could be rolled in.

Discussion ensued about agenda items in the Regular meeting following, and what changes needed to be made.

## **6. OTHER BUSINESS**

Galvin inquired about the Shiawassee Streambank Stabilization project and asked for an overview. Parks described the inspections that occur every two years and the problem of scouring and why it occurs. He explained why streambank stabilization will benefit both the bridge and Shiawassee Park. LaRussa asked about whether this was budgeted. Eudy and Parks described why the budget was not accurate in an estimate for this project, citing the Department of Environmental Quality's provisions and the size of the boulders.

## **7. COUNCIL COMMENT**

Galvin thinks that having preliminary dialog about items being considered at the subsequent Regular meeting is extremely helpful.

## **9. ADJOURNMENT**

**Move to adjourn the meeting.**

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

The meeting adjourned at 6:51 p.m.

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Steve Schneemann, Mayor

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Mary J. Mullison, City Clerk

Approval Date:



**Regular City Council Meeting**  
**7:00 p.m., Monday, September 17, 2018**  
**City 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 September 17, 2018, 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:03 PM by Mayor Schneemann.

### **1. ROLL CALL**

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

#### **City Administration Present**

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

### **2. PLEDGE OF ALLEGIANCE**

### **3. PUBLIC COMMENT**

Doug Reynolds, 23634 Longacre Street, informed Council about current activities and information from the EPC (Emergency Preparedness Commission).

### **4. APPROVAL OF ITEMS ON CONSENT AGENDA**

- A. City Board & Commission Minutes**
- B. City Council Meeting Minutes**
  - Special – August 20, 2018**
  - Regular – August 20, 2018**
  - Regular – September 4, 2018**
- C. Farmington Monthly Payments Report**
- D. Farmington Public Safety Monthly Report**

Move to approve the consent agenda as presented.

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

**5. APPROVAL OF REGULAR AGENDA**

Move to approve the regular agenda as amended, removing Items 6H and 6I and moving all else up in a corresponding fashion, adding two items in New Business: Consideration to approve Goretzki to perform road maintenance work and amending the Fiscal Year Budget for said project.

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

**6. NEW BUSINESS**

**A. Consideration to amend the DDA 2018/19 fiscal-year budget**

Downtown Development Authority Director Kate Knight explained the requested amendment to the 2018/19 fiscal year budget for communications and staff. She highlighted how unspent funding fell back into fund balance for the current year. Unspent monies for communications will be reallocated towards professional services in Metromode, including community engagement and a pop-up newsroom. Knight also indicated that the employment of Lydia Macklin-Camel, current seasonal events coordinator, would be extended as an additional staffing resource.

Galvin clarified that the fund balance was coming from the DDA fund and not the City. Knight explained that the DDA has been planning for this change for quite some time.

LaRussa asked how this fell back into fund balance. Knight explained that glossy publications are not cost effective and that social media has been very effective for the DDA. She indicated that there is excitement about the content that they are creating and about Metromode, the vendor they are now using. This idea came to them from their Mainstreet Oakland County Technical Assistance visit.

Taylor asked about how long the contract with Issue Media Group would last. Knight indicated that they would be imbedding journalists with the DDA and that it was for an initial 120 days. This could be an annual partnership.

Bowman again pointed out that the fund balance indicated was the DDA fund and commended Knight about the great use the DDA is making of resources that are available.

**Move to adopt resolution to amend the Fiscal Year 2018-19 DDA Budget to increase total expenditures by \$57,600 for Communications and Staff. \*\***

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

**B. Consideration to ratify payment for installation of an Emergency Power Electrical Transfer Switch at the Nine Mile Booster Station**

Superintendent Eudy summarized the water booster station funding and the value of the installation of an emergency transfer switch.

**Move to ratify payment to Oakland County Treasurer for installation of a manual switching Emergency Power Electrical Transfer Switch at the Nine Mile Booster Station, in the amount of \$26,046.63.**

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

**C. Consideration to approve change order and construction estimate for the Farmington DPW wall repair & roof replacement project**

Superintendent Eudy described the need for change orders No. 4 and No. 5.

Bowman inquired about other walls at the 9 Mile DPW building and asked whether there are areas that might fail. Eudy said that several other walls have been inspected and addressed.

LaRussa inquired about Eudy’s reference to a Change Order No. 5, and Eudy asked that that be included in the motion.

Schneemann asked for definition on I-90 wind designation as specified for a part in the change order.

**Move to approve Change Order No. 4, Change Order No. 5, and Construction Estimate No. 2 in the amount of \$51,975.00 to R. Graham Construction, located at 30966 Grand River Avenue, Farmington MI 48336 for the Farmington DPW Wall Repair & Roof Replacement Project.**

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

**D. Consideration to accept bids and award project for 2018 Shiawassee Streambank Stabilization**

Superintendent Eudy described the necessity for streambank stabilization.

Galvin asked why the pricing differential in the bids was so substantial. Eudy felt that it was dependent on the availability or unavailability of contractors, not the quality of the work that would be completed. When asked about the disruption of traffic or park activities during the stabilization, Eudy stated that the work would not impede traffic and said that he had already set up a meeting with residents in the area.

LaRussa asked whether Eudy wanted to add the contingency amount to the budget that was recommended by OHM, and Eudy replied in the affirmative.

**Move to accept bids and to award the contract to Macomb Pipeline & Utilities Co. of Sterling Heights, MI. in the amount of \$154,090.00 for the 2018 Shiawassee Streambank Stabilization.**

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

**E. Consideration to amend Fiscal Year 2018/19 Budget for Shiawassee Streambank Stabilization Project**

City Treasurer Weber spoke about why a budget amendment is necessary.

LaRussa questioned the basis for the already budgeted item being lower than the actual cost. Eudy explained that the estimate was based on a similar project completed three years ago.

Schneemann asked whether this amendment included the contingency spending. Weber said that it was.

Discussion ensued about the contingency vs engineering costs and whether a change order would be needed in future.

Schneemann commented that he felt that a total amount of the amendment should be in the actual motion to the budget amendment. More discussion occurred about procedure for a future change order.

**Move to adopt resolution amending Fiscal Year 2018/19 Budget in the amount of \$80,000.**

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

**F. Consideration to approve payment for the Farmington Ground Storage Reservoir (Water Tank) Restoration Project**

Superintendent Eudy recapped the Reservoir Restoration Project and the budget allocated for it.

Galvin commented that under budget was good and asked what the benefit to citizens was for this project. Eudy enumerated all the reasons that it was necessary to do: it would extend the life of the water tank, it had been twenty years since it has last been serviced, and it tested our system while it was down during peak periods. Galvin mentioned that most residents do not even know we even have a water tank.

**Move to approve final payment to Oakland County Treasurer’s office in the amount of \$170,586.09 for the Farmington Ground Storage Reservoir Restoration Project conducted by Oakland County Water Resource Commission (OCWRC).**

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

**G. Consideration to adopt ordinance amending the Farmington City Code of Ordinances Section 31-60; Increase Fines for Repeat Parking Offenders**

Director Demers introduced the second reading to amend an ordinance increasing fines for repeat parking offenders. He noted that an adjustment had been made to include language about the increased fine not applying if a period of five years had elapsed between violations.

Bowman thanked Director Demers for including a five year window to the increased fines, and commented that five years was more than sufficient.

Taylor also appreciated the addition and stated that she believes this will help to change behavior.

Galvin reminded Council about the slow and methodical process the Parking Committee took in getting to this point.



Move to adopt an ordinance amending the Farmington City Code of Ordinances, Section 31, "Traffic and Motor Vehicles," Article II, "Motor Vehicles and Uniform Traffic Codes," Division 3, "Additional Regulations" to increase parking violation fees starting with the fourth violation. \*\*

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

**H. Consideration to accept bid and award the 2018 Farmington Roads Maintenance & Rehabilitation project**

Superintendent Eudy described the project and asked that the contingency amount be added to the motion. This project would include Flanders Street, Lilac Street, and Chesley Street.

Bowman asked if the added contingency would be the same with the inclusion of the Chesley project. Eudy answered that it would.

Galvin made reference to a quiz that Superintendent Eudy gave Council years ago that made a point that the DPW knows every crack in the City. He indicated that he believed Chesley Street needs to be addressed.

**Move to accept bids and award the 2018 Farmington Roads Maintenance & Rehabilitation project to Hartwell Cement Company of Oak Park, MI in the amount of: \$484,390.20 to include Chesley Road.**

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

**I. Consideration to amend Fiscal Year 2018/19 Budget for Chesley Street Road Project**

City Treasurer Weber explained the need for the budget amendment on the floor.

Galvin pointed out that this was coming from the Municipal and Local Street Funds.

Bowman and LaRussa questioned whether the contingency funds were included in the budget amendment.

**Move to adopt resolution amending Fiscal Year 2018/19 Budget. \*\***

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

**J. Consideration to accept bids and award the Lilac Street water main improvements**

Superintendent Eudy explained the need for Lilac Street Water Main Improvements.

LaRussa indicated that this would be a “two-fer” – water main and road improvement. He questioned Eudy’s explanation of timing, and was assured that adjustments would be made.

Galvin asked whether it was worthwhile to look at awarding this bid to a contractor that was just awarded an earlier bid. Parks indicated that he believed that Lawrence M. Clarke, Inc. would be a good contractor for the project and it might be questioned if the City went with another contractor. He suggested that it might be difficult to have one company trying to do two jobs at once.

**Move to accept bids and award the Lilac Street Water Main Improvements to Lawrence M. Clarke, Inc. of Belleville, MI in the amount of \$117,230.00, and include a \$25,000.00 contingency budget for a total construction budget of \$142,230.00.**

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

**K. Consideration to amend Fiscal Year 2018/19 Budget for Lilac Street Water Main Improvements**

Treasurer Weber explained the need for the amendment.

**Move to adopt resolution amending Fiscal Year 2018/19 Budget. \*\***

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

**L. Consideration to award Farmington Road and Grace Street Improvements**

Eudy described what Smithfield construction costs were and how Grace Street was chosen for improvements.

**Move to authorize Goretzki to perform road maintenance work on Farmington Road from Grand River to Oakland Street and maintenance on Grace Street on a contract unit price basis from the existing Smithfield Improvements contract.**

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

**M. Consideration to amend Fiscal Year 2018/19 Budget for Farmington Road and Grace Street**

Treasurer Weber explained the need for the amendment.

**Move to adopt resolution amending the Fiscal Year 2018/19 Budget for Farmington Road and Grace Street. \*\***

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

**7. DEPARTMENT COMMENT**

Superintendent Eudy reported that they have filled one of the vacancies at the Department of Public Works and mentioned that city custodian is back after an injury. He was positive about getting back to 100% staffing in the near future.

Director Demers cited crime statistics that were down 10% for major crimes. He reminded residents to lock their car doors, as there have been several recent instances of theft from unlocked vehicles.

Christiansen opened the floor for questions from Council. LaRussa asked for a Maxfield update and was told that the developer requested some additional time before it comes back to the Planning Commission. Bowman asked about the progress of the gas station at Nine Mile and Farmington and was informed that work is ongoing. She noted the Paramount Healthcare at Grand River and Lakeway had a for sale sign on it. Christensen said that a plan for a medical building on the site had expired. Galvin asked about the old courthouse property and was

reminded about where we are in the process of developing that property. Taylor asked about the Worldwide Center request to cut trees.

Clerk Mullison commented that the department transition was going well and that a new part-time administrative assistant had been hired and had already begun. She explained that November election preparation was well underway and that the Clerk’s Department would be providing an opportunity for voter registration during the September 29<sup>th</sup> Farmers Market at Riley Park. Galvin asked about acquiring an absentee ballot and LaRussa asked whether voter registrations for residents of other cities can be accepted at the Farmers Market. Mullison answered that all voter registrations submitted will be sent to the appropriate municipality for processing.

City Manager Murphy advised Council and residents about a public meeting with MDOT about construction on M5 that will provide a feedback opportunity for residents. Classes for employees about the Stop the Bleed program were recently held.

**8. CITY COUNCIL COMMENTS**

LaRussa discussed the amount of money in budget amendments this year so far and encouraged staff to be more accurate in their initial planning. He would like staff to let Council know how projects compare to where the city was for three months into prior years, get a forecast for this fiscal year so they can understand what they are getting themselves into, and he encouraged the administration to align our best practices as much as possible for a planning cycle.

Bowman discussed the vaping and e-cigarette ordinance amendment that was removed from the agenda for this meeting. She described what the ordinance amendment would do and why she felt it was important.

Taylor addressed the parking fine ordinance approved tonight, and compared the spaces freed up with private parking that is underused in Downtown Farmington. She would like to focus on getting our businesses to create a solution for utilizing private parking space for public use.

Galvin noted that this meeting was dominated with water and construction projects. He stated that this will be the theme for much of the next decade, and he spoke about the history of our infrastructure. He also mentioned the upcoming Harvest Moon Festival.

Schneemann welcomed Clerk Mullison to her first regular meeting and noted that she had hit the ground running.

**9. CLOSED SESSION – UNION NEGOTIATIONS AND EMPLOYEE EVALUATION**

**Move to enter closed session to discuss Union negotiations and employee evaluation.**

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

Council entered closed session at 8:31 p.m.

**Move to exit closed session.**

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

Council exited closed session at 10:29 p.m.

**10. ADJOURNMENT**

**Move to adjourn the meeting.**

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

Meeting adjourned at 10:29 p.m.

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Steve Schneemann, 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.



**Regular City Council Meeting**  
**7:00 p.m., Monday, October 1, 2018**  
**Conference Room**  
**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 October 1, 2018, at 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 Steve Schneemann.

### **1. Roll Call**

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

#### **City Administration Present**

Public Safety Director Demers  
City Clerk Mullison  
City Manager Murphy  
City Attorney Schultz

### **2. Approval of Agenda**

**Move to approve the regular meeting agenda.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Galvin, Councilmember
<b>SECONDER:</b>	LaRussa, Councilmember

### **3. Public Comment**

Mike Biddle, 21259 Larkspur, spoke in favor of the upcoming millage proposal.

#### 4. HVAC installment for Farmington Civic Theater

Scott Freeman, General Manager of the Farmington Civic Theater, presented a request to replace the third and final rooftop HVAC unit, which is presently 27 years old. Three bids were solicited and Selective Heating & Cooling was the recommended and lowest bid.

Galvin commended Freeman on his successful handling of the three year plan for a change out. Bowman inquired about the operating success of the two already installed HVAC units. Freeman remarked that they are all the same brand and will be able to be serviced all together. Schneemann mentioned meeting about the Metromode contract earlier in the day and indicated he had told Metromode reporters about the Civic being owned by the City and being self-sustaining and that a lot of that has to do with good management. He thanked Freeman on his able guidance of the theater.

**Move to approve the quote from Selective Heating & Cooling in the amount of \$11,795 to replace a portion of the theater's rooftop HVAC system.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	LaRussa, Councilmember
<b>SECONDER:</b>	Taylor, Councilmember
<b>ROLL CALL:</b>	Galvin, LaRussa, Schneemann, Taylor, Bowman

#### 5. Historical Commission annual report

Laura Myers, Chairperson of the Farmington Historical Commission, gave a synopsis of the report already given to Council. She indicated she would have a report to Council by the beginning of next year on a reconnaissance-level survey that Oakland County did. The Commission has three new commissioners, has a program to subsidize house plaques for residents, and will be meeting with new Ordinance Officer Jeff Bowdell soon. There have been nine building requests that have come up and a demolition was approved.

Bowman inquired about the lack of meetings lately and wondered if a change in venue or day might help more members to make meetings. Myers cited the need to change bylaws to adjust meetings and that commissioners have been having personal difficulties lately. LaRussa asked who was recording secretary and indicated that commission minutes need to have motions, especially any action to do with spending. He also wanted to know if the Commission had made any forward-thinking plans. Myers indicated that they were just trying to get up to speed with the home survey. Taylor asked how Council could support the Historical Commission in their endeavors. Myers responded by commenting on State of Michigan homeowner tax credits even though Farmington is a non-conforming district. She requested support of nearby cities who do conform to state statute. Murphy recalled that a letter of support had already been created and sent out. Galvin thanked Myers for her report. Schneemann also thanked Myers for personally doing much of the work the commission does.

**6. Approve Amendment to Traffic Control Order to Permit Parking on the East Side of Gill Road.**

City Manager Murphy introduced a return to the topic of changing a Traffic Control Order to allow parking on the east side of Gill Road. Director Demers discussed the distributed reports and statistics and stated that he had been working with the administration of Longacre to be sure they had no concerns about this change. He stated that he does not anticipate this to cause congestion and cited a possible traffic calming effect. Demers also reported that the Farmington Public Schools Transportation Department sees no negatives to this change.

Bowman thanked Demers for addressing Council's previous concerns. She reminded Council that the sidewalk is only on the east side of Gill and it might make people safer to exit vehicles on a sidewalk. She supports the proposed change.

Schneemann also thanked Demers for doing extra homework to answer Council's concerns. He suggested the change might slow traffic and that residents appreciate additional parking. He asked about the fact that the Longacre principal mentioned a six month trial. He suggested that Council consider a limited time trial and just take signs off poles. With no issues after six months and revisiting the topic with Council, take out the poles.

Discussion ensued about amending the proposed motion to include a six month trial period.

**Move to approve Amendment to Chapter 5 Section 10(a) of the Traffic Control Order to allow parking on the east side of Gill Road between Earl Court and Freedom Road and ask that Public Safety update Council on status in six months. \*\***

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

**7. Other Business**

No other business was heard.

**8. Council Comment**

LaRussa thanked Director Demers for help with having a mobile unit on Flanders Street. He also alerted Schneemann and Murphy about the Joint Municipal Broadband Taskforce of Farmington/Farmington Hills on which he serves. He requested that time be set aside at a Study Session meeting before December to hear a report from the Taskforce.

Bowman thanked Demers and the Public Safety Department for their top notch handling of the recent drive by incident on Wesley Street. She stated that Public Safety's concern and professionalism was impressive, and she appreciates the time taken with citizens at the recent town hall on the subject.



Taylor echoed Bowman's thanks and also commended Farmington Voice's coverage and timely communication.

Schneemann stated that he was proud of our department and their sensitivity to the community.

## 9. Adjournment

Move to adjourn the meeting.

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

The meeting adjourned at 7:37 p.m.

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Steve Schneemann, 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.

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: October 15, 2018</b>	<b>Item Number 4B</b>
<b>Submitted by: Melissa Andrade</b>		
<b><u>Agenda Topic:</u> Accept Minutes from City's Boards and Commissions</b>		
<p>CIA: September meeting was canceled DDA: September 2018 Historical: September meeting was canceled Parking: August 2018 Planning: September 2018 ZBA: October meeting was canceled Library: August 2018 Farmington/Farmington Hills Arts Commission: no summer meetings, resumed in Sept. Commission on Children, Youth and Families: September 2018 Emergency Preparedness Committee: September 2018</p>		



**FARMINGTON DOWNTOWN DEVELOPMENT AUTHORITY**  
**Meeting Minutes**  
**Thursday, September 6, 2018**  
**Farmington City Hall**

The September 6, 2018 meeting was called to order by Todd Craft at 6:04 p.m.

**1. ROLL CALL**

**PRESENT:** Stephanie Clement, Todd Craft, Rachel Gallagher (arrived late at 7:20 p.m.), Kathy Griswold (left early at 8:44 p.m.), Sean Murphy, Tom Pascaris, Steve Schneemann, and Micki Skrzycki

**ABSENT:** Tom Buck

**OTHERS PRESENT:** Kate Knight, DDA Executive Director  
Lydia Macklin-Camel, DDA staff  
David Murphy, City Manager  
Chris Halas, Design Committee

**2. APPROVAL OF ITEMS ON CONSENT AGENDA**

**Motion by** Murphy, seconded by Pascaris to approve the following items on the consent agenda:

- a. Minutes: August 1, 2018 Meeting
- b. Minutes: August 6, 2018 Special Meeting

**Motion carried 7-0-2.**

**3. APPROVAL OF REGULAR AGENDA**

**Motion by** Griswold, seconded by Skrzycki to approve the September 6, 2018 agenda as presented.

**Motion carried 7-0-2.**

**4. PUBLIC COMMENT**

Call to the Public at 6:05 p.m.

None.

Call to the Public closed at 6:05 p.m.

**5. FINANCIAL SNAPSHOT**

Knight explained that the budget projections had shown that the DDA was going to go \$50,000 into the fund balance with current project spending but in fact, broke

even. The current Financial Snapshot shows that TIF was favorable and about \$9,500 more than anticipated, while the PSD captured \$7,000 more than anticipated.

## **6. EXECUTIVE DIRECTOR UPDATE**

### **Design**

The Design Committee met on August 28 and will now host a standing meeting moving forward on the fourth Thursday of each month at 7:30 a.m. in the Conference Room at Farmington City Hall. At this meeting, the committee welcomed new volunteer Claire Perko, landscape architect and urban designer, to the group. The Committee reviewed design drawings for the Oakland Street project and site plans for Samurai. Beginning September 27, the Design Committee will meet every fourth Thursday of the month, 7:30am. The pending list of projects includes sign incentives, pedestrian crosswalk upgrades, Riley Park lighting, and streetscape amendments to facilitate new business use.

Maintenance guideline and baseline assessment from Grissim Metz Associates (GMA) is almost complete. DDA and DPW are working to identify public/private boundaries for maintenance. GMA has already estimated budget for regular maintenance, including plant material replacement. The Design Committee will prioritize the list to make a recommendation to the Board in October.

### **Public Art**

The Public Art Committee has received ZBA approval for the mural and the Flagstar grant to supplement funding the production of the piece. The committee is now waiting on building owner approval from CVS.

### **Economic Development + Communications**

DDA staff has toured real estate offered by Farmington Holding Company with three parties this month. Photographer Dave Lewinski has visited Downtown Farmington twice in the last month, first to capture our Friday night street vitality on patios and in Riley Park. Last week, he focused on merchant photos and his next visit will center on merchant products: shoes to sandwiches. This content will be used for our website development and as stock for marketing everything from print to social media. Once all pictures are taken and edited, they will be shared with Revize and the DDA can kick off its website redesign.

Oakland County Economic Development has already pulled from this preliminary inventory for their new tourism site featuring select Main Street downtowns. Main Street managers, MSOC, Metromode, Skidmore Studios, and LocalHop are developing a platform and editorial (including photo) content for this new website, linking each individual downtown identity for access by residents, visitors and investors.

### **Events**

Harvest Moon logistics are running smoothly to date. We've just implemented online ticket sales through Local Hop. The link is available on [downtownfarmington.org](http://downtownfarmington.org), as well as through Facebook. This year's event, September 20-22, features Thursday night food trucks and Friday night Taste of Farmington, with six downtown merchants bringing their best eats to the event. There are still opportunities to volunteer at [downtownfarmington.org](http://downtownfarmington.org). We look forward to seeing you there.

**Motion by** Schneemann, seconded by Skrzycki to move item (7) after item (11) and become item (11a).

**Motion carried 7-0-2.**

**Motion by** Schneemann, seconded by Skrzycki to move item (8) after item (11) and become item (11b).

**Motion carried 7-0-2.**

**9. Consideration of Budget Amendment for Project Coordination and Staffing**

Knight explained that between the 2018 event season and 2019 event season there are project opportunities with additional staff, the DDA could take on. Lydia Macklin-Camel is currently the Events Coordinator but could refocus her efforts in the off-season.

**Motion by** Skrzycki, Seconded by Pascaris, Resolved, to approve amending the FY 2018-19 budget to add \$9,600 to 248-000.00-714.000 Salaries, Part-Time/Temp, to extend the employment of Lydia Macklin-Camel as a DDA project coordinator.

**Motion carried 7-0-2.**

**10. Dissolution of Intergovernmental Agreement between the DDA and City of Farmington for Executive Director Services**

**Motion by** Pascaris, Seconded by Skrzycki, Resolved, to approve dissolving of Intergovernmental Agreement between the DDA and City of Farmington for Executive Director Services, effective July 1, 2018.

**Motion carried 7-0-2.**

**11. Executive Director Contract**

The Board was tasked with reviewing the Executive Director contract and benefits package at the August Meeting. The contract presented borrows the City's contract language for non-union employees including pay-grade and scaling. The City Attorney drafted the contract specifically for Kate Knight. The Board members discussed the contract and decided to amend the motion language presented.

**Motion by** Griswold, Seconded by Skrzycki, Resolved, to approve the DDA contract for Kate Knight as Executive Director, and to continue the same pay and benefits as currently offered through City of Farmington employee structure, at a rate of \$65,735.

**Motion carried 8-0-1.**

**11a. Presentation by Volunteer Chris Halas and Brian Boyle of Issue Media**

Halas and Boyle presented a communication and branding plan for Downtown Farmington with a focus on “building the Farmington narrative” and developing the community’s brand through storytelling and community engagement. Halas explained that the DDA’s current media channels are not reaching our entire audience and the content isn’t always compelling. Halas described the plan as “online placemaking” and an opportunity for the DDA to take control of its own narrative. The DDA would have to make an initial investment to work with Issue Media Group to develop compelling stories and begin the downtown branding process.

The Board discussed the opportunity making note that if the DDA were to enter into the process now in order to promote Harvest Moon, the partnership with Issue Media would continue until January of 2019. Boyle advised the DDA that they will not have editorial control, however, Issue Media creates stories that are shaped by the community and its members and can recruit coalition sponsors in order to financially sustain the project beyond January 2019.

**Motion by** Gallagher, Seconded by Schneemann, to authorize the Executive Director to enter into a contract negotiations and agreement with Issue Media Group.

**Motion carried 7-0-2.**

**11b. Consideration of Budget Amendment for Communications**

Knight explained that in order to move forward with the Issue Media Group partnership, the DDA will need to use money from their fund balance.

**Motion by** Pascaris, Seconded by Schneemann, Resolved, to approve amending the FY 2018/19 Budget to allocate funding, not to exceed \$48,000, to community promotions, for professional services.

**Motion carried 7-0-2.**

**12. OTHER BUSINESS**

None.

**13. BOARD COMMENT**

None.

**14. ADJOURNMENT**

**Motion by** Schneemann, seconded by Gallagher to adjourn at 9:06 p.m.

**Motion carried 7-0-2.**

Respectfully Submitted,

Lydia Macklin-Camel  
Staff, Farmington DDA

The next regular meeting will be held at 6:00 p.m. on Wednesday, October 3, 2018, in the conference room at Farmington City Hall.

**Meeting notes: Farmington Parking Advisory Committee meeting**

**Aug 15, 2018**

Attendees

Rachel Gallagher <rachelegallagher@aol.com>,

Kenneth Crutcher <crutcherk@crutcherstudio.com>,

David Murphy <DMurphy@farmgov.com>,

Frank Demers <FDemers@farmgov.com>,

Chris Halas <ch.halas@gmail.com>,

Joe Mantey <cheeseladyfarmington@gmail.com>

Agenda

1. Roll call

2. Approval of the agenda - Rachael Gallagher requested switching agenda item 11 (Committee Comments) with agenda item 4 (Public Comment). All agreed. Rachael Gallagher then proceeded to make a number of comments directed toward the parking committee. Her grievances included that the DDA (Downtown Development Authority) invested \$75,000 in fees to vendors for parking data. She did not explain the specifics of the data, only that the data had not been acted on. She complained that there was too much turnover among committee members and that there were miscommunications. Instead of engaging in dialogue with other committee members, she stated that the meetings were a waste of time and left.

With the departure of Rachel Gallagher, the remaining quorum of Kenneth Crutcher, Joe Mantey and Chris Halas proceeded with a productive meeting.

3. Approval of the July 2018 Parking Advisory Committee Minutes - Approved

4. Committee Comments:

K Crutcher suggested F Demers and D Murphy aggregate a list of recent parking committee accomplishments and city council presentations. D Murphy and F Demers agreed to follow through. Specifically with items from the Walker parking study have, in fact, been acted on.

5. Update on Passport, Inc.

C Halas provided an update on his conversation with Passport, Inc. The representative from Passport Inc expressed interest in presenting capabilities to Farmington during our October parking committee meeting.



K Crutcher suggested providing data from the Walker Parking Study to Passport prior to the meeting so that they could help provide an informed presentation to Farmington.

J Mantey suggested asking if Passport works with communities of 50,000 people.

D Murphy suggested that we solicit input from property owners and the DDA to help further tailor the Passport presentation to Farmington. He also suggested that this might be a good opportunity for the DDA and the Parking Committee to jointly attend the Passport Inc presentation.

6. Discuss Data Driven Parking Solutions in Warner, School, Thomas Street Area:

D. Murphy informed the parking committee that a report will be provided to the parking committee in advance of the September Parking Committee meeting.

7. Discussion to determine economic value of a parking space in Downtown:

This item postponed until September meeting.

8. Discuss best practice for public/private partnership:

D Murphy provided an update on his dialog with Chase Bank and the CVS lot.

J Mantey suggested that we also consult with Passport Inc regarding this topic.

9. Public Safety Update

J Demers provided a report. Of the 19 citations, 11 were repeat offenders. Parking lot counts remain consistent

10. Future Items For Discussion - Future items were discussed within the context of next steps for existing items, i.e., preparation for Passport, Inc visit, review of Warner, School and Thomas Street parking study, etc.

11. Public Comment - None.

However this time was used for additional committee comments. Specifically for preparation to present increased parking fine resolution to Farmington City Council. J Mantey to work with F Demers and D Murphy regarding a possible mailing/update letter to current scufflaws to apprise them of the fine increase. F Demers also will investigate the possibility of giving all prior offenders a "fresh start" or "clean slate" prior to enacting new fine schedule.

12. Adjourn

FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Chambers, 23600 Liberty Street  
Farmington, Michigan  
September 10, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, September 10, 2018.

**ROLL CALL**

Present: Chiara, Crutcher, Gronbach, Kmetzo, Majoros, Perrot  
Absent: Waun

A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Recording Secretary Murphy

**APPROVAL OF AGENDA**

MOTION by Chiara, seconded by Majoros, to approve the Agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. August 13, 2018 Minutes**

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

**REQUEST TO SCHEDULE PUBLIC HEARING FOR SPECIAL LAND USE AND SITE PLAN REVIEW FOR PROPOSED OUTLOT BUILDING – WORLD WIDE CENTER, LLC, 34701-34801 GRAND RIVER AVENUE**

Chairperson Crutcher introduced this agenda item and turned it over to staff.

Director Christiansen stated the Applicant of this request has submitted a Special Land Use Application and plans to construct a 1,700 square foot one-story outlot building with a drive-thru on the east end of the existing parking lot of the World Wide Center located at 34701-34801 Grand River Avenue. The Applicant appeared before the Planning Commission at the June 11, 2018 meeting with the preliminary site plan that was proposed at that time and the minutes of that meeting are attached. It was an informational meeting, kind of a work session item, it was a preliminary plan and it was being presented to indicate what was of interest and intended by the owner of World Wide Center.

The proposed project would result in a reduction of the center's existing parking spaces by an additional 37 spaces as well as a reduction as proposed to the number of stacking spaces that are required from ten to seven.

Those variances were approved by the Zoning Board of Appeals as requested at their July 11, 2018 meeting and a copy of the minutes from that Zoning Board meeting are attached as well.

The existing commercial property is zoned C-2, General Commercial, drive-thru establishments are a Special Land Use in the C-2 General Commercial District. A Public Hearing and site plan review and approval are required for the drive-thru with the proposed 1,700 square foot addition in accordance with the City of Farmington's zoning requirements for drive-thru's in the C-2 Commercial District.

The purpose of this item this evening is to schedule the required Public Hearing for the proposed 1,700 square foot addition with the drive-thru at World Wide Center for the October 8<sup>th</sup>, 2018 Planning Commission meeting.

Crutcher clarified action needed by the Planning Commission.

Christiansen responded the action is to schedule a Public Hearing on this item for the October 8, 2018 Planning Commission meeting.

MOTION by Chiara, seconded by Perrot, to schedule the Public Hearing for special land use and site plan review for proposed outlot building – World Wide Center, LLC, 34701-34801 Grand River Avenue for the October 8, 2018 Planning Commission Meeting.  
Motion carried, all ayes.

### **SITE PLAN REVIEW FOR REAR RESIDENTIAL BUILDING ADDITION – PAUL BUCHANAN, 33315 SHIAWASSEE ROAD**

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

Director Christiansen stated this is a site plan review, consideration to approve a rear building addition at 33315 Shiawassee Road. Article 13 of the Zoning Ordinance, site plan review Section 35-162, uses subject to review, specifies uses subject to site plan review and approval, construction, renovation and expansion of buildings and structures within the City of Farmington Historic District are subject to site plan review by the Planning Commission. The Zoning Ordinance further states that prior to the submittal of a site plan to the Planning Commission, a site plan shall be submitted to the City's Historical Commission for their review and comment.

The City received an application from Paul Buchanan of 33315 Shiawassee Road to construct a 128.63 square foot addition to the rear of their existing two-story single family residence located in the City of Farmington's Historic District. The proposed addition is a screened-in porch to be built on the rear of the existing home. The existing porch and steps will be removed and then will be replaced with the addition as proposed and the desired location of the addition is shown on the information submitted by the Applicant.

The Historical Commission reviewed the plans and approved the proposed project at a previous meeting. The responsibility of the Planning Commission is to review the site plan for the proposed addition. The Building Department has reviewed the dimensional aspects of the plan and has indicated that it meets the requirements of the City of Farmington's Zoning Board.

He stated that there is an overview, an aerial photograph that was attached with the packet showing the subject property, 33315 Shiawassee Road. The application is also attached. And the addition as proposed is also in the materials that have been provided.

The Applicant is here this evening in order to present his request and answer any questions that you may have.

Chairperson Crutcher called the Applicant to the podium.

Paul Buchanan, 33315 Shiawassee, came to the podium.

He indicated that he agrees with everything Mr. Christiansen said, they've applied for a permit, they went before the Historical Commission who approved their project, and now they are here before the Planning Commission asking for their approval so they can put this addition on the back of the house.

Chairperson Crutcher confirmed that it is going on the back of the house and Buchanan replied in the affirmative. He then asked where the site plan is, and Christiansen replied that if you look in the sectional site plan that he put on the screen, he pointed out the existing porch up in the right hand corner, the demolition plan, remove the existing trellis.

Buchanan stated the trellis has already been removed.

Christiansen then put the floor plan and partial site plan, and the new addition as proposed on the graphics, the foundation plan, electrical plan, footings, roof plan, framing for the floor and roof as well. He put the front, left and right elevations on the screen and then put the finished porch addition graphic on the screen, foundation, decorative stone, framing, the screen and the gable roof.

Crutcher asked for the aerial photo of the site to be put back on the screen and stated that is what he was looking for to see where the porch will be in relation to the house and Buchanan stated that it will follow the current roof line.

Crutcher then asked if all setback requirements were met and Christiansen responded in the affirmative. He then opened the floor to questions from the Commissioners.

MOTION by Majoros, supported by Gronbach, to approve the site plan review for the rear residential building addition from Paul Buchanan as presented, at 33315 Shiawassee Road.

Motion carried, all ayes

### **PUBLIC COMMENT**

None heard

### **PLANNING COMMISSION COMMENTS**

Majoros asked his fellow Commissioners if they had all received a letter from the Farmington Residents for Responsible Development dated September 6, 2018 and Crutcher stated he did not. He distributed copies of the letter to Crutcher and Christiansen and Recording Secretary Murphy and asked Christiansen to pass it on to City Administration. He stated it is in regard to the redevelopment of the Maxfield Training Center and reiterates a lot of the public comments heard at the Public Hearings held regarding the property and would like it recognized accordingly.

Further discussion was held on the letter and the issue of the Maxfield Training Center and information the Planning Commission would like to know before it is on a future meeting agenda.

Christiansen thanked Majoros for the copy of the letter, the City had not received it and he has not seen it until just now, and stated he will share it with City Management and Administration. He indicated the developer had asked for the item to be removed from tonight's agenda to further address some issues.

Majoros indicated that he would like to be proactive on this item to enable the Commissioners to be able to address questions and concerns brought up by the residents as well as the legal responsibilities of the Planning Commission and that he would also like to see a parallel plan from the developer.

Chiara indicated that he was in agreement with Majoros' requests.

Christiansen stated that conversation had been held on several occasions about the requirements of the PUD and the issue of a parallel plan has come up previously and that the developer has the responsibility to follow the City's processes, but they also have the options available to them to make choices with respect to the plan and what it contains and flexibility within it. It has been discussed that if the developer decides to move forward with the plans and not provide a parallel plan, request a waiver of that, that is up to them but that would have to be a part of the PUD Agreement and the PUD Agreement is up for review and approval by the City Council and it would have to be part of the PUD Agreement and approved by Council and it would also have to be something that would be in a motion that would support any plan proposed by the Planning Commission and none of that has been done to date. He stated he appreciated the Commissioners' comments and will make note of them and also thanked him for providing the letter.

Christiansen then stated he had one more issue to address and indicated that Matt Parks from OHM Advisors is in attendance at tonight's meeting and Christiansen stated they are ready to kick off the City of Farmington Master Plan Update 2018. He stated there was a lot of dialogue, the proposals were received and reviewed by the Master Plan Review Committee, and that was forwarded to City Council, the City Council approved the proposal as submitted by OHM Advisors, and there have been several meetings putting together a schedule in accordance with the proposal that was submitted and approved by the City and are ready to kick off the City of Farmington Master Plan Update 2018. One of the things that's being done as part of the process is that a steering committee has been put together consisting of stakeholders in the community, residents and business owners, and it's primarily those that don't serve currently on boards or commissions or committees, getting some new eyes, getting people who have expressed an interest in serving and now have an opportunity through this committee. So, the steering committee which was stewarded by City Management, City Administration, with input from the City Council, as well from the Mayor, is going to be moving forward with their first meeting. The originally had their first meeting scheduled for tomorrow, right now they have four meetings scheduled over the eight, nine month period, could be more if necessary, however, there is a conflict with tomorrow as it is Patriots Day and in the City of Farmington, there is a very special ceremony and recognition of patriots annually as has been done for the past sixteen years. So, the Steering Committee meeting was postponed and may be set up for the following Tuesday.

He stated he wanted to make the Commission aware that from the Steering Committee, their work moves on as we work together with the Planning Commission, so we're all going to be engaged in this and it's going to eventually be a tool and update of the existing Master Plan that represents the City as a whole with guidance from anyone interested because it's a public document anyone who is interested is encouraged to attend and be

part of the process with the Steering Committee, Planning Commission and the City Council.

Chiara reminded Christiansen that the first Tuesday of November is voting day and Christiansen stated they will be mindful of that as that is a very important election and that there is a lot of information on that for the citizens and residents and he hopes they take the time to understand the issues on the ballot because it's probably one of the most important elections based upon what's on the ballot which includes a request for a millage increase for the City of Farmington.

### **ADJOURNMENT**

MOTION by Majoros, supported by Chiara, to adjourn the meeting.  
Motion carried, all ayes.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

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Secretary



**Farmington Community Library Board of Trustees**  
**Regular Board Meeting - 7:00 p.m. – Ernest E. Sauter Board Room**  
**32737 West Twelve Mile Road, Farmington Hills, MI 48334**  
**August 9, 2018**  
**Approved September 13, 2018**

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Board Members Present: Hahn, Huyck, Largent, Montgomery, White  
Board Members Absent: Brucki, Rae-O'Donnell, Zervos  
Staff Members Present: Miller, Serresseque, Siegrist, Streit, Yunker  
Staff Members Absent: None  
Speakers: Jillian Baker, Laura Scott, Jennifer Willard  
Guest: Denise Gundle-White

**CALL TO ORDER**

The Board Meeting was called to order at 7:00 p.m. by Board President, J. White.

**APPROVAL OF AGENDA**

**MOTION** by B. Largent to approve the Agenda for August 9, 2018, was supported by P. Huyck.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**PUBLIC COMMENT**

No Public Comment.

**APPROVAL OF MINUTES**

**MOTION** by J. Montgomery to approve the Minutes of the July 12, 2018 Board Meeting was supported by P. Huyck.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

**OPERATING BILLS**

**MOTION** by J. Montgomery to approve expenditures for check numbers 25210 through check number 25279 totaling \$417,446.35 of expenses was supported by B. Hahn.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

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## **FINANCIAL REPORT**

**MOTION** by B. Largent to receive and file the Preliminary Monthly Revenue and Expense Report for June 2018 was supported by J. Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board packet includes the report of the top vendors paid during the Fiscal Year 2017 – 2018 as requested by M. Brucki and prepared by G. Yunker, Accounting Manager.

## **CORRESPONDENCE**

E. Streit shared an invitation to The Sikh Foundation Heritage Banquet to be held on Friday, September 14, 2018.

## **FROM THE DIRECTOR**

### Staff Programs/Events

- Five staff members attended a Disney Seminar for a presentation of Disney's Approach to Quality Service. Disney's key Quality Standards, which can be applied to the Library, will be presented during Staff Day.
- The Summer Reading Club concluded with an outdoor party at the Costick Center. There were 1,100 children and parents/caregivers in attendance who enjoyed the festivities.
- Young Adult Librarian, Jennifer Willard, discussed the goal of Attracting a Younger Demographic, Ages 13 – 30, included in the Strategic Plan. Her beginning focus on the younger age group has proven successful 3 ½ years later as she sees that group return as tweens. She is focusing on the tweens to maintain the momentum of older age groups attending programs at the Library.
- Alan Naldrell will visit the Library on August 13 to present his book "Michigan's C. Harold Wills – The Genius Behind the Model T and Wills Sainte Claire Automobile".
- Forty Library staff braved the rainy weather and walked in the Founders Festival Parade.
- Upon receipt of a grant and in collaboration with the Library of Michigan, Children's Librarian, Maria Showich-Gallup, has placed a braille-enhanced StoryWalk on the Farmington Branch grounds. StoryWalk is a way to share outdoor reading by placing laminated pages from children's books on a wooden stake and installing them along an outdoor path. With the approval of the City of Farmington, StoryWalks could be placed throughout the city.

### Community Partnerships

- September is Library Card Sign-up Month. Soon, the FCL will offer a variety of designs on the Library card as a part of the marketing strategy. The FCL will ask The Civic Theater to include an ad promoting Library card sign-up during the rotation of advertisements prior to the movie.

### Penal Fines/State Aid Revenue

- The Library received checks for penal fines from Oakland County, the final portion of State Aid, and a dividend check from the Michigan Municipal League, who is the Library's insurer.

### Litigation

- The Library is being represented by Thomas Fleury of Keller Thoma during the current litigation of a former employee. A second litigation may require staff testimony during the proceedings involving a patron who caused damage to Library property.

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## Staff Changes

- The Library has recently announced the promotion of Sharon Lu, Technology Page, to Assistant Technology Specialist.
- Nancy Prieskorn, Para-Professional in the Children’s Department, is retiring after ten years at the Library.
- Ed Pank, Technology Page, has resigned to accept a full time job in Royal Oak.

## Strategic Planning

- J. Willard, YA Librarian, shared the strategy of attracting tweens and younger children to join Summer Reading and to attend programs geared to their age group. Marketing strategy includes social media and flyers. Programs are sponsored by the Friends of the Library.
- The Teen Advisory Board invited the Board to Career Prep Night. Thirty teens have signed up and their Board is searching for representatives in businesses to speak with interested teens.
- Jillian Baker, Head of Adult Services, explained the strategy of attracting the age group of 18 - 30. She will work with librarians to create program and collection ideas. The message to this age group is that the Library has resources and services and is a place where community can connect.
- Laurie Scott, Head of Children’s Services, discussed Marketing and Communication from the Strategic Plan, and the significance of partnering with schools and the business community to reinforce the importance of literacy. Librarians promote through the schools and social media. Parents also receive program information through the Library website.
- E. Streit shared a promotion offered in Traverse City schools. Each person who signed up for Summer Reading was given a tee shirt with the information “sponsored by . . .” on the back of the shirt. It appears to be a great marketing strategy and something to consider for next year.

Denise Gundle-White, a former teacher and librarian, spoke about the appreciation of the students when FCL librarians visit to speak to them about Summer Reading. She thanked the librarians and said that it keeps the students reading throughout the summer, which makes an obvious difference.

## **COMMITTEE REPORTS**

### **Facilities Committee**

E. Streit would like to meet with the Facilities Committee and the Facilities Coordinator, Donald Wrench, to discuss changing the elevator company. There is also an update to the emergency lighting within the Library to be considered.

### **Finance Committee**

P. Huyck complimented G. Yunker, Accounting Manager, for her detailed explanation of the Library budget process. The Committee discussed, among other topics, cash reserves, budget, accounting accrual, and internal controls.

Discussion was held concerning the closing of Harrison and the impact it will have on the Library.

B. Largent will refer discussion to the Outreach Committee to consider a joint meeting with councils or representatives of the councils. As part of the Library’s Strategic Plan, there may be opportunities to work with the City while they are developing their plan. Once Harrison is completed, the City will revamp Costick Center to become strictly a senior community center.

E. Streit agrees that rather than a matter of competition, it is a matter of enhancement. She would like to see both entities enhance what each other does and offer something for both.

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B. Hahn and the Finance Committee will examine the investment funds to assure that they are invested to gain the maximum return and insure safety. The statute governing investment for surplus funds for political subdivisions references the Investment Policy for the entity. The Committee will review the statute and the FCL Investment Policy to make a determination as to how to proceed.

J. White asked that Committees coordinate requests between Committees rather than ask staff to duplicate requests.

### **Outreach Committee**

The Outreach Committee will meet on Friday, August 17 at 1:00 in the Board Room.

### **Personnel Committee**

J. Montgomery reports that the Personnel Committee met to define the committee purpose, and agreed on the need to educate themselves on what that meant. The Committee has requested basic budget and salaries; how these salaries compare with libraries with similar population and economic demographics; the need for attention to certain staff members who may be deserving of bonuses this year, above and beyond their annual raises and awareness that the Director's review is due.

In order to define the mission statement, write Bylaws and make decisions about future policies, the Personnel Committee has requested the following reports from Administration:

- Job descriptions
- Actual salaries for all 225 employees with names redacted
- Comparable salary lists from similar libraries who have similar demographics
- Performance review criteria to understand how job performance is measured
- Examples of actual performance reviews with names redacted
- Prior performance review information for E. Streit

The Personnel Committee is scheduled to meet on Tuesday, August 28, at 7:00 p.m. in the Board Room to review the information provided by Administration.

### **Strategic Plan Committee**

J. White reports that the Strategic Plan Committee reviewed the FCL Strategic Plan 2018 - 2021 and would like to discuss it further with E. Streit, J. Miller and K. Siegrist sometime in September.

### **UNFINISHED BUSINESS**

There was no Unfinished Business.

### **NEW BUSINESS**

B. Largent had two questions:

Who owns the driveway between the Library and the Post Office?

E. Streit responded that the company in the building behind the Library owns the drive and that Facilities Coordinator, Donald Wrench, would contact them about filling the holes.

The second question was concerning the location of the historical artwork that previously hung in the Children's hallway at the Farmington Branch?

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E. Streit responded that it was a group of historical photographs that were incompatible with what is now designated a children's area. They are currently available in the Library's Heritage Room. Colorful quilt squares, designed by the former Branch Head of Farmington, are now hanging on one wall of the hallway with artwork with a children's theme planned for the other wall.

J. White will consider attending sessions at the Michigan Library Association Annual Conference to be held in Novi this year.

**ADJOURNMENT**

**MOTION** by B. Largent to adjourn the Board Meeting was supported by J. Montgomery.

**Vote: Aye: All in favor**

**Opposed: None**

**Motion passed.**

The Board meeting was adjourned at 9:20 p.m. by President, J. White. The next meeting of the Library Board is scheduled for Thursday, September 13, 2018 at 7:00 p.m. in the Ernest E. Sauter Board Room.

Respectfully Submitted,

Jim White, President  
Library Board of Trustees

JW:dls

MEETING MINUTES  
CITY OF FARMINGTON HILLS COMMISSION ON CHILDREN YOUTH & FAMILIES  
September 13, 2018-6PM  
BRASS POINTE RESTAURANT ,24234 ORCHARD LAKE RD. FARMINGTON HILLS, MI. 48336

**CALLED TO ORDER BY:** Vice-Chair, Bette Rose at 6:00 pm.

**MEMBERS PRESENT:** Ed Cherkinsky, Diane Hague, Anwar Mahmood, Joan McGlincy, Bette Rose, Mitch Seelye, and Brian Spitsbergen.

**MEMBERS ABSENT:** Kathy Ashcraft and Sharon Snodgrass

**OTHERS PRESENT:** Farmington and Farmington Hills Council, City, or Staff Liaison members and Alternate and Associates members: Amber DeLind, Becky Dworkin, Jim Nash, Todd Lipa, Jon Manier and Laurie Scott.

**GUEST SPEAKER:** Assistant Farmington Hills City Manager, Gary Mekjian

**APPROVAL OF AGENDA:**

MOTION by Seelye, support by Hague to approve the Agenda of September 13, Motion approved.

**APPROVAL OF MINUTES –May 3 , 2018:**

MOTION by Seelye, support by Hague to approve the minutes of June 7 2018. Motion carried unanimously.

**INTRODUCTIONS AND ANNOUNCEMENTS:** Everyone at the Meeting introduced themselves.

**CITY OF FARMINGTON HILLS MILLAGE UPDATE: SUMMARY OF PRESENTATION BY ASSISTANT CITY MANAGER, GARY MEKJIAN:** Currently 80% of cost of road reconstruction is borne by the benefited property owners through a special assessment. The City contributes up to 20% and it can cost a property owner an average of \$10,000 to \$20,000. There are 243 miles of City Roads which is 129 miles or 58% are in poor condition, 71 miles are in fair condition, 21 miles are good and 22 miles of gravel roads. The Ballot proposal will amend the City Charter to allow a perpetual tax rate of up to \$2.75 per \$1000.00 taxable value starting with the July, 2019 tax levy and raising approximately \$9,272,000 in the first year. This would eliminate special assessments and the roads would be repaired on a rotating basis. The property owners have paid a special assessment would be reimbursed. The benefits of good roads include stable property values and a more desirable community, among others things.

**YOUTH DIVISION UPDATE:** Tabled until September 13.

**ISSUES COMMITTEE UPDATE: Diane Hague:** The upcoming Tech event is scheduled for November 7. The representatives have all been contacted and are coming. We are in the process of planning our next event which will be “Caregivers.” Representatives from the Commission on Aging will be coming to the next Issues Meeting scheduled for Monday, October 1 at 8:00 am. at the Costick Center.

**CALL TO ACTION UPDATE: Mitch Seelye:** October 5 is the Annual Call to Action Breakfast at the Costick Center, please see Becky Dworkin for tickets. A flyer was passed out indicating the main speaker as Tracy Chirikas, the Oakland County Families Against Narcotics Coordinator and Development Manager. 31 Alateen members went to the the Alateens Against Narcotics Convention. They are taking a group of Alateens to the U of M Football Stadium for a meeting on the 50 yard line and a hayride is being planned at Heritage Park.

**VOLUNTEER RECOGNITION REVIEW:** The number of nominations for Student Volunteers was disappointing. We need to encourage the schools and their departments to select deserving students for recognition. The National Honor Society requires volunteering. The Volunteers for the event should be recognized. Marla Parker as chair and host was excellent as always. Diane, Joan, Sandy and Kathy for arranging the refreshments. Todd Lipa and his staff for arranging and furnishing the venue. Todd for arranging the awards. Sharon, Laurie and Dr. Mahmoud for always supporting and assisting in anyway they can. If we did have the involvement of our members, we cease to exist.

**SPOTLIGHT SHOW UPDATE:** Table until October Meeting.

**NEW BUSINESS AND ANNOUNCEMENTS:**

**Jon Manier: FPS:** The security redesign of all schools have been completed. This is the last year for Harrison High School.

**Joan McGlincy: AAUW:** Big 60 member garage sale at Joan's home next Thursday September 20-turn off Shiawassee on to Glenview and you will see the Treasures. Proceeds will support the AAUW Scholarship Fund.

**Laura Scott: Farmington Hills Community Library:** Flyers were passed out for new fall programs. 3000 participated in the summer reading program.

**PUBLIC COMMENTS:** None

**ADJOURNMENT:**

MOTION by Hague, support by McGlincy, to adjourn the meeting at 7:15 pm. Motion carried unanimously

Respectfully submitted by Diane Hague/Ed Cherkinsky

APPROVED

MEETING MINUTES  
FARMINGTON HILLS/FARMINGTON EMERGENCY PREPAREDNESS COMMISSION  
SEPTEMBER 10, 2018- 5:15  
FARMINGTON HILLS FIRE DEPARTMENT-STATION # 5  
31655 W. ELEVEN MILE ROAD, FARMINGTON HILLS, MI 48336

CALLED TO ORDER BY: Chair Ciaramitaro at 5:15

MEMBERS PRESENT: Avie, Biggs, Ciaramitaro, Faine, Reynolds, Sloan, Szymusiak, Tutak, Yuskowatz (Associate)

OTHERS PRESENT: Neufeld (FHFD), Unruh (FHPD), Warthman (FPS), Asst, Chief King (FHPD), Maureen Levy (Public)

APPROVAL OF AGENDA-September 10, 2018:

Motion by Avie, support Tutak to approve agenda as submitted. Motion carried unanimously.

APPROVAL OF MINUTES-August 6. 2018:

Motion by Avie, support Faine to approve minutes as submitted. Motion carried unanimously.

BUDGET: No activity, budget unchanged, received from Farmington \$200.00 for women's self-defense program.

EVENTS, ACTIVITIES, MARKETING, AND PROGRAMS:

Ciaramitaro has reviewed our tips of the month contents and should go live on the website by Jan 2019. Need Nov. and Dec. for this year. Tutak will write for Nov. and Reynolds for Dec. Reynolds will give the Tip of the Month for FH on Oct. 8.

Due to an issue with the shirts, motion by Tutak, 2<sup>nd</sup> by Avie to move to lettering only: FH/F Emergency Preparedness Commission in two colors of embroidering, blue and white. Motion carried unanimously.

Website still in progress, soon will be presented to cities for ok.

Women's self defense is Mon. Sept. 17, 6:30pm-9:30pm at Costick Center

Health Fair is Tues. Sept. 18 at Costick Center, 10am-1pm.

City Open house Sunday Sept. 30.

Proposal for 2019: train trainers for CPR and Stop the Bleed.

Oakland County hosting an Open House for Emergency Preparedness on Sat. Sept. 29 at the Oakland County Public School Bldg.

Patriot Day is 6pm in downtown Farmington on 9-11-18.



**MICHIGAN & REGIONAL CITIZENS CORPS COUNCIL ACTIVITIES/COMMUNITY EMERGENCY RESPONSE TEAM:**

Tutak reported there are 29 registered for the CERT training starting Sept 11, 6pm-9pm at the Novi training center. There are 11 from Farmington Hills. Biggs will start helping Tutak. Avie made a motion to purchase 4 dozen CERT T-shirts, Faine support. Motion carried all yeah.

Tutak reported that we need two new CERT banners. Tutak made a motion to purchase the banners for \$80.00, support bt Faine, motion carried all yeah.

**LIASON REPORTS:**

FHPD-Unruh/King: Officer of the year is Phillip Andrews. ALICE training is scheduled for all new employees. State law now requires preschools to have someone trained in ALICE. High schools now have had the training. FHPD now has a contract with Farmington Public Schools to allow it to have access to surveillance film in case of emergencies only.

FPS- Warthman reported that Reynolds presented a Stop the Bleed for Farmington employees. There will be a CPR/AED class for the community on Thurs. Oct. 25.

FHFD-Neufeld reported there is a grant available for school safety. FPS and Mercy HS are applying. The city is updating their emergency plan.

Yuskowatz reported the Y started the Fall I session today.

**PUBLIC COMMENTS:**

Maureen Levy asked about coordinating emergency help for health care providers. Ciaramitaro offered to talk to her after the meeting since this is not our responsibility.

**COMMISSIONER'S COMMENTS:**

Tutak announced that FEMA is testing the Nationwide Emergency System on Thurs. Sept. 20 at 2:20pm. It will be like the Amber alerts.

**ADJOURNMENT:**

Chair Ciaramitaro adjourned the meeting at 6:10pm  
Minutes by Norene Yuskowatz

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Item Number</b>  <b>4C</b>	
<b>Submitted by:</b> Amy Norgard, Controller			
<u><b>Agenda Topic</b></u> Farmington Monthly Payments Report – September 2018			
<u><b>Proposed Motion</b></u> Approve Farmington Monthly Payments Report – September 2018			
<u><b>Background</b></u> See attachment			
<u><b>Materials Attached</b></u> Monthly Payments Report 093018			
<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 SEPTEMBER 2018**

<b>FUND #</b>	<b>FUND NAME</b>	<b>AMOUNT:</b>
101	GENERAL FUND	\$ 371,332.34
202	MAJOR STREET FUND	\$ 7,031.38
203	LOCAL STREET FUND	\$ 4,896.12
592	WATER & SEWER FUND	\$ 528,187.98
595	FARMINGTON COMMUNITY THEATER FUND	\$ 39,694.54
640	DPW EQUIPMENT REVOLVING FUND	\$ 20,299.08
701	AGENCY FUND	\$ 37,398.76
736	PUBLIC EMPLOYEE HEALTH CARE FUND	\$ 61,549.89
	<b>TOTAL CITY PAYMENTS ISSUED:</b>	<b>\$ 1,070,390.09</b>
136	47TH DISTRICT COURT FUND	\$ 71,639.72
248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	\$ 34,544.84
290	FRIENDS OF GOVERNOR WARNER MANSION	\$ 250.00
	<b>TOTAL OTHER ENTITIES PAYMENTS ISSUED:</b>	<b>\$ 106,434.56</b>
	<b>TOTAL PAYMENTS ISSUED</b>	<b>\$ 1,176,824.65</b>

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

## CITY OF FARMINGTON - ACH PAYMENTS REPORT

**MONTH OF SEPTEMBER 2018**

<b>TRANSFER FROM:</b>	<b>TRANSFER TO:</b>	<b>DESCRIPTION:</b>	<b>AMOUNT:</b>
Agency Tax	Farmington Public Schools	Tax Payment #6	1,015,905.44
Agency Tax	Oakland County	Tax Payment #6	2,161,304.79
Agency Tax	Farmington Comm. Library	Tax Payment #6	139,690.90
Agency Tax	Farmington Public Schools	Tax Payment #7	456,569.08
Agency Tax	Oakland County	Tax Payment #7	849,496.58
Agency Tax	Farmington Comm. Library	Tax Payment #7	54,229.03
Agency Tax	Farmington Public Schools	Tax Payment #8	9,945.93
Agency Tax	Oakland County	Tax Payment #8	17,398.05
Agency Tax	Farmington Comm. Library	Tax Payment #8	1,087.10
General Fund	Chase (Payroll Acct)	Direct Deposit Payroll	211,155.87
General Fund	Federal Gov't	W/H & FICA Payroll	78,080.32
General Fund	MERS	August Transfer	59,619.14
General Fund	MERS HCSP	August Transfer	4,390.00
Agency	Total Administrative Services Corp.	Flexible Spending Accounts	2,385.26
	<b>TOTAL CITY ACH TRANSFERS</b>		<b>5,061,257.49</b>
Court Fund	Chase (Payroll Acct)	Direct Deposit Payroll	85,381.29
Court Fund	Federal Gov't	W/H & FICA Payroll	29,113.86
Court Fund	Total Administrative Services Corp.	Flexible Spending Accounts	2,089.92
Court Fund	ICMA	Health Savings/401 Accounts	2,155.55
	<b>TOTAL OTHER ENTITIES ACH TRANSFERS</b>		<b>118,740.62</b>



FARMINGTON PUBLIC SAFETY DEPARTMENT  
23600 Liberty Street, Farmington, MI 48335 / Tel: (248) 474-4700 / Fax: (248) 442-9815

## MONTHLY PUBLIC SAFETY REPORT SEPTEMBER 2018

### **Larceny (Mail/Packages)**

On September 1, 2018 at approximately 08:29 pm a sergeant responded to a residence on Cloverdale and spoke with the resident who reported that their Amazon package was stolen from their porch. A neighbor reported observing a white 2018 GMC Acadia with black running boards pull into the driveway, but did not observe the occupants.

### **Possession Narcotic Equipment**

On September 1, 2018 at approximately 12:25 pm officers stopped a vehicle in the area of westbound M5 near Orchard Lake for an equipment violation (defective passenger headlight). As a result of the traffic stop the officers learned that the 28 year old passenger had active warrants out of other agencies for her arrest; additionally she was found to be in possession a narcotic paraphernalia associated with both crack cocaine and heroin use. The passenger was issued citations, contraband confiscated and released at the scene.

### **Trespass – Customer Trouble**

On September 4, 2018 at approximately 12:44 pm an officer responded to a Farmington business employee needed assistance with a 38 year old male subject that was in a verbal dispute with her over quarters. The male subject was asked to leave and advised not turn return or be arrested for trespassing.

### **Harassing – Civil Matter**

On September 6, 2018 at approximately 4:37 pm an officer responded to a Farmington restaurant to speak with the owner reference a report of a subject that has repeatedly made harassing phone calls. It was determined that the calls were over a pizza that the customer was unhappy with. However, it was noted that the customer had already received a refund, but continued to call demanding to talk to a manager. The 37 year old customer was advised not to call again, he agreed.

### **False Information to Police**

On September 9, 2018 an officer who had previously handled a crash investigation learned that false information was provided. The officer learned that the 42 year old female and owner of the vehicle involved in the crash, was in fact driven by her 16 year old daughter at the time of the crash. The woman stated that she lied to the police officer to protect her daughter, she was issued a citation for providing false information to police as a result of her admission.

### **Possession Narcotic Equipment**

On September 9, 2018 at approximately 10:46 pm a sergeant stopped a vehicle in the area of Grand River and Orchard Lake after observing the vehicle make a prohibited right turn on red. As a result of the traffic stop the 25 year old female driver was arrested for driving with a suspended license and was subsequently found to be in possession of narcotic paraphernalia (metal grinder).

### **Trespassing**

On September 10, 2018 at approximately 6:56 pm officers responded to a Farmington restaurant for a report of a 59 year old woman that was causing a disturbance. The manager reported that the subject has previously been ordered not to return and that they would like her removed. Officers confirmed the identity of the known repeat offender, escorted her out of the building and issued her another citation for trespassing.

### **Assault & Battery**

On September 11, 2018 at approximately 6:42 pm officers responded to a report of a two vehicle crash and a fight in the area of Nine Mile and Hawthorne. Upon arrival, officers learned that a 41 year old male pedestrian that witnessed the crash initiated a physical fight with the at fault driver involved in the traffic crash. The at-fault driver suffered a sore and bloody nose. The assailant fled on foot in an attempt to evade and elude the police that had responded to the scene. Officers were able to locate and arrest the intoxicated subject who was issued citations for assault & battery and interfering with police.

### **Soliciting w/out a Permit**

On September 13, 2018 at approximately 12:39 pm officers responded to a soliciting complaint in the area of Larkspur and Meadowlark where a 38 year old and 54 year old male were found to be soliciting for Kroll Construction. Officers found them both to be going door to door without a permit and were issued citations.

### **Trespassing – Harassing**

On September 13, 2018 at approximately 5:17 pm an officer responded to a Farmington gas station for a report of an intoxicated male subject that was causing a disturbance. After speaking with the station attendant the subject was located nearby and asked about his behavior, to which he stated that he was polite and when he was asked to leave he did. The subject was advised that he was no longer welcome at the business. However, when the officer conducted follow up with the complainant the subject phoned the business and began to argue over the phone with the complainant and officer. The subject was advised that if he returned or called he would be arrested for trespass and/or harassment.

### **Trespassing – False Information to Police**

On September 14, 2018 at approximately 2:24 pm officers responded to a Farmington business for a report that a former employee was causing a disturbance and refusing to leave. Officers were provided the name of the subject by the complainant while they were

en-route. Upon arrival, officers met with the manager making the complaint and learned that the former employee was causing a disturbance and that he was no longer welcome at the business. The officers located the 38 year old male subject, who provided a different name and his version of the events that lead to the arrival of the police. Officers verified the true identity of the subject and learned the subject had active warrants for his arrest. The subject was arrested for providing false information and transported to jail as well as advised not to return to the business.

#### **Larceny from Automobiles**

On September 19, 2018 officers responded to three reports of unlocked vehicles that had been opened and rummaged through in the Chatham Hills subdivision. In one of the three reported incidents a resident reported that items were missing. All of the vehicles attacked were reported to have been unlocked overnight.

#### **Gunshots Fired**

On September 19, 2018 at approximately 10:17 pm officers responded to a residence on Wesley Street for a report of multiple shots fired. Officers located a number of spent shell casings and damage at the scene, but determined that there were no injuries. Witness reported that three vehicles were observed leaving the scene at a high rate of speed. Investigators are actively pursuing leads and are working with local and federal law enforcement agencies to bring a resolution to the case.

#### **Larceny from Automobile**

On September 21, 2018 at approximately 9:33 pm a Meadowlark Court resident made a front desk report of the theft of tools from an unlocked work van sometime between September 20<sup>th</sup> at 9:00 and 11:59 pm. The resident reported that before they went to bed for the night they noticed that the van door was open. They stated that they closed the door and did not realize items were missing until the morning. Investigators will follow up with local pawn shops in attempts to locate the stolen tools.

#### **Residential Structure Fire**

On September 24, 2018 at approximately 7:08 pm officers responded to a residence on Leelane near Prospect for a report of a stove/kitchen fire. Upon arrival, officers learned that the occupants attempted to put out the fire, were unsuccessful after two attempts, and evacuated the structure without injury. Officers found fire on, in and behind the gas range with extension to the ceiling and heavy smoke throughout the single story residential structure. Officers were able to quickly extinguish the fire, checked for extension into other areas and worked to eject the smoke structure. The Fire Marshal continues to investigate the origin and cause, while working with the residents and the respective insurance company.

#### **Possession of Marijuana**

On September 28, 2018 at approximately 8:54 pm an officer stopped a vehicle in the area of Grand River Ave and Lilac after observing that the vehicle had a brake light out and

learning that the registered owner of the vehicle had a suspended license and an active warrant for their arrest. As a result of the traffic stop the 22 year old female driver and registered owner of the vehicle was arrested. Subsequent to the arrest the officer found that the driver was also in possession of marijuana.

**Open Alcohol – Motor Vehicle**

On September 29, 2018 at approximately 2:18 am officers stopped a vehicle in the area of Farmington and State after observing the vehicle travelling 35 in a posted 25 mph zone in the downtown area. As a result of the traffic stop, officers observed an open bottle of Jack Daniels whiskey on the front passenger floorboard of the vehicle. The open alcohol was confiscated and the 34 year old driver was issued a citation and released at the scene.

**Open Alcohol – Motor Vehicle**

On September 29, 2018 at approximately 2:47 am a sergeant stopped a vehicle in the area of westbound M5 and Grand River Ave after observing the vehicle travelling 85 in a posted 70 mph zone. As a result of the traffic stop, the 21 year old male driver was arrested for drunk driving after submitting to field sobriety evaluations and registering a .10(2) on a PBT. Subsequent to the drivers' arrest, he was found to be in possession of marijuana which he admitted to smoking earlier in the day.

**Trespass**

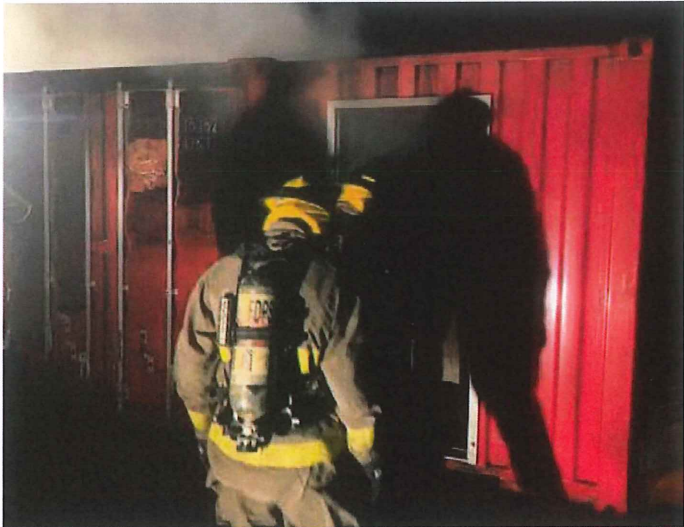
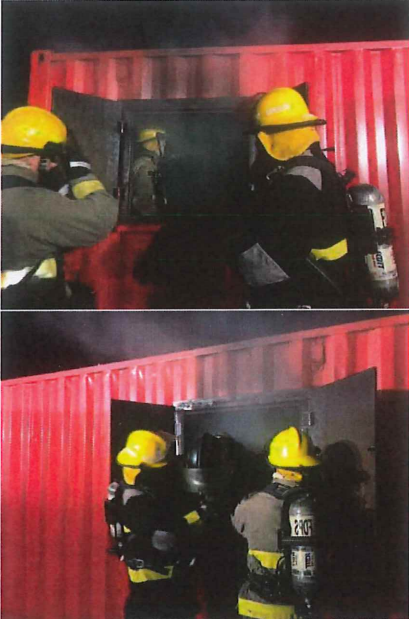
On September 30, 2018 at 10:52 am an officer responded to a service station in the area of Grand River and Halsted regarding a belligerent customer. Upon arrival the officer met with the employee and customer. The officer determined that the customer had been unruly and belligerent regarding cigarettes that had been misplaced and/or consumed. The 57 year old male customer was advised not to return or be subject to arrest for trespassing.

Total Calls	Medical Calls	Fire Calls	Traffic Stops	Crash Reports
927	60	13	465	23



**Additional Information**

During the month of September, all sworn and reserve personnel participated in live burn training that took place at the Lyon Township Fire Training Facility.



## CLR-008 Monthly Summary Of Offenses (FC)

For The Month Of September

Classification	Sep/2017	Sep/2018	%Change
09001 MURDER/NONNEGLIGENT MANSLAUGHTER (VOLUNTARY)	0	0	0%
09002 NEGLIGENT HOMICIDE/MANSLAUGHTER (INVOLUNTARY)	0	0	0%
09004 JUSTIFIABLE HOMICIDE	0	0	0%
09005 DEATH INVOLVING USE OF FORCE BY LAW ENFORCEMENT	0	0	0%
09006 IN-CUSTODY DEATH	0	0	0%
10001 KIDNAPPING/ABDUCTION	1	0	-100%
10002 PARENTAL KIDNAPPING	0	0	0%
11001 SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE	0	0	0%
11002 SEXUAL PENETRATION PENIS/VAGINA -CSC 3RD DEGREE	0	0	0%
11003 SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE	0	0	0%
11004 SEXUAL PENETRATION ORAL/ANAL -CSC 3RD DEGREE	0	0	0%
11005 SEXUAL PENETRATION OBJECT -CSC 1ST DEGREE	0	0	0%
11006 SEXUAL PENETRATION OBJECT -CSC 3RD DEGREE	0	0	0%
11007 SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE	0	0	0%
11008 SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE	0	0	0%
12000 ROBBERY	0	0	0%
13001 NONAGGRAVATED ASSAULT	5	2	-60%
13002 AGGRAVATED/FELONIOUS ASSAULT	0	2	0%
13003 INTIMIDATION/STALKING	0	0	0%
20000 ARSON	0	0	0%
21000 EXTORTION	0	0	0%
22001 BURGLARY -FORCED ENTRY	2	0	-100%
22002 BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit)	0	0	0%
23001 LARCENY -POCKETPICKING	0	0	0%
23002 LARCENY -PURSESNAATCHING	0	0	0%
23003 LARCENY -THEFT FROM BUILDING	4	0	-100%
23004 LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE	0	0	0%
23005 LARCENY -THEFT FROM MOTOR VEHICLE	2	2	0%
23006 LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES	0	0	0%
23007 LARCENY -OTHER	1	1	0%
24001 MOTOR VEHICLE THEFT	0	0	0%
24002 MOTOR VEHICLE, AS STOLEN PROPERTY	0	0	0%
24003 MOTOR VEHICLE FRAUD	0	0	0%
25000 FORGERY/COUNTERFEITING	0	0	0%
26001 FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME	0	0	0%
26002 FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE	2	0	-100%
26003 FRAUD -IMPERSONATION	0	0	0%
26004 FRAUD -WELFARE FRAUD	0	0	0%
26005 FRAUD -WIRE FRAUD	0	0	0%
26007 FRAUD - IDENTITY THEFT	1	0	-100%
26008 FRAUD - HACKING/COMPUTER INVASION	0	0	0%
27000 EMBEZZLEMENT	1	0	-100%
28000 STOLEN PROPERTY	0	0	0%
29000 DAMAGE TO PROPERTY	1	0	-100%



## CLR-008 Monthly Summary Of Offenses (FC)

For The Month Of September

Classification	Sep/2017	Sep/2018	%Change
30001 RETAIL FRAUD -MISREPRESENTATION	0	0	0%
30002 RETAIL FRAUD -THEFT	0	0	0%
30003 RETAIL FRAUD -REFUND/EXCHANGE	0	0	0%
30004 ORGANIZED RETAIL FRAUD	0	0	0%
35001 VIOLATION OF CONTROLLED SUBSTANCE ACT	1	4	300%
35002 NARCOTIC EQUIPMENT VIOLATIONS	2	2	0%
36001 SEXUAL PENETRATION NONFORCIBLE -BLOOD/AFFINITY	0	0	0%
36002 SEXUAL PENETRATION NONFORCIBLE -OTHER	0	0	0%
37000 OBSCENITY	0	0	0%
39001 GAMBLING- BETTING/WAGERING	0	0	0%
39002 GAMBLING- OPERATING/PROMOTING/ASSISTING	0	0	0%
39003 GAMBLING -EQUIPMENT VIOLATIONS	0	0	0%
39004 GAMBLING -SPORTS TAMPERING	0	0	0%
40001 COMMERCIALIZED SEX -PROSTITUTION	0	0	0%
40002 COMMERCIALIZED SEX -ASSISTING/PROMOTING PROSTITUTION	0	0	0%
40003 HUMAN TRAFFICKING - PURCHASING PROSTITUTION	0	0	0%
51000 BRIBERY	0	0	0%
52001 WEAPONS OFFENSE- CONCEALED	0	0	0%
52002 WEAPONS OFFENSE -EXPLOSIVES	0	0	0%
52003 WEAPONS OFFENSE -OTHER	0	0	0%
64001 HUMAN TRAFFICKING - COMMERCIAL SEX ACTS	0	0	0%
64002 HUMAN TRAFFICKING - INVOLUNTARY SERVITUDE	0	0	0%
72000 ANIMAL CRUELTY	0	0	0%
<b>Group A Totals</b>	<b>23</b>	<b>13</b>	<b>-43.4%</b>
01000 SOVEREIGNTY	0	0	0%
02000 MILITARY	0	0	0%
03000 IMMIGRATION	0	0	0%
09003 NEGLIGENT HOMICIDE -VEHICLE/BOAT	0	0	0%
14000 ABORTION	0	0	0%
22003 BURGLARY - UNLAWFUL ENTRY (NO INTENT)	0	0	0%
22004 POSSESSION OF BURGLARY TOOLS	0	0	0%
26006 FRAUD -BAD CHECKS	1	1	0%
36003 PEEPING TOM	0	0	0%
36004 SEX OFFENSE -OTHER	0	0	0%
38001 FAMILY -ABUSE/NEGLECT NONVIOLENT	1	0	-100%
38002 FAMILY -NONSUPPORT	0	0	0%
38003 FAMILY -OTHER	0	0	0%
41001 LIQUOR LICENSE -ESTABLISHMENT	0	0	0%
41002 LIQUOR VIOLATIONS -OTHER	4	8	100%
42000 DRUNKENNESS	0	0	0%
48000 OBSTRUCTING POLICE	1	3	200%
49000 ESCAPE/FLIGHT	0	0	0%
50000 OBSTRUCTING JUSTICE	4	4	0%
53001 DISORDERLY CONDUCT	0	0	0%

# CLR-008 Monthly Summary Of Offenses (FC)

For The Month Of September

Classification	Sep/2017	Sep/2018	%Change
53002 PUBLIC PEACE -OTHER	0	0	0%
54001 HIT and RUN MOTOR VEHICLE ACCIDENT	1	0	-100%
54002 OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	6	10	66.66%
55000 HEALTH AND SAFETY	0	0	0%
56000 CIVIL RIGHTS	0	0	0%
57001 TRESPASS	3	5	66.66%
57002 INVASION OF PRIVACY -OTHER	0	0	0%
58000 SMUGGLING	0	0	0%
59000 ELECTION LAWS	0	0	0%
60000 ANTITRUST	0	0	0%
61000 TAX/REVENUE	0	0	0%
62000 CONSERVATION	0	0	0%
63000 VAGRANCY	0	0	0%
70000 JUVENILE RUNAWAY	0	0	0%
73000 MISCELLANEOUS CRIMINAL OFFENSE	2	1	-50%
75000 SOLICITATION	0	0	0%
77000 CONSPIRACY (ALL CRIMES)	0	0	0%
<b>Group B Totals</b>	<b>23</b>	<b>32</b>	<b>39.13%</b>
2800 JUVENILE OFFENSES AND COMPLAINTS	1	3	200%
2900 TRAFFIC OFFENSES	17	27	58.82%
3000 WARRANTS	26	23	-11.5%
3100 TRAFFIC CRASHES	22	21	-4.54%
3200 SICK / INJURY COMPLAINT	75	74	-1.33%
3300 MISCELLANEOUS COMPLAINTS	143	150	4.895%
3400 WATERCRAFT COMPLAINTS / ACCIDENTS	0	0	0%
3500 NON-CRIMINAL COMPLAINTS	94	62	-34.0%
3600 SNOWMOBILE COMPLAINTS / ACCIDENTS	0	0	0%
3700 MISCELLANEOUS TRAFFIC COMPLAINTS	452	526	16.37%
3800 ANIMAL COMPLAINTS	13	9	-30.7%
3900 ALARMS	21	0	-100%
NON-CRIMINAL COMPLAINTS	0	0	0%
<b>Group C Totals</b>	<b>864</b>	<b>895</b>	<b>3.587%</b>
2700 LOCAL ORDINANCES - GENERIC	0	0	0%
4000 HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	0	0%
4100 NON-HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	0	0%
4200 PARKING CITATIONS	0	0	0%
4300 LICENSE / TITLE / REGISTRATION CITATIONS	0	0	0%
4400 WATERCRAFT CITATIONS	0	0	0%
4500 MISCELLANEOUS A THROUGH UUUU	38	44	15.78%
4600 LIQUOR CITATIONS / SUMMONS	0	1	0%
4700 COMMERCIAL VEHICLE CITATIONS	0	0	0%
4800 LOCAL ORDINANCE WARNINGS	0	0	0%
4900 TRAFFIC WARNINGS	0	0	0%
TRAFFIC WARNINGS	0	0	0%

## CLR-008 Monthly Summary Of Offenses (FC)

For The Month Of September

Classification	Sep/2017	Sep/2018	%Change
MISCELLANEOUS A THROUGH UUUU	0	0	0%
<b>Group D Totals</b>	<b>38</b>	<b>45</b>	<b>18.42%</b>
5000 FIRE CLASSIFICATIONS	8	84	950%
5100 18A STATE CODE FIRE CLASSIFICATIONS	0	0	0%
FIRE CLASSIFICATIONS	0	0	0%
<b>Group E Totals</b>	<b>8</b>	<b>84</b>	<b>950%</b>
6000 MISCELLANEOUS ACTIVITIES (6000)	0	0	0%
6100 MISCELLANEOUS ACTIVITIES (6100)	0	0	0%
6200 ARREST ASSIST	0	0	0%
6300 CANINE ACTIVITIES	0	0	0%
6500 CRIME PREVENTION ACTIVITIES	0	0	0%
6600 COURT / WARRANT ACTIVITIES	0	0	0%
6700 INVESTIGATIVE ACTIVITIES	0	0	0%
INVESTIGATIVE ACTIVITIES	0	0	0%
COURT / WARRANT ACTIVITIES	0	0	0%
CANINE ACTIVITIES	0	0	0%
MISCELLANEOUS ACTIVITIES (6000)	0	0	0%
<b>Group F Totals</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Totals for all Groups</b>	<b>956</b>	<b>1069</b>	<b>11.82%</b>



## CLR-008 Monthly Summary Of Offenses (FC)

Year To Date Through September

Classification	2017	2018	%Change
<b>Group F Totals</b>	<b>0</b>	<b>0</b>	<b>0%</b>
09001 MURDER/NONNEGLIGENT MANSLAUGHTER (VOLUNTARY)	0	0	0%
09002 NEGLIGENT HOMICIDE/MANSLAUGHTER (INVOLUNTARY)	0	0	0%
09004 JUSTIFIABLE HOMICIDE	0	0	0%
09005 DEATH INVOLVING USE OF FORCE BY LAW ENFORCEMENT	0	0	0%
09006 IN-CUSTODY DEATH	0	0	0%
10001 KIDNAPPING/ABDUCTION	1	0	-100%
10002 PARENTAL KIDNAPPING	0	0	0%
11001 SEXUAL PENETRATION PENIS/VAGINA -CSC 1ST DEGREE	0	2	0%
11002 SEXUAL PENETRATION PENIS/VAGINA -CSC 3RD DEGREE	0	0	0%
11003 SEXUAL PENETRATION ORAL/ANAL -CSC 1ST DEGREE	0	0	0%
11004 SEXUAL PENETRATION ORAL/ANAL -CSC 3RD DEGREE	1	0	-100%
11005 SEXUAL PENETRATION OBJECT -CSC 1ST DEGREE	0	0	0%
11006 SEXUAL PENETRATION OBJECT -CSC 3RD DEGREE	0	0	0%
11007 SEXUAL CONTACT FORCIBLE -CSC 2ND DEGREE	0	0	0%
11008 SEXUAL CONTACT FORCIBLE -CSC 4TH DEGREE	3	0	-100%
12000 ROBBERY	1	0	-100%
13001 NONAGGRAVATED ASSAULT	36	22	-38.8%
13002 AGGRAVATED/FELONIOUS ASSAULT	1	7	600%
13003 INTIMIDATION/STALKING	7	2	-71.4%
20000 ARSON	0	0	0%
21000 EXTORTION	0	0	0%
22001 BURGLARY -FORCED ENTRY	4	2	-50%
22002 BURGLARY -ENTRY WITHOUT FORCE (Intent to Commit)	3	0	-100%
23001 LARCENY -POCKETPICKING	0	0	0%
23002 LARCENY -PURSESNAATCHING	0	0	0%
23003 LARCENY -THEFT FROM BUILDING	25	9	-64%
23004 LARCENY -THEFT FROM COIN-OPERATED MACHINE/DEVICE	0	0	0%
23005 LARCENY -THEFT FROM MOTOR VEHICLE	8	8	0%
23006 LARCENY -THEFT OF MOTOR VEHICLE PARTS/ACCESSORIES	3	6	100%
23007 LARCENY -OTHER	11	10	-9.09%
24001 MOTOR VEHICLE THEFT	4	3	-25%
24002 MOTOR VEHICLE, AS STOLEN PROPERTY	1	0	-100%
24003 MOTOR VEHICLE FRAUD	0	0	0%
25000 FORGERY/COUNTERFEITING	5	0	-100%
26001 FRAUD -FALSE PRETENSE/SWINDLE/CONFIDENCE GAME	7	8	14.28%
26002 FRAUD -CREDIT CARD/AUTOMATIC TELLER MACHINE	5	5	0%
26003 FRAUD -IMPERSONATION	1	0	-100%
26004 FRAUD -WELFARE FRAUD	0	0	0%
26005 FRAUD -WIRE FRAUD	1	1	0%
26007 FRAUD - IDENTITY THEFT	2	1	-50%
26008 FRAUD - HACKING/COMPUTER INVASION	0	0	0%
27000 EMBEZZLEMENT	4	1	-75%
28000 STOLEN PROPERTY	0	1	0%

## CLR-008 Monthly Summary Of Offenses (FC)

		Year To Date Through September		
Classification		2017	2018	%Change
29000	DAMAGE TO PROPERTY	12	8	-33.3%
30001	RETAIL FRAUD -MISREPRESENTATION	0	0	0%
30002	RETAIL FRAUD -THEFT	8	7	-12.5%
30003	RETAIL FRAUD -REFUND/EXCHANGE	1	0	-100%
30004	ORGANIZED RETAIL FRAUD	0	0	0%
35001	VIOLATION OF CONTROLLED SUBSTANCE ACT	46	61	32.60%
35002	NARCOTIC EQUIPMENT VIOLATIONS	30	36	20%
36001	SEXUAL PENETRATION NONFORCIBLE -BLOOD/AFFINITY	0	0	0%
36002	SEXUAL PENETRATION NONFORCIBLE -OTHER	0	0	0%
37000	OBSCENITY	0	0	0%
39001	GAMBLING- BETTING/WAGERING	0	0	0%
39002	GAMBLING- OPERATING/PROMOTING/ASSISTING	0	0	0%
39003	GAMBLING -EQUIPMENT VIOLATIONS	0	0	0%
39004	GAMBLING -SPORTS TAMPERING	0	0	0%
40001	COMMERCIALIZED SEX -PROSTITUTION	0	0	0%
40002	COMMERCIALIZED SEX -ASSISTING/PROMOTING PROSTITUTION	0	0	0%
40003	HUMAN TRAFFICKING - PURCHASING PROSTITUTION	0	0	0%
51000	BRIBERY	0	0	0%
52001	WEAPONS OFFENSE- CONCEALED	3	3	0%
52002	WEAPONS OFFENSE -EXPLOSIVES	0	0	0%
52003	WEAPONS OFFENSE -OTHER	0	1	0%
64001	HUMAN TRAFFICKING - COMMERCIAL SEX ACTS	0	0	0%
64002	HUMAN TRAFFICKING - INVOLUNTARY SERVITUDE	0	0	0%
72000	ANIMAL CRUELTY	0	0	0%
<b>Group A Totals</b>		<b>234</b>	<b>204</b>	<b>-12.8%</b>
01000	SOVEREIGNTY	0	0	0%
02000	MILITARY	0	0	0%
03000	IMMIGRATION	0	0	0%
09003	NEGLIGENT HOMICIDE -VEHICLE/BOAT	0	0	0%
14000	ABORTION	0	0	0%
22003	BURGLARY - UNLAWFUL ENTRY (NO INTENT)	0	0	0%
22004	POSSESSION OF BURGLARY TOOLS	0	0	0%
26006	FRAUD -BAD CHECKS	11	6	-45.4%
36003	PEEPING TOM	0	0	0%
36004	SEX OFFENSE -OTHER	1	0	-100%
38001	FAMILY -ABUSE/NEGLECT NONVIOLENT	3	0	-100%
38002	FAMILY -NONSUPPORT	0	0	0%
38003	FAMILY -OTHER	0	0	0%
41001	LIQUOR LICENSE -ESTABLISHMENT	0	0	0%
41002	LIQUOR VIOLATIONS -OTHER	42	24	-42.8%
42000	DRUNKENNESS	0	0	0%
48000	OBSTRUCTING POLICE	4	4	0%
49000	ESCAPE/FLIGHT	0	0	0%
50000	OBSTRUCTING JUSTICE	22	26	18.18%

## CLR-008 Monthly Summary Of Offenses (FC)

		Year To Date Through September		
Classification		2017	2018	%Change
53001	DISORDERLY CONDUCT	7	6	-14.2%
53002	PUBLIC PEACE -OTHER	4	3	-25%
54001	HIT and RUN MOTOR VEHICLE ACCIDENT	5	0	-100%
54002	OPERATING UNDER THE INFLUENCE OF LIQUOR OR DRUGS	60	48	-20%
55000	HEALTH AND SAFETY	3	2	-33.3%
56000	CIVIL RIGHTS	0	0	0%
57001	TRESPASS	19	26	36.84%
57002	INVASION OF PRIVACY -OTHER	0	0	0%
58000	SMUGGLING	0	0	0%
59000	ELECTION LAWS	0	0	0%
60000	ANTITRUST	0	0	0%
61000	TAX/REVENUE	0	0	0%
62000	CONSERVATION	1	1	0%
63000	VAGRANCY	0	0	0%
70000	JUVENILE RUNAWAY	1	1	0%
73000	MISCELLANEOUS CRIMINAL OFFENSE	61	24	-60.6%
75000	SOLICITATION	0	0	0%
77000	CONSPIRACY (ALL CRIMES)	0	0	0%
<b>Group B Totals</b>		<b>244</b>	<b>171</b>	<b>-29.9%</b>
2800	JUVENILE OFFENSES AND COMPLAINTS	31	25	-19.3%
2900	TRAFFIC OFFENSES	207	219	5.797%
3000	WARRANTS	253	267	5.533%
3100	TRAFFIC CRASHES	220	213	-3.18%
3200	SICK / INJURY COMPLAINT	697	675	-3.15%
3300	MISCELLANEOUS COMPLAINTS	1408	1351	-4.04%
3400	WATERCRAFT COMPLAINTS / ACCIDENTS	0	0	0%
3500	NON-CRIMINAL COMPLAINTS	916	506	-44.7%
3600	SNOWMOBILE COMPLAINTS / ACCIDENTS	0	0	0%
3700	MISCELLANEOUS TRAFFIC COMPLAINTS	4450	4921	10.58%
3800	ANIMAL COMPLAINTS	106	86	-18.8%
3900	ALARMS	239	31	-87.0%
	NON-CRIMINAL COMPLAINTS	0	0	0%
<b>Group C Totals</b>		<b>8527</b>	<b>8294</b>	<b>-2.73%</b>
2700	LOCAL ORDINANCES - GENERIC	0	0	0%
4000	HAZARDOUS TRAFFIC CITATIONS / WARNINGS	2	1	-50%
4100	NON-HAZARDOUS TRAFFIC CITATIONS / WARNINGS	0	1	0%
4200	PARKING CITATIONS	1	1	0%
4300	LICENSE / TITLE / REGISTRATION CITATIONS	1	0	-100%
4400	WATERCRAFT CITATIONS	0	0	0%
4500	MISCELLANEOUS A THROUGH UUUU	413	362	-12.3%
4600	LIQUOR CITATIONS / SUMMONS	0	1	0%
4700	COMMERCIAL VEHICLE CITATIONS	0	0	0%
4800	LOCAL ORDINANCE WARNINGS	0	0	0%
4900	TRAFFIC WARNINGS	0	0	0%



## CLR-008 Monthly Summary Of Offenses (FC)

Year To Date Through September

Classification	2017	2018	%Change
TRAFFIC WARNINGS	0	0	0%
MISCELLANEOUS A THROUGH UUUU	0	0	0%
<b>Group D Totals</b>	<b>417</b>	<b>366</b>	<b>-12.2%</b>
5000 FIRE CLASSIFICATIONS	187	206	10.16%
5100 18A STATE CODE FIRE CLASSIFICATIONS	0	0	0%
FIRE CLASSIFICATIONS	0	0	0%
<b>Group E Totals</b>	<b>187</b>	<b>206</b>	<b>10.16%</b>
6000 MISCELLANEOUS ACTIVITIES (6000)	0	0	0%
6100 MISCELLANEOUS ACTIVITIES (6100)	0	0	0%
6200 ARREST ASSIST	0	0	0%
6300 CANINE ACTIVITIES	0	0	0%
6500 CRIME PREVENTION ACTIVITIES	0	0	0%
6600 COURT / WARRANT ACTIVITIES	0	0	0%
6700 INVESTIGATIVE ACTIVITIES	0	0	0%
INVESTIGATIVE ACTIVITIES	0	0	0%
COURT / WARRANT ACTIVITIES	0	0	0%
CANINE ACTIVITIES	0	0	0%
MISCELLANEOUS ACTIVITIES (6000)	0	0	0%
<b>Group F Totals</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Totals for all Groups</b>	<b>9609</b>	<b>9241</b>	<b>-3.82%</b>

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Reference Number 4E</b>	
<b>Submitted by:</b> Amy Norgard, Controller			
<b>Description</b> Consideration to Schedule Program Year 2019 Community Development Block Grant Application Public Hearing			
<b>Requested Action</b> Move to schedule a public hearing on November 19, 2018 for public comment on the proposed Program Year 2019 Community Development Block Grant application.			
<b>Background</b>  <p>The City's Community Development Block Grant (CDBG) funding for 2019 is projected by Oakland County to be \$23,677. As part of the application process, the city must hold a public hearing. Our completed application, accompanied by a resolution of Council approval, must be submitted to Oakland County by December 14, 2018.</p> <p>As Council knows, CDBG funding eligibility is restricted to projects or programs that meet specific objectives determined by the federal Department of Housing and Urban Development (HUD). Of these objectives, Farmington is limited to CDBG funding for projects where "the primary beneficiaries are low or moderate income people."</p> <p>Council may recall from previous years' CDBG applications that senior programs/projects receive special eligibility consideration. The administration's preliminary recommendation, outlined below, proposes a CDBG program that is not administratively burdensome, and continues current city funding level for the senior center and senior services.</p> <p>CDBG funds are federal funds administered by the Department of Housing and Urban Development.</p> <p>The administration's preliminary recommendation is that Council considers establishing the following development objectives: (1) senior center and (2) public services (senior services). The administration proposes allocating \$16,575 for senior center and \$7,102 for public services (senior services).</p>			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

**CITY OF FARMINGTON  
NOTICE OF PUBLIC HEARING  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

NOTICE IS HEREBY GIVEN that the City of Farmington will hold a public hearing on the use of Community Development Block Grant Funds. The Hearing will be held on Monday, November 19, 2018 at 7:00 p.m. EDT in the Council Chambers, Farmington City Hall, 23600 Liberty Street, Farmington, Michigan for the purpose of hearing public comments on the Community Development Block Grant (CDBG) Program Year 2019 application in the approximate amount of \$23,677 to fund eligible projects. **All interested citizens are requested to attend the Hearing. Comments will also be received in writing or in person at the City Clerk's Office, Farmington City Hall, until 4:30 p.m. on Monday, November 19, 2018.** Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter, will be made upon receiving 72-hour advance notice. Contact David Murphy, City Manager at 248-474-5500, x 2222 or by e-mail at [DMurphy@farmgov.com](mailto:DMurphy@farmgov.com) for special services.

Mary Mullison  
City Clerk

Publish: Farmington Observer, Thursday, November 8, 2018

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Item Number 4F</b>
<b>Submitted by:</b> Charles Eudy, Superintendent		
<b>Agenda Topic</b> Filing of Lead & Copper Rule Concurrence		
<b>Proposed Motion:</b> Move to ratify Request for Declaratory Ruling and filing of the Lead and Copper Concurrence Petition.		
<b>Background:</b> <p>The City of Farmington administrative staff and employees are dedicated to providing the community safe and affordable drinking water. At last month's study session, a brief overview of the pending Lead &amp; Copper Rule (LCR) was presented to Council by Orchard Hiltz &amp; McIlment (OHM) staff. The pending LCR will conflict with various state laws and the State Constitution.</p> <ul style="list-style-type: none"> <li>• Use of public funds for private benefit.</li> <li>• Impact and significance of the Bolt decision and the Headlee Amendment to the rulemaking.</li> <li>• Issues of customer refusal of access.</li> <li>• Landlord refusal to undertake lead service line and other work.</li> <li>• Lack of a funding source for the new mandates imposed by the draft LCR.</li> <li>• Placing entire financial burden of lead service line replacement on water suppliers with no fee for services provided.</li> </ul> <p>On September 28, 2018 the Concurrence form with Petitioners Request for Declaratory Ruling was filed with Michigan Department of Environmental Quality.</p> <p><b>Agenda Review</b></p>		
<b>Materials:</b> Letter to C. Eudy Letter to D. Murphy		

**Farmington City Council  
Staff Report**

**Council Meeting  
Date: October 15, 2018**

**Item  
Number  
4G**

**Submitted by: City Manager**

**Agenda Topic: Second Amendment to Employment Agreement**

**Proposed Motion:** Motion to amend the City Manager employment agreement to increase the annual base salary 2%, from One Hundred and Fifteen Thousand two Hundred and Eighty Five and 50/100 Dollars (\$115,285.50) to One Hundred Seventeen Thousand Five Hundred and Ninety-One and 21/100 Dollars (\$117,591.21), which is a two percent (2%) increase calculated on an annual basis, with the initial additional amount of Two Thousand Three Hundred And Five and 71/100 Dollars (\$2,305.71) to be spread equally in installments from the pay period commencing October 15, 2018, to the pay period ending June 30, 2019, and thereafter, unless increased by the employer following employee's subsequent performance evaluations, said amount to be spread evenly in monthly installments for the following year(s).

**Background:** At the Council Meeting of September 17, 2018 the City Council evaluated the City Manager and determined to increase his annual salary by 2% which is the same as the other non-represented employees.

**Materials:** Second Amendment to Employment Agreement

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: October 15, 2018</b>	<b>Item Number 6A</b>
<b><u>Submitted by:</u></b> Frank Demers, Public Safety Director		
<b><u>Agenda Topic</u></b> Approve ordinance to amend the City of Farmington Code of Ordinances, Chapter 20, to include Vape and Electronic Cigarettes.		
<b><u>Proposed Motion:</u></b> Motion to Approve Ordinance to Amend the City of Farmington Code of Ordinances, Chapter 20, to include Vape and Electronic Cigarettes		
<b><u>Background:</u></b>  <p>“Vaping” refers to the inhale and exhale of vapor produced by an electronic cigarette or similar device. The practice of “vaping” among the youth in our community is a growing problem. The department’s School Resource Officer (SRO) has reported that vaping among youth continues to be a problem in and around the schools and disrupts the teaching environment.</p> <p>In Michigan, the sale of cigarettes and other tobacco products is governed by state law. The Youth Tobacco Act (Public Act 31 of 1915) prohibits the sale of <b>tobacco</b> products to a minor. The law also prohibits a minor from purchasing, possessing, or using tobacco products. The Act defines a minor as an “individual under 18 years of age.” MCL 722.644(a).</p> <p>At this time, vape and electronic cigarette devices technically are not a part of this “tobacco product” definition as the key element is <b>nicotine</b>. There is, however, pending legislation that would change this and add such devices to the definition. Additionally, the federal government has banned the sale of these vape/e-cigarette products to minors. So right now, the sale of vape and electronic cigarettes to minors is technically not regulated under Michigan law, but is illegal under federal law.</p> <p>In an effort to address the problem of use and abuse of vape products among youth, many communities have passed local ordinances that regulate the use and sale of vape products and vape devices to minors. In consultation with the City Attorney’s office, a draft ordinance regulating the sale and use of nicotine vape products in Farmington has been prepared for Council review.</p> <p>At the September 17th City Council meeting, City Council agreed to move forward with the implementation of the proposed ordinance, but requested that the ordinance include increased fines and fees for vendors who sell tobacco and/or nicotine products to minors. The updated draft includes language regarding increased fines and fees for violations of this ordinance.</p>		
<b><u>Materials:</u></b> -Draft Ordinance		

**STATE OF MICHIGAN**

**COUNTY OF OAKLAND**

**CITY OF FARMINGTON**

**ORDINANCE NO. C-\_\_\_\_-2018**

**AN ORDINANCE TO AMEND THE CITY OF FARMINGTON CITY CODE OF ORDINANCES, CHAPTER 20, "OFFENSES," ARTICLE VIII, "OFFENSES PERTAINING TO MINORS," IN ORDER TO AMEND SECTION 254 TO INCLUDE VAPE AND ELECTRONIC CIGARETTES IN THIS SECTION AND TO PROVIDE FOR CHANGES IN ITS PENALTY PROVISIONS.**

**THE CITY OF FARMINGTON ORDAINS:**

**PART I.** That Chapter 20, "Offenses," Article VIII, "Offenses Pertaining to Minors," of the City of Farmington Code of Ordinances is hereby amended to read as follows:

**Sec. 20-254. – Smoking and Possession of Tobacco Products by Minors.**

a) Definitions. The following words, terms and phrases when used in this division have the meaning provided except where the context clearly indicates a different meaning:

*Nicotine product* means the highly toxic alkaloid found in tobacco, presented in tobacco, or in some other form for ingestion, including, but not limited to water soluble nicotine containing substances, and devices which deliver nicotine through vapor or other means for ingestion, such as electronic cigarettes, hookah pens, or other similar devices.

*School district* means a school district, local school district, or intermediate school district, as those terms are defined in the school code of 1976 Act No. 451 of the Public Acts of Michigan of 1976 (MCL 380.1 et seq.), as amended or a charter school, consortium, or cooperative arrangement, or any combination of these.

*School property* means a building facility, or structure, or other real estate owned, leased, occupied, or controlled by a school district.

*Smoking* or *smoke* means the possession by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device, or activated device which delivers nicotine through vapor or other means, or ingestion electronically such as electronic cigarettes, hookah pens, or other similar devices.

*Tobacco products* means preparation of tobacco to be ingested by any means including but not limited to smoked, vaporized, chewed or inhaled.

*Use of tobacco product and/or nicotine product* means any of the following:

- 1) The possession of a lighted cigar, cigarette, pipe, or other lighted smoking device.

- 2) The possession of a device which delivers nicotine through vapor, or other means which is for ingestion, including, but not limited to electronic cigarettes, hookah pens, or other similar devices.
- 3) The ingestion of a tobacco product by any means.

b) Furnishing tobacco products to minors prohibited.

No person shall furnish, give, or sell any tobacco product or nicotine product in any form to a person under the age of eighteen (18) years of age. A person who violates this section shall be guilty of a misdemeanor punishable by a fine of not more than two hundred and fifty dollars (\$250.00) for each offense.

c) Tobacco and nicotine products on school property.

A person shall not smoke a tobacco product or nicotine product on school property. A person who violates this subsection is guilty of a misdemeanor punishable by a fine of not more than two hundred and fifty dollars (\$250.00).

d) Smoking, use, or possession of tobacco and nicotine products by a minor in public; penalty.

A person under the age of eighteen (18) years shall not possess, smoke, or use nicotine products or tobacco products anywhere within the City of Farmington, State of Michigan. A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than two hundred and fifty dollars (\$250.00) for each offense.

**Part II**      **Severability**

Should any section, subsection, paragraph, sentence, clause, or word of this ordinance be held invalid for any reason, such decisions shall not affect the validity of the remaining portions of the ordinance.

**Part III**      **Savings**

This amendatory ordinance shall not affect violations of the zoning ordinance or any other ordinance existing prior to the effective date of this ordinance and such violation shall be governed and shall continue to be separately punishable to the full extent of the law under the provisions of such ordinance at the time the violation was committed.

**Part IV**      **Effective Date: Publication.**

This amendatory ordinance shall be effective 10 days after adoption by the City Council and after publication as provided by the Charter of the City of Farmington.

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 \_\_\_\_\_, 2018, the original of which is on file in my office.

\_\_\_\_\_  
SUSAN K. HALBERSTADT, City Clerk  
City of Farmington

Adopted:  
Published:  
Effective:

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Item Number 7A</b>
<b>Submitted by:</b> Charles Eudy, Superintendent		
<b>Agenda Topic</b> Michigan Department of Transportation (MDOT), Request for approval under the City's Noise Ordinance for work in connection with the resurfacing of M-5, Grand River bridge over M-5 reconstruction and Drake Road bridge over M-5 repairs to be conducted in 2019.		
<b>Proposed Motion:</b> Move to approve nighttime and weekend work by Michigan Department of Transportation (MDOT) for resurfacing and bridge reconstruction and maintenance during the 2019 construction season, pursuant to Section 19-127 of the City Ordinance and as requested by letter dated October 8, 2018.		
<b>Background:</b> <p>The city administration and engineers at Orchard Hiltz McCliment (OHM) have reviewed Michigan Department of Transportation (MDOT) proposal to resurface M-5, Grand River bridge reconstruction over M-5, and Drake Road bridge over M-5 repairs to be conducted during the 2019 construction season.</p> <p>On September 26, 2018 the City of Farmington hosted a public information forum for MDOT staff to inform and answer questions from residents.</p> <p>To reduce daytime congestion due to the resurfacing, MDOT is requesting approval under the City of Farmington Noise Ordinance for nighttime and weekend work throughout the construction zone. Additional details of the request are included in the attached letter from MDOT.</p> <p>The work is permitted within Farmington Code of Ordinances Sec. 19-127-Exceptions when the public safety, welfare and convenience renders it impossible to perform such work during the day. (Note that such work can also be authorized by the building official under Section 19-124(b), Exemptions.)</p> <b>Agenda Review</b>		
<b>Materials:</b> Sec. 19-127 Exceptions MDOT Request for Noise Ordinance Variance		

Sec. 19-127. - Exceptions.

None of the terms or prohibitions of this article shall apply to or be enforced against:

- (a) *Emergency vehicles.* Any police or fire vehicle or any ambulance, while engaged upon emergency business or the emission of sound for the purpose of alerting persons to the existence of any emergency or the emission of sound in the performance of emergency work.
- (b) *Roadway maintenance and construction.* Excavations or repairs of bridges, streets, or highways by or on behalf of any governmental agency, during the night, when the public safety, welfare and convenience renders it impossible to perform such work during the day.
- (c) *Public speaking.* Noncommercial public speaking or public assembly activities conducted on any public space or public right-of-way.

(Ord. No. C-764-2012, § 1, 8-20-12)



STATE OF MICHIGAN  
**DEPARTMENT OF TRANSPORTATION**  
OAKLAND TRANSPORTATION SERVICE CENTER

RICK SNYDER  
GOVERNOR

KIRK T. STEUDLE  
DIRECTOR

October 8, 2018

David Murphy  
City Manager  
23600 Liberty St.  
Farmington, MI 48335

**RE: Request for a Variance of the City of Farmington Noise Ordinance  
For Construction projects on EB & WB M-5 between I-275 and Grand River Ave  
CS 63022- JNs 119805, 123712, and 201236**

Dear Mr. David Murphy:

With this letter, the Michigan Department of Transportation (MDOT) is requesting a variance to the City of Farmington Noise Ordinance to allow for construction activities on EB and WB M-5 between I-275 and Grand River Ave to occur during night and weekend hours.

The construction projects (119805, 123712, and 201236), from as early as April, 2019 to November, 2019, will include HMA Overlay, pavement repairs, miscellaneous curb and gutter replacement, bridge rehabilitation, permanent signing, and pavement markings. The projects will require daily single and weekend double lane closures on M-5, ramp closures, as well as weekend closures for paving and bridge rehabilitation as follows:

- A shoulder closure on M-5 shall be allowed at all times.
- A single lane closure on M-5 shall be allowed at all times except:
  - Weekdays between 6:00 AM and 9:00 AM and 3:00 PM and 6:00 PM
- The following ramps will close while work is done in the outside lanes, but closures will be staged to avoid closing ramps simultaneously:
  - EB M-5/10 Mile Rd Exit Ramp
  - WB Grand River Ave/WB M-5 Entrance Ramp
  - EB Grand River Ave/WB M-5 Entrance Ramp
  - Halsted Rd/EB M-5 Entrance Ramp
  - EB M-5/9 Mile Rd Exit Ramp
  - 9 Mile Rd/EB M-5 Entrance Ramp
- Double lane closures on M-5 (in three-lane sections) shall be allowed only on weekends from Friday at 9:00 PM to Monday at 5:00 AM (except as noted below for holidays). A minimum of one lane in each direction of M-5 will remain open at all times.
- Full closures of M-5 shall be allowed on a maximum of six (6) weekends, one bound at a time, from Friday at 9:00 PM to Monday at 5:00 AM (except as noted below for holidays).

- All traffic stoppages for the removal and installation of bridge truss will be between the hours of 10:00 PM and 5:00 AM and utilize law enforcement officials. (These stoppages shall be allowed for a duration of no longer than 15 minutes, after which traffic must be allowed to proceed until such time as traffic has been free flowing at the speed limit for a period of 5 minutes.)

Provisions have been included in the project to restrict the contractor from working during the Memorial Day, Fourth of July, and Labor Day holiday periods and during certain local events.

Whenever possible, MDOT tries to construct projects mainly at night and on weekends to reduce motorist delay, reduce inconvenience to adjacent businesses, and shorten the duration of construction. Due to the heavy traffic volumes along M-5 and the need to close multiple lanes during mill and paving operations, nights and weekends provide the best opportunity to complete the work minimizing the impact to motorists.

MDOT appreciates your consideration in this matter and looks forward to your reply. If you have any questions or need additional information, please contact me at 248-514-4744 or by email at GraggK1@michigan.gov

Sincerely,

Kelsey Gragg  
Traffic Operations Engineer  
MDOT-Oakland TSC

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date: October 15, 2015</b>	<b>Item Number 7B</b>
<b>Submitted by: Frank Demers, Public Safety Director</b>		
<b>Agenda Topic: Resolution to Join the Farmington Area Citizens Emergency Response Team (CERT).</b>		
<b>Proposed Motion:</b> Approve Resolution to Participate with the Farmington/Farmington Hills Community Emergency Response Team, better known as Farmington Area CERT.		
<b>Background:</b> A Community Emergency Response Team (CERT) program educates citizens about disaster preparedness for hazards that could impact our area, and provides training in basic disaster response skills. These skills include fire safety, light search and rescue, team organization, and disaster medical operations which are all done under the command of emergency response agencies. Using this training, CERT members can assist others in their neighborhoods, or workplaces, following disasters or other large scale incidents when professional first responders are not immediately available. CERT members are also encouraged to support emergency response agencies by taking a more active role in emergency preparedness projects in the community.  The Farmington Area CERT team, which covers both Farmington and Farmington Hills, would assist the Farmington Public Safety Department, Farmington Hills Police Department and Farmington Hills Fire Department during incidents of wide spread emergencies. Trained CERT volunteers could be used to assist with evacuation notifications, damage assessment, securing safety perimeters, supply disbursement, and searches. All of these job tasks would be under the command of one of the above mentioned emergency service agencies.  Initial CERT training includes 24 hours of instruction in fire safety, light search and rescue, team organization, and incident command. After the initial training, monthly training is provided by senior CERT volunteers, police and fire instructors, FEMA staff, and Oakland County Emergency Preparedness.  The Public Safety Department will budget five hundred dollars (\$500) annually for the CERT team which would cover supplies such as identification lanyards for team members, radios, flashlights, and CERT t-shirts.  CERT volunteer will have a criminal history check prior to appointment to the team.		
<b>Materials:</b> Resolution		

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON

**RESOLUTION NO.**

**A RESOLUTION OF THE FARMINGTON CITY COUNCIL TO ADOPT THE FARMINGTON AREA COMMUNITY EMERGENCY RESPONSE TEAM (CERT)**

**RESULT:**  
**MOVER:**  
**SECONDER:**  
**AYES:**

**WHEREAS**, the City of Farmington recognizes the need for enhanced emergency response resources in the wake of man-made or natural disasters; and

**WHEREAS**, first responders to such natural disasters and other emergencies, must address often overwhelming circumstances in emergency situations; and

**WHEREAS**, the Federal government has established the Community Emergency Response Team (CERT) program under Citizen Corps, a subsidiary of the USA Freedom Corps created by Executive Order 13254 in 2002; and

**WHEREAS**, the City of Farmington has the authority to establish a Community Emergency Response Team that will facilitate training to volunteers to help first responders and address various needs in the event of a natural disaster or other large scale emergency; and

**WHEREAS**, the Federal government, the State of Michigan and Oakland County have offered resources to assist in the establishment and training of a Community Emergency Response Team;

**NOW, THEREFORE, BE IT RESOLVED**, the City of Farmington, will establish a Community Emergency Response Team in conjunction with the City of Farmington Hills which shall be referred to as the Farmington Area Community Emergency Response Team.

I, Mary J. Mullison, duly authorized City Clerk for the City of Farmington do hereby certify that the foregoing is a true and correct copy of a motion adopted by the Farmington City Council at a regular meeting held on Monday, October 15, 2018 in the City of Farmington, Oakland County, Michigan.

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Mary J. Mullison, City Clerk

**Farmington City Council  
Staff Report**

**Council Meeting  
Date: October 15, 2018**

**Item  
Number  
7C**

**Submitted by:** David Murphy, City Manager

**Agenda Topic:** Consideration to approve Planned Unit Development (PUD) PUD Concept Plan and PUD for Samurai Steakhouse and related improvements located on the south side of Grand River east of Grove Street

**Proposed Motion:** Motion to conditionally approve the Samurai Steakhouse PUD Concept Plan and PUD Agreement with XIE ZHENG, LLC, for demolition and redevelopment of a new mixed-use building and realignment of parking areas, to occur on two adjacent parcels that will make up one integrated development, because the project meets the eligibility requirements of a planned unit development as a result of its redevelopment of properties that, at the completion of the project, will better contribute to the vibrancy of downtown Farmington. Approval is subject to the following conditions:

- a. Incorporation of the following changes to PUD Concept Plan in a Final PUD Concept Plan to be reviewed and approved administratively for attachment to the PUD Agreement:
  - Comments/recommendations in the PUD site plan planning/conceptual design review letter from OHM Advisors dated August 6, 2018.
  - Comments/recommendations in the PUD site plan engineering/conceptual design review letter from OHM Advisors dated August 6, 2018.
  - Conditions of approval in the motion of approval of the PUD Concept Plan by the Planning Commission of August 13, 2018.
  - ***Any other changes required by City Council.***
- b. Final review and approval of all legal descriptions and other exhibits.
- c. Final review and approval of the of the PUD Agreement by the City Manager and City Attorney, including any minor amendments deemed necessary to comply with the City's ordinances and Council requirements.
- d. Final site plan by the Farmington Planning Commission that incorporates all requirements of the PUD Agreement, as revised.

**Background:** The Samurai Steakhouse PUD proposal comprises two separate parcels of land—the former Grand Cleaners building, which is already in the process of being re-purposed from its previous re-use (a restaurant/deli) into a sushi restaurant, through the site plan process, and the former Ginger's Tea House property. The latter parcel is in the process of building and site demolition, again already approved though City administrative processes. Together, the two properties are about 0.76 acres in area.

The PUD seeks primarily to authorize the establishment of a multi-use building on the Tea House property, with the lower floor being used for a restaurant (a Japanese steakhouse as proposed) and the upper stories being used for residential (apartments). The PUD has been set up to comprise both parcels because they two buildings /parcels will have a common owner and will be jointly operated, but also because they will share parking.

The existing building is two stories. The new proposed building will be 4 stories. There are some important deviations from ordinance standards that also cause the need for variance relief. The small site makes it difficult to provide all of the required landscaping and to meet all setbacks. Most significant, though, is the parking deviation. The two uses together would require 91 parking spaces, and there is room for only 31 on site. There are another 39 spaces identified off-site, on public property on-street. However, the City is permitted both by virtue of the property's location in the CBD District and because this is a PUD to grant the deviations and allow the development as proposed. The Zoning Ordinance contemplates reduction in required off-street parking under Section 35-182(I) if there are public parking areas that are convenient to the property. In addition, the PUD ordinance generally allows deviations from ordinance requirements where "the requirements create practical difficulties that unreasonably prevent the development of the property as a PUD and render conformity with such restrictions unnecessarily burdensome of the deviation or waiver is not granted."

The Planning Commission reviewed the proposed use and nearby parking and determined that parking was sufficient. The City staff and consultants concur with that determination.

As the Council is aware from other PUD approval, this approval would allow the applicant to submit final site plan and engineering plans to allow the development to hopefully proceed to construction in the spring.

**Materials:** August 13, 2018 Planning Commission Meeting Minutes; August 13, 2018 Planning Commission Meeting Staff Report; OHM Preliminary PUD Site Plan Review Letter Dated August 6, 2018; OHM PUD Site Plan Engineering Review Letter Dated August 6, 2018; and Samurai Steakhouse Preliminary PUD Site Plan



FARMINGTON PLANNING COMMISSION PROCEEDINGS  
City Council Chambers, 23600 Liberty Street  
Farmington, Michigan  
August 13, 2018

Chairperson Crutcher called the Meeting to order at 7:00 p.m. at City Council Chambers, 23600 Liberty Street, Farmington, Michigan, on Monday, August 13, 2018.

**ROLL CALL**

Present: Chiara, Crutcher, Gronbach, Kmetzo, Majoros, Perrot  
Absent: Waun

A quorum of the Commission was present.

**OTHER OFFICIALS PRESENT:** Director Christiansen, Recording Secretary Murphy

**APPROVAL OF AGENDA**

MOTION by Gronbach, seconded by Majoros, to approve the Agenda.  
Motion carried, all ayes.

**APPROVAL OF ITEMS ON CONSENT AGENDA**

**A. July 9, 2018 Minutes**

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

**PUBLIC HEARING AND CONCEPTUAL/PRELIMINARY PUD SITE PLAN REVIEW -  
SAMURAI STEAKHOUSE RESTAURANT, 32905 GRAND RIVER AVENUE**

Chairperson Crutcher introduced this agenda item and turned it over to staff.

Christiansen stated this evening is the scheduled Public Hearing and Conceptual/Preliminary PUD, Planned Unit Development Plan Review with the Planning Commission on the proposed PUD, Planned Unit Development Plan, for the redevelopment of the former Ginger's Café site. At the June 11, 2018 Planning Commission Meeting, the Commission held a preapplication conference, a discussion and review with the Applicant on a proposed PUD concept plan. At the July 9<sup>th</sup>, 2018 meeting, the Planning Commission scheduled the required PUD Public Hearing for this evening as requested. A copy of the Public Hearing Notice is attached with your staff packet.

The Applicant has submitted a preliminary, PUD plan for the redevelopment of the former Ginger's Café site. The preliminary plan includes a conceptual preliminary site plan,

preliminary proposed floor plans, and preliminary proposed building elevations. Also attached is an aerial photo of the site and a copy of the June 11, 2018 Planning Commission preapplication conference staff report and meeting minutes. The following additional information is attached: a PUD site plan, conceptual design review letter from OHM Advisors dated August 6, 2018, and a PUD site plan engineering design review letter from OHM Advisors also dated August 6, 2018.

The Applicant and his representative are here this evening to present the preliminary PUD plan to the Commission.

Chairperson Crutcher thanked Christiansen and asked if the Applicant was present.

Sal D'Aleo, from D'Anna Associates, the architects for the project, came to the podium. He stated as the site plan shows they want to bring a Samurai Steakhouse to Farmington. As everyone should be aware, they are proceeding with the existing building which is the Grand Café Building which is being retrofitted currently to house a sushi bar, and with the idea of creating a second structure to house the second half of their business which would be the hibachi restaurant. In all, these two buildings would essentially continue that urban feel of the street front.

The idea is to take the adjacent site and combine it, creating one development, utilizing the existing Ginger's Café Building and adding a new structure would be a total of four stories, the first floor would be the hibachi restaurant and three stories above that would be apartments.

The in between space would be a patio space, to bring outdoor life to the streetscape and also provide connectivity to the rear parking lot, a pedestrian friendly façade.

Architecturally, the same kind of architecture will continue, obviously the same façade of the Grand Café Building, again, great visual continuity and reinforce that kind of urban edge.

So the plan as designed has some deficiencies, mainly parking, that is the biggest deficiency. There is a breakdown of the intent of parking spots. Seventy spaces are required, and they are providing thirty-nine onsite and they're asking for approval of utilization of the street parking to get the number required. If you look on the aerial of the site plan, from Groves Street to Mayfield, they are picking up a total of thirty-one parking spaces on street and that would satisfy the parking requirement for seventy.

There are some other deficiencies that they are again asking for approval for, mainly the parking, but they are also maximizing use of the site outside of the zoning standards to make the project viable and also to create the urban edge that the City is looking for.

There is a parallel plan that shows basically this development would look like if they were forced to adhere to the current zoning standards, a very undesirable development, a building that really has no frontage, doesn't meet the frontage requirement for the zoning to begin with just to accommodate the parking that it needs.

Lastly, they are certainly open-minded to utilization of adjacent properties, again agreements would need to be put in place. But there is on the aerial overlay, several areas of shared parking that they'd like to identify, one at the rear at the apartment development directly behind the site where they deem it a good potential for residents of the building to actually park there so it would be compatible use in terms of parking with a shared access to that because that is basically a piece of the property not being developed so they would essentially be using their property but using access off of Orchard Court to access that, so again that would be residential parking. And then a crosswalk at the front of the building to connect to what seems like an underutilized parking lot across Grand River at the shopping center.

So those are potential alternatives but that is the product in a nutshell and he stated he'd be open to answer any questions. He stated he did not receive the review letters that were put out, so he can't address any specific concerns in those letters but would be welcome to answer any questions.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Chiara asked if the parallel plan was in their packets and Christiansen responded it is one the screen and he further inquired if it was a preliminary site plan and Christiansen responded through the Chair that what the Planning Commission is reviewing tonight is a conceptual preliminary PUD site plan, that's in the packet, and what is up on the screen currently is what is referred to by the Applicant's architect, is the parallel plan, alternative plan as he's calling it, with parking.

Chiara then asked where the number of seventy parking spaces were needed and D'Aleo responded it is from the Zoning Ordinance based on use, the tabulation for restaurant use as well as apartment dwelling use. So basically they're looking at a dedicated space per dwelling unit. This is cumulative parking for both buildings, both the existing one, and there's three apartments above that that they are including dedicated parking for those dwelling units. It's basically apartment parking and the rest of it is based on restaurant use, I think it's one per three seats.

Chiara then asked Christiansen if that is something in their Code, one for three seats. Christiansen responded through the Chair is to allow for the City's Engineering and Planning consultants to provide their reviews and some of these questions may be answered by them in their review letters.

Chairperson Crutcher called the consultants to the podium.

Matt Parks, OHM Advisors, came to the podium to speak on the engineering report and that Marguerite Novak is present to give the summary of their planning review.

He stated in the Commissioners packets they should have a letter dated August 6<sup>th</sup>, 2018, a three-page letter. He stated the Applicant did a good job of summarizing the site as a whole. He stated their review was primarily focused on the PUD plan as it was presented, although they do acknowledge the alternative was submitted to them as well, they spent the majority of time and their comments on based on the PUD plan as submitted.

Starting on page 2 he indicated they have all of their preliminary review PUD site plan concepts, there are quite a few but he would like to note none of them are earth shattering, show stopping type comments, he thinks they are all things that can be worked with and worked on with the Applicant, their engineer and architect.

In general, he stated at this stage they are looking from an engineering standpoint how the site fits, how it circulates, how the parking fits in and how the utilities work and then also they look at adjacent properties on Grand River. At this stage they are not looking for detailed grading, per se, but a basic preliminary grading sheet. There are some elevation changes between the property and the property to the south, the property to the west and east, so they are looking for a little more information there, but these are things that can be dealt with later on should this be moved forward.

He indicated they are also looking for a little bit of clarification from the Applicant in general on the removal plan and what is going to be preserved of the existing parking lot of the Samurai Steakhouse and what's their today that is going to be removed. He stated it's pretty obvious when you go out there and look at the site and look at the drawings on what's coming out, but they are looking for a little more clarification on the drawings to make that more clear.

The third comment they had is just the Applicant has a very nice and it shows very well in the architectural drawings, there is a walk-thru proposed between the buildings, they are showing onsite dining and through there so they are asking for clarification on whether that is going to be strictly outside dining between the two buildings with the Pergola type thing they are showing on the drawings or if it is meant to be kind of a walk-thru and that

they would stress if it is going to be a designated walkway in between Grand River from the parking lot, that to make sure it is ADA compliant so it's accessible and some notes on the plan would help clarify what the intention is there.

The fourth comment is one of the bigger ones in the letter, it is something that the consultants can help work the Applicant on, which is parking spots and offsite parking spots to help supplement the onsite parking spots. There is a number of newly painted parking spots on Grand River, and Parks asked that those be preserved, and they agree they should be counted and utilized as far as their parking counts go. He indicated they noticed that some of the markings on the plans weren't necessarily how it exists today and if they intend on moving them they need to coordinate that with OHM as they were put in place and that any changes and anything out on the Grand River right-of-way has to be permitted and approved by MDOT.

He went on to say the potential crosswalk that is shown, that they support that and applaud the Applicant for doing that, he stated it adds to the connectivity of this site to the rest of the downtown, sidewalks on the north side of Grand River as well as the south side and it helps promote access to other available parking within the vicinity that may be convenient for users to use.

One thing they would recommend is seeing that it is proposed midblock, that potentially a rapid flashing beacon could be installed there, and it would need to be permitted by MDOT but that could potentially be a public benefit to the site and for the safety of the pedestrians as well as help traffic in that area.

He stated a number of other very minor comments follow, some turning templates just to show vehicle navigation in and out of the site to make sure everything is wide. Looking at it and measuring it out from what he reviewed it doesn't look like there are any problems, but they like to see those printed on the plan sheet just so it's obvious and shows usually the largest delivery vehicle is what they're looking for, any kind of food delivery service, food trucks or trash collection vehicles would be acceptable.

One of the unique things he did notice was they do have some possible parking shown on the very south side, that they would actually have to access through the apartments to park there and maybe those are meant for the tenants living upstairs, he stated he has no objection as long as the apartments would be agreeable to it and an ingress and egress agreement would be required if those are to be constructed as proposed.

Minor comments about storm water were made, drainage, something very simple to deal with later, and some preliminary storm water calculations. It's typical at this stage not to

have full blown storm water calculations but something very preliminary needs to be shown.

He stated that existing utilities be shown on the plans, some clarification on separation between lots, on existing fences that should be improved along the south side of the property and just general dimensions of parking spaces and labeling, all minor things.

He indicated included in his letter was a list of potential permits and approvals, probably the most major one is the Michigan Department of Transportation, which basically is anything in the Grand River right-of-way. Then a final PUD Agreement is something that the City would enter into with the Applicant, soil erosion permit, and any kind of building department permit.

In general, he stated 99 percent of the comments made in his letter are minor ones that they like to point out now to the Applicant so they can be made aware now versus later.

Parks then stated he'd be happy to answer any questions in his report now or after the planning letter is reviewed.

Chairperson Crutcher opened the floor to questions from the Commissioners.

Majoros recommended that they hear the planning review letter and then questions.

Marguerite Novak, OHM planner, came to the podium to address the planning review letter.

She stated her letter addresses compliance with the Zoning Ordinance, Master Plan, Downtown Area Plan and Downtown Master Plan and Downtown Parking Study.

She indicated she would start by giving a background on the site and then a summary of their comments on the matrix of fulfillment of Land Use Requirements. She stated it then lists items that need to be addressed according to the Zoning Ordinance and discusses compliance items.

In terms of zoning, the PUD designation and underlying Zoning District, that being Central Business District, it generally meets requirements with the exception of a few discrepancies in light of keeping pedestrian oriented designs, building designs, and then parking.

Starting with pedestrian orientation, she stated they would echo the engineering letter and defer to them on safety standards for this crosswalk and talked about how the

proposed design supports pedestrian activity to adjacent properties, but more information is needed on the proposed crosswalk to ensure safety and usability.

In terms of setbacks, the site setback is currently less than what is required under the Central Business District zoning but is compatible with adjacent development and that there is flexibility in the PUD process on setback requirements and especially in light of current existing development on adjacent properties.

She indicated the proposed landscaping abutting the residential zone does fall short of meeting the zoning requirements. There are also no street trees proposed on this plan and that is something that may be required by the Planning Commission.

Parking is one of the larger items here, while this does fall short of the numerical standards of the zoning ordinance, reciprocal parking agreements and other offsite parking options would really allow for a reduced parking ratio for this site.

She discussed the signage, that the entrance should be pushed back rather than pulled out on the street front.

In terms of planning, the land use of this site does directly comply on the Future Land Use Designation set forth in the City Master Plan and the 2016 Downtown Master Plan calls for an increase in pedestrian crossings along Grand River, so that it's important to note this plan does have potential crosswalks as called out in the Downtown Master Plan.

Another note on these plans is that the Downtown Parking Study identifies the parking area to the north of the project site as underutilized and again, this is where the proposed design shows a potential crosswalk to the lot that the Downtown Parking Study on page 4 currently calls out as the Village Commons Parking Area as underutilized.

In conclusion, she stated she wanted to reiterate the recognizable benefit, and that the items in her letter she would defer to the Planning Commission on determination of those items and the letter is just intending to facilitate Planning Commission discussion and the developer is encouraged to work with the City to make any changes.

Chairperson Crutcher thanked Ms. Novak for her review. He then opened the floor for questions from the Commissioners.

Majoros stated his questions are probably best addressed to the Applicant, and indicated that the last time they saw the plans for this project it was a two-story building with three apartments or four, and today it's a four-story with fifteen and asked for an explanation in

the change of the fundamentals of the building, is it economically driven, is it that there is a need to develop more apartment units, seeing as it's a pretty big change.

D'Aleo responded it is an economic move, the idea is to maximize the potential for the site.

Majoros asked if there was an anticipated rental charge for the units established yet and cited the Maxfield Training Center in his question and asked for the size of the units and rental rates.

D'Aleo responded they would charge approximately \$1,000 monthly.

Chairperson Crutcher confirmed that these are market rate apartments and not subsidized and D'Aleo responded in the affirmative.

Majoros then asked for an update on the barn.

Michael Kelmsey, owner, came to the podium to respond to the question. He stated they are working with the Pioneer Preservation Society and has a representative present at the meeting tonight to answer any questions. He indicated they had hired a contractor to start the barn and had given him a large sum of money to start and that they walked with his money and that matter is presently in litigation. He went on to say they reached out to Dave Decker, who has assisted them, from Pioneer Preservation Society, to get that barn moved over there. Money and time does play a factor in this as they weren't expecting the expense and they had to come up with another \$20,000 to get this barn moved and that is where they are at. They were supposed to begin today but the construction company that was hired by Pioneer is delayed in starting.

Majoros stated that they should have Plan B in place and Kelmsey replied that initially they had no intention of preserving the barn but thought it would be a good faith effort to the City when they were approached about it. Kelmsey then asked if the Pioneer representative could come to the podium to give the update.

Dave Decker, board member at Oakland County Pioneer Historical Society, came to the podium and stated that they have contracted with a barn preservation company to relocate the barn and that starts next Monday and they hope to have it done by the Friday following and stated he was assured it would be off the site by August 31<sup>st</sup> as long as weather permits. He indicated it would be taken down in sections, trucked to Pontiac, and stored there and that next year they will re-erect the barn.



Majoros stated there has been a good deal of discussion and asked Kelmsey to describe the outreach he's made to adjacent potential parking locations and what the discussion and outcomes have been.

Kelmsey stated over the past three months they've had meetings with every surrounding parking lot or building owner. Starting to the east, Mother Mary's Toffee, they offered to purchase their building but couldn't come to a set price. He indicated they stated where they would be willing to sign something that would allow them to use his parking lot, given that their hours are a little different and that they could use their parking lot as well, so that is one reciprocal that may be in place. He stated they attempted to buy that building and tear it down to accommodate the parking requirement but that their numbers were too far off.

Kelmsey went on to state that Farmington West, to the south, that they had met with one of the principals two months ago, asking to extend their parking lot pretty much connecting to theirs, and there was a rendering of it, that would provide another eight spots, and that they've reached out to her and said they would take care of the wall in exchange. The new owners of Ace Hardware complex, the Hurleys, that they approached them about a pass-thru between the two parking lots and unfortunately at this time he doesn't want to do that as he is looking to do something vertical with his building.

The shopping center across the street, Kelmsey stated he had reached out to one of the owners and he couldn't give a definitive answer as he had a lead anchor coming in, a bar, and he didn't know how many parking spaces that establishment would require.

Majoros asked if there was a set strategy in place for employee parking versus resident parking versus patron parking.

Kelmsey stated they were going to rely on their engineer for the answer to that. He said on the south side of the Ace Hardware building there is a large parking lot and that that was a possibility they were going to pursue as far as employee parking back there as there is a pathway behind that building that leads to their parking lot.

Chairperson Crutcher asked if there were any more questions from the Commissioners, hearing none, he called for a motion to open the Public Hearing.

MOTION by Chiara, supported by Majoros, to open the Public Hearing.  
Motion carried, all ayes.

(Public Hearing opened at 7:35 p.m.)

## **PUBLIC HEARING**

Bob Steinhaus, a founding member of the Grand River Cruisers Car Club, which is held at the Village Commons Shopping Center for the past decade, spoke of his concerns with restaurant parking interfering with their event.

Mike Liades, managing agent for Farmington Village Commons, asked the Petitioner to look into putting parking under the building to remedy the parking situation and not impose on surrounding neighbors.

Dave Decker, Oakland County Pioneer and Historical Society, returned to the podium to reply to any questions from the Commissioners.

Chris Halas, 33660 Hillcrest, spoke about the current trend in people using ride sharing services and that that should be kept in mind when anticipating parking counts. He then indicated that he was provided with data from the Director of Public Safety, stating that there was a 34.5 percent decrease in DUI arrests in Farmington, since the popularity of ride sharing services has increased.

Hearing no further public comments Crutcher called for a motion to close the Public Hearing.

MOTION by Majoros, supported by Perrot, to close the Public Hearing.  
Motion carried, all ayes.

(Public Hearing closed at 7:52 p.m.)

Chairperson Crutcher asked if there were any further comments from the Commissioners.

Majoros asked Christiansen if there was any action required from the Planning Commission this evening.

Christiansen responded that the requested action of the Planning Commission this evening is in considering the conceptual preliminary plan and acting on the conceptual preliminary PUD plan as requested by the Applicant and forwarding the action to the City Council for their consideration and then a draft PUD Agreement and then the final step is that it comes back before the Planning Commission for the final PUD site plan. He stated this is Step 3 of the five step PUD process.

Kmetzo inquired if the developers had a chance to review the letters provided by OHM and Christiansen responded through the Chair that the architect stated he had not seen them but that his firm was copied on them and sent on August 6<sup>th</sup>, 2018, as well. He went on to say they had spoken in detail with the Applicant/Petitioners on all of the items in the review letters.

Kmetzo then asked if based on those discussions, if all of the issues could be addressed in the letters and Christiansen responded in the affirmative and stated there are several places in the Ordinances that deal with parking and parking requirements, etc., and in looking at the parking regulations themselves they talk about parking onsite, and possible parking offsite. And in the City Parking Regulations, Article XIV, General Code of Ordinances, is that where parking cannot be provided completely onsite to meet numerical requirements, that if there is convenient parking, municipal parking, on street parking adjacent to and in proximity, that that is allowed to be counted and that's is what is being done here in this case to offset some of the parking spaces not on site and also municipal lots are allowed to be counted and there are a lot of municipal lots in the downtown area.

Another provision in the Ordinance, and this is in the Central Business District's regulations, is that where there are opportunities to use offsite parking, that it is encouraged in the Central Business District and there is specific language to that. So that review has been done with the Applicants, with the City and their consultants as well looking at alternatives.

The initial interest of the Petitioner, was to see if there was opportunity to create some connectivity with the adjacent properties to them and that they have exhausted those alternatives and to date they have not been successful.

Kmetzo then said that was where her question was leading, but asked if the other issues had been discussed equally as well, such as pedestrian oriented design, setbacks, landscaping and Christiansen responded that yes, after referral from the Planning Commission to Council, the draft PUD Agreement will specify the detail elements that are required and then the final site plan will come back to the Planning Commission who will look at all the items in the final site plan for final approval.

Majoros asked Christiansen for an answer on the realities of if the City, if at all, has to get involved in parking disputes. That if a formal agreement is not in place between the Petitioner and whoever owns adjacent property, what is the City's role in refereeing a potential dispute.

Christiansen replied that the City does not get engaged with parking enforcement dealing with private properties, so if there is something that is of issue with a particular property on a private property then that rests with that property owner and that situation, whatever it is or isn't. The City has responsibility over its public parking spaces which include parking in municipal lots which are within the area and also the off-street parking that's available so that is the extent of the City's responsibility and its role.

Chiara stated there is a property owner that doesn't want anyone to park in his lot and put up a sign which you will find in some places near the Mexican restaurant that the car may be towed.

Christiansen then stated he would like to finish with Commissioner Majoros' comments by saying that one of the scenarios in a thriving downtown is the situation where the sharing of infrastructure is a necessity and it's desired and that means you have interests, you have demands, you have desire in your community, in your downtown and that situation exists in Farmington where it is a very desirable community, a very desirable downtown and the dynamic is very unique. And a thriving downtown requires them to look at all these items, parking, and other infrastructure, sewer, roads, sidewalks, connectivity and that they do that on a daily basis in their planning efforts and a review like this. Some would say it's a challenge, but it's a good challenge to have because it requires them to work together and that's one of the goals they try to do. If it can't be done directly they'll look to other alternatives, our ordinances and plans provided in that.

Kmetzo asked as a follow-up to the issue of the Car Club that occurs every Monday, if there can be a little more structure that the City can put on events like this.

Chairperson Crutcher replied that the representative of the Car Club indicated there is a structure, but as far as the start and end date and times are flexible.

Christiansen responded that that event, that activity is a very unique event in the community and certainly one that the City enjoys having in the community but that it is a private event on private property, but certainly anything related to it that might require some community involvement, the City is always willing to have discussion about or try to help, whether it's Public Safety coordination or other issues.

Chairperson Crutcher called for a motion and asked Christiansen what language should be included in the motion

Christiansen responded that the action is to act on the Conceptual Preliminary Plan for Samurai Steakhouse as presented and he suggested that the review letters by OHM, planning and engineering, be included in the action and considered as conditions.

MOTION by Majoros, supported by Chiara, to approve and forward on to the City Council, the Preliminary/Conceptual PUD, Planned Unit Development Plan for Samurai Steakhouse, 32905 Grand River Avenue, contingent on and accompanying that with the two OHM Advisor letters for engineering and planning conceptual review, both dated August 6, 2018.

Gronbach asked to consider a Friendly Amendment to the motion, that with that motion that the Petitioner prepare a more detailed specific plan for parking so that the Commission would know where the assigned parking for the number of apartments will be located and would be on the site and come back with a schedule of however many parking places, including the public parking and so on is available and so that the Commission can determine if it meets the Code and know that there would be adequate parking provided for the apartment dwellers.

Majoros accepted the Friendly Amendment to his motion.  
MOTION carried, all ayes.

### **PUBLIC COMMENT**

Pamela Carney, 32718 Grand River, B23, Farmington, who lives in the River Glen condos spoke about the changes she has seen happen in the City since she moved in eighteen years ago and inquired if there had been market research done with the various businesses that have come in and out of the areas along Grand River and the volatility of those businesses.

Perrot responded to the statement by Carney relating to the immediate downtown area being solid and that it touches on a couple of different plans that the City has, the Master Plan and getting the Master Plan updated, and part of that is strengthening and extending the downtown to the east and other ways and that is a big part of it. The City is going to do whatever they can to strengthen that area which will then bring in the private investors which will enhance it even more, and that as a Commission they feel this is a project they feel will succeed and extend the success area.

Kelmsey responded by saying that his partner has a restaurant in West Bloomfield, a Samurai Steakhouse, for over a decade that is really successful and that they are ready for the challenges that come with this project and did do some research before they bought both parcels, that the apartments and condos surrounding were at 100% occupancy which is good. He also spoke about other sushi restaurants that had been or were in existence and they would like to keep theirs in the downtown as well as the steakhouse and that they are very confident about that area.

**PLANNING COMMISSION COMMENTS**

None heard.

**ADJOURNMENT**

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

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

\_\_\_\_\_  
Secretary

<b>Farmington Planning Commission Staff Report</b>	<b>Planning Commission Date: August 13, 2018</b>	<b>Reference Number 4</b>
<b>Submitted by:</b> Kevin Christiansen, Economic and Community Development Director		
<b>Description</b> Public Hearing and Conceptual/Preliminary PUD Planned Unit Development Plan Review – Samurai Steakhouse, 32905 Grand River Avenue		
<p><b><u>Background</u></b></p> <p>This item is a scheduled Public Hearing and Conceptual/Preliminary PUD Planned Unit Development Plan review with the Planning Commission on a proposed PUD Planned Unit Development Plan for the redevelopment of the former Ginger's Café site. At the June 11, 2018 Planning Commission Meeting, the Commission held a pre-application conference (discussion and review) with the applicant on a proposed PUD planned unit development concept plan for the redevelopment of the former Ginger's Café site. At the July 9, 2018 meeting, the Planning Commission scheduled the required PUD Public Hearing for the August 13, 2018 meeting as requested (see attached copy of public notice).</p> <p>The applicant, Xie Zheng, LLC, has submitted a Preliminary PUD Plan for the redevelopment of the former Ginger's Café site. The preliminary plan includes a conceptual/preliminary site plan, preliminary proposed floor plans and preliminary proposed building elevations. Also attached is an aerial photo of the site and a copy of the June 11, 2018 Planning Commission Pre-Application Conference staff report and meeting minutes. The following additional information is attached:</p> <ul style="list-style-type: none"> <li>• A PUD site plan planning/conceptual design review letter from OHM Advisors dated August 6, 2018.</li> <li>• A PUD site plan engineering/conceptual design review letter from OHM Advisors dated August 6, 2018.</li> </ul> <p>The applicant will be at the August 13, 2018 meeting to present the Preliminary PUD Plan to the Commission.</p> <p>Attachments</p>		



August 6, 2018

Mr. Kevin Christiansen  
Economic and Community Development Director  
City of Farmington  
23600 Liberty Street  
Farmington, MI 48335

RE: Samurai Steakhouse – Preliminary PUD Site Plan Review  
32821 Grand River Ave.  
Proposed Zoning: PUD – Planned Unit Development

Dear Mr. Christiansen:

At your request, we have reviewed the preliminary design for the proposed project on at 32821 Grand River Avenue. The applicant is proposing to develop a multiple-family residential development that will consist of a 4-story, mixed use buildings that include 12 apartment units above a restaurant with 100 seats. Vehicular access will be provided by one curb-cuts on Grand River Avenue. The proposed parking is located to the south of both parcels, to the east of the existing building, and along the south side of Grand River Avenue as on-street parking. The plans show the potential addition of a crosswalk leading to an existing off-site parking location. In addition, an alternative parking plan is provided showing the existing building and parking, along with additional parking in the west parcel. While this plan is being acknowledged, our review primarily focuses on the PUD plan submitted.

**Executive Summary**

In terms of compliance with the zoning ordinance, the proposed design meets land use requirements. While the design does not comply with current parking requirements, the utilization of adjacent lots may potentially provide opportunity to increase parking spaces. Further adjustments to the design should be made to meet landscaping, building design, and pedestrian oriented design. The proposed design supports all plans and reports for the area in terms of land use and general site objectives.





**Existing Site**

The proposed site is 0.76 acres in size and is comprised of two (2) parcels. Surrounding zoning districts include Central Business District to the east and west, and Multiple Family Residential to the south. The westernmost parcel currently contains two structures while the easternmost parcel, 32821 Grand River Ave., contains one (1) structure housing a restaurant and three (3) apartment units.



**Overall Land Use Compliance Summary:**

Planning/Zoning Document	Planning/Zoning Land Use Designation	Compliance of Project with Land Use Designation
Zoning Ordinance	Existing: CBD – Central Business District Proposed: PUD	Use permitted by right. Pedestrian oriented design, building design, parking, and landscaping adjustments are needed.
Farmington Master Plan (future land use map)	Central Business District - Mixed Use	Supports the intention of the mixed-use district by providing development with residential on the upper floors.
2015 Downtown Area Plan	Site does not include land use designation	N/A
2004 Downtown Master Plan	Site does not include land use designation	N/A
2016 Downtown Master Plan	Site does not include land use designation	N/A
Downtown Farmington Parking Study	Site does not include land use designation	N/A

**Zoning:**

The site is currently zoned as CBD – Central Business District, where restaurants and residential dwellings in upper stories of mixed-use buildings are permitted by right. As a property proposed for PUD designation, the development is required to meet select underlying zoning district regulations and specific eligibility criteria to validate the deviation from traditional zoning.

To fully meet the zoning requirements, the site plan will need to address the following:



### *PUD Requirements*

In order to grant PUD designation, the site design must include at least three (3) of the following elements that cannot be executed under CBD zoning regulations:

- a. Mixed-use development with residential, and non-residential uses or a variety of housing types;
- b. Redevelopment of brownfield or greyfield sites;
- c. Pedestrian/transit-oriented design with buildings oriented to the sidewalk and parking to the side or rear of the site;
- d. High quality architectural design beyond the site plan requirements of this chapter;
- e. Extensive landscaping beyond the site plan requirements of this chapter;
- f. Preservation, enhancement or restoration of natural resources (trees, slopes, nonregulated wetland areas, views to the river);
- g. Preservation or restoration of historic resources;
- h. Provision of open space or public plazas or features;
- i. Efficient consolidation of poorly dimensioned parcels or property with difficult site conditions (e.g., topography, shape etc.);
- j. Effective transition between higher and lower density uses, and/or between nonresidential and residential uses; or allow incompatible adjacent land uses to be developed in a manner that is not possible using a conventional approach;
- k. Shared vehicular access between properties or uses;
- l. Mitigation to offset impacts on public facilities (such as road improvements); or
- m. Significant use of sustainable building and site design features such as: water use reduction, water-efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, passive solar heating, reuse/recycled/renewable materials, indoor air quality or other elements identified as sustainable by established groups such as the U.S. Green Building Council (LEED) or ANSI National Green Building Standards.

The applicant shall demonstrate to the Planning Commission that the PUD provides at least three of the aforementioned site design elements that could not be attained through a project design under conventional zoning. If relaxation of the above criteria is granted, further studies are needed to demonstrate that the project will not negatively impact public health, safety, or welfare.

### *Pedestrian Oriented Design*

Requirements for residential development within the CBD District call for an interconnected street and sidewalk network that unifies neighborhoods and provides more convenient access to business and community facilities. The proposed design includes a possible future location of a crosswalk to the existing parking lot across Grand River Avenue. While the addition of the crosswalk promotes pedestrian connectivity and accessibility, further investigation of feasibility and updated plans showing all sidewalk improvements (i.e. ramps, level landings) that are consistent with all other drawings should be provided prior to approval.

### *Setbacks*

The guidelines for mixed use buildings within the CBD require a front setback of no greater than three (3) feet, no minimum rear setback, and no minimum side setback; provided a side wall of a building that is not a fire rated wall or contains windows shall be set back a minimum of ten (10) feet from the side lot line. The proposed building provides a side along the west border wall that contains windows with a setback of eight-tenths (0.80) of a foot.

Under PUD designation, deviation from with conventional development regulations is permitted. This is intended to promote and encourage development on parcels of land which are suitable in size, location and character for the uses proposed while ensuring compatibility with adjacent land uses. While the proposed





design does not meet side setback requirements of the CBD district, the reduced setback is compatible with current development along the property's border.

#### *Landscaping*

For commercial uses adjacent to residential districts, the requirements for a landscape buffer state that the buffer shall contain at minimum: two (2) canopy trees and four (4) shrubs, or one (1) evergreen and four (4) shrubs per twenty (20) linear feet along the property line, rounded upward. It also states that the buffer should be equal to the required setback. With the proposed two-hundred and thirty-one point one (231.1) linear feet adjacent to a residential district, they are required twelve (24) canopy trees and forty-six (46) shrubs or twelve (12) evergreen trees and forty-six (46) shrubs. Provided is two (2) ornamental trees, and eighteen (18) evergreen shrubs, and ornamental plant material.

Frontage landscaping requirements allow for the addition of street trees as substitution for traditional greenbelt frontage landscaping requirements. As there are no proposed landscaping elements beyond flower boxes, and no existing street trees, the Planning Commission may require the installation of a trees.

#### *Parking*

Parking requirements call for two (2) parking spaces per dwelling unit, one (1) parking space per outdoor table, and one (1) parking space for every three (3) indoor seats. With a total of fifteen (15) units, eight (8) outdoor tables, and one-hundred and fifty-three (153) interior seats proposed, ninety-one (91) parking spaces are required. The proposed plan provides a total of seventy (70) spaces, with thirty-nine (39) spaces being off-street and thirty-one (31) spaces consisting of on-street parking. Further clarification is needed regarding the alternative plan with parking in order to determine feasibility.

While the proposed plan does not meet parking requirements, utilization of surrounding lots should be considered. Cross access easements and shared parking agreements with adjacent property owners should be in place prior to plan approval.

#### *Building Design*

Main entrance design requirements state that the building entrance must be inset a minimum of three (3) feet from the front building wall. As the proposed design currently stands, the entrance is pushed forward. All other building design elements shown in the proposed plans are acceptable. Moving forward, further drawings and details of the resident balcony, awnings, signage, lighting, and the patio should be given to show compliance with design standards listed in the zoning ordinance.

### **Plans & Reports:**

The proposed concept directly complies with suggestions in the City Master Plan. The comments below offer suggestions on how to better support the intentions of these plans.

#### *Downtown Farmington Parking Study*

The parking study does not directly propose anything for this project site. Village Commons parking area observed to be largely empty. The proposed plan suggests the potential of using the Village Commons parking area under a shared parking agreement. Such an agreement would support objectives outlined in the Downtown Farmington Parking Study.

#### *2016 Downtown Farmington Master Plan*

The proposed design helps support meeting city's goals to increase residential and commercial opportunities by promoting mixed use development within the downtown. The inclusion of the crosswalk would also help meet the goal of increasing the number of pedestrian crossings along Grand River Avenue.

Mr. Kevin Christiansen  
August 6, 2018  
Page 5 of 5



Our comments are provided to help direct the Planning Commission discussion, and to explain the benefits that may be derived from this project. Additional input from the City's Engineer and Attorney should also be considered during the City's review.

Sincerely,  
OHM Advisors

  
Marguerite Novak, Planner

cc: Jeff Bowdell, City of Farmington  
Chuck Eudy, City of Farmington  
D'Anna Associates, 1055 South Blvd. E, Suite 200, Rochester Hills, MI 48307  
Matthew Parks, OHM Advisors  
Jessica Howard, OHM Advisors  
File

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Steakhouse Prelim Rev Letter 8.6.18.docx



August 6, 2018

Kevin Christiansen  
Economic & Community Development Director  
City of Farmington  
23600 Liberty Street  
Farmington, MI 48335

RE: Samurai Steakhouse – PUD Site Plan Review  
Engineering Review #1  
32821 Grand River Ave and (future) 32905 Grand River Ave

Dear Mr. Christiansen:

Our office completed the first preliminary Planned Unit Development (PUD) site plan review of the plans with a date of July 20, 2018 for the proposed Samurai Steakhouse PUD located between 32821 Grand River Ave and 32905 Grand River Ave. The plans were prepared by D'Anna Associates, received by OHM Advisors on July 24, 2018, and were reviewed with respect to the City of Farmington Engineering Standards and Design Specifications.

The applicant shall review and address our comments prior to future administrative submittals. A brief description of the project has been provided below; followed by our PUD site plan comments, and a list of required permits/approvals that will eventually be required. Based on our review, these comments do not necessarily impact the intent, density, or layout of the site plan; however, we do feel that these items need to be addressed prior to resubmitting. Preliminary Detailed Engineering Plan Comments were not included in this review due to the information submitted and the number of site plan comments. At this time, we recommend that the preliminary PUD site plan be resubmitted to address our comments or the Planning Commission could make a motion to move this forward contingent on all of these comments being addressed during the next review phase.

#### **PROJECT AND SITE DESCRIPTION:**

The applicant is proposing improvements to the existing building located on the adjacent property to the east at 32821 Grand River Ave, which include a 61-seat restaurant as well as three (3) residential units. The applicant is also proposing a future 4-story building at 32905 Grand River Ave as a PUD. This building will house a 100-seat restaurant as well as twelve (12) residential units. The proposed 4-story building will be serviced by water and sanitary services connecting to public lines along Grand River Ave. Both properties are zoned CBD.

In addition, the applicant is proposing an underground stormwater detention basin that will connect to the existing stormwater management system. The applicant is proposing the possible future location for a crosswalk along Grand River Avenue that would allow pedestrians and customers to easily access the project site and other off-site parking locations downtown. The applicant is also proposing to utilize existing on-street parking along the south side of Grand River Avenue.

The applicant included an alternative plan with parking (Sheet SP102) in the plan set. This plan includes the existing building and parking lot, as well as a proposed parking lot in the neighboring parcel (located at 32905 Grand River Ave). This alternative plan includes thirty (30) proposed parking spaces, including two (2) barrier-free spaces, in the neighboring parcel. While this plan is being acknowledged, our review primarily focuses on the PUD plan submitted.





## PRELIMINARY PUD SITE PLAN COMMENTS:

The following comments shall be addressed by the applicant:

1. A preliminary grading sheet shall be provided in the plan set. This sheet shall include, but is not limited to, spot elevations at 50-foot intervals along all existing and proposed sidewalks, property lines (specifically where there are proposed grade changes), building finished floors, dumpster enclosures, etc.
2. A removal plan sheet shall be included in the plan set. This sheet shall provide clarification on if the applicant is removing a portion of the existing parking lot to install the proposed stormwater management system or if the entire parking lot will be removed and replaced. This will aid in determining what will be salvaged, rehabilitated, or reconstructed (specifically on the east side of the proposed development).
3. Clarification is needed for what is proposed between the two buildings. The architectural drawings that were provided illustrate proposed dining areas while the site plan does not. Clarification is also needed on if a walkthrough is proposed between the buildings to facilitate pedestrian connectivity from Grand River to the rear parking lot. In addition, it is recommended that sidewalk connectivity is proposed between the two buildings to ensure pedestrians and residents can easily access both businesses and residences. All sidewalks shall include appropriate level landings and ramps. Sidewalks, level landings, and ramps shall have a maximum cross-slope of 2%.
4. Coordination with MDOT is required for all work on Grand River and in the ROW. During 2016 road diet efforts with MDOT, the City had discussed adding numerous crossings along Grand River, including mid-block crossings. If a mid-block crossing is approved at the proposed location the following comments shall also be considered for the site plan:
  - a. The maximum number of on-street parking spaces shall be preserved;
  - b. The potential crosswalk shall be extended across the entire road and shown on Sheet SP103;
  - c. All existing and proposed sidewalk improvements (i.e. ramps, level landings) along Grand River shall be shown on the plans;
  - d. A rapid flashing beacon may be necessary and should be coordinated with the City and MDOT.
5. The number of off-street parking spaces shall be verified in the field, it appears that the number of spaces shown on the plans is greater than what there actually is.
6. Turning templates and truck dimensions shall be provided for the largest vehicles proposed to access the site (e.g. fire truck, garbage truck, etc.) to ensure the vehicles can access the site without conflict (both the main site plan and the alternative site plan).
7. An ingress/egress agreement will be required for the possible parking on the adjacent property to the south (apartments). A maintenance agreement will also be required for the proposed stalls on the adjacent property. It appears that there is a grade change between the possible parking spaces and the project site. Clarification is needed if a retaining wall will be proposed or how the grade change will be addressed.
8. A stormwater narrative shall be included on the plans including the description of all BMPs. In addition, the locations of BMPs shall be clearly shown on the plans. On-site pretreatment of all stormwater runoff will be required.
9. A drainage area map shall be provided in the plan set. According to the Topographic Survey, there is off-site runoff onto the project site. The map shall define the area tributary to catch basins and inlets. Preliminary design calculations shall include the determination of the weighted runoff coefficients (C-factors) of the areas tributary to each inlet.
10. An underground detention basin is being proposed and, while acceptable, it is recommended that preliminary calculations are provided to identify the existing and proposed impervious versus pervious surface areas of the site to identify the overall net increase of impervious surface area. These preliminary calculations would allow it to be determined if the BMP/Stormwater Management footprint provided is adequate. All stormwater management will need to follow the Oakland County WRC rules using a pre vs post construction method.
11. The existing and proposed water and sanitary services and their sizes shall be shown on Sheet SP103 (both the main site plan and the alternative site plan).
12. Clarification is needed on how separation (i.e. fence, landscaping, etc.) will be defined between the western edge of 32950 Grand River and the adjacent parcel to the west (Ace Hardware).



13. It appears there is an existing fence along the south side of the properties. The applicant shall assess the appearance and durability of the fence and shall consider removing and replacing it.
14. Clarification is needed if any barrier-free parking spaces are existing or proposed near the eastern restaurant and residential unit.
15. Dimensions of all parking spaces, including barrier-free spaces and access isles, shall be provided on the plans.
16. The main entrance to the buildings, specifically the building located at 32821 Grand River Ave, shall be clearly labeled on both site plans and parking lot layouts.

#### PERMITS/APPROVALS:

The following outside agency reviews and permits may be required for the project. Copies of any correspondence between the applicant and the review agencies, as well as the permit or waiver, shall be sent to both the City and this office.

- ▶ Final PUD Agreement will need to be reviewed and approved by City Council following all administrative reviews by the City and its consultants.
- ▶ A building permit will be required by the City of Farmington Building Department.
- ▶ An OCWRC soil erosion and sedimentation control permit will be required prior to starting this work.
- ▶ The Michigan Department of Transportation (MDOT) will require review, approval, and permitting for all work proposed within the Grand River Avenue ROW.
- ▶ Any other permits necessary (through the City or other agency) shall be obtained prior to starting construction.

It shall be noted that additional comments may be generated from information presented in future submittals. If you have any questions, please feel free to contact us by phone at (734) 522-6711 or by email at [matt.parks@ohm-advisors.com](mailto:matt.parks@ohm-advisors.com).

Sincerely,  
OHM Advisors

Matthew D. Parks, P.E.

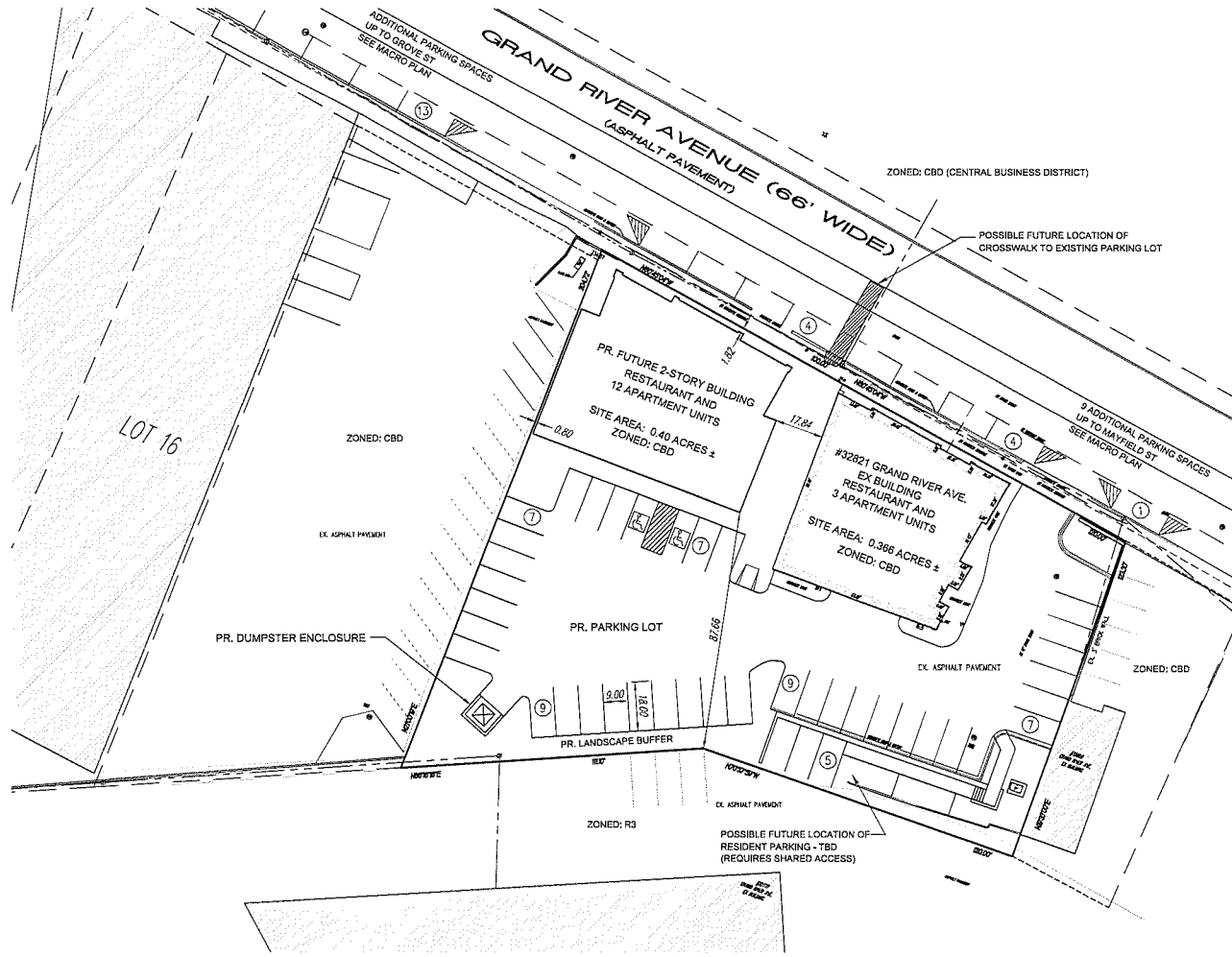
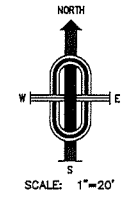
Jessica Howard

MDP/JLH/sls

cc: Jeff Bowdell, City of Farmington  
Chuck Eudy, City of Farmington  
D'Anna Associates, Architect, 1055 South Blvd. E, Suite 200, Rochester Hills MI 48307  
Marguerite Novak, OHM Advisors, Planner  
File

P:\0101\_0125\SITE\_FarmingtonCity\2018\0111181020\_Samurai\_Steakhouse\_32821\_Grand\_River\MUNI\01\_SITE\Eng\Samurai Steakhouse\_PUD Plan Review\_2018-08-06.docx

# "SAMURI STEAKHOUSE" PRELIMINARY SITE PLAN - PUD



**SITE DATA:**

<b>EXISTING ZONING</b>	CBD
<b>COMBINED SITE AREA</b>	±0.76 Ac.

**PARKING:**

#32821 GRAND RIVER AVE (EXISTING)	
RESTAURANT: 1/3 SEATS @ 61 SEATS =	21 SPACES
APARTMENTS: 1/UNIT @ 3 UNITS =	3 SPACES
TOTAL SPACES REQUIRED:	24 SPACES

#32905 GRAND RIVER AVE (PROPOSED FUTURE)	
RESTAURANT: 1/3 SEATS @ 100 SEATS =	34 SPACES
APARTMENTS: 1/UNIT @ 12 UNITS =	12 SPACES
TOTAL SPACES REQUIRED:	46 SPACES

**TOTAL SPACES REQUIRED: 70 SPACES**

<b>SPACES PROVIDED:</b>	
PARKING ON-SITE:	39 SPACES
STREET PARKING:	31 SPACES
TOTAL SPACES PROVIDED:	70 SPACES

(BARRIER FREE PARKING: 2 SPACES)

**RESIDENTIAL DENSITY**

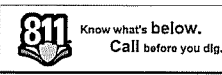
EXISTING APARTMENT UNITS:	3
PROPOSED APARTMENT UNITS:	12
DENSITY:	15 UNITS PER 0.766 ACRES= 20 UNITS/ACRE

**LEGAL DESCRIPTION**

#32905 Grand River Avenue, City of Farmington, MI, 48336  
Part of the W 1/2 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, being more particularly described as follows:  
Lot 18 of "Assessor's Plat No. 2", as being recorded in Liber 54 of Plats, on Page 8, Oakland County Records, Containing: 15,928 Square Feet—2,204 0.366 Acres, more or less. Parcel Identification Number# 23-27-156-004.  
Containing: 17,435 Square Feet—0.400 Acres, more or less. Parcel Identification Number# 23-27-156-003.  
Subject to the rights of a public and any easements and/or restrictions of record or otherwise.

#32821 Grand River Avenue, City of Farmington, MI, 48336  
Part of the W 1/2 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, being more particularly described as follows:  
Lot 18 of "Assessor's Plat No. 2", as being recorded in Liber 54 of Plats, on Page 8, Oakland County Records, Containing: 15,928 Square Feet—2,204 0.366 Acres, more or less. Parcel Identification Number# 23-27-156-004.  
Subject to the rights of a public and any easements and/or restrictions of record or otherwise.  
Note: Since our survey DOES NOT include a Title Search there could be easements and/or encumbrances upon the subject property that are not shown on this title.

NOTE: NOT TO BE USED AS CONSTRUCTION DRAWINGS.



**D'Anna Associates**  
Architectural Engineering  
1055 SOUTH BLD., E. SUITE 200  
PO BOX 111, ROCHESTER HILLS, MI 48307  
TEL: 248-850-1111 FAX: 248-850-1112  
dannaassoc.com 03/09

**"SAMURI STEAKHOUSE"**  
PART OF THE SW 1/4 OF SECTION 26, T. 34N., R. 11E.,  
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.

**PRELIMINARY SITE PLAN - PUD**

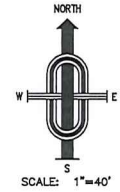
SCALE 1"=20'

**SP100**



# "SAMURI STEAKHOUSE"

## MACRO SITE PLAN WITH STREET PARKING



<b>D'Anna Associates</b> Architecture   Engineering 1655 SOUTH BLVD., E. SUITE 200 ROCHESTER, NY 14620-2707 PH: 585.482.2707 FAX: 585.482.2707 damassoc.com   @DAB	
DATE	DESCRIPTION
07/20/2018	
SCALE BY	
S.L.	
CHECKED BY	
S.D.	

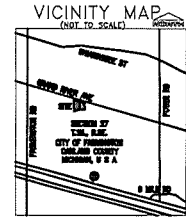
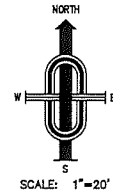
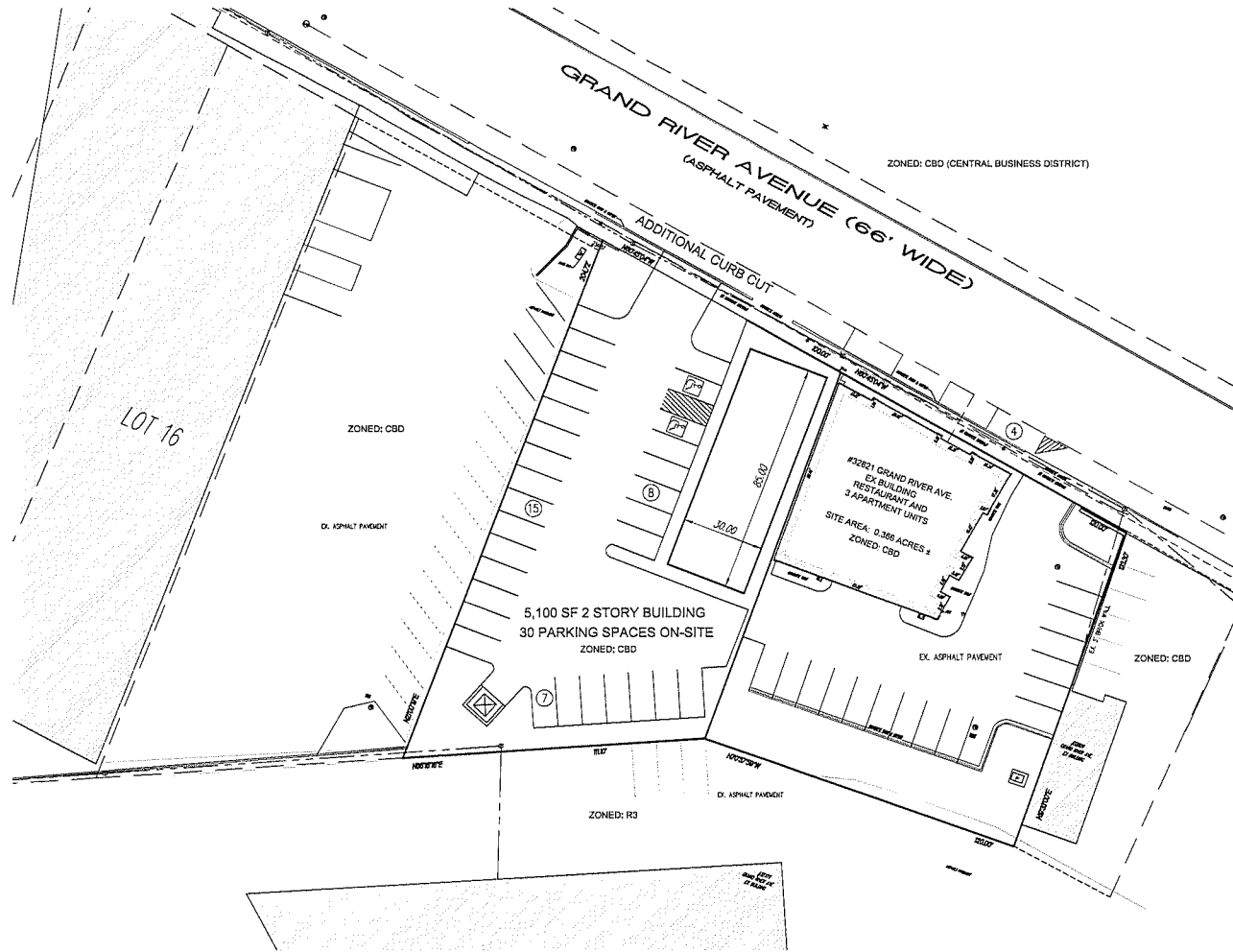
<b>"SAMURI STEAKHOUSE"</b> PART OF THE SW 1/4 OF SECTION 26, T. 34, R. 1E, CITY OF ROCHESTER HILLS, OKLAHOMA COUNTY, OKLAHOMA.	
<b>MACRO SITE PLAN WITH STREET PARKING</b>	
SCALE	1"=40'

NOTE:  
NOT TO BE USED AS CONSTRUCTION DRAWINGS.



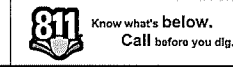
SP101

# "SAMURI STEAKHOUSE" ALTERNATIVE PLAN WITH PARKING



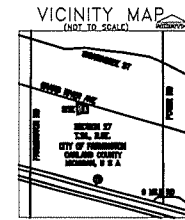
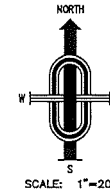
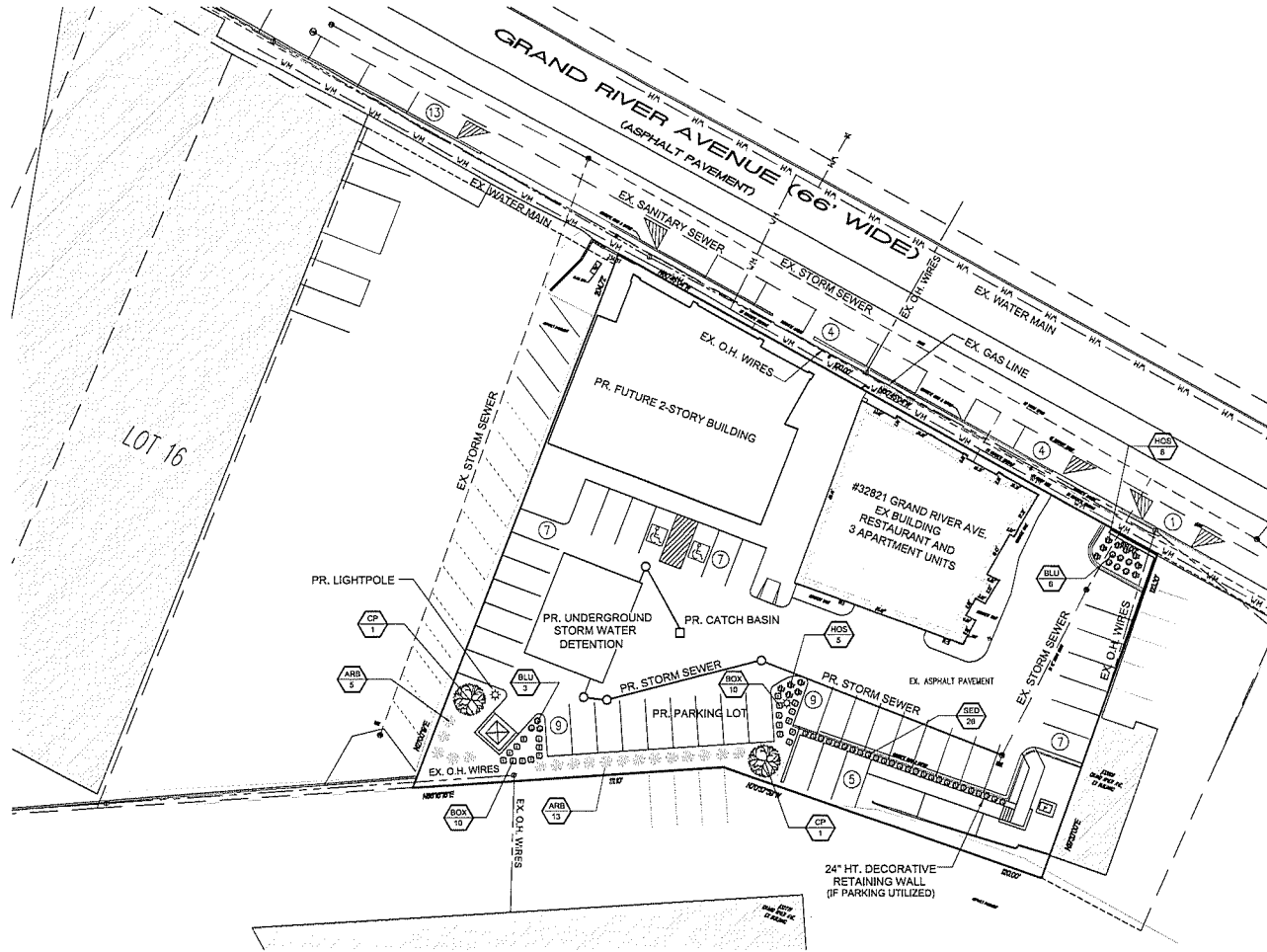
<p>D'Anna Associates Architecture   Engineering 1033 SOUTH BLVD., E. SUITE 200 ROCHESTER, N.Y. 14620 PHONE: 716.243.4600 FAX: 716.243.4607 dannaassoc.com   DBB</p>	
DATE	07/20/2018
DESIGNED BY	SL
CHECKED BY	S.D.

"SAMURI STEAKHOUSE"  
PART OF THE SW 1/4 OF SECTION 26, T. 34, R. 1E,  
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN  
ALTERNATIVE PLAN WITH PARKING



SCALE 1"=20'  
SP102

# "SAMURI STEAKHOUSE" UTILITY AND LANDSCAPE PLAN



## PLANT LIST:



NO.	COMMON NAME	BOTANICAL NAME	SIZE	SYMBOL
10	GREEN VELVET BOKHOOB	BIJULUS 'GREEN VELVET'	24" HT. BAB	BOV
18	MISSION ARBOREVITAE	THUJA OCCIDENTALIS 'TECHNY'	7" TALL BAB	ARB
2	GALLERY PEAR	PYRUS CALLERYANA	2-1/2" CAL. BAB	CP

## PERENNIALS:

NO.	COMMON NAME	BOTANICAL NAME	SIZE	SYMBOL
13	PATRIOT HOSTA	HOSTA 'PATRIOT'	6" POT	HOS
9	BLUE OAT GRASS	HELICTOTRICHON SEMPERVIRENS	6" POT	BLU
26	AUTUMN JOY SEDUM	HYLOTELEPHIUM 'HERBSTFREUDE'	6" POT	SED

D'Anna Associates  
Architecture | Engineering  
1068 SOUTH BLVD., E. SUITE 200  
ROCHESTER HILLS, MI 48067  
PHONE: 248.858.8800  
WWW.DANNASSOC.COM



DATE	DESCRIPTION
07/20/2018	PREP BY
	SL.
	CHECKED BY
	S.D.

"SAMURI STEAKHOUSE"  
PART OF THE SW 1/4 OF SECTION 26, T. 34N., R. 11E.,  
CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN.  
UTILITY AND LANDSCAPE PLAN

SCALE 1"=20'

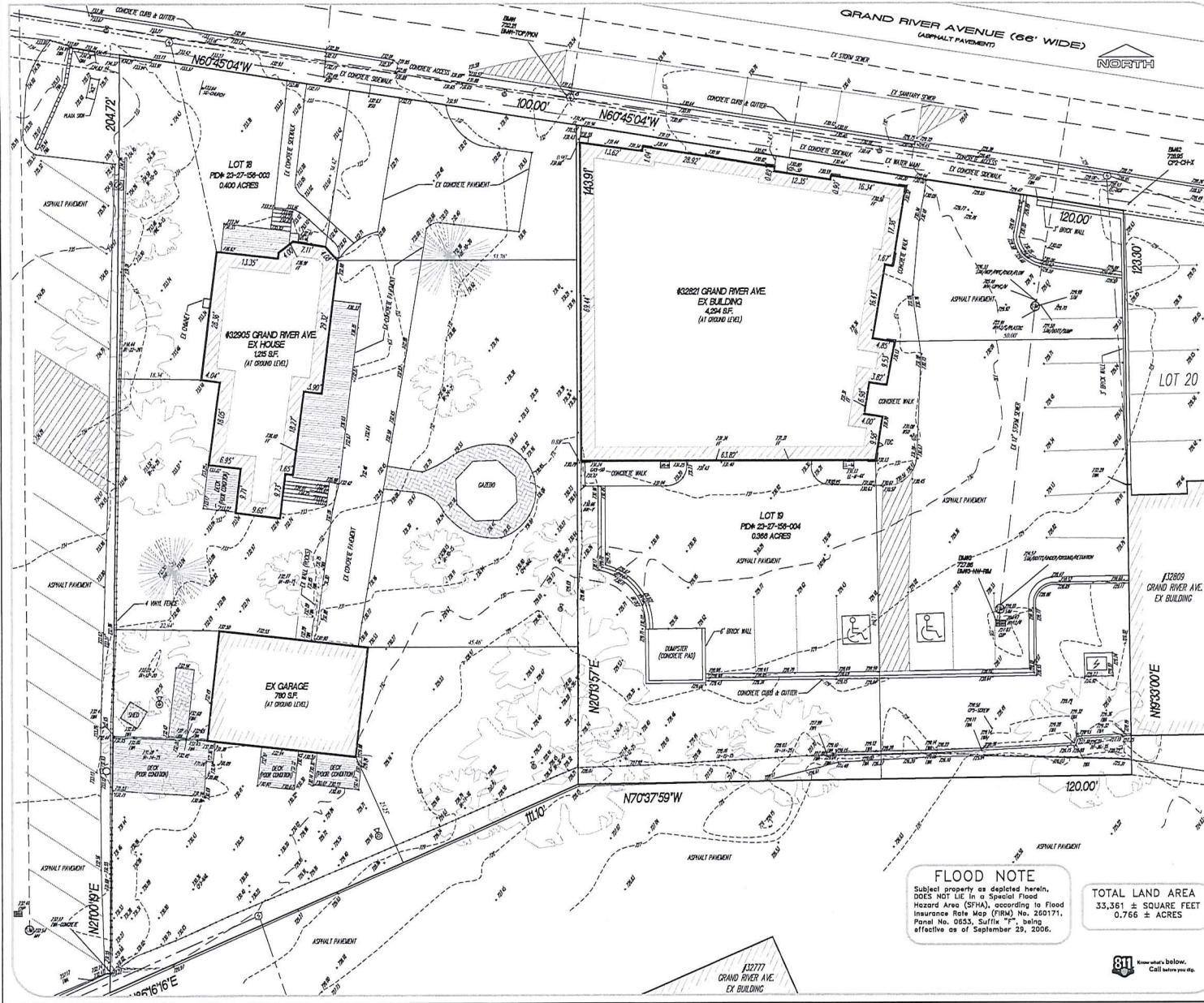


Know what's below.  
Call before you dig.

SP103

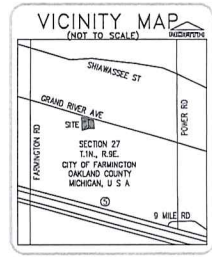


# TOPOGRAPHIC SURVEY



### LEGEND

- UTILITY POLE
- OVER HEAD WIRE
- CHAIN LINK FENCE
- PROPERTY FENCE
- PAVEMENT CATCH BASIN/CIP
- EX. SANITARY M.H.
- EX. GATE VALVE & WATER
- EX. HYDRANT
- EX. STORM M.H.
- WATER SHUT OFF
- GAS METER
- ELECTRIC METER
- TRANSFORMER
- HANDBOOK STALL/SON
- GAS VALVE
- PARKING STALL
- ELEVATION
- FINISH FLOOR
- P.S. PARCEL IDENTIFICATION NUMBER
- TR-S-B TREE-S TRUNK-BET SPREAD
- BRICK PAVERS
- TOWN/DRAINAGE
- LIBER/PAGE
- SINGLE BULL DOGGED LINE LP
- SINGLE BULL PARKING LP
- BENCH MARK
- CONTROL POINT
- CHISELED "X" IN CONCRETE



### GENERAL NOTES

- Utility information as shown herein are compilation of field observation and City's records, therefore no guarantee could be given as to their exact location and depth. An excavation might be needed in order to determine utility position.
- All measurements as shown herein are existing.
- All symbols as shown herein are not to scale.
- All measured elevations are expressed in North American Vertical Datum as of 1988. (NAVD83)
- AB-SB Land Survey, P.C. retains the sole ownership of this document as an instrument of service and it can not be reused nor reproduced without written permission and additional compensation.  
Copyright © 2017 AB-SB Land Survey, P.C.

### LEGAL DESCRIPTION

#32905 Grand River Avenue, City of Farmington, MI, 48336  
Part of the W 1/2 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, being more particularly described as follows:  
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Parcel Identification Number: 23-27-156-003.  
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#32821 Grand River Avenue, City of Farmington, MI, 48336  
Part of the W 1/2 of Section 27, Town 1 North, Range 9 East, City of Farmington, Oakland County, Michigan, being more particularly described as follows:  
Lot 19 of "Assessor's Plat No. 2", as being recorded in Liber 54 of Plats, on Page 6, Oakland County Records.  
Containing: 15,926 Square Feet—2,204 0.366 Acres, more or less.  
Parcel Identification Number: 23-27-156-004.  
Subject to the rights of a public and any easements and/or restrictions of record or otherwise.  
Note: Since our survey DOES NOT include a Title Search there could be easements and/or encumbrances upon the subject property that are not shown of this time.

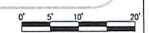


Mende Bezanovski, P.S. 49430  
Professional Surveyor in the State of Michigan

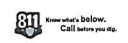
### FLOOD NOTE

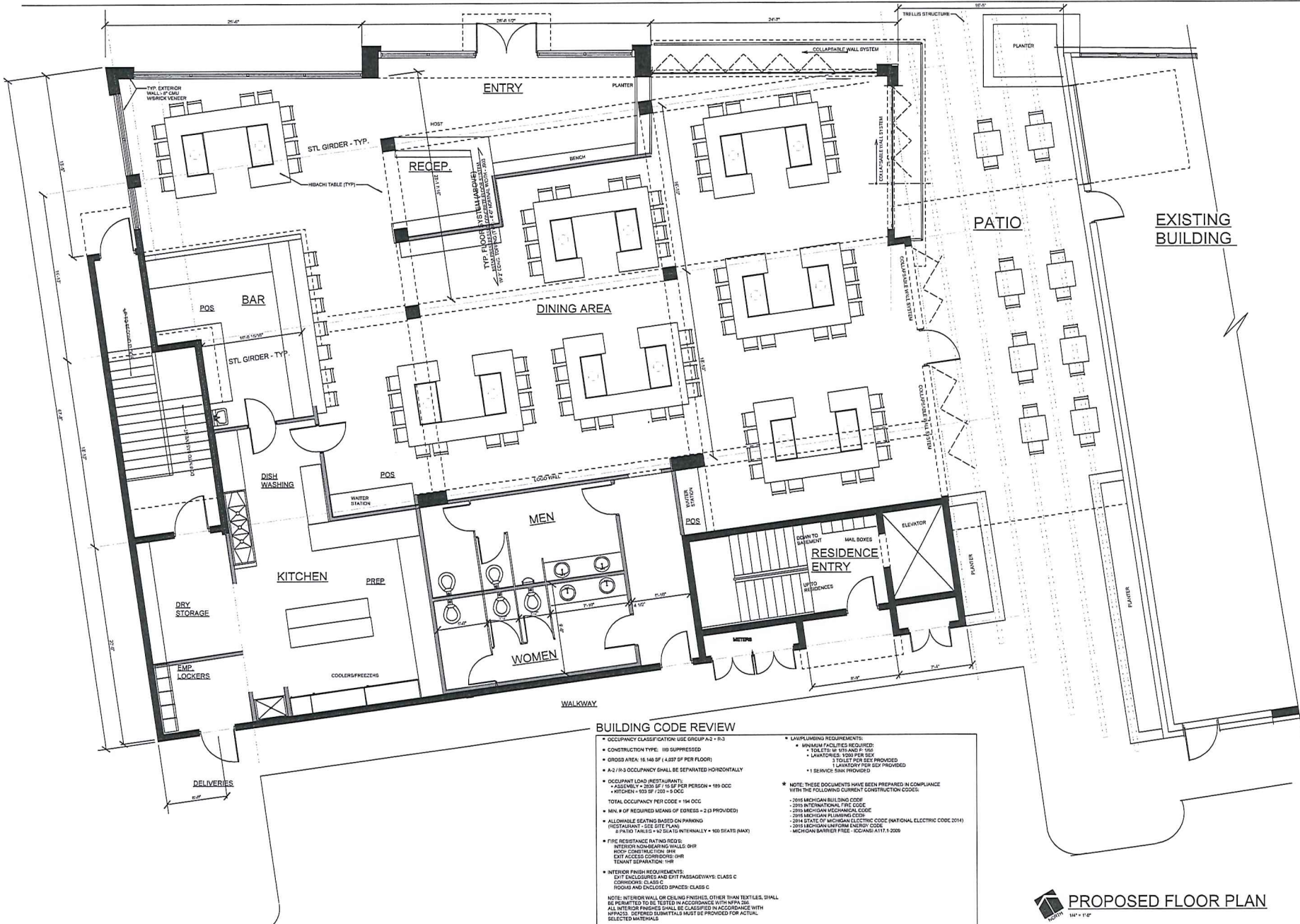
Subject property as depicted herein, DOES NOT LIE in a Special Flood Hazard Area (SFHA), according to Flood Insurance Rate Map (FIRM), No. 260171, Panel No. 0353, Suffolk, VA, being effective as of September 29, 2006.

TOTAL LAND AREA  
33,361 ± SQUARE FEET  
0.766 ± ACRES



SCALE: 1" = 10'	PAGE: 1 OF 1
JOB NUMBER: 2017-10-03-229-MK	DRAWN: MB
FIELD: MB	CHECKED: MB
REVISIONS:	DATE: 10-12-2017
CLIENT: Mr. Michael Kemsley	
ADDRESS: 12005 & 32821 Grand River Avenue City of Farmington	
Tel: (586) 622-4924, Fax: (586) 391-5930	Tel: (734) 637-0014
www.ab-sb-landsurvey.com	FAX:





**BUILDING CODE REVIEW**

- OCCUPANCY CLASSIFICATION USE GROUP A-2-R3
- CONSTRUCTION TYPE: III SUPPRESSED
- GROSS AREA: 16 148 SF (4.837 SF PER FLOOR)
- A-2/R3 OCCUPANCY SHALL BE SEPARATED HORIZONTALLY
- OCCUPANT LOAD RESTAURANTS:
  - ASSEMBLY = 200 SF / 18 SF PER PERSON + 100 OCC
  - KITCHEN = 93 SF / 250 + 5 OCC
- TOTAL OCCUPANCY PER CODE = 194 OCC
- MIN. # OF REQUIRED MEANS OF EGRESS = 2 (3 PROVIDED)
- ALLOWABLE SEATING BASED ON PARKING (RESTAURANT) = 525 (575 MAX)
- FIRE RESISTANCE (A) AND (B):
  - INTERIOR NON-BEARING WALLS: 0HR
  - ROOF CONSTRUCTION: 0HR
  - EXIT ACCESS CORRIDORS: 0HR
  - TOWNHALL SEPARATION: 1HR
- INTERIOR FINISH REQUIREMENTS:
  - EIT (EXCITERS) AND EIT (PASSAGEWAYS): CLASS C
  - CORRIDORS: CLASS C
  - ROOMS AND OCCUPIED SPACES: CLASS C
- NOTE: INTERIOR WALL OR CEILING FINISHED, OTHER THAN TEXTILES, SHALL BE PERMITTED TO BE TESTED IN ACCORDANCE WITH NFPA 265. ALL INTERIOR FINISHES SHALL BE CLASSIFIED IN ACCORDANCE WITH NFPA265. DEFERRED SUBMITTALS MUST BE PROVIDED FOR ACTUAL SELECTED MATERIALS.
- LAULUMING REQUIREMENTS:
  - MINIMUM FACILITIES REQUIRED:
    - TOILETS: 10 PER 100
    - LAVATORY: 1000 PER SEX
    - 3 TOILET PER SEX PROVIDED
    - 1 LAVATORY PER SEX PROVIDED
    - 1 SERVICE BATH PROVIDED
- NOTE: THESE DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH THE FOLLOWING CURRENT CONSTRUCTION CODES:
  - 2018 MICHIGAN BUILDING CODE
  - 2018 INTERNATIONAL FIRE CODE
  - 2018 MICHIGAN MECHANICAL CODE
  - 2018 MICHIGAN PLUMBING CODE
  - 2014 STATE OF MICHIGAN ELECTRIC CODE (NATIONAL ELECTRIC CODE 2014)
  - 2018 MICHIGAN LOW VOLTAGE ELECTRICAL CODE
  - MICHIGAN BARRIER FREE - (ICANS) AT 11.2009

**D'Anna Associates**  
 ARCHITECTURE | ENGINEERING  
 1026 SOUTH BLDG. E. SUITE 200  
 ROCHESTER HILLS, MI 48071  
 P 248-852-7702 F 248-852-7707  
 dannaassoc.com

ISSUANCE:  
 SCHEMATIC  
 BIDDING  
 CM/NO SUBMITTAL  
 CONSTRUCTION  
 SITE PLAN REVIEW

DRAWINGS SHALL NOT BE  
 USED FOR CONSTRUCTION  
 UNLESS INDICATED.

NO. DESC. DATE



PROPOSED BUILDING  
 10268 Green Street Ave  
 Farmington, MI 48336



ISSUE DATE:	7-20-18
DR:	S.L.
SR:	S.D.
SHEET:	A101
PROJECT NO:	18021

**PROPOSED FLOOR PLAN**  
 1/4" = 1'-0"

Farmington, MI







NO.	DESC.	DATE



**FRONT ELEVATION**  
SCALE 1/4" = 1'-0"









GRAND RIVER AVENUE ELEVATION



PATIO SPACE VIEWS

**D**  
 D'Anna Associates  
 ARCHITECTS (ENGINEERING)  
 105 SOUTH HULL, E. STATE ST.  
 FARMINGTON, CT 06030  
 P: 860.635.2700 F: 860.635.2701  
 www.dannas.com

FOR ALL INFORMATION CONTACT:  
 ARCHITECT: D'ANNA ASSOCIATES  
 ENGINEER: HILL GROUP  
 105 SOUTH HULL, E. STATE ST.  
 FARMINGTON, CT 06030  
 P: 860.635.2700 F: 860.635.2701  
 www.dannas.com

Farmington, MI

**十 SAMURAI 武**  
 STEAK HOUSE

PROPOSED  
 BUILDING  
 2000 GRAND RIVER AVE  
 FARMINGTON, MI 48326

ISSUANCE:  
 SCHEMATIC  
 BIDDING  
 MUNI SUBMITTAL  
 CONSTRUCTION  
 SITE PLAN REVIEW  
 DRAWINGS SHALL NOT BE  
 USED FOR CONSTRUCTION  
 UNLESS INDICATED  
 NO. DATE DATE

ISSUE DATE: 7-20-18  
 DR: S.L.  
 CR: S.D.  
 SHEET: **A202**  
 PROJECT NO: 18021

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date: October 15, 2018</b>	<b>Item Number 7D</b>	
<b>Submitted by Charles Eudy, Superintendent</b>			
<b><u>Agenda Topic</u></b> Consideration to Approve Change Order No.2 and Construction Estimate No.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project.			
<b><u>Proposed Motion</u></b> Move to Approve Change Order No.2 and Construction Estimate No.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project to Pro-Line Asphalt Paving Corporation, located at 11797 29 Mile Road Washington Twp., MI 48095 in the amount of \$27,174.10 which includes the release of held retainage.			
<b><u>Background</u></b> At the April 3, 2017 meeting City Council approved the bid from Pro-Line Asphalt Paving Corporation, located at 11797 29 Mile Road Washington Twp., MI 48095 for the 2017 Farmington HMA (Asphalt) Maintenance Project in the amount of \$421,396.20, and include a \$41,603.80 contingency budget (approximately 10%) for a total construction budget of \$465,000.  Change Order No.2 includes the final balancing of the contract and decreases the contract \$19,287.42 from Change Order No.1, Construction Estimate No.4 (Final) for the 2017 Farmington Roads HMA (Asphalt Roads) Maintenance project recommends payment to Pro-Line Asphalt Paving Corporation, located at 11797 29 Mile Road Washington Twp., MI 48095 in the amount of \$27,174.10 which includes the release of \$21,807.22 held as retainage. Total earnings to date is \$416,857.01 of this contract.  This Construction estimate includes work completed September 30, 2017 through September 27, 2018 which was comprised of turf establishment and hand patching to ensure correct storm water drainage. OHM and Administrative staff confirmed all final punch list items have been addressed.			
<b><u>Materials Attached</u></b> OHM Change Order No.2 OHM Recommendation of Payment No.4 (Final)			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>





October 2, 2018

Mr. Chuck Eudy           **(Hand Delivered)**  
DPW Superintendent  
City of Farmington  
33720 W. 9 Mile Road  
Farmington, Michigan 48335

Regarding:       2017 Farmington Roads HMA Maintenance  
                  OHM Job No. 0111-17-0011

Dear Mr. Eudy:

Enclosed are Payment Application No.4 (**FINAL**) and Change Order No. 2 for the referenced project. We would recommend approval of this Change Order. If you concur, please sign and return a pdf to OHM for our files.

Pro-Line Asphalt Paving Corporation has completed the work shown on the attached payment application for the period ending September 27, 2018 and we would recommend payment to the Contractor in the amount of **\$27,174.10** which includes the full release of previously held retainage.

Although the required close out documents have been requested from the contractor, they have yet to be submitted. For this reason, we would recommend that distribution of the final payment be held until the following documents are provided: 1) Contractor's Declaration; 2) Contractor's Affidavit; 3) Consent of Surety; 4) Contractor's Sworn Statement and 5) Full Unconditional Waivers from subcontractors/suppliers.

Sincerely,  
OHM Advisors

A handwritten signature in black ink, appearing to read "Matt Parks".

---

Matt Parks, P.E.  
Client Representative

cc:     Matthew Jones, Pro-Line (via email)  
       Michelle Adams, Pro-Line Asphalt (via email)  
       Mitch Master, OHM (via e-mail)  
       Jessica Howard, OHM (via e-mail)  
       File

P:\0101\_0125\0111170010\_2017\_Farmington\_Rd\_HMA\_Maint\Construction\Pay App\_CO\Pay Apps\No.4 (FINAL)\2017 Farmington Rds HMA Maintenance\_Pay App No.4 (FINAL)\_CO No.2.docx

# PAYMENT APPLICATION



Project: City of Farmington - 2017 Farmington Roads HMA Maintenance

Job Number: 01111-17-0011

OWNER: City of Farmington  
23600 Liberty Street

Farmington, MI 48335  
(248) 474-5500

SCHEDULE On  
STATUS:  
NOTE:

CONTRACTOR: Pro-Line Asphalt Paving Corporation  
11797 29 Mile Road

Washington Township, MI 48095  
(586) 752-7730

Number: 4  
Period End Date: 9/27/2018  
Status: Approved  
Contract Start Date: 4/24/2017  
Contract End Date: 6/30/2017  
Contract Duration: 67  
Print Date: 10/2/2018

Original Contract Amount:  
Change Orders Amount:  
Current Contract Amount:

\$421,386.20  
(\$4,539.19)  
\$416,857.01

Change Order 1: \$14,748.23  
Change Order 2: (\$19,287.42)  
(\$4,539.19)

Earnings This Period: \$6,104.29  
Earnings To Date: \$416,857.01  
Previous Retainage Amount: \$21,069.81  
Retainage This Period: (\$21,069.81)  
Less Total Retained To Date: \$0.00  
Net Earned: \$416,857.01  
Previous Earnings: \$389,682.91  
Amount Due Contractor: \$27,174.10

Retainage: None

Amount Due Contractor includes (\$21,069.81) of previously held retainage

Approved By

Chuck Eudy - Public Works Superintendent - City of Farmington

Reviewed By

*Matthew D Parks*  
**Matthew D Parks**

Matt Parks, Principal

Date

10-3-18

Date

10/3/18

Digitally signed by Matthew D Parks  
DN: C=US, E=matt.parks@ohm-advisors.com, O=OHM Advisors,  
CN=Matthew D Parks  
Date: 2018.10.02 09:56:06-0400

OHM Advisors  
34000 Plymouth Road  
Livonia, MI 48150

(734) 522-6711

OHM-Advisors.com

Items

Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
<b>Division: C - Division III: Prospect</b>									
37	Mobilization, Max. 5%, Div. III	1.00 Ls	1.00	\$3,500.00	0.00	0.00	\$0.00	1.00	\$3,500.00
38	Traffic Maintenance and Control, Div. III	1.00 Ls	1.00	\$2,603.74	0.00	0.00	\$0.00	1.00	\$2,603.74
39	Audio Video Route Survey, Div. III	1.00 Ls	1.00	\$527.46	0.00	0.00	\$0.00	1.00	\$527.46
40	Erosion Control, Inlet Protection, Fabric Drop	5.00 Ea	5.00	\$86.52	0.00	0.00	\$0.00	5.00	\$432.60
41	Remove Concrete Curb and Gutter	42.00 Ft	88.50	\$24.44	0.00	0.00	\$0.00	88.50	\$2,162.94
42	Cold Milling HMA Surface	1678.00 Syd	1494.12	\$5.78	0.00	0.00	\$0.00	1494.12	\$8,636.01
43	Remove Sidewalk	59.00 Syd	53.90	\$18.14	0.00	0.00	\$0.00	53.90	\$977.75
44	Underdrain, Subgrade, 6 inch	50.00 Ft	0.00	\$34.31	0.00	0.00	\$0.00	0.00	\$0.00
45	Machine Grading	5.25 Sta	0.00	\$590.89	0.00	0.00	\$0.00	0.00	\$0.00
46	Subgrade Undercutting, Type II Mod	100.00 Cyd	0.00	\$53.13	0.00	0.00	\$0.00	0.00	\$0.00
47	Maintenance Aggregate, 21AA	20.00 Ton	0.00	\$60.91	0.00	0.00	\$0.00	0.00	\$0.00
48	HMA, 13A	470.00 Ton	398.17	\$82.78	0.00	0.00	\$0.00	398.17	\$32,960.51
49	Concrete Curb and Gutter, Det F4	42.00 Ft	88.50	\$26.37	0.00	0.00	\$0.00	88.50	\$2,333.75
50	Sidewalk Ramp, Conc, 6 inch	100.00 Sft	243.00	\$5.75	0.00	0.00	\$0.00	243.00	\$1,397.25
51	Sidewalk, Conc, 4 inch	431.00 Sft	485.00	\$4.80	0.00	0.00	\$0.00	485.00	\$2,328.00
52	Detectable Warning Surface	20.00 Ft	20.00	\$33.57	0.00	0.00	\$0.00	20.00	\$671.40
53	Adjust Drainage/Utility Structure	1.00 Ea	1.25	\$627.54	0.00	0.00	\$0.00	1.25	\$784.43
54	Turf Establishment, Div. III	5.25 Sta	5.25	\$153.44	2.62	0.00	\$402.01	5.25	\$805.56
<b>C - Division III: Prospect Sub-Total:</b>							<b>\$402.01</b>		<b>\$60,121.39</b>
<b>Retainage</b>							<b>(\$1,215.07)</b>		
<b>Division: B - Division II: Cloverdale</b>									
16	Mobilization, Max. 5%, Div. II	1.00 Ls	1.00	\$3,000.00	0.00	0.00	\$0.00	1.00	\$3,000.00
17	Traffic Maintenance and Control, Div. II	1.00 Ls	1.00	\$2,766.25	0.00	0.00	\$0.00	1.00	\$2,766.25
18	Audio Video Route Survey, Div. II	1.00 Ls	1.00	\$527.46	0.00	0.00	\$0.00	1.00	\$527.46
19	Erosion Control, Inlet Protection, Fabric Drop	1.00 Ea	0.00	\$86.52	0.00	0.00	\$0.00	0.00	\$0.00
20	Pavement Joint and Crack Repair, Det 7	840.00 Ft	293.00	\$4.94	0.00	0.00	\$0.00	293.00	\$1,447.42
21	Remove Concrete Curb and Gutter	52.00 Ft	132.20	\$21.00	0.00	0.00	\$0.00	132.20	\$2,776.20
22	Cold Milling HMA Surface	1220.00 Syd	1338.00	\$4.20	0.00	0.00	\$0.00	1338.00	\$5,619.60
23	Remove Pavement	100.00 Syd	128.00	\$27.81	0.00	0.00	\$0.00	128.00	\$3,559.68
24	Remove Sidewalk	74.00 Syd	59.00	\$17.29	0.00	0.00	\$0.00	59.00	\$1,020.11
25	Underdrain, Subgrade, 6 inch	50.00 Ft	19.29	\$34.31	0.29	0.00	\$9.95	19.29	\$661.84
26	Maintenance Aggregate, 21AA	25.00 Ton	0.00	\$60.91	0.00	0.00	\$0.00	0.00	\$0.00
27	HMA, 13A	235.00 Ton	124.82	\$90.91	0.00	0.00	\$0.00	124.82	\$11,347.39
28	Hand Patching	20.00 Ton	11.05	\$157.65	5.96	0.00	\$939.59	11.05	\$1,742.03
29	Concrete Curb and Gutter, Det F4	52.00 Ft	147.20	\$26.37	0.00	0.00	\$0.00	147.20	\$3,881.66

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34000 Plymouth Road  
Livonia, MI 48150

Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
30	Concrete, Nonreinf, 8 inch	100.00 Syd	128.00	\$50.35	0.00	0.00	\$0.00	128.00	\$6,444.80
31	Sidewalk Ramp, Conc, 6 inch	100.00 Sft	172.30	\$5.75	0.00	0.00	\$0.00	172.30	\$990.73
32	Sidewalk, Conc, 4 inch	607.00 Sft	487.60	\$4.80	0.00	0.00	\$0.00	487.60	\$2,340.48
33	Detectable Warning Surface	23.00 Ft	23.00	\$33.57	0.00	0.00	\$0.00	23.00	\$772.11
34	Adjust Drainage/Utility Structure	1.00 Ea	0.00	\$627.54	0.00	0.00	\$0.00	0.00	\$0.00
35	Adjust Drainage/Utility Structure, Additional Depth	1.00 Ft	0.00	\$289.79	0.00	0.00	\$0.00	0.00	\$0.00
36	Turf Establishment, Div. II	3.50 Sta	3.50	\$153.44	1.75	0.00	\$268.52	3.50	\$537.04
B - Division II: Cloverdale Sub-Total:							\$1,218.06		\$49,434.80
Retainage							(\$4,389.04)		
Division: A - Division I: Heritage									
1	Mobilization, Max. 5%, Div. I	1.00 Ls	1.00	\$3,500.00	0.00	0.00	\$0.00	1.00	\$3,500.00
2	Traffic Maintenance and Control, Div. I	1.00 Ls	1.00	\$1,792.78	0.00	0.00	\$0.00	1.00	\$1,792.78
3	Audio Video Route Survey, Div. I	1.00 Ls	1.00	\$527.46	0.00	0.00	\$0.00	1.00	\$527.46
4	Erosion Control, Inlet Protection, Fabric Drop	11.00 Ea	8.00	\$86.52	0.00	0.00	\$0.00	8.00	\$692.16
5	Remove Concrete Curb and Gutter	233.00 Ft	235.00	\$15.73	0.00	0.00	\$0.00	235.00	\$3,696.55
6	Cold Milling HMA Surface	2830.00 Syd	2680.23	\$3.12	0.00	0.00	\$0.00	2680.23	\$8,362.32
7	Remove Pavement	34.00 Syd	0.00	\$27.36	0.00	0.00	\$0.00	0.00	\$0.00
8	Underdrain, Subgrade, 6 inch	50.00 Ft	0.00	\$34.31	0.00	0.00	\$0.00	0.00	\$0.00
9	Maintenance Aggregate, 21AA	50.00 Ton	5.00	\$38.74	0.00	0.00	\$0.00	5.00	\$193.70
10	HMA, 13A	470.00 Ton	294.82	\$87.37	0.00	0.00	\$0.00	294.82	\$25,758.42
11	HMA, 13A (Driveway)	10.00 Ton	4.00	\$223.78	0.00	0.00	\$0.00	4.00	\$895.12
12	Concrete Curb and Gutter, Det D2	233.00 Ft	235.00	\$23.98	0.00	0.00	\$0.00	235.00	\$5,635.30
13	Adjust Drainage/Utility Structure	2.00 Ea	3.00	\$627.54	0.00	0.00	\$0.00	3.00	\$1,882.62
14	Adjust Drainage/Utility Structure, Additional Depth	2.00 Ft	0.00	\$289.79	0.00	0.00	\$0.00	0.00	\$0.00
15	Turf Establishment, Div. I	9.50 Sta	9.50	\$153.44	4.75	0.00	\$728.84	9.50	\$1,457.68
A - Division I: Heritage Sub-Total:							\$728.84		\$54,394.11
Retainage							(\$1,436.76)		
Division: E - Division V: Warner									
76	Mobilization, Max. 5%, Div. V	1.00 Ls	1.00	\$5,000.00	0.00	0.00	\$0.00	1.00	\$5,000.00
77	Traffic Maintenance and Control, Div. V	1.00 Ls	1.00	\$1,003.50	0.00	0.00	\$0.00	1.00	\$1,003.50
78	Audio Video Route Survey, Div. V	1.00 Ls	1.00	\$527.46	0.00	0.00	\$0.00	1.00	\$527.46
79	Erosion Control, Inlet Protection, Fabric Drop	8.00 Ea	8.00	\$86.52	0.00	0.00	\$0.00	8.00	\$692.16
80	Pavement Joint and Crack Repair, Det 7	2367.00 Ft	215.20	\$3.35	0.00	0.00	\$0.00	215.20	\$720.92
81	Remove Concrete Curb and Gutter	40.00 Ft	0.00	\$24.23	0.00	0.00	\$0.00	0.00	\$0.00
82	Cold Milling HMA Surface	3315.00 Syd	3227.00	\$3.40	0.00	0.00	\$0.00	3227.00	\$10,971.80
83	Remove Pavement	200.00 Syd	303.00	\$23.12	0.00	0.00	\$0.00	303.00	\$7,005.36
84	Underdrain, Subgrade, 6 inch	50.00 Ft	20.00	\$34.31	0.00	0.00	\$0.00	20.00	\$686.20
85	Maintenance Aggregate, 21AA	25.00 Ton	0.00	\$60.91	0.00	0.00	\$0.00	0.00	\$0.00
86	HMA, 13A	640.00 Ton	332.36	\$78.96	0.00	0.00	\$0.00	332.36	\$26,243.15

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Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
87	Hand Patching	9.00 Ton	4.40	\$182.45	1.90	0.00	\$346.66	4.40	\$802.78
88	Concrete Curb and Gutter, Det F4	40.00 Ft	0.00	\$26.37	0.00	0.00	\$0.00	0.00	\$0.00
89	Concrete, Nonreinf, 8 inch	200.00 Syd	303.00	\$50.35	0.00	0.00	\$0.00	303.00	\$15,256.05
90	Adjust Drainage/Utility Structure	1.00 Ea	6.52	\$627.54	0.00	0.00	\$0.00	6.52	\$4,091.56
91	Adjust Drainage/Utility Structure, Additional Depth	1.00 Ft	0.00	\$289.79	0.00	0.00	\$0.00	0.00	\$0.00
92	Turf Establishment, Div. V	9.50 Sta	9.50	\$153.44	4.75	0.00	\$728.84	9.50	\$1,457.68
E - Division V: Warner Sub-Total:									\$1,075.50
Retainage									(\$6,834.19)
Division: D - Division IV: Hayden									
55	Mobilization, Max. 5%, Div. IV	1.00 Ls	1.00	\$5,000.00	0.00	0.00	\$0.00	1.00	\$5,000.00
56	Traffic Maintenance and Control, Div. IV	1.00 Ls	1.00	\$2,698.82	0.00	0.00	\$0.00	1.00	\$2,698.82
57	Audio Video Route Survey, Div. IV	1.00 Ls	1.00	\$527.46	0.00	0.00	\$0.00	1.00	\$527.46
58	Erosion Control, Inlet Protection, Fabric Drop	9.00 Ea	8.00	\$86.52	0.00	0.00	\$0.00	8.00	\$692.16
59	Pavement Joint and Crack Repair, Det 7	2432.00 Ft	416.40	\$3.33	0.00	0.00	\$0.00	416.40	\$1,386.61
60	Remove Concrete Curb and Gutter	64.00 Ft	91.50	\$20.10	0.00	0.00	\$0.00	91.50	\$1,839.15
61	Cold Milling HMA Surface	3446.00 Syd	3386.00	\$2.77	0.00	0.00	\$0.00	3386.00	\$9,379.22
62	Remove Pavement	200.00 Syd	272.20	\$23.12	0.00	0.00	\$0.00	272.20	\$6,293.26
63	Remove Sidewalk	53.00 Syd	54.20	\$18.79	0.00	0.00	\$0.00	54.20	\$1,018.42
64	Underdrain, Subgrade, 6 inch	50.00 Ft	19.00	\$34.31	0.00	0.00	\$0.00	19.00	\$651.89
65	Maintenance Aggregate, 21AA	25.00 Ton	0.00	\$60.91	0.00	0.00	\$0.00	0.00	\$0.00
66	HMA, 13A	670.00 Ton	300.00	\$78.90	0.00	0.00	\$0.00	300.00	\$23,670.00
67	Hand Patching	9.00 Ton	2.50	\$182.45	0.00	0.00	\$0.00	2.50	\$456.13
68	Concrete Curb and Gutter, Det F4	64.00 Ft	91.50	\$26.37	0.00	0.00	\$0.00	91.50	\$2,412.86
69	Concrete, Nonreinf, 8 inch	200.00 Syd	272.20	\$50.35	0.00	0.00	\$0.00	272.20	\$13,705.27
70	Sidewalk Ramp, Conc, 6 inch	100.00 Sft	183.35	\$5.75	0.00	0.00	\$0.00	183.35	\$1,054.26
71	Sidewalk, Conc, 4 inch	434.00 Sft	285.50	\$4.80	0.00	0.00	\$0.00	285.50	\$1,370.40
72	Detectable Warning Surface	20.00 Ft	15.00	\$33.57	0.00	0.00	\$0.00	15.00	\$503.55
73	Adjust Drainage/Utility Structure	1.00 Ea	6.10	\$627.54	0.00	0.00	\$0.00	6.10	\$3,827.99
74	Adjust Drainage/Utility Structure, Additional Depth	1.00 Ft	0.00	\$289.79	0.00	0.00	\$0.00	0.00	\$0.00
75	Turf Establishment, Div. IV	9.63 Sta	9.63	\$153.44	4.81	0.00	\$738.05	9.63	\$1,477.63
D - Division IV: Hayden Sub-Total:									\$738.05
Retainage									(\$7,194.75)
Division: F - Division VI: Hillcrest									
93	Mobilization, Max. 5%	0.00 Ea	1.00	\$6,250.00	0.00	0.00	\$0.00	1.00	\$6,250.00
94	Traffic Maintenance and Control	0.00 Ea	1.00	\$4,500.00	0.00	0.00	\$0.00	1.00	\$4,500.00
95	Erosion Control, Inlet Protection, Fabric Drop	0.00 Ea	3.00	\$86.52	0.00	0.00	\$0.00	3.00	\$259.56
96	Cold Milling HMA Surface	0.00 Syd	2768.80	\$5.78	0.00	0.00	\$0.00	2768.80	\$16,003.66
98	Machine Grading	0.00 Sta	11.50	\$590.89	0.30	0.00	\$177.27	11.50	\$6,795.24
101	HMA, 13A	0.00 Ton	770.61	\$82.78	0.00	0.00	\$0.00	770.61	\$63,791.10
OHM Advisors									
34000 Plymouth Road									
Livonia, MI 48150									
(734) 522-6711									
OHM-Advisors.com									

Item	Description	Original Quantity	Quantity Authorized	Unit Price	Quantity This Period	Quantity Held	Amount This Period	Quantity To Date	Amount To Date
102	HMA, 13A (driveway)	0.00 Ton	5.00	\$223.78	0.00	0.00	\$0.00	5.00	\$1,118.90
103	Concrete, Driveway, 6 Inch	0.00 Syd	0.00	\$65.00	0.00	0.00	\$0.00	0.00	\$0.00
106	Turf Establishment	0.00 Sia	11.50	\$153.44	11.50	0.00	\$1,764.56	11.50	\$1,764.56
F - Division VI: Hillcrest Sub-Total:							\$1,941.83		\$100,483.01
Retainage							\$0.00		

OHM Advisors  
 34000 Plymouth Road  
 Livonia, MI 48150

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# CHANGE ORDER



**Project:** City of Farmington - 2017 Farmington Roads HMA Maintenance

**Job Number:** 0111-17-0011

**Owner:** City of Farmington  
23600 Liberty Street  
Farmington, MI 48335  
(248) 474-5500

**Change Order Number:** 2

**Date:** 5/7/2018

**Print Date:** 9/26/2018

**Contractor:** Pro-Line Asphalt Paving Corporation  
11797 29 Mile Road  
Washington Township, MI 48095  
(586) 752-7730

**Note:**

TO THE CONTRACTOR:

You are hereby directed to comply with the changes to the contract documents. This change order reflects work completed or anticipated.

OHM Advisors  
34000 Plymouth Road  
Livonia, MI 48150  
(734) 522-6711

CURRENT PROJECT PLANS AND SPECIFICATIONS WILL BE ADHERED TO UNLESS SPECIFICALLY CHANGED BY THIS CHANGE ORDER DOCUMENT.

THE CONTRACT AMOUNT WILL BE CHANGED BY THE SUM OF:	(\$19,287.42)
Original Contract Amount:	\$421,396.20
Contract Amount Including Previous Change Orders:	\$436,144.43
Amount of this Change Order:	<u>(\$19,287.42)</u>
<b>REVISED CONTRACT AMOUNT:</b>	<b>\$416,857.01</b>

**Accepted By**

Pro-Line Asphalt Paving Corporation

Date 9-27-18

**Approved By**

Chuck Eudy - Public Works Superintendent  
- City of Farmington

Date 10-3-18

**Reviewed By**

Matt Parks, Principal

Matthew D Parks

Digitally signed by Matthew D Parks  
DN: c=US, e=matt.parks@ohm-advisors.com, o=OHM  
Advisors, cn=Matthew D Parks  
Date: 2018.10.02 09:56:25 -0400

Date 10/3/18

**Items**

Item No.	Description	Previous Authorized Quantity	Quantity Change	New Authorized Quantity	Unit Price	Total Increase
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**THE FOLLOWING ITEMS AND OR CONTRACT UNIT PRICES SHALL BE ADDED TO THE CONTRACT AMOUNT**

**Division: F - Division VI: Hillcrest**

**Additional Items to the Contract:**

98	Machine Grading	11.20	Sta	0.30	0.30	\$590.89	\$177.27
<b>SUB-TOTAL INCREASES DIVISION F - Division VI: Hillcrest:</b>							<b>\$177.27</b>

**THE FOLLOWING ITEMS AND OR CONTRACT UNIT PRICES SHALL BE SUBTRACTED FROM THE CONTRACT AMOUNT**

**Division: A - Division I: Heritage**

4	Erosion Control, Inlet Protection, Fabric Drop	11.00	Ea	-3.00	8.00	\$86.52	(\$259.56)
<b>SUB-TOTAL DECREASES DIVISION A - Division I: Heritage:</b>							<b>(\$259.56)</b>

**Division: B - Division II: Cloverdale**

24	Remove Sidewalk	74.00	Syd	-15.00	59.00	\$17.29	(\$259.35)
25	Underdrain, Subgrade, 6 inch	50.00	Fl	-30.71	19.29	\$34.31	(\$1,053.66)
28	Hand Patching	20.00	Ton	-8.95	11.05	\$157.65	(\$1,410.97)
<b>SUB-TOTAL DECREASES DIVISION B - Division II: Cloverdale:</b>							<b>(\$2,723.98)</b>

**Division: C - Division III: Prospect**

43	Remove Sidewalk	59.00	Syd	-5.10	53.90	\$18.14	(\$82.51)
48	HMA, T3A	470.00	Ton	-71.83	398.17	\$82.78	(\$5,946.09)
<b>SUB-TOTAL DECREASES DIVISION C - Division III: Prospect:</b>							<b>(\$6,038.60)</b>

**Division: D - Division IV: Hayden**

61	Cold Milling HMA Surface	3446.00	Syd	-60.00	3386.00	\$2.77	(\$166.20)
65	Maintenance Aggregate, 21AA	25.00	Ton	-25.00	0.00	\$60.91	(\$1,522.75)
67	Hand Patching	9.00	Ton	-6.50	2.50	\$182.45	(\$1,185.93)
<b>SUB-TOTAL DECREASES DIVISION D - Division IV: Hayden:</b>							<b>(\$2,874.88)</b>

**Division: E - Division V: Warner**

81	Remove Concrete Curb and Gutter	40.00	Ft	-40.00	0.00	\$24.23	(\$969.20)
82	Cold Milling HMA Surface	3315.00	Syd	-88.00	3227.00	\$3.40	(\$299.20)
87	Hand Patching	9.00	Ton	-4.60	4.40	\$182.45	(\$839.27)
<b>SUB-TOTAL DECREASES DIVISION E - Division V: Warner:</b>							<b>(\$2,107.67)</b>

**Division: F - Division VI: Hillcrest**

**Subtracted Items from the Contract:**

103	Concrete, Driveway, 6 Inch	84.00	Syd	-84.00	-84.00	\$65.00	(\$5,460.00)
<b>SUB-TOTAL DECREASES DIVISION F - Division VI: Hillcrest:</b>							<b>(\$5,460.00)</b>

## CONTRACTOR'S DECLARATION

I HEREBY DECLARE THAT I HAVE NOT, during the period

October 7, 2017

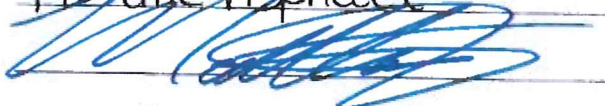
to

September 26 A.D., 20 18 performed any work, furnished any material, sustained any loss, damage or delay for any reason, including soil conditions encountered or created, or otherwise done anything for which I shall ask, demand, sue for or claim compensation from City of Farmington or his agents, in addition to the regular items set forth in the Contract numbered 0111-17-0010 and dated April 28 A.D., 20 17 for the Agreement executed between myself and the OWNER, and in the Change Orders for work issued by the OWNER in writing as provided thereunder, except as I hereby make claim for additional compensation and/or extension of time, as set forth on the itemized statement attached hereto.

There (is) (is not) an itemized statement attached.

Date: 10/1/2018

By:

Pro-line Asphalt  


Title:

Matthew Jones, Vice President

CONTRACTOR'S AFFIDAVIT

STATE OF MICHIGAN )

)SS.

COUNTY OF Macomb )

The undersigned, Pro-Line Asphalt, CONTRACTOR, hereby represents that on 4/28, 20 18 he (it) was awarded a Contract by City of Farmington hereinafter called the OWNER, to construct 2017 Farmington Roads HMA Maintenance in accordance with the terms and conditions of Contract No. 0111-17-0011; and the undersigned further represents that the subject work has now been accomplished and the said Contract has now been completed.

The undersigned hereby warrants and certifies that all of his (its) indebtedness arising by reason of said Contract has been fully or satisfactorily secured, and that all claims from subcontractors and others for labor and material used in accomplishing the said project, as well as all other claims arising from performance of said Contract, have been fully paid or satisfactorily secured. The undersigned further agrees that if any such claim should hereafter arise, he (it) shall assume responsibility for same immediately upon request to do so by the OWNER.

The undersigned, for a valuable consideration, receipt of which is hereby acknowledged, does further hereby waive, release and relinquish any and all claims or right of lien which the undersigned now has or may hereafter acquire upon the subject premises for labor and material used in accomplishing said project owned by the OWNER.

This affidavit is freely and voluntarily given with full knowledge of the facts on this 15<sup>th</sup> day of October, 20 18.

Pro-Line Asphalt

Contractor

By: 

Title Matthew Jones, Vice President

Subscribed and sworn to before me, a Notary Public in and for MACOMB County, Michigan, on this 4<sup>th</sup> day of OCTOBER, 20 18.

Notary Public: 

My Commission expires: 3/18/2019



 **AIA® Document G707™ – 1994**

RECEIVED

OCT 03 2018

PRO-LINE ASPHALT

**Consent Of Surety to Final Payment**

Bond No.: CA 1539986

**PROJECT: (Name and address)**  
2017 Farmington Roads HMA  
Maintenance

**ARCHITECT'S PROJECT NUMBER:**  
  
**CONTRACT FOR: Construction**

**OWNER:**   
**ARCHITECT:**   
**CONTRACTOR:**   
**SURETY:**   
**OTHER:**

**TO OWNER: (Name and address)**  
City of Farmington  
23600 Liberty Street  
Farmington, MI 48335

**CONTRACT DATED:**

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the  
(Insert name and address of Surety)

**Great American Insurance Company**  
301 E. Fourth Street  
Cincinnati, OH 45202

on bond of  
(Insert name and address of Contractor)

**Pro-Line Asphalt Paving Corporation**  
11797 - 29 Mile Road  
Washington, MI 48095

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the  
Surety of any of its obligations to  
(Insert name and address of Owner)

City of Farmington  
23600 Liberty Street  
Farmington, MI 48335

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **October 1, 2018**  
(Insert in writing the month followed by the numeric date and year.)

**Great American Insurance Company**

(Surety)



(Signature of authorized representative)

**Nicholas Ashburn, Attorney-in-Fact**

(Printed name and title)

Attest:  
(Seal):



# GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by  
this power of attorney is not more than SEVEN

No. 0 20903

## POWER OF ATTORNEY

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
NICHOLAS ASHBURN PAUL M. HURLEY HOLLY NICHOLS ROBERT D. HEUER ANNE M. BARICK MICHAEL D. LECHNER	JASON ROGERS ALL OF TROY, MICHIGAN	ALL \$100,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 19TH day of MAY 2017

GREAT AMERICAN INSURANCE COMPANY



*My L C. B.*  
Assistant Secretary

*David C. Kitchin*  
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this 19TH day of MAY, 2017, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal, that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Susan A. Kohorst  
Notary Public, State of Ohio  
My Commission Expires 06-18-2020

*Susan A. Kohorst*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

**RESOLVED:** That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

**RESOLVED FURTHER:** That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

## CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 1<sup>st</sup> day of OCTOBER 2018



*My L C. B.*  
Assistant Secretary

# SWORN STATEMENT

State of Michigan

County of: Macomb

Date: 10/1/2018

Matthew Jones (deponent) being duly sworn deposes and says:

1. That Pro-Line Asphalt is the Contractor/Subcontractor for an improvement to the property described on the following page.
2. That the following is a statement of each subcontractor and supplier and laborer, for which the payment of wages or fringe benefits and withholdings is due but unpaid, with whom the Contractor/Subcontractor has Contracted/Subcontracted for performance under the Contract with the Owner or Lessee of the property, and that the amounts due to the persons as of the date hereof are correctly and fully set forth opposite their names as follows:

Name of Subcontractor, Supplier or Laborer	Type of Improvement Furnished	Total Contract Price	Amount Already Paid	Amount Currently Owing	Amount of Laborer Wages Due but Unpaid	Amount of Labor, Fringe Benefits & Withholdings due but Unpaid
Ajax	HMA	135,063. <sup>65</sup>	135,063. <sup>65</sup>	0	0	0
EMERSONS	concrete	63,290. <sup>00</sup>	63,290. <sup>00</sup>	0	0	0
Construction Video	Audio/ video	2,685.-	2,685.-	0	0	0
MR. LAND Development- A/C Services	restoration	6,652.-	6,652.-	0	0	0



The contracts or subcontracts cited herein are for improvement to the following described real property situated in Oakland County, Michigan, described as:

(Insert legal description of property) Farmington Roads  
HMA Maintenance

Commonly known as:

2017 Farmington Roads HMA Maintenance

OHM Job Number:

0111-17-0011

- 3. That the Contractor has not procured material from, or subcontracted with, any person other than those set forth above and owes no money for the improvement other than the sums set forth above.
- 4. Deponent further says that he makes the foregoing statement as the Contractor/Subcontractor or as Controller of the Contractor/Subcontractor for the purpose of representing to the owner of the above described premises and his agents that the above described property is free from claims of construction liens, or the possibility of construction liens, except as specifically set forth above and except for claims of construction liens by laborers which may be provided pursuant to Section 109 of the Construction Lien Act, Act No. 497 of the Public Acts of 1980, as amended, being Section 570.1109 of the Michigan Compiled Laws.

WARNING TO OWNER: An Owner of the above described property may not rely on this sworn statement to avoid the claim of a Subcontractor, Supplier or Laborer who has provided a Notice of Furnishing (or a Laborer who may provide a Notice of Furnishing pursuant to Section 109 of the Construction Lien Act) to the Designee or to the Owner if the Designee is not named or has died.

Dated: 10/11/18

Signature of Deponent

WARNING TO DEPONENT: A person, who with intent to defraud, gives a false sworn statement is subject to criminal penalties as provided in Section 110 of the Construction Lien Act, Act No. 497 of the Public Acts of 1980, as amended, being Section 570.1110 of the Michigan Compiled Laws.

Subscribed and sworn to before me on: 10/4/18 in MACOMB County, Michigan

My commission expires: 3/18/2019 Signature: [Signature]



RECEIVED

OCT 02 2018

PRO-LINE ASPHALT



**PRO-LINE ASPHALT**

### FULL UNCONDITIONAL WAIVER

(Printed under the authority of the Construction Lien Act, PA 497 of 1980, as amended)

My/our contract with **Pro-Line Asphalt Paving Corp.** to provide:

**HMA Materials**

for the improvement of the property described as:

**FARM-17-006**

**Farmington 2017 HMA Maintenance**

has been fully paid and satisfied, my/our construction lien rights against such property, the owner, engineer or **Pro-Line Asphalt Paving Corp.**, are hereby waived and released.

Ajax Materials  
Attn: Debbie  
PO Box 7058  
Troy, MI 48007

*Debra L. McCrystal*  
Signature of lien claimant

*Credit Manager*  
Title

*DEBRA L. MCCRystal*  
Print Name

Signed on 10/2/2018  
Date

**DO NOT SIGN BLANK OR INCOMPLETE FORMS, RETAIN A COPY**



**PRO-LINE ASPHALT**

**FAXED**  
**RECEIVED**  
7/18  
JUL 30 2018  
PRO-LINE ASPHALT

# FULL UNCONDITIONAL WAIVER

(Printed under the authority of the Construction Lien Act, PA 497 of 1980, as amended)

My/our contract with **Pro-Line Asphalt Paving Corp.** to provide:

**Concrete Work**

for the improvement of the property described as:

**FARM-17-006**  
**Farmington 2017 HMA Maintenance**

has been fully paid and satisfied, my/our construction lien rights against such property, the owner, engineer or **Pro-Line Asphalt Paving Corp.**, are hereby waived and released.

GM & Sons, Inc.  
6784 Whitmore Lake Road  
Whitmore Lake, MI 48189

  
Signature of lien claimant

Title

**Karl Schweitzer, Manager**

Print Name

Signed on 7.23.18  
Date

**DO NOT SIGN BLANK OR INCOMPLETE FORMS, RETAIN A COPY**



**PRO-LINE ASPHALT**

RECEIVED  
7/31

RECEIVED  
AUG 07 2017  
PRO-LINE ASPHALT

# FULL UNCONDITIONAL WAIVER

(Printed under the authority of the Construction Lien Act, PA 497 of 1980, as amended)

My/our contract with **Pro-Line Asphalt Paving Corp.** to provide:

**Pre-Construction Video**

for the improvement of the property described as:

**FARM-17-006  
Farmington 2017 HMA Maintenance**

has been fully paid and satisfied, my/our construction lien rights against such property, the owner, engineer or **Pro-Line Asphalt Paving Corp.**, are hereby waived and released.

Construction Video Media, Inc.  
111 East Newberry  
P.O. Box 90  
Romeo, MI 48065

Signature of lien claimant

**Dwight C. Spengler, President**

Title

Dwight C. Spengler

Print Name

Signed on 8/4/17

Date

**DO NOT SIGN BLANK OR INCOMPLETE FORMS, RETAIN A COPY**



**PRO-LINE ASPHALT**

## FULL UNCONDITIONAL WAIVER

(Printed under the authority of the Construction Lien Act, PA 497 of 1980, as amended)

My/our contract with **Pro-Line Asphalt Paving Corp.** to provide:

**Restoration / Landscaping**

for the improvement of the property described as:

**FARM-17-006**

**Farmington 2017 HMA Maintenance**

has been fully paid and satisfied, my/our construction lien rights against such property, the owner, engineer or **Pro-Line Asphalt Paving Corp.**, are hereby waived and released.

Mr. Land Development  
1140 South M-15  
Ortonville, MI 48482

Signature of lien claimant

OWNER

Title

Print Name

Signed on 9-4-18  
Date

**DO NOT SIGN BLANK OR INCOMPLETE FORMS, RETAIN A COPY**



**PRO-LINE ASPHALT**

## FULL UNCONDITIONAL WAIVER

(Printed under the authority of the Construction Lien Act, PA 497 of 1980, as amended)

My/our contract with **Pro-Line Asphalt Paving Corp.** to provide:

**Restoration / Landscaping**

for the improvement of the property described as:

**FARM-17-006**

**Farmington 2017 HMA Maintenance**

has been fully paid and satisfied, my/our construction lien rights against such property, the owner, engineer or **Pro-Line Asphalt Paving Corp.**, are hereby waived and released.

AVC Services II  
25600 Joy Blvd  
Harrison Twp., MI 48045

Signature of lien claimant

President

Title

Antonio W. Cordella

Print Name

Signed on

9/4/18

Date

**DO NOT SIGN BLANK OR INCOMPLETE FORMS, RETAIN A COPY**

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Item Number 7E</b>
<b>Submitted by:</b> Charles Eudy, Superintendent		
<b>Agenda Topic:</b> Completion of the emergency replacement of chlorine injection system for the 9 Mile Retention Basin.		
<b>Proposed Motion:</b> Move to ratify final payment to Oakland County Water Resource Commissioner for the emergency replacement of the Sodium hypochlorite injection system in the amount of \$4,752.06, and payment to Detroit Pump in the amount of \$11,706.00.		
<b>Background:</b> Annually during the budget planning cycle administrative staff meet with Oakland County Water Resource Commission (OCWRC) to review the Farmington Retention Basin Long Range Plan (LRP). In 2018 OCWRC recommended the replacement of the Sodium hypochlorite injection system as a priority. The Sodium hypochlorite is injected into the waste water as it is being discharged to the retention basin during wet weather conditions to reduce the e-coli to levels deemed acceptable by Michigan Department of Environmental Quality (MDEQ). MDEQ requires all discharges to the retention basin to be treated in the event of a Sanitary Sewer Overflow (SSO). OCWRC has projected a preliminary replacement cost estimate of \$20,000 for the Sodium hypochlorite injection system.  Due to the number of wet weather events and the severity of the wet weather events, the current chlorine injection system is insufficient to treat the sanitary sewer discharges to the retention basin. If discharges to the retention basin are not treated and there is an SSO, the City of Farmington will face enforcement action from MDEQ which will include financial penalties exceeding the cost of the replacement of the Sodium hypochlorite injection system.  The proposed Fiscal year 2018/19 budget included allocations to replace the Sodium hypochlorite injection system after July 1, 2018. This system must be replaced immediately to protect the environment and the City of Farmington being fined by MDEQ.  OCWRC recommended the City of Farmington to purchase the Chlorine Injection pumps directly from Detroit Pump. By purchasing directly from the vendor, the City saved a 15% (\$1,755.90) markup on the expense of the equipment. The chlorine pumps have been installed, tested and OCWRC staff have been trained for the pump operation and maintenance.  This project was completed the end of June nearly \$5,000 under the OCWRC proposed expense. The final staff report has been delayed until OCWRC provided all back up information on September 17, 2018.		
<b>Materials:</b> Oakland County Treasurers Invoice # WAS0000200 Detroit Pump Invoice #1051761		







# INVOICE

Invoice: WAS0000200  
 Invoice Date: 8/31/2018  
 Page: 1 of 1

Make Checks Payable to  
 OAKLAND COUNTY  
 TREASURERS-CASH ACCTG BLDG 12 E  
 1200 N TELEGRAPH RD  
 PONTIAC MI 48341-0479

Customer No: WAS00000001  
 Payment Terms: NET 30  
 Due Date: 9/30/2018

SEP 17 2018

CITY OF FARMINGTON  
 ATTN CHUCK EUDY  
 23600 LIBERTY ST  
 FARMINGTON HILLS MI 48335-3529

AMOUNT DUE: 4,664.90 USD

For billing questions, please call: 248-858-0943

Original

Line	Description	Quantity	UOM	Unit Amt	Net Amount
1	Chlorine pumps Emergency replacement of chlorine pumps	1.00		4,664.90	4,664.90
Subtotal:					4,664.90
AMOUNT DUE:					4,664.90

PLEASE INCLUDE YOUR INVOICE NUMBER WHEN SUBMITTING PAYMENT.

City of Farmington Chlorine pumps- Project 100000002815

AMOUNT APPROVED: \$ 4664.90  
 ACCOUNT #: 592 694 818 AMOUNT:  
 Approved By: CJE Date: 9/21/18  
 Attached:  PO



# INVOICE

Detroit Pump & Mfg Co  
**Branch:** 000 Ferndale  
 450 Fair Avenue, Building D  
 Ferndale, MI 48220  
 USA

INVOICE	
1051761	
Invoice Date	Page
6/19/2018	1 of 1
ORDER NUMBER	
1058326	

248-544-4242

**\*\*DIRECT SHIPMENT\*\***

**Bill To:**

Farmington, City of  
 23600 Liberty Street  
 Farmington, MI 48335

**Ship To:**

Farmington, City of  
 33720 W Nine Mile Road  
 Farmington, MI 48335

Ordered By: Chuck Eudy

Customer ID: 43085

PO Number	Term Description	Net Due Date	Disc Due Date	Discount Amount
18614	Net 30	7/19/2018	7/19/2018	0.00

Order Date	Pick Ticket No	Primary Salesrep Name	Taker
6/5/2018 09:24:32	1051005	Inactive Territory III	SSTEIN

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price
Ordered	Shipped	Remaining	UOM Unit Size	Disp				

Carrier: Allowed

Tracking #: Old Dominion / 05225894426

2	2	0 EA	1.0		A4V24-BNKKL Low Pressure Tube Pump Blue-White Flex-Pro Peristaltic	EA 1.0000	5,753.00	11,506.00
2	2	0 EA	1.0		A4-BNKKL-T Tube Assembly, Flex-A-Prene 1/2" Hose Barb, Multi-Tube - Blue-White Inds.	EA 1.0000	100.00	200.00

Total Lines: 2

**SUB-TOTAL:** 11,706.00  
**TAX:** 0.00  
**AMOUNT DUE:** 11,706.00

AMOUNT APPROVED:	\$ 11,706.00
ACCOUNT #:	592-694-818
Approved By:	<i>CJK</i>
Attached:	<input type="checkbox"/> PO
Date:	6/24/18

ORIGINAL

**CITY OF FARMINGTON**

23600 Liberty Street  
Farmington MI 48335

248-474-5500

NOTE: NEW VENDORS MUST HAVE A COMPLETED W-9 FORM ON  
FILE BEFORE ACCOUNTS PAYABLE WILL ISSUE PAYMENTS.

**PURCHASE ORDER**

No. 18614  
Date: 5/31/2018

Vendor Detroit Pump Phone: 248/544-4242  
Fax: 248/544-4141

Address: 450 Fair Ave, Building D  
Ferndale MI 48220

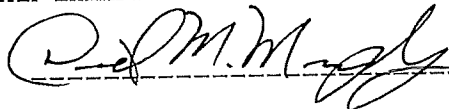
Appropriation Number  
592-694.00-818.000

Ship to

Shipping Instructions:

Item	Quantity	Unit	Description	Unit Price	Amount
1	2		Blue-White Flex-Pro Model A4V24-BNKKL Metering Pump for 12.5% Sodium Hypochlorite	5,753.00	11,506
2	2		Blue-White Flex-Pro Spare Tube Assembly # A4-BNKKL-T	100.00	200.00
Shipping Cost Freight Total					0 \$11,706.00

TAX EXEMPT MUNICIPALITY, FEDERAL ID: 38-6004680



David Murphy, City Manager

Distribution:  Vendor |  Purchasing |  Receiving |  Accounting |  Other  
..... USPS / FAX [CMO] DPW A/P



**450 Fair Ave. Building D  
Ferndale, MI 48220  
Office: (248) 544-4242 Fax (248) 544-4141**

May 31<sup>st</sup>, 2018

**Mr. Charles Eudy**  
City of Farmington  
33720 W. 9 Mile Road  
Farmington MI 48335

**Subject: Sodium Hypochlorite Metering Pumps for Farmington Retention Basin**

Dear Charles,

Detroit Pump is pleased to offer the following Blue-White Flex-Pro Metering Pumps for your valued consideration. This pump is rated for .05 – 123.0 GPH @ 30 psi. Max pump speed is 125 RPM. Please see attached documentation.

**(2) Blue-White Flex-Pro Model A4V24-BNKKL Metering Pump for 12.5% Sodium Hypochlorite**

*Itemized Price: \$5,753.00 each*

**(2) Blue-White Flex-Pro Spare Tube Assembly # A4-BNKKL-T**

*Itemized Price: \$100.00 each*

**Lot Price for (2) Pumps and (2) Spare Tubes: \$11,706.00**

**Lead Time: 2 weeks**

**FOB: Shipping Point**

**Freight Charges: Included in Price**

**Taxes: Not Included**

**Quote: Valid for 30 days**

Thank you,

**Bob Zukowski**  
Detroit Pump Co.  
450 Fair Ave  
Ferndale MI 48220  
(248) 640-4280 mobile

## Request for Taxpayer Identification Number and Certification

Give Form to the  
 requester. Do not  
 send to the IRS.

▶ Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
 See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <p style="text-align: center; margin: 0;"><b>H &amp; P Technologies, Inc.</b></p>	
2 Business name/disregarded entity name, if different from above <p style="text-align: center; margin: 0;"><b>Detroit Pump &amp; Mfg. Division</b></p>	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input checked="" type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):  Exempt payee code (if any) <u>5</u>  Exemption from FATCA reporting code (if any) _____  <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions. <p style="text-align: center; margin: 0;"><b>450 Fair Ave., Building D</b></p>	Requester's name and address (optional)
6 City, state, and ZIP code <p style="text-align: center; margin: 0;"><b>Ferndale, MI 48220</b></p>	
7 List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number													
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or													
Employer identification number													
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3	8		-	1	3	8	9	8	1	1			

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Bonnie G. Gildes</i>	Date ▶ <i>11/29/17</i>
------------------	--	------------------------

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.*

# Michigan Sales and Use Tax Certificate of Exemption

**INSTRUCTIONS: DO NOT send to the Department of Treasury. Certificate must be retained in the seller's records.** This certificate is invalid unless all four sections are completed by the purchaser.

## SECTION 1: TYPE OF PURCHASE

A. One-Time Purchase  
Order or Invoice Number: \_\_\_\_\_

C. Blanket Certificate  
Expiration Date (maximum of four years): 05/30/22

B. Blanket Certificate. Recurring Business Relationship

The purchaser hereby claims exemption on the purchase of tangible personal property and selected services made from the vendor listed below. This certifies that this claim is based upon the purchaser's proposed use of the items or services, OR the status of the purchaser.

Vendor's Name and Address	Detroit Pump 450 Fair Ave Building D Ferndale MI 48220
---------------------------	--

## SECTION 2: ITEMS COVERED BY THIS CERTIFICATE

Check one of the following:

1.  All items purchased.
2.  Limited to the following items: \_\_\_\_\_

## SECTION 3: BASIS FOR EXEMPTION CLAIM

Check one of the following:

1.  For Lease. Enter Use Tax Registration Number: \_\_\_\_\_
2.  For Resale at Retail. Enter Sales Tax License Number: \_\_\_\_\_

The following exemptions DO NOT require the purchaser to provide a number:

3.  Agricultural Production. Enter percentage: \_\_\_\_\_%
4.  Church, Government Entity, Nonprofit School, or Nonprofit Hospital (Circle type of organization).
5.  Contractor (must provide *Michigan Sales and Use Tax Contractor Eligibility Statement (Form 3520)*).
6.  For Resale at Wholesale.
7.  Industrial Processing. Enter percentage: \_\_\_\_\_%
8.  Nonprofit Internal Revenue Code Section 501(c)(3) or 501(c)(4) Exempt Organization (must provide IRS authorized letter with this form).
9.  Nonprofit Organization with an authorized letter issued by the Michigan Department of Treasury prior to June 1994 (must provide copy of letter with this form).
10.  Rolling Stock purchased by an Interstate Motor Carrier.
11.  Qualified Data Center
12.  Other (explain): \_\_\_\_\_

## SECTION 4: CERTIFICATION

*I declare, under penalty of perjury, that the information on this certificate is true, that I have consulted the statutes, administrative rules and other sources of law applicable to my exemption, and that I have exercised reasonable care in assuring that my claim of exemption is valid under Michigan law. In the event this claim is disallowed, I accept full responsibility for the payment of tax, penalty and any accrued interest, including, if necessary, reimbursement to the vendor for tax and accrued interest.*

Business Name <b>CITY OF FARMINGTON</b>		Type of Business (see codes on page 2) <b>05</b>
Business Address <b>23600 LIBERTY STREET</b>		City, State, ZIP Code <b>FARMINGTON, MI 48335</b>
Business Telephone Number (include area code) <b>(248) 474-5500</b>		Name (Print or Type) <b>Charles J. Eudy</b>
Signature and Title <b>Charles J. Eudy</b>		Date Signed <b>05/31/18</b>

Digitally signed by Charles J. Eudy  
DN: cn=Charles J. Eudy, o=City of Farmington,  
ou=Public Services, email=ceudy@farmgov.com,  
c=US  
Date: 2018.05.31 08:55:46 -0400

# Picking Sheet



8141 WEST 185TH STREET  
TINLEY PARK, ILLINOIS 60487  
PHONE (708) 597-5555  
FAX (708) 597-5567

**Order Date:** 6/5/2018  
**Order Number:** 0146019  
**Customer Number:** 03-4584512

**Sold To:**  
Detroit Pump & Mfg.-Ferndale  
450 Fair Avenue Building D  
EMAIL INVOICES  
Ferndale, MI 48220  
United States

**Ship To:**  
City of Farmington  
3720 W Nine Mile Road  
REF: 18614  
Attn: Customer Service  
Farmington, MI 48335  
United States

**Confirm To:**

Customer P.O.	Ship VIA	F. O. B.	Terms		
1035099	21-OTHER		1% 10 net 30		
Item Number	U/M	Ordered	Shipped	Backordered	
A4V24-BNKKL A4V24-BNKKL 115V/60HZ 125RPM N	EACH	2	<u>2</u>	<u>0</u>	
A4-BNKKL-T TUBE ASSY A4 BNKKL NOR .5"BRB	EACH	2	<u>2</u>	<u>0</u>	

*Delivered 6/22/18 @ 2 pm*

**OLD DOMINION FREIGHT LINE, INC. (ODFL)**  
 14933 COLLECTION CENTER DR, - CHICAGO, IL 60693-4933 USA  
 (336) 889-5000 Visit us at WWW.ODFL.COM



1

DR

Dest Trm	Orig Trm	Shipper B/L Number	Purchase Ord No	Type	Copy				
DET	CHI	WILMI20185101241496M	NS			6/20/18			
O Car Cd	O Car Rev	ODFL Rev	O Car W/B No	Bill to Cd	Trl No	W/B Date	Waybill Number		
						6/19/18	05225894426		
CITY OF FARMINGTON 3720 W NINE MILE RD FARMINGTON MI 48335			Dest I/L Car	MULLARKEY INC 8141 W 185TH ST TINLEY PARK IL 60487			Page No 1 2 Sec 7 SHMT 1		
D Car Cd			D Car Rev	ODFL Rev	Ack No	P/C C/O/G P			
Waybill Number			O/Agt	D/Agt	Master Bill No	B/C R/C JMS ***			
05225894426									
Pieces	HM	Description	CLASS	Weight	AS Weight	Rate	Prepaid	Collect	
1		HANDLING UNITS: 1 OF TYPE SKID SHIPPER LOAD & COUNT PUMP FUEL SURCHARGE BTC PYS 6/21/18 ADD/CHG BILLTO COD ADDED BTC 13343603 ODFL DET PHONE (248)-457-0498 ODFL DET TOLL-FREE (866)-333-0335 LOAD# NS	085	145					
							C.O.D.		
Ttl Pcs	Consignee Cd	Shipper	Tariff	Due ODFL(USD)	Ttl Weight	Ttl AS Wgt	CONTD.		
RECEIVED IN GOOD CONDITION EXCEPT AS NOTED			Driver:				Total Prepaid	Total Collect	
By:							CASH	CHK	CHG
Company:			<input type="checkbox"/> Inside Delivery <input type="checkbox"/> Residential Delivery <input type="checkbox"/> Lift Gate <input type="checkbox"/> Other				Pcs. Del'd		
Date:			<input type="checkbox"/> Sort & Seg - Pieces <input checked="" type="checkbox"/> Shrink Wrap Intact Unless Otherwise Indicated				Date Del'd		
Seal # (if Applc)							COPY ORIGINAL FREIGHT		

**OLD DOMINION FREIGHT LINE, INC. (ODFL)**  
 14933 COLLECTION CENTER DR, - CHICAGO, IL 60693-4933 USA  
 (336) 889-5000 Visit us at WWW.ODFL.COM



2

CUSTOMER COPY

Dest Trm	Orig Trm	Shipper B/L Number	Purchase Ord No	Type	Copy				
DET	CHI	WILMI20185101241496M	NS			6/19/18	05225894426		
O Car Cd	O Car Rev	ODFL Rev	O Car W/B No	Bill to Cd	Trl No	W/B Date	Waybill Number		
						6/19/18	05225894426		
CITY OF FARMINGTON 3720 W NINE MILE RD FARMINGTON MI 48335			Dest I/L Car	MULLARKEY INC 8141 W 185TH ST TINLEY PARK IL 60487			Page No 1 2 Sec 7 SHMT 1		
D Car Cd			D Car Rev	ODFL Rev	Ack No	P/C C/O/G P			
Waybill Number			O/Agt	D/Agt	Master Bill No	B/C R/C JMS ***			
05225894426									
Pieces	HM	Description	CLASS	Weight	AS Weight	Rate	Prepaid	Collect	
1		HANDLING UNITS: 1 OF TYPE SKID SHIPPER LOAD & COUNT PUMP FUEL SURCHARGE BTC PYS 6/21/18 ADD/CHG BILLTO COD ADDED BTC 13343603 ODFL DET PHONE (248)-457-0498 ODFL DET TOLL-FREE (866)-333-0335 LOAD# NS	085	145					
							C.O.D.		
Ttl Pcs	Consignee Cd	Shipper	Tariff	Due ODFL(USD)	Ttl Weight	Ttl AS Wgt	CONTD.		
RECEIVED IN GOOD CONDITION EXCEPT AS NOTED			Driver:				Total Prepaid	Total Collect	
By:							CASH	CHK	CHG
Company:			<input type="checkbox"/> Inside Delivery <input type="checkbox"/> Residential Delivery <input type="checkbox"/> Lift Gate <input type="checkbox"/> Other				Pcs. Del'd		
Date:			<input type="checkbox"/> Sort & Seg - Pieces <input checked="" type="checkbox"/> Shrink Wrap Intact Unless Otherwise Indicated				Date Del'd		
Seal # (if Applc)							DELIVERY RECEIPT		



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1

Dest Trm	Orig Trm	Shipper B/L Number	Purchase Ord No	Type	Copy	6/20/18		DR
DET	CHI	WILMI20185101241496M	NS			6/19/18		05225894426
O Car Cd	D Car Rev	ODFL Rev	D Car W/B No	Bill to Cd	Trl No	W/B Date	Waybill Number	
						6/19/18	05225894426	
CITY OF FARMINGTON 3720 W NINE MILE RD FARMINGTON MI 48335			Dest I/L Car	MULLARKEY INC 8141 W 185TH ST TINLEY PARK IL 60487			Page No 2 2	
D Car Cd			D Car Rev	ODFL Rev	Ack No		Sec 7	SHMT 1
Waybill Number			O/Agt	D/Agt	Master Bill No		P/C	C/O/G
05225894426							P	
Pieces	HM	Description	CLASS	Weight	AS Weight	Rate	Prepaid	Collect
1		CONSIGNEE PHONE#: 248.544.4242 VISIT WWW.ODFL.COM		145				
Ttl Pcs	Consignee Cd	Shipper	Tariff	Due ODFL(USD)	Ttl Weight	Ttl AS Wgt	C.O.D.	
1		13343604	559		145			
RECEIVED IN GOOD CONDITION EXCEPT AS NOTED			Driver:			Total Prepaid Total Collect		
By:						.00		
Company:						CASH <input type="checkbox"/> CHK <input type="checkbox"/> CHG <input type="checkbox"/>		
Date:			<input type="checkbox"/> Inside Delivery <input type="checkbox"/> Residential Delivery <input type="checkbox"/> Lift Gate <input type="checkbox"/> Other _____ <input type="checkbox"/> Sort & Seg - Pieces _____ <input checked="" type="checkbox"/> Shrink Wrap Intact Unless Otherwise Indicated			Pcs. Del'd Date Del'd		
Seal # (if Applc)						COPY ORIGINAL FREIGHT		

**OLD DOMINION FREIGHT LINE, INC. (ODFL)**  
 14933 COLLECTION CENTER DR, - CHICAGO, IL 60693-4933 USA  
 (336) 889-5000 Visit us at WWW.ODFL.COM



2

Dest Trm	Orig Trm	Shipper B/L Number	Purchase Ord No	Type	Copy	6/19/18		CUSTOMER COPY
DET	CHI	WILMI20185101241496M	NS			6/19/18		05225894426
O Car Cd	D Car Rev	ODFL Rev	D Car W/B No	Bill to Cd	Trl No	W/B Date	Waybill Number	
						6/19/18	05225894426	
CITY OF FARMINGTON 3720 W NINE MILE RD FARMINGTON MI 48335			Dest I/L Car	MULLARKEY INC 8141 W 185TH ST TINLEY PARK IL 60487			Page No 2 2	
D Car Cd			D Car Rev	ODFL Rev	Ack No		Sec 7	SHMT 1
Waybill Number			O/Agt	D/Agt	Master Bill No		P/C	C/O/G
05225894426							P	
Pieces	HM	Description	CLASS	Weight	AS Weight	Rate	Prepaid	Collect
1		CONSIGNEE PHONE#: 248.544.4242 VISIT WWW.ODFL.COM		145				
Ttl Pcs	Consignee Cd	Shipper	Tariff	Due ODFL(USD)	Ttl Weight	Ttl AS Wgt	C.O.D.	
1		13343604	559		145			
RECEIVED IN GOOD CONDITION EXCEPT AS NOTED			Driver:			Total Prepaid Total Collect		
By:						.00		
Company:						CASH <input type="checkbox"/> CHK <input type="checkbox"/> CHG <input type="checkbox"/>		
Date:			<input type="checkbox"/> Inside Delivery <input type="checkbox"/> Residential Delivery <input type="checkbox"/> Lift Gate <input type="checkbox"/> Other _____ <input type="checkbox"/> Sort & Seg - Pieces _____ <input checked="" type="checkbox"/> Shrink Wrap Intact Unless Otherwise Indicated			Pcs. Del'd Date Del'd		
Seal # (if Applc)						DELIVERY RECEIPT		



<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Item Number</b> 7F	
<b>Submitted by</b> Charles Eudy, Superintendent			
<b>Agenda Topic</b> Consideration to Approve Change Order No. 6 and Construction Estimate No.3, for the Farmington DPW Wall Repair & Roof Replacement Project.			
<b>Proposed Motion</b> Move To Approve Change Order No. 6, and Construction Estimate No. 3 in the amount of \$18,180.00 to R. Graham Construction, located at 30966 Grand River, Farmington MI 48336 for the Farmington DPW Wall Repair & Roof Replacement Project.			
<b>Background</b> At the November 20, 2017 meeting City Council approved the bid from R. Graham Construction, located at 30966 Grand River, Farmington MI 48336 for the Farmington DPW Wall Repair & Roof Replacement Project. This project will include reconstruction of the collapsed section of wall, tuck pointing of the veneer block, grouting of the concrete block where the anchor bolts secure the mounting support of the block veneer to the building, decorative steel siding and roof replacement at the 32000 W. 9 Mile Pumping Station.  <b>Change Order No. 6:</b> Remove roof sheet metal cap, pull back existing EPDM membrane, remove nailer boards, fill selected block cores with concrete and ½ inch anchor bolts, secure roof nailer boards to existing masonry wall on 3 foot centers with nut and washer, reinstall roof sheet metal cap.  <b>Construction Estimated No. 3:</b> Orchard Hiltz & McCliment recommend payment of \$18,180.00 to R. Graham Construction for work completed through October 8, 2018, with an additional \$2,020.00 held as retainage. To date \$102,950.00 of the revised contract value of \$120,000.00 has been earned by R. Graham Construction.			
<b>Materials Attached</b> G701 Change Order No.6 G702 Application and Certification for Payment G703 Continuation Sheet OHM Recommendation of Payment			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>



# Document G701™ – 2017

## Change Order

<b>PROJECT:</b> <i>(name and address)</i> DPW WALL REPAIR & RETENTION 33730 W 9 MILE, FARMINGTON	<b>CONTRACT INFORMATION:</b> Contract For: DPW Date:	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: <del>002</del> 006 Date: 9/18/18
<b>OWNER:</b> <i>(name and address)</i> CITY OF FARMINGTON 23600 LIBERTY ST FARMINGTON, MI 48335	<b>ARCHITECT:</b> <i>(name and address)</i> OHM ADVISORS 34000 PLYMOUTH RD LIVONIA, MI 48150	<b>CONTRACTOR:</b> <i>(name and address)</i> R GRAHAM CONSTRUCTION, LLC 30966 GRAND RIVER AVE FARMINGTON, MI 48336

**THE CONTRACT IS CHANGED AS FOLLOWS:**

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

#6: NAILER ANCHOR: REMOVE SHEET METAL CAP, PULL BACK EXISTING EPDM RUBBER MEMBRANE, REMOVE NAILER, FILL SELECTED BLOCK WITH CONCRETE AND 1/2" ANCHOR BOLT (W/ NUT AND WASHER, 3 FOOT ON CENTER), SECURE ROOF MEMBRANE TO NAILER AND REINSTALL SHEET METAL CAP.

The original (Contract Sum) (Guaranteed Max)	\$	<u>62,000.00</u>
The net change by previously authorized Change Orders	\$	<u>52,300.00</u>
The (Contract Sum) (Guaranteed Max) prior to this Change Order was	\$	<u>117,300.00</u>
The (Contract Sum) (Guaranteed Max) will be (increased) (by this Change Order in the amount of	\$	<u>2,700.00</u>
The new (Contract Sum) (Guaranteed Max, including this Change Order, will be	\$	<u>120,000.00</u>
The Contract Time will be (increased) (by _____ ( 0 ) days.		
The new date of Substantial Completion will be OCTOBER 19, 2018		

*NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.*

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

OHM ADVISORS  
ARCHITECT *(Firm name)*

*Christopher Ozog*  
SIGNATURE

CHRISTOPHER OZOG  
PRINTED NAME AND TITLE *STUDIO MGR.*

10/1/18  
DATE

R GRAHAM CONSTRUCTION  
CONTRACTOR *(Firm name)*

*Richard Graham*  
SIGNATURE

RICHARD GRAHAM OWNER  
PRINTED NAME AND TITLE

9/18/18  
DATE

City of Farmington  
OWNER *(Firm name)*

*Charles Eudy*  
SIGNATURE

Charles Eudy  
PRINTED NAME AND TITLE

9/18/18  
DATE



# AIA Document G702™ - 1992

## Application and Certificate for Payment

**TO OWNER:** CITY OF FARMINGTON PROJECT: DPW WALL REPAIR & RETENTION I APPLICATION NO: 001 3  
 23600 LIBERTY ST 33720 W 9 MILE RD, FARMINGTON PERIOD TO: SEPT 7, 2018  
 FARMINGTON, MI 48336  
**FROM:** VIA ARCHITECT: OHM ADVISORS  
 CONTRACTOR: R GRAHAM CONSTRUCTION, LLC 34000 PLYMOUTH RD / 0080  
 30966 GRAND RIVER AVE LIVONIA, MI 48150  
 FARMINGTON, MI 48336

**Distribution to:**  
 OWNER   
 ARCHITECT   
 CONTRACTOR   
 FIELD   
 OTHER

### CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. AIA Document G703™, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM ..... \$ 62,000.00
2. NET CHANGE BY CHANGE ORDERS ..... \$ 58,000.00
3. CONTRACT SUM TO DATE (Line 1 + 2) ..... \$ 120,000.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) ..... \$ 102,950.00

- a. 86% of Completed Work (Columns D + E on G703) ..... \$ 99,500.00
- b. 3% of Stored Material (Column F on G703) ..... \$ 3,000.00

Total Retainage (Lines 5a + 5b, or Total in Column I of G703) ..... \$ 10,295.00

6. TOTAL EARNED LESS RETAINAGE ..... \$ 92,655.00  
 (Line 4 minus Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT ..... \$ 74,475.00  
 (Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE ..... \$ 18,180.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 minus Line 6) ..... \$ 27,345.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 52,800.00	\$ 3,000.00
Total approved this month	\$ 5,200.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 58,000.00</b>	<b>\$ 3,000.00</b>
NET CHANGES by Change Order	\$ 55,000.00	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

**CONTRACTOR:** \_\_\_\_\_ Date: 10/18/18  
 By: *Richard Wayne*  
 State of: *Michigan*  
 County of: \_\_\_\_\_  
 Subscribed and sworn to before me this *8<sup>th</sup>* day of *October* 2018.  
 Notary Public: *Martha A. Llanera*  
 My commission expires: *April 13, 2023*

### ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

**AMOUNT CERTIFIED** ..... \$ \_\_\_\_\_  
 (Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

**ARCHITECT:** \_\_\_\_\_ Date: \_\_\_\_\_  
 By: \_\_\_\_\_

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

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# AIA<sup>®</sup> Document G703<sup>™</sup> - 1992

## Continuation Sheet

AIA Document G702<sup>™</sup>-1992, Application and Certification for Payment, or G736<sup>™</sup>-2009, Project Application and Project Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.  
 In tabulations below, amounts are stated to the nearest dollar.  
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 001 3  
 APPLICATION DATE: 10/8/18  
 PERIOD TO: 10/8/18  
 ARCHITECT'S PROJECT NO: 0111-17-0080

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (Not in D or E)	G TOTAL COMPLETED AND STORED TO DATE (D + E + F)	H BALANCE TO FINISH (C - G)	I RETAINAGE (if variable rate)
			FROM PREVIOUS APPLICATION (D + E)						
	UNIT MASONRY	10,000.00	10000.00		0.00	0.00	10000.00	0.00	1000.00
	METAL FABRICATIONS	4,000.00	4000.00		0.00	0.00	4000.00	0.00	400.00
	FLUID APPLIED MEMBRANE	3,000.00	3000.00		0.00	0.00	3000.00	0.00	300.00
	FORMED METAL WALL PANELS	12,000.00	4000.00	8000.00		0.00	12000.00	0.00	1200.00
	EPDM RUBBER 60 MIL	25,000.00	25000.00		0.00	0.00	25,000.00	0.00	2500.00
	GLAZING	5,000.00	2500.00	2500.00		0.00	5000.00	0.00	500.00
	WINDOWS	5500.00	2750.00	2750.00		0.00	5500.00	0.00	550.00
	CHANGE ORDER 2	9500.00	9500.00		0.00	0.00	9500.00	0.00	950.00
	CHANGE ORDER 3	15000.00	6000.00		0.00	0.00	6000.00	9000.00	600.00
	BOOSTER STATION ROOF	9800.00	0.00	0.00		3000.00	3000.00	6800.00	300.00
	FRONT OFFICE ROOF	16000.00	16000.00		0.00	0.00	16000.00	0.00	1600.00
	CHANGE ORDER 5	2500.00	0.00	1250.00		0.00	1250.00	1250.00	125.00
	CHANGE ORDER 6	2700.00	0.00	2700.00		0.00	2700.00	0.00	270.00
	<b>GRAND TOTAL</b>	120,000.00	82,750.00	17,200.00		3000.00	102,950.00	17,150.00	10,295.00

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October 9, 2018

Mr. Chuck Eudy (via e-mail)  
DPW Superintendent  
City of Farmington  
33720 W. 9 Mile Road  
Farmington, Michigan 48335

Regarding: DPW Wall Repairs and Retention Building Roof  
OHM Job No. 0111-17-0080  
Payment Application No. 3 & Change Order No. 6

Dear Mr. Eudy:

Enclosed are Payment Application No. 3, Change Order No. 6, and a Contractor's Declaration for the referenced project.

R. Graham Construction, LLC. has completed the work shown on the attached payment application for the period ending October 5, 2018 and we would recommend payment to the Contractor in the amount of **\$18,180.00**.

Sincerely,  
OHM Advisors

A handwritten signature in blue ink, appearing to read "Matt Parks", is written over a horizontal line.

Matt Parks, P.E.  
Client Representative

cc: Rick Graham, R. Graham Construction, LLC. (via e-mail)  
Christopher Ozog, OHM (via e-mail)  
Jess Howard, OHM (via e-mail)  
File

P:\0101\_0125\011170080\_DPW\_Building\_Wall\_Construction\100 Administration\105 Pay Estimates and Stockpiles\No. 3\Pay App No.3\_Cover Letter.docx

<b>Farmington City Council Staff Report</b>	<b>Council Meeting Date:</b> October 15, 2018	<b>Reference Number 7G</b>	
<b>Submitted by:</b> Charles Eudy, Superintendent			
<b>Description</b> Consideration to authorize City Manager to renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County for 2018-19.			
<b>Requested Action</b> Move to authorize the City Manager to renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County for 2018-19.			
<p><b>Background</b></p> <p>City Administration is recommending that the City Council renew the Farmington Road Maintenance Agreement with the Road Commission for Oakland County. Under the agreement, which covers a one-year period beginning October 1, 2018, the City provides routine maintenance on Farmington Road between Eight Mile and Grand River. This maintenance includes patching, crack and joint filling, sweeping, landscape maintenance, snow and ice removal and general maintenance.</p> <p>This 2018-2019 agreement has an increase of 2 percent which increases the amount from \$21,880.36 to \$22,318.00.</p>			
<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

ELIZABETH KUDLA SAARELA  
esaarela@rsjalaw.com

27555 Executive Drive, Suite 250  
Farmington Hills, Michigan 48331  
P 248.489.4100 | F 248.489.1726  
rsjalaw.com



ROSATI | SCHULTZ  
JOPPICH | AMTSBUECHLER

October 10, 2018

Charles Eudy  
Superintendent, Department of Public Works  
City of Farmington  
33720 West Nine Mile Road  
Farmington, MI 48335

**Re: 2018-2019 Maintenance Agreement with Road Commission for Oakland County**

Dear Mr. Eudy:

We have received and reviewed the proposed 2018-2019 Road Maintenance Agreement prepared by the Road Commission for Oakland County for the purpose of authorizing payment to the City for the City's maintenance of County roads within the City. The Agreement is a standard form Agreement used by the Road Commission for County Road Maintenance by communities. Subject to your review and approval of the scope of the maintenance obligations and to approval of all insurance requirements by the City's insurer, we see no legal impediment to the City's approval and execution of the 2018-2019 Winter Road Maintenance Agreement.

Please feel free to contact me with any questions or concerns in regard to this matter.

Very truly yours,

ROSATI SCHULTZ JOPPICH  
& AMTSBUECHLER PC

Elizabeth Kudla Saarela

EKS

C: Mary Mullison, Clerk  
David Murphy, City Manager  
Melissa Andrade, Assistant to the City Manager  
Thomas R. Schultz, Esquire



September 20, 2018



QUALITY LIFE THROUGH GOOD ROADS:  
ROAD COMMISSION FOR OAKLAND COUNTY  
"WE CARE."

**Board of Road Commissioners**

**Ronald J. Fowkes**  
Commissioner

**Gregory C. Jamian**  
Commissioner

**Eric S. Wilson**  
Commissioner

**Dennis G. Kolar, P.E.**  
Managing Director

**Gary Piotrowicz, P.E., P.T.O.E.**  
Deputy Managing Director  
County Highway Engineer

Highway Maintenance  
Department

2420 Pontiac Lake Road  
Waterford, MI  
48328

248-858-4881

FAX  
248-858-7607

[www.rcocweb.org](http://www.rcocweb.org)

Mr. David Murphy  
City Manager  
City of Farmington  
23600 Liberty Street  
Farmington, Michigan 48335

RE: 2018-2019 Maintenance Agreement

Dear Mr. Murphy:

Attached are two copies of a Maintenance Agreement between the Road Commission for Oakland County and the City of Farmington.

This 2018-2019 agreement has an increase of 2%, which increases the amount from \$21,880.36 to \$22,318.00.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your City Council. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in any way to provide our citizens with the best road system possible.

We request that your signed agreement be returned to us no later than the end of November, so that we may present the agreement to our Board prior to the end of the year, which will allow RCOC to make payments per the agreement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darryl M. Heid".

Darryl M. Heid, P.E.  
Director of Highway Maintenance

/dr

Attachment

2018-2019 MAINTENANCE AGREEMENT  
CITY OF FARMINGTON

Under 1951 PA 51, As Amended

This Maintenance Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2018, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the “Board,” and the City of Farmington, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City will perform Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. “Maintenance,” herein required to be performed by the City, shall mean routine roadway surface operations, care and maintenance of shoulders and approaches, drainage and roadside maintenance and snow removal and ice control, which shall include the following minimum requirements:

ROUTINE ROADWAY SURFACE OPERATIONS

- Patching, including Base repairs
- Blading
- Joint and Crack Filling
- Sweeping

CARE AND MAINTENANCE OF SHOULDERS AND SIDE APPROACHES

- Patching, Blading, etc.
- Gravel
- Seeding and Sodding

DRAINAGE AND ROADSIDE MAINTENANCE

- Erosion Control and Repair
  - Repairing Drainage Ditches and Structures (includes Ditch Clean-out)
  - Grass and Weed Cutting (Twice Yearly)
- Tree Trimming and Emergency Tree Removal (Normal Tree Removal to be done by Road Commission)
- Repairing Retaining Walls, etc.
- Roadside Clean-up

SNOW REMOVAL AND ICE CONTROL

Snow Removal by blading, plowing and other methods necessary to make the road reasonably safe for public travel.

Ice Control by salting, sanding, scraping and other methods necessary to make the road reasonably safe for public travel.

Maintenance shall also include other methods necessary to make the roads reasonably safe for public travel in accordance with MCL 224.21; and such other work and services, such as recordkeeping and maintenance of insurance, required by this Agreement. The city shall perform Maintenance on the roads listed in Exhibit A. All Maintenance work and services performed by the City shall be in accordance with the Board's maintenance guidelines, including but not limited to, the Board adopted Winter Maintenance Guidelines, the Board's standard practices and this Agreement. Should any dispute arise as to the character or extent of Maintenance or as to the City's performance hereunder, the controversy may be referred to an arbitration board consisting of the Road Commission for Oakland County Director of Highway Maintenance, the City of Farmington Engineer and a third person to be chosen by them for settlement thereof.

## II

The City agrees to keep said road in such condition as to be reasonably safe and convenient for public travel, in accordance with MCL 224.21, and to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects are not Maintenance subject to this Agreement.

The City shall keep accurate and uniform records of all Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

## III

In consideration of the assumption of Maintenance of Farmington Road, between Eight Mile and Grand River by the City, the Board agrees to pay the City the sum of \$22,318.00 as set forth in Exhibit A, attached hereto and made a part hereof. Such amount is to be used by the City for Maintenance.

Payments are to be made by the Board to the City as follows:

25% in December, 2018  
25% in March, 2019  
25% in June, 2019  
25% in September, 2019

The making of said payments shall constitute Board's entire obligation in reference to said Maintenance.

## IV

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage districts(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local units(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of

the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provides immunity to the City as an agent of the County. Therefore, the City falls within the governmental immunity protection of the County.

## V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

## VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements). Further, the City must obtain DEQ permission to perform culvert replacements, when same involves a stream or lake. The City will be responsible for the proper disposal of the solid waste and other debris related to the maintenance described in Section I, and the costs associated therewith.

## VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position.. A breach of this covenant may be regarded as a material breach of this Agreement.

## VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2018, and shall continue in full force and effect until a subsequent Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Maintenance agreement has not been executed by the parties hereto on or before September 1, 2019, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of \_\_\_\_\_,  
and by the City by authority of a resolution of its governing body, adopted \_\_\_\_\_,  
(copy attached as Exhibit C).

Witnesses:

CITY OF FARMINGTON  
A Municipal Corporation

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS  
OF THE COUNTY OF OAKLAND,  
A Public Body Corporate

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

Its: \_\_\_\_\_

MAINTENANCE AGREEMENT  
2018-2019

CITY OF FARMINGTON

EXHIBIT A

Farmington Road

Extending from Eight Mile Road to Grand River Avenue

1.70 Miles at \$13,128.22 per mile                      \$22,318.00

25% in December of 2018	\$ 5,579.50
25% in March of 2019	\$ 5,579.50
25% in June of 2019	\$ 5,579.50
25% in September of 2019	\$ 5,579.50
 TOTAL	 <u>\$22,318.00</u>

**EXHIBIT B**

**2018-2019 WINTER MAINTENANCE AGREEMENT**

**ROAD COMMISSION FOR OAKLAND COUNTY**

**INSURANCE PROVISION  
(CITY)**

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. **Worker’s Compensation and Employer’s Liability Insurance:** The insurance shall provide worker’s compensation protection for the City’s employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$1,000,000
Disease – Each Employee	\$1,000,000
Disease – Policy Limit	\$1,000,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the City under worker’s disability compensation coverage established by law.

- b. **Bodily Injury and Property Damage:** The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

- 1. **Bodily Injury and Property Damage Other Than Automobile:** The minimum limits of property damage and bodily injury liability covering each contract shall be:

Bodily Injury and Property Damage Liability: Each Person           \$1,000,000 Each Occurrence      \$1,000,000 Aggregate               \$2,000,000	or:   Combined Single Limit: Aggregate               \$2,000,000
---	---

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations and (3) contractual liability. In the event that the City hires independent contractors, its required insurance shall also include independent contractors’ coverages.



2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury and Property Damage Liability: Each Person                \$1,000,000 Each Occurrence        \$1,000,000	or: Combined Single Limit: Each Occurrence:        \$1,000,000
--	---

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The City shall provide for and in behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner’s Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City’s General Liability Insurance. Alternatively, the City may meet the requirements of this paragraph “d” by maintaining insurance with a liability limit of \$15,000,000.00 with no aggregate.
- e. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports: The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which this Exhibit B is attached.

<b>Farmington City Council Agenda Item</b>	<b>Council Meeting Date: October 15, 2018</b>	<b>Item Number 7H</b>
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**Submitted by:** David M. Murphy, City Manager

**Agenda Topic**  
 Consideration to approve Consent to Third Extension of Sale of Land Agreement with the Ten Mile Development Group, LLC, in connection with the sale of the former 47<sup>th</sup> District Courthouse Property

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

**Background**  
 City Council approved a Sale of Land Agreement with Ten Mile Development Group, LLC, for the sale of the old courthouse building back in October 2017. The agreement required the Purchaser to get PUD Plan approval within 6 months and then close shortly after that. The City and the Purchaser extended the date to accomplish those things by 120 days back in April 2017.

The Purchaser has in fact now gotten both PUD Plan approval and final PUD site plan approval (as of June 25, 2018). However, the City and the Purchaser have not completed one task that must be completed before there can be a closing on the sale – the termination of an easement held by the Farmington Public Schools over a portion of the courthouse property and establishment of a new easement to cover an existing paved area at the south end of the property. The expectation is that the School Board will consider the request at its October 16 meeting, but may require further action at a later meeting.

Attached is a proposed extension of the date for closing by an additional 45 days, until November 30, which should be enough to complete the documents necessary to accomplish the easement termination and get the matter before the District for consideration.

**Materials Attached**

Consent to Third Extension  
 Draft Easement Termination  
 Draft new Driveway Easement

<b>Agenda Review</b>			
<b>Department Head</b>	<b>Finance/Treasurer</b>	<b>City Attorney</b>	<b>City Manager</b>

**CITY OF FARMINGTON  
10 MILE DEVELOPMENT GROUP, L.L.C.  
CONSENT TO THIRD EXTENSION OF SALE OF LAND AGREEMENT**

This Extension is made and entered into this \_\_\_\_\_ day of October, 2018, by and between the CITY OF FARMINGTON, a Michigan municipal corporation, whose address is 23600 Liberty, Farmington Hills, MI 48335 (the "City") and 10 MILE DEVELOPMENT GROUP, L.L.C., a Michigan limited liability company, whose address is 31000 Northwestern Highway, Suite 145, Farmington Hills, MI 48334 (the "Purchaser").

RECITALS

A. The City and Purchaser entered into a Sale of Land Agreement dated October 19, 2017 (the "Agreement").

B. The Sale of Land Agreement contemplated, at paragraph 4, approval of PUD within a six-month period following the date of the submission by the Purchaser of a complete PRO application.

C. In addition, paragraphs 4 and 6 of the Agreement states that if certain Conditions Precedent are not satisfied or waived within six (6) months of the date of the Agreement, except as otherwise provided in the Agreement, either party may declare the Agreement without further force and effect.

D. The parties on April 19, 2018, extended the date set forth in paragraphs 4 and 6 an extra one hundred twenty (120) days, until August 17, 2018.

E. The parties thereafter on extended the dates set forth in paragraphs 4 and 6 another 60 days, until October 16, 2018.

F. The parties wish to extend the dates set forth in paragraphs 4 and 6 for an additional forty-five (45) days, until November 30, 2018.

NOW, THEREFORE, the parties agree as follows:

1. The dates referenced in paragraphs 4 and 6 as noted above are hereby extended an additional forty-five (45) days, until November 30, 2018.

2. In all other respects, the Sale of Land Agreement shall remain in full force and effect as originally approved and executed.

WITNESSES:

CITY OF FARMINGTON  
a Michigan municipal corporation,

\_\_\_\_\_

By \_\_\_\_\_  
Steven Schneemann, Mayor

\_\_\_\_\_

By \_\_\_\_\_  
Sue Halberstadt, City Clerk

WITNESSES:

10 MILE DEVELOPMENT GROUP, LLC,  
a Michigan limited liability company,

\_\_\_\_\_

By \_\_\_\_\_  
Francis Boji, Member

## TERMINATION OF EASEMENT AND USE AGREEMENT

**THIS TERMINATION OF EASEMENT AND USE AGREEMENT** (the "Agreement") is made and entered into on October \_\_\_\_, 2018, by and between **FARMINGTON PUBLIC SCHOOLS** (the "School District"), a Michigan general powers school district, whose address is 32500 Shiawassee, Farmington, Michigan 48336 and the **CITY OF FARMINGTON** (the "City"), a Michigan municipal corporation, whose address is 23600 Liberty Street, Farmington, Michigan 48335, as successor to the Farmington Building Authority. The School District and the City shall each be referred to herein as a "Party" and collectively as the "Parties".

### RECITALS

WHEREAS, on or about January 19, 1979, the School District and the Farmington Building Authority entered into an agreement for the mutual use of certain properties owned respectively by the School District (the "School District Property") and the Building Authority (the "City Property"). The School District Property and the City Property are adjacent to one another and are collectively referred to herein as (the "Properties"); and

WHEREAS, the Properties are benefited and burdened by the agreement dated January 19, 1979, and recorded in Liber 7438, Pages 485 - 488, in the Records Office of the Register of Deeds for Oakland County, Michigan (the "Easement and Use Agreement"), a copy of the Easement and Use Agreement is attached hereto as **Exhibit A**; and

WHEREAS, the Easement and Use Agreement more specifically related to the use of a common driveway, the use of a playfield, and the sharing of certain parking lot areas by and between the School District and the Building Authority, which Easement and Use Agreement also included maintenance obligations, snow removal obligations, and the like. A drawing showing the existing improvements is attached hereto as **Exhibit B**; and

WHEREAS, subsequent to the execution of the Easement and Use Agreement, the Building Authority, by Quit Claim Deed dated January 14, 2005, conveyed the City Property to the cities of Farmington and Farmington Hills, as tenants-in-common; and

WHEREAS, the City of Farmington Hills thereafter conveyed its interest in the City Property to the City of Farmington, making the City of Farmington the sole owner of the City Property affected by the Easement and Use Agreement; and

WHEREAS, the City of Farmington has now entered into a Sale of Land Agreement with 10 Mile Development Group, LLC ("Boji"), a Michigan limited liability company, pursuant to which Boji will acquire the City Property and develop it into single family residential homes; and

WHEREAS, upon such a redevelopment of the City Property by Boji, the Easement and Use Agreement will no longer be required and shall be terminated in accordance with the terms and conditions set forth in this Agreement.

### **NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

1. The Easement and Use Agreement shall be terminated, and shall be of no further force and effect, upon the completion or occurrence of all of the following by Boji (collectively the "Construction Improvements"):

- a. As part of Boji's redevelopment of the City Property, the northern most portion of the driveway pavement located on the School District Property will be removed, and the affected area on the School District Property will be restored and grassed in accordance with the plan attached hereto as **Exhibit B**.
- b. The existing pavement located on the School District Property shall remain in place to allow the School District to access its generator also located on the School District Property, but the northern portion of the driveway shall be removed along with the driveway removal in 1(a) above; provided that, such remaining pavement is improved in accordance with the plan attached hereto as **Exhibit C**.
- c. Remove: i) the existing parking spaces and remove striping associated with such parking spaces at the southern end of the driveway access located on the School District Property to accommodate a new driveway that will cross the City Property, as required to access the School District Property in accordance with the plan attached hereto as **Exhibit C**; and ii) remove curb and gutter and replace pavement, as necessary, so long as such removal and replacement does not cause flooding to occur in accordance with the plan attached hereto as **Exhibit C**.

2. Before commencing any such Construction Improvements on the School District Property required by Paragraph 1(a) – (c) above, the City shall ensure that Boji shall:

- a. obtains and maintains and provides the School District a copy of: 1) Dual Oblige Performance Bond and Labor and Material Payment Bonds or a Letter of Credit, in the full amount of the Construction Improvements on the School District Property which names the School District as a Dual Oblige; and 2) Builder's Risk Insurance in the full amount of the Construction Improvements which names the School District as a loss payee under any such policy of insurance.
- b. shall not permit any construction liens to be filed against the School District Property. If any such construction liens shall attach, Boji shall discharge, bond off, insure over or provide adequate security against any such construction lien(s) within thirty (30) days from the date such lien(s) is/are filed.
- c. obtains and maintains, and shall require each contractor performing work on the School District Property, to keep in force at its sole cost and expense during and until completion of all such Construction Improvements and/or any other such work performed upon the School District Property, in a form reasonably acceptable to the School District, an Owner's and Contractor's Protective Policy naming the School District as the principal insured and shall also require each contractor to name the School District as an additional insured on all Contractor Policies of insurance with both policies having minimum limits of \$1,000,000.00 on account of bodily injuries to or death of one person, and minimum limits of \$3,000,000.00 on account of bodily injuries or death of more than one person, as a result of any one accident or occurrence; and property damage insurance with minimum limits of \$1,000,000.00. Prior to commencement of any Construction Improvements on the School District Property, Boji shall provide the School District with a certificate of insurance or other written evidence of the School District's coverage as an additional insured.
- d. indemnify, defend and hold harmless the School District, its Board of Education, its Board members, in their official and individual capacities, its administrators, employees, agents, contractors, representatives, successors and assigns from and against any and all claims, counter-claims, suits, debts, demands, actions, judgments, liens, injuries, liabilities, damages, costs, expenses, including reasonable attorneys' fees and actual expert witness' fees, for any injury to any person(s) on or within the School District Property, or damage to any property, including but not limited to property of the School









**EXHIBIT A**

**EASEMENT AND USE AGREEMENT**

63-1498

7438 485

79 14966

19/27

AGREEMENT

THIS AGREEMENT made this 19<sup>th</sup> day of January, 1979 between FARMINGTON PUBLIC SCHOOL DISTRICT, Oakland County, Michigan, hereinafter called the School, first party, 32500 Shiawassee, Farmington, Michigan and FARMINGTON BUILDING AUTHORITY hereinafter called the Authority, second party, 23600 Liberty, Farmington, Michigan.

WITNESSETH:

WHEREAS, THE SCHOOL is the owner of the parcel of land described in attached Exhibit A, and,

WHEREAS, THE SCHOOL has this date sold to the Authority a portion of said premises as described in attached Exhibit B, and,

WHEREAS, THE AUTHORITY has constructed a parking lot on portions of the land retained by the School and portions of the land conveyed to the Authority, for mutual use by both parties and as described in parking lot plans prepared by Orchard, Papke, Hiltz & McCliment, Engineers, Job No. 111 78 011, which are incorporated herein by reference,

NOW, THEREFORE, it is agreed by the parties as follows:

1. The said parking lot and driveways shall be for the mutual use of both parties.
2. The Authority shall do all ordinary maintenance of the parking lot such as repairing pot holes, striping, and cleaning of drains.
3. The School shall be responsible for snow removal.
4. The Authority and the School shall equally and jointly pay for all major repairs, such as an asphalt overlay.
5. The Authority and the School shall share equally in the cost of lighting the parking lot.
6. Both Parties shall continue to have the use of, and access to, all utilities as presently existing.
7. The Authority and School shall share the Water and Sewer charges for the adjacent buildings on Ten Mile Road on an equitable basis.

9.00  
P

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8. The Authority shall arrange for and permit use of the playfield located on its property for the mutual use of both parties as a playfield. In the event the School disposes of or makes a permanent change from classroom use of the Ten Mile Road School, the Authority shall be released from this requirement.

THIS AGREEMENT shall be binding on the successors and assigns of each of the parties hereto.

IN WITNESS WHEREOF the parties have executed this agreement the date first above written.

Witnessed by:

Lewis Schulman  
Lewis Schulman  
L. G. Mutter  
L. G. Mutter

FARMINGTON PUBLIC SCHOOL DISTRICT  
Oakland County, Michigan

By: Helen D. Prutow  
Helen D. Prutow

Its: President

And: Emma S. Makinen  
Emma S. Makinen

Its: Secretary

Witnessed by:

Gerald Horner  
Gerald Horner  
Josephine M. Bushey  
Josephine M. Bushey

FARMINGTON BUILDING AUTHORITY  
Oakland County, Michigan

By: Clarence B. Shewbridge  
Clarence B. Shewbridge

Its: Chairman

And: Robert F. Deadman  
Robert F. Deadman

Its: Secretary

STATE OF MICHIGAN) ss.  
COUNTY OF OAKLAND)

On this 19th day of January, 1979, before me, a Notary Public, in and for said County, personally appeared HELEN D. PRUTOW and EMMA S. MAKINEN to me personally known, who, being by me fully sworn, did each for himself say that they are respectively President and Secretary of Farmington Public School District, Oakland County, Michigan, the Municipal Corporation named herein and which executed the within instrument, and that said instrument was signed on behalf of said Municipal Corporation pursuant to a resolution duly passed by the Board of Education of said Municipal

7438 487

Corporation; and said HELEN D. PRUTOW and EMMA S. MAKINEN acknowledged said instrument to be the free act and deed of said Corporation.

*William C. Pank*  
Notary Public *William C PANK*

State of Michigan, County of <sup>Wayne</sup> ~~Oakland~~  
~~Notary in Oakland~~  
My Commission Expires: 6-10-1980

STATE OF MICHIGAN) ss.  
COUNTY OF OAKLAND)

On this 19<sup>th</sup> day of January, 1979 before me, a Notary Public, in and for said County, personally appeared CLARENCE B. SHEWBRIDGE and ROBERT F. DEADMAN to me personally known, who, being by me fully sworn, did each for himself say that they are respectively Chairman and Secretary of The Board of Commissioners of the Farmington Building Authority, Oakland County, Michigan, the Municipal Corporation named herein and which executed the within instrument, and that said instrument was signed on behalf of said Municipal Corporation pursuant to a resolution duly passed by the Board of Commissioners of said Municipal Corporation, and said CLARENCE B. SHEWBRIDGE and ROBERT F. DEADMAN acknowledged said instrument to be the free act and deed of said Corporation.

*Nedra M. Viante*  
Notary Public

State of Michigan, County of Oakland  
My Commission Expires: \_\_\_\_\_

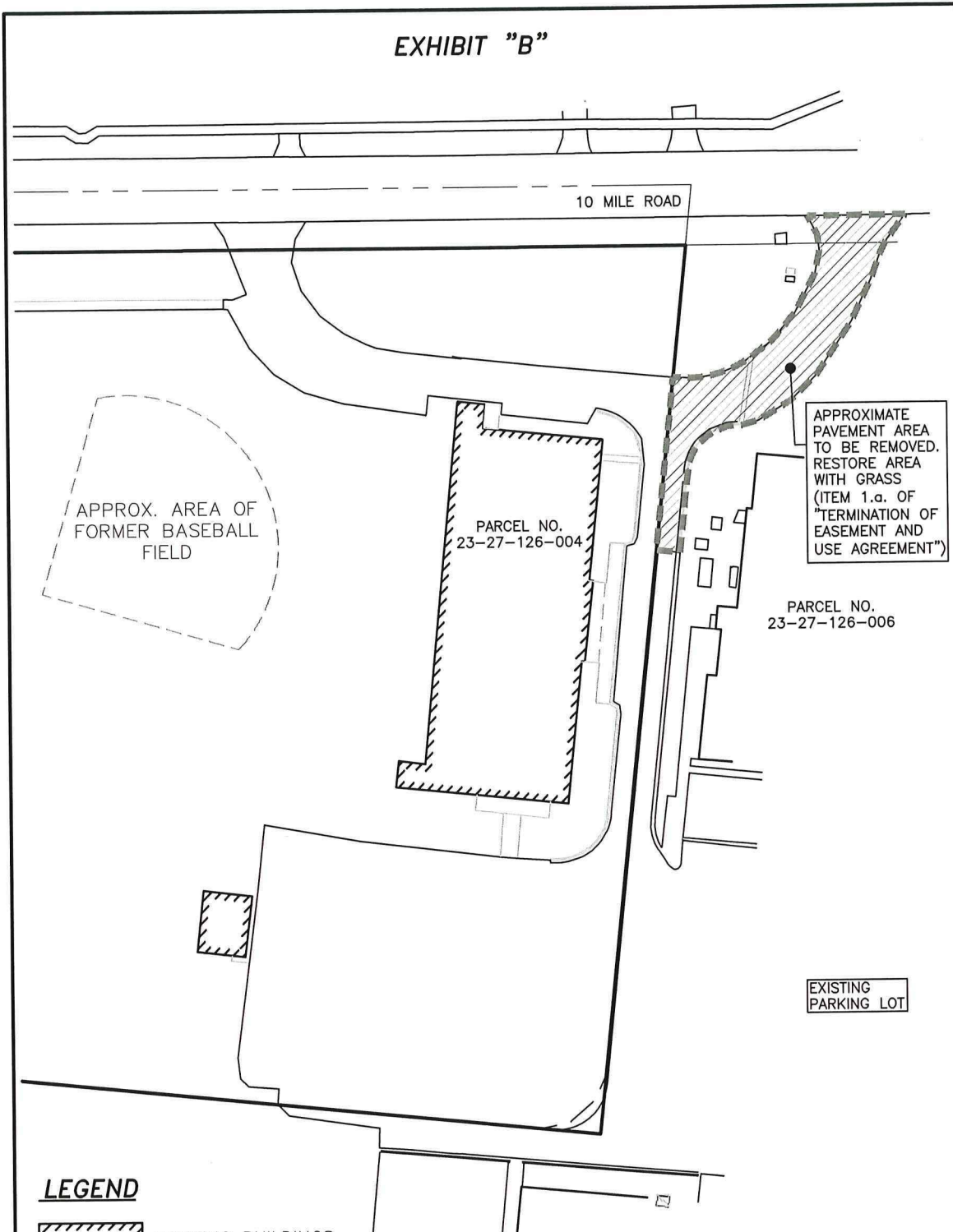
NEDRA M. VIANTE  
Notary Public, Oakland County, Mich.  
My Commission Expires May 26, 1981

RETURN  
To: →

Drafted by:  
Robert J. Kelly  
Attorney at Law  
33211 Grand River  
Farmington, Michigan 48024  
474-6280



**EXHIBIT "B"**



**LEGEND**



EXISTING BUILDINGS TO BE DEMOLISHED



SCHOOL DISTRICT PROPERTY PAVEMENT REMOVAL

**NOTE:**

EXHIBIT FOR ILLUSTRATIVE USE ONLY. REFER TO THE ENGINEERING DRAWINGS PREPARED BY ALPINE ENGINEERING INC. FOR ADDITIONAL INFORMATION.

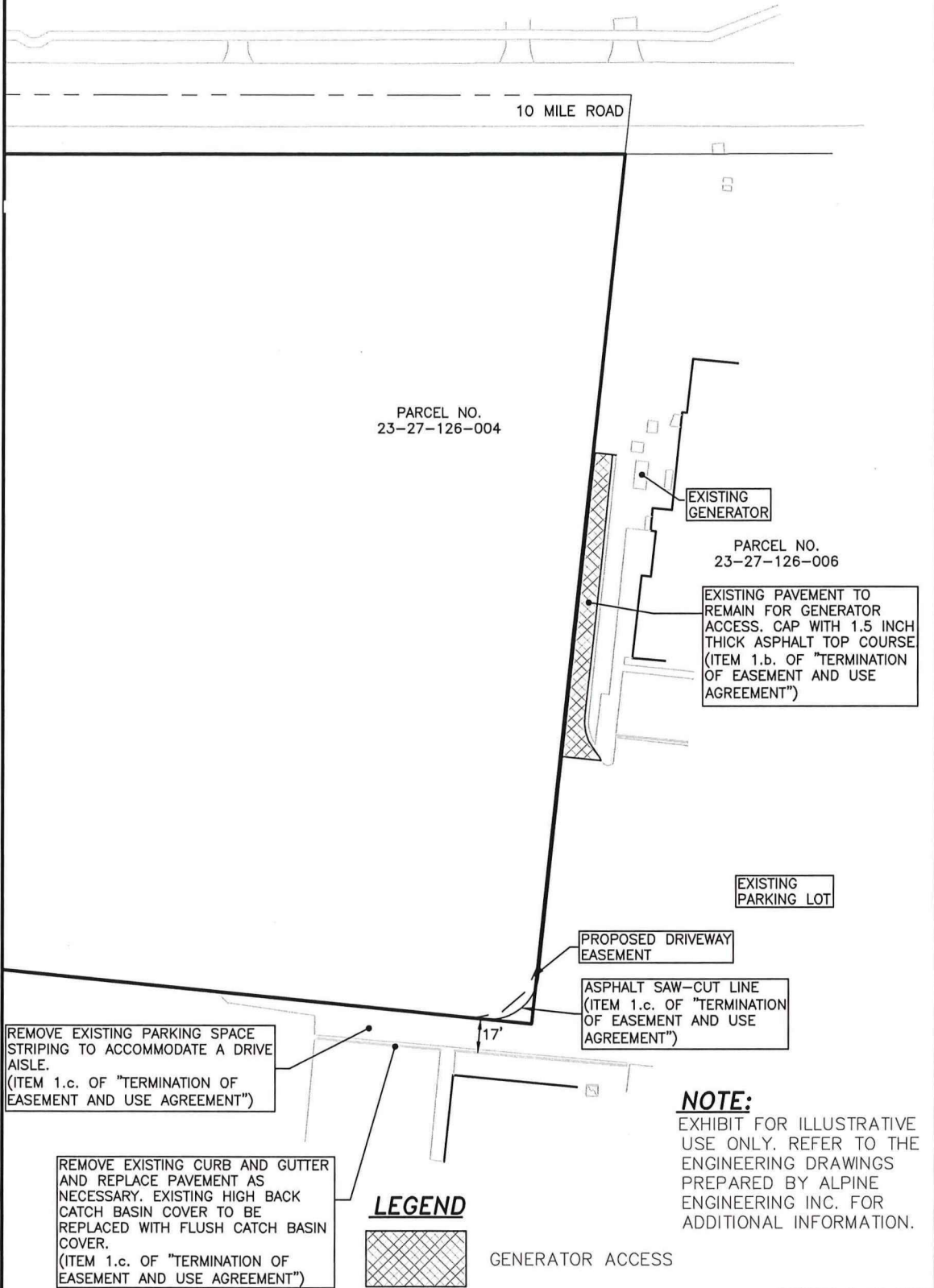
REVISED 9-20-2018  
REVISED 9-11-2018

**ALPINE**  
ENGINEERING, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
46892 WEST ROAD  
SUITE 109  
NOVI, MICHIGAN 48377  
(248) 926-3701 (BUS)  
(248) 926-3765 (FAX)

CLIENT: <b>BOJI DEVELOPMENT</b>		DATE: 7-24-2018
<b>SITE RESTORATION</b>		DRAWN BY: SD
<b>LIBERTY HILL</b>		CHECKED BY: TG
SECTION: 27 TOWNSHIP:1N RANGE:9E		NOT TO SCALE
CITY OF FARMINGTON		FBK: 1
OAKLAND COUNTY		CHF:
MICHIGAN		SCALE HOR 1"= FT. VER 1"= FT.

17-484

EXHIBIT "C"



REVISED 9-20-2018  
REVISED 9-11-2018

**ALPINE**  
ENGINEERING, INC.  
CIVIL ENGINEERS & LAND SURVEYORS

46892 WEST ROAD  
SUITE 109  
NOVI, MICHIGAN 48377  
(248) 926-3701 (BUS)  
(248) 926-3765 (FAX)

CLIENT:	BOJI DEVELOPMENT	
<b>SITE IMPROVEMENTS</b>		
<b>LIBERTY HILL</b>		
SECTION: 27	TOWNSHIP: 1N	RANGE: 9E
CITY OF FARMINGTON OAKLAND COUNTY MICHIGAN		

DATE:	7-24-2018	
DRAWN BY:	SD	
CHECKED BY:	TG	
NOT TO SCALE		
FBK:	1	
CHF:		
SCALE	HOR 1"=	FT.
	VER 1"=	FT.

17-484



## DRIVEWAY ACCESS EASEMENT

**THIS DRIVEWAY ACCESS EASEMENT** (“Easement”), is made and entered into on October \_\_\_\_, 2018 (“Effective Date”), by and between the **CITY OF FARMINGTON** (“Grantor”), a Michigan municipal corporation, whose address is 23600 Liberty Street, Farmington, Michigan 48335, and **FARMINGTON PUBLIC SCHOOLS** (“Grantee”), a Michigan general public school district, whose address is 32500 Shiawassee, Farmington, Michigan 48336. Grantor and Grantee shall each be referred to herein as a “Party” and collectively as the “Parties”.

### RECITALS

WHEREAS, Grantor is the owner of a certain parcel of real property which is situated in the City of Farmington, County of Oakland, and is legally described on **Exhibit A**, attached hereto and incorporated herein by reference (“Grantor’s Property”); and

WHEREAS, Grantee is the owner of a certain parcel of real property, adjacent to Grantor’s Property, which is also situated in City of Farmington, County of Oakland (“Grantee’s Parcel”); and

WHEREAS, Grantor has entered into a Sale of Land Agreement with 10 Mile Development Group, LLC (“Boji”), a Michigan limited liability company, pursuant to which Boji will acquire Grantor’s Property and develop it into single family residential homes; and

WHEREAS, Grantor’s Property and Grantee’s Parcel was subject to an Easement and Use Agreement which benefitted and burdened Grantor’ Property and Grantee’s Parcel, which Easement and Use Agreement was terminated pursuant to a Termination of Easement and Use Agreement dated October \_\_, 2018, simultaneously with the execution of this Easement; and

WHEREAS, as a condition to and in consideration for terminating the above-referenced Easement and Use Agreement to permit Boji’s development of Grantor’s Property into single family residential homes, Grantor desires to grant and Grantee desires to obtain a non-exclusive driveway access easement over a portion of Grantor’s Property, and Grantor is willing to grant said easement in accordance with the terms and conditions set forth in this Easement; and

WHEREAS, this Easement is exempt from real estate transfer taxes pursuant to MCL §207.505(a), and §207.526(a), because the value of consideration is less than One Hundred Dollars (\$100).

**NOW, THEREFORE**, in consideration of \$1.00, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, it is agreed as follows:

1. **Grant and Purpose of Easement.** For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor grants and conveys to Grantee a non-exclusive driveway access easement for ingress and egress to and from Grantee’s Parcel over, upon, across and through a portion of Grantor’s Property, which easement is depicted and legally described on **Exhibit B**, attached hereto and incorporated herein by reference (the “Access Easement Area”). The Access Easement Area may be used by Grantee to allow cars, trucks and buses ingress and egress to and from Grantee’s Parcel by Grantee, its agents, employees, contractors, licensees and

invitees, and such Access Easement Area shall be available twenty-four hours a day, seven days a week and three hundred and sixty-five days a year.

2. **Term of Easement.** This Easement shall run with the land, except as provided in Paragraph 6 below.

3. **Encumbrances.** Grantee acknowledges that Grantor may grant other easements and encumbrances over Grantor’s Property, provided that they in no way block or interfere with Grantee’s use of the Access Easement Area.

4. **Maintenance, Repair and Insurance.** Once the Access Easement Area is fully constructed and paved by Boji (“Driveway Improvements”), Grantee shall bear full responsibility for: (i) maintenance of the Access Easement Area (including snow removal); and (ii) maintenance of the Access Easement Area in general, including any necessary repairs. Additionally, Grantee shall procure, maintain and keep in effect, at its sole cost and expense, commercial general liability insurance on the Access Easement Area with minimum limits of \$1,000,000.00 on account of bodily injuries to or death of one person, minimum limits of \$3,000,000.00 on account of bodily injuries or death of more than one person, and property damage insurance with minimum limits of \$1,000,000.00. However, as the owner of Grantor’s Property Grantor shall also insure Grantor’s Property in the same amounts as required above for Grantee.

5. **Covenants to Run with Land.**

(a) The covenants contained in this Easement shall run with the land, except as provided in Paragraph 6 below, shall be binding upon the Parties and the respective successors and assigns, and shall continue in full force and effect so long as Grantee’s Parcel continues to be used by Grantee as its bus garage and for all activities related thereto (collectively the “Activities”). In the event Grantee’s Parcel is no longer used for the foregoing Activities, this Easement shall automatically terminate upon thirty (30) day’s prior written notice, and thereupon Grantee hereby agrees to immediately record a termination of this Easement.

(b) Grantor shall not use Grantee’s Parcel for parking of any construction vehicles.

6. **Contingency.** Although the Parties to this Easement will be executing the same prior to completion of the Driveway Improvements referenced above, Grantor agrees to hold this executed Easement in trust and shall not record this Easement with the Oakland County Register of Deeds until Grantee has provided Grantor with its written permission to release and record the same once the Driveway Improvements on Grantor’s Property are completed by Boji to the reasonable satisfaction of Grantee. In the event that the Driveway Improvements are not completed and reasonably approved by Grantee within two hundred and seventy (270) days of the date of this Easement, Grantor shall agree to destroy this Easement and the Parties shall have no further obligations to one another hereunder.

7. **Recording of Easement.** This Easement shall be executed in recordable form and shall be recorded with the Oakland County Register of Deeds.

8. **Governing Law.** This Easement shall be construed in accordance with the laws of the State of Michigan.

9. **Entire Agreement.** This Easement, including attached Exhibits, contains the entire agreement between the Parties and all of the terms and conditions to which the Parties have agreed and supersedes all prior oral or written agreements or understandings concerning the subject matter.

**IN WITNESS WHEREOF**, the parties have caused this Easement to be executed as of the day and year first above written.

**GRANTOR:  
CITY OF FARMINGTON**

\_\_\_\_\_  
By: Steven G. Schneemann  
Its: Mayor

\_\_\_\_\_  
By: Mary Mullison  
Its: Clerk

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND)

On this \_\_\_\_ day of October, 2018, before me personally appeared Steven G. Schneemann, Mayor of the CITY OF FARMINGTON, and Mary Mullison, Clerk of the CITY OF FARMINGTON, to me known to be the same persons who executed the within instrument on behalf of the CITY OF FARMINGTON and who acknowledge the same to be the free act and deed of the CITY OF FARMINGTON.

**GRANTEE:  
FARMINGTON PUBLIC SCHOOLS**

\_\_\_\_\_  
By: George C. Heitsch  
Its: Superintendent

STATE OF MICHIGAN )  
                                  ) SS  
COUNTY OF OAKLAND)

On this \_\_\_\_ day of October, 2018, before me personally appeared George C. Heitsch, Superintendent of FARMINGTON PUBLIC SCHOOLS, a Michigan general powers school district, to me known to be the same person who executed the within instrument on behalf of FARMINGTON PUBLIC SCHOOLS and who acknowledges the same to be the free act and deed of FARMINGTON PUBLIC SCHOOLS.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_  
County, Michigan  
My Commission Expires: \_\_\_\_\_

Drafted by:  
  
Thomas R. Schultz, Esq.  
Johnson Rosati Schultz & Joppich, PC  
27555 Executive Drive, Suite 250  
Farmington Hills, MI 48331-3550

When recorded return to:  
  
Susan Halberstadt, City Clerk  
City of Farmington  
23600 Liberty Street  
Farmington, MI 48335

Part of Parcel No. 23-27-126-004  
Exempt: MCL 207.505(a) and MCL 207.526(a)



**EXHIBIT A**

**PARCEL DESCRIPTION:**

A PARCEL OF LAND BEING ALL OF LOTS 1, 2, 3, 26 AND 27 AND PARTS OF LOTS 49, 50, 29, 25 AND 4 AND PART OF MARBLEHEAD BOULEVARD (60' WIDE) OF "FARMINGTON WOODS" BEING A SUBDIVISION OF PARTS OF THE NORTHEAST 1/4 AND OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 27, TOWN 1 NORTH, RANGE 9 EAST, VILLAGE OF FARMINGTON (NOW CITY OF FARMINGTON), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 40 OF PLATS, PAGE 24, OAKLAND COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT DISTANT S87°57'00"W 886.53 FEET ALONG THE NORTH LINE OF SECTION 27 (ALSO BEING THE CENTERLINE OF 10 MILE ROAD) AND S06°03'10"W 30.17 FEET FROM THE NORTH 1/4 CORNER OF SECTION 27; THENCE S06°03'10"W 445.01 FEET; THENCE N84°14'55"W 376.96 FEET; THENCE N00°02'00"E 404.38 FEET; THENCE N89°57'00"E 421.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 169,150 SQ. FT. OR 3.88 ACRES OF LAND.



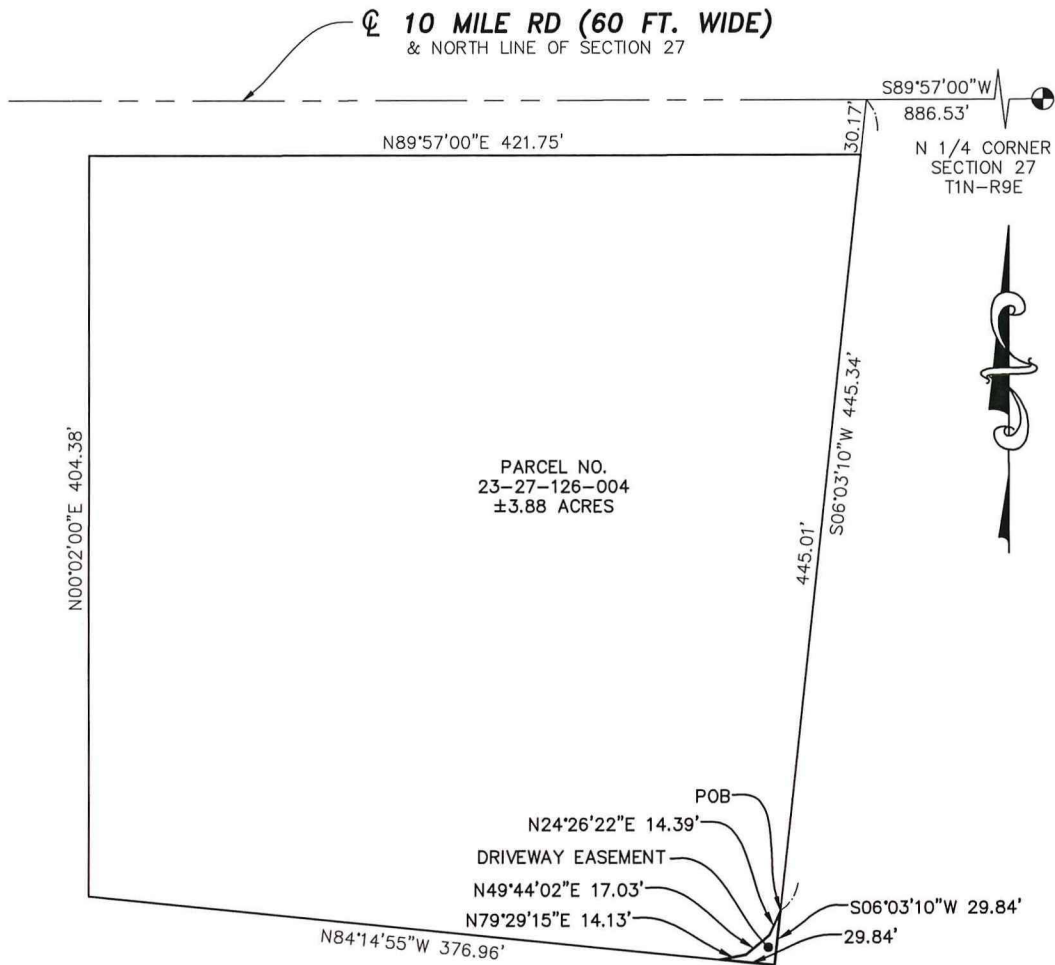
CLIENT:	BOJI DEVELOPMENT	DATE:	7-31-18
		DRAWN BY:	JRV
		CHECKED BY:	GLM
		FBK:	1
		CHF:	
		SCALE	HOR 1"= 80 FT. VER 1"= - FT.

**PARCEL DESCRIPTION**

**32795 W 10 MILE RD**  
SECTION: 27 TOWNSHIP: 1N RANGE: 9E  
CITY OF FARMINGTON  
OAKLAND COUNTY  
MICHIGAN

17-484

**EXHIBIT B "NEW EASEMENT"**



**DESCRIPTION:**

COMMENCING AT THE NORTH 1/4 CORNER OF SECTION 27, T1N-R9E, CITY OF FARMINGTON, OAKLAND COUNTY, MICHIGAN; THENCE S87°57'00"W 886.53 FEET ALONG THE NORTH LINE OF SECTION 27 ALSO BEING THE CENTERLINE OF 10 MILE ROAD; THENCE S06°03'10"W 445.34 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S06°03'10"W 29.84 FEET; THENCE N84°14'55"W 29.84 FEET; THENCE N79°29'15"E 14.13 FEET; THENCE N49°44'02"E 17.03 FEET; THENCE N24°26'22"E 14.39 FEET TO THE POINT OF BEGINNING.

REVISED 9-20-2018  
REVISED 9-11-2018

**ALPINE**  
ENGINEERING, INC.  
CIVIL ENGINEERS & LAND SURVEYORS

46892 WEST ROAD  
SUITE 109  
NOVI, MICHIGAN 48377  
(248) 926-3701 (BUS)  
(248) 926-3765 (FAX)

CLIENT:	BOJI DEVELOPMENT	
DATE:	7-31-18	
DRAWN BY:	JRV	
CHECKED BY:	GLM	
FBK:	1	
CHF:		
SCALE HOR 1"=80 FT. VER 1"= - FT.		

**DRIVEWAY EASEMENT**

**32795 W 10 MILE RD**  
SECTION: 27 TOWNSHIP:1N RANGE:9E  
CITY OF FARMINGTON  
OAKLAND COUNTY  
MICHIGAN

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