



**Regular City Council Meeting
7:00 p.m., Monday, April 16, 2018
City Council Chambers
23600 Liberty Street
Farmington, MI 48335**

FINAL

REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on April 16, 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 7:05 PM by Mayor Schneemann.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
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
Director Eudy
City Clerk Halberstadt
City Manager Murphy
City Attorney Schultz

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMENT

Michael Ratze, 33620 Grand River Avenue, expressed his concern regarding the difficulty in shoveling the sidewalks on the north side of Grand River due to the additional snow from the snow plows.

Doug Reynolds, representing the Emergency Preparedness Committee, presented a tip of the month, emphasizing preparation for chemical and biological events.

4. APPROVAL OF ITEMS ON CONSENT AGENDA

- A. Accept minutes from City's boards and commissions: Grand River Corridor Improvement Authority, Commission on Aging, Historical Commission, Parking Advisory Committee, Planning Commission, Emergency Preparedness Committee and Library Board**
- B. Farmington Monthly Payments Report (February & March)**
- C. Farmington Public Safety Monthly Report**
- D. City Council Meeting Minutes
Special – March 19, 2018**

- Regular – March 19, 2018
 Regular – April 2, 2018
- E. Special event requests
1. South Farmington Little League Parade
 2. First United Methodist Church Birthday Celebration
- F. Accept Todd Huffman’s resignation from the Parking Advisory Committee

Move to approve the consent agenda amend as follows: removing Item 4A, and attaching Galvin’s power point presentation on the financial state of the City from the March 19, 2018 meeting to those same meeting minutes.

RESULT:	MOTION FAILED
MOVER:	LaRussa, Councilmember
SECONDER:	Taylor, Councilmember
Ayes:	LaRussa, Taylor
Nays:	Bowman, Galvin, Schneemann

Move to approve the consent agenda as amended, removing Item 4A.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Galvin, Councilmember
SECONDER:	Taylor, Councilmember
Ayes:	Bowman, Galvin, LaRussa, Schneemann, Taylor

5. APPROVAL OF REGULAR AGENDA

Move to approve the regular agenda amended as follows: remove Item 6A - Swing Farmington and add two new items under New Business, Groves Center Amendment to Open Space Easement Agreement and Extension to the Sale of the Courthouse Agreement.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	Taylor, Councilmember

6. PRESENTATION/PUBLIC HEARINGS

A. Public Safety Annual Report – Public Safety Director Frank Demers

Director Demers presented the 2017 Farmington Public Safety Department annual report. He reported that Farmington continues to rank as one of the safest communities in Michigan. Crime rates are the lowest they have been in decades, noting major crimes decreased 13% compared to 2016. He discussed the significant progress made toward a number of new initiatives, including pursuit of accreditation through the Michigan Association of Chiefs Accreditation Program.

Council questions included effectiveness of the School liaison, opioid abuse, crime in multi-family complexes, increase in marijuana use and the small use of Narcan compared to other communities.

7. NEW BUSINESS

A. Groves Center Amendment to Open Space Easement Agreement

Schultz advised the request before Council is simply to approve an amendment to the legal description of the Open Space Easement Agreement so that it accurately reflects what is currently in place.

Schneemann stated that it is unfortunate that Council has to go through this exercise. He discussed his disappointment regarding the open space, due to the difference between the original plans and what was actually built.

Move to approve the Groves Center Amendment to the Open Space Easement Agreement. [SEE ATTACHED AMENDMENT].

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	LaRussa, Councilmember
Ayes:	Schneemann, Taylor, Bowman, Galvin, LaRussa

B. Extension for Agreement for Sale of Courthouse

Schultz discussed reasons for a request to extend the agreement for the sale of the courthouse property. He stated the buyer is still working on getting site plan approval and in addition, the city still needs to get the easement with the school district for the drive area vacated.

Schneemann expressed disappointment in the length of the 4-month extension and hoped that it is more time than needed. He would like to move forward on this project in an expeditious manner.

Move to extend the agreement for the sale of the Courthouse property an additional 4 months and to authorize the Mayor and Clerk to sign the appropriate extension documents as reviewed and approved by the City Manager and City Attorney.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bowman, Mayor Pro Tem
SECONDER:	LaRussa, Councilmember

8. DEPARTMENT COMMENTS

Eudy stated the ice rink has been completely removed and restoration of the park will begin when the weather breaks. He commented maintenance of the water tower is progressing. He discussed clean-up from the recent storm damage.

Bowman commended the DPW crew for their quick response and clean-up of a fallen tree on commercial property adjacent to her home.

Weber announced the proposed FY 2018-19 Budget will be presented to Council on April 24th.

Christiansen announced an RFP has been sent out for the update to the City Master Plan. They are currently conducting interviews to replace John Koncsol as Code Enforcement Officer and Building Official. He expects the final PUD site plans for the courthouse property will be on the May 14th Planning Commission agenda. He also anticipated public notice going out for that same meeting for the revised preliminary plan for the Maxfield Training Center.

Halberstadt discussed the recent success of the Mansion Open House and the upcoming voter registration at Farmington High School.

Murphy announced the proposed FY 2018-19 budget will be emailed to the Council following the meeting.

9. CITY COUNCIL COMMENTS

LaRussa encouraged the public to attend the upcoming civic engagement meetings concerning the City budget.

Taylor stated she would like a final decision from Council regarding the type of documents that should be attached to the minutes.

Bowman noted she recently attended Festival of the Arts Awards Ceremony, a wonderful event held at the Costick Center. She discussed the Arts, Culture and Recreation activities offered at the Center.

Schneemann encouraged citizens of Farmington to become engaged, citing the April 24th budget meeting and the April 26th outreach meeting on the financial state of the City.

9. ADJOURNMENT

Move to adjourn the meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Galvin, Councilmember
SECONDER:	Bowman, Mayor Pro Tem

The meeting adjourned at 8:35 p.m.

Steve Schneemann, Mayor

Susan K. Halberstadt, City Clerk

Approval Date: May 21, 2018

AMENDMENT TO OPEN SPACE EASEMENT AGREEMENT
[THE GROVES CENTER]

This AMENDMENT TO OPEN SPACE EASEMENT AGREEMENT ("Amendment") is made effective as of the ____ day of _____, 2018 ("Effective Date") by and between, The Groves Center, L.L.C., a Michigan limited liability company, whose address is 37000 Grand River, Suite 370, Farmington Hills, MI 48335 ("Grantor"), and the City of Farmington ("City"), a Michigan municipal corporation, whose address is 23600 Liberty Street, Farmington, Michigan 48335, and the Farmington Downtown Development Authority ("DDA"), a Michigan Municipal Corporation, whose address is 33316 Grand River Avenue, Farmington MI 48336 (together "Grantees").

A. Grantor owns the property located at 33025 Grand River Avenue, Farmington MI 48335 on which is located a shopping center, identified on **Exhibit A** (the Shopping Center Property); and

B. Grantor and Grantees entered into that certain Open Statement Easement Agreement dated _____, 2013, recorded with the Oakland County Register of Deeds on _____, 2013, at Liber ____ Page ____ (the "Open Space Easement"), whereby Grantor granted to Grantees a perpetual easement over a certain plaza area located on the Shopping Center Property, as defined in Exhibit B to the Open Space Easement (the "Open Space Easement Area"), which is attached hereto as **Exhibit B**;

C. Grantor and Grantees desire to modify boundaries of the Open Space Easement Area so that it ~~completely covers the boundaries of the~~ correctly identifies the plaza area located on the Shopping Center Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Grantor and Grantees hereby agree as follows:.

1. ~~The property described in **Exhibit C** is hereby added to the Open Space Easement Area.~~
- 2.1. The legal description of the Open Space Easement Area attached as Exhibit B to the Open Space Easement is hereby deleted, and is replaced with the amended and restated legal description of the Open Space Easement Area attached hereto as **Exhibit D**, which is more particularly described on the survey attached hereto as **Exhibit E**.
- 3.2. This Amendment shall be effective as of the Effective Date, and shall be recorded with the Oakland County Register of Deeds.
- 4.3. Except as otherwise provided herein, all of the other terms, covenants and conditions, as set forth in the Open Space Easement shall remain in full force and effect.
- 5.4. Grantor and Grantees acknowledge that the Open Space Easement is a covenant that runs with the Shopping Center Property.
- 6.5. This Amendment shall be binding up and inure to the benefit of the parties hereto and their respective successors and assigns and shall be governed by and construed in accordance with the laws of the State of Michigan.
- 7.6. This Amendment may be executed in counterparts and the counterparts shall be considered one document.

IN WITNESS WHEREOF, Grantor and Grantees, by and through their duly-authorized representatives, have executed this Amendment effective the as of the Effective Date.

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO AMENDMENT TO OPEN SPACE EASEMENT AGREEMENT]

GRANTOR:

The Groves Center, LLC, a Michigan Limited Liability Company

By: Manifold Ventures, LLC, a Michigan Limited Liability Company

Its: Managing Member

By: Charlie Kughn

Its: Authorized Member

GRANTEES:

FARMINGTON DOWNTOWN DEVELOPMENT AUTHORITY, a Michigan municipal corporation

By: _____

Its: _____

CITY OF FARMINGTON, a

Michigan municipal corporation

By: _____

Its: _____

[NOTARY BLOCKS ON FOLLOWING PAGES]

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____ 2018, Charlie Kughn, executed the foregoing document before me and, being duly sworn, stated that he is the Authorized Member of Manifold Ventures, LLC, a Michigan Limited Liability Company, the Managing Member of The Groves Center, LLC, a Michigan Limited Liability Company, with its full authority and as its free act and deed.

Notary Public, County, MI
My commission expires: _____

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____, A.D., 2018, before me, personally appeared the above named _____, the _____ of the Farmington Downtown Development Authority, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

Notary Public, County, MI
My commission expires: _____

COUNTY OF OAKLAND)
) SS
STATE OF MICHIGAN)

On this _____ day of _____, A.D., 2018, before me, personally appeared the above named _____, the _____ of the City of Farmington, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his duly-authorized free act and deed.

Notary Public, County, MI
My commission expires: _____

Form Drafted By:

Thomas R. Schultz, Esq.
Johnson, Rosati, Schultz & Joppich, PC
34405 West Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627

After Recording Return To:

Sue Halberstadt, Clerk
City of Farmington
23600 Liberty Street
Farmington, MI 48335

This instrument is exempt from County and State transfer taxes pursuant to MCL 207.505(a) and MCL 207.526(a), respectively.

EXHIBIT A

Legal Description of Shopping Center Property

(see attached)

EXHIBIT B

Legal Description of Open Space Easement Area

(see attached)

EXHIBIT C

Legal Description of Addition to Open Space Easement Area

(see attached)

EXHIBIT D

Amended & Restated Legal Description of Open Space Easement Area

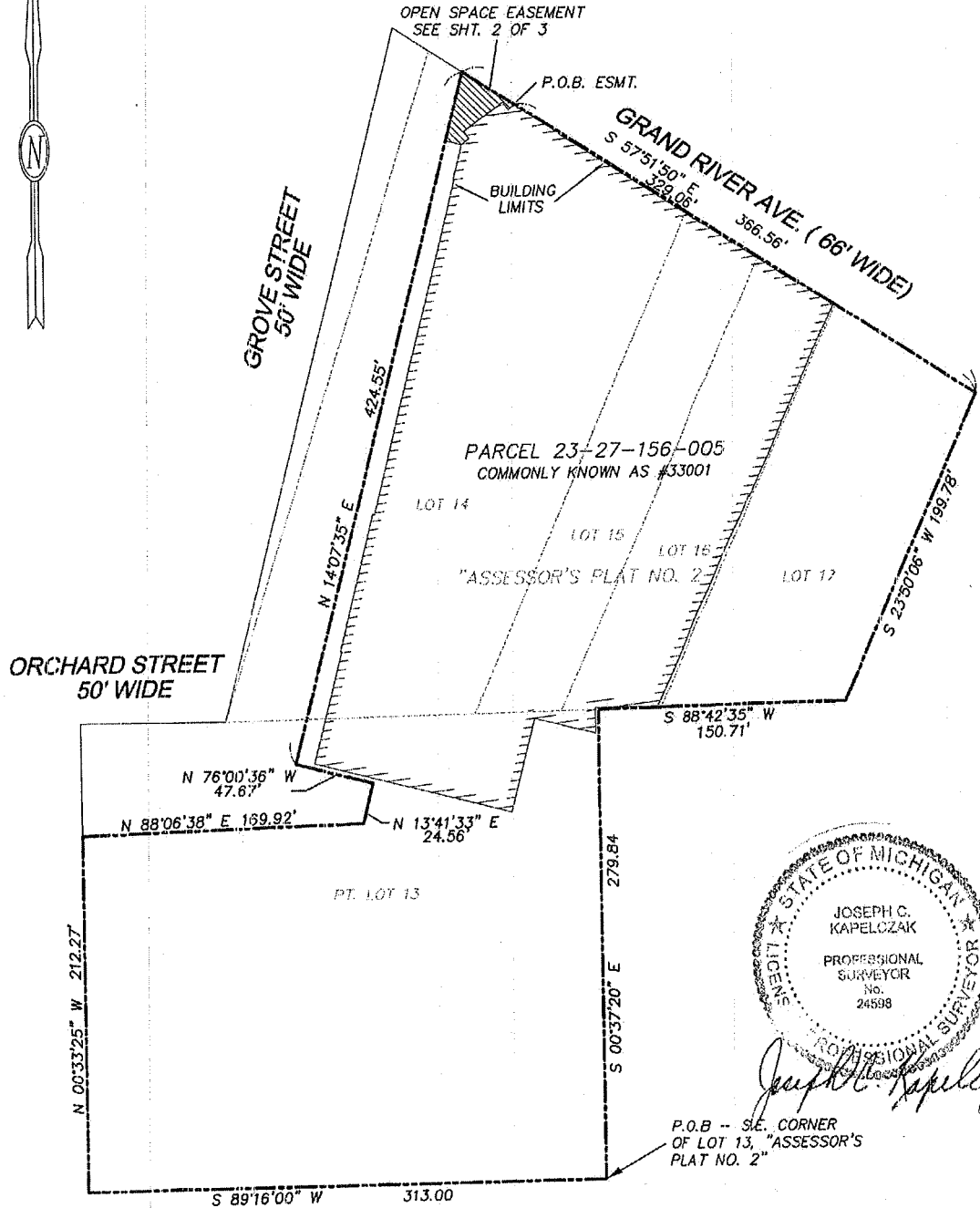
(see attached)

EXHIBIT E

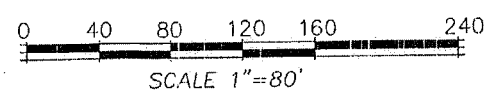
Survey of Open Space Easement Area

(see attached)

EXHIBIT "A"

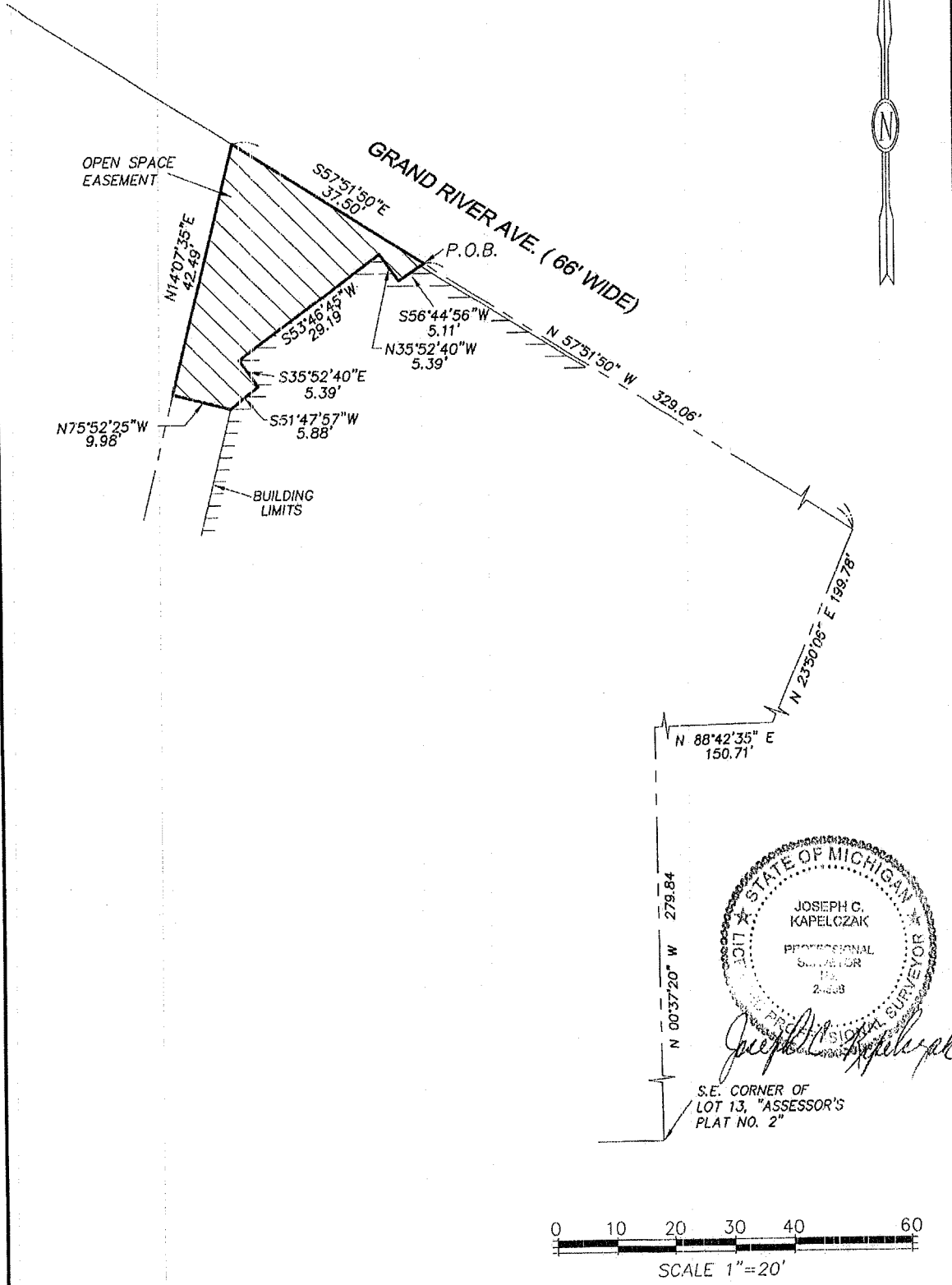


Joseph C. Kapelczak

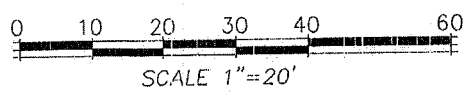


<p>Scale: 1"=80' Date: 5/27/18 Job No.: 10061 Sht. No.: 1 of 3</p>	<p>THE GROVES CENTER SEC. 27, T.1N., R.9E. CITY OF FARMINGTON, CAYLAND CO., MI.</p>	<p>OPEN SPACE EASEMENT PARCEL 23-27-156-005</p>	<p>JCK group, inc. 8615 RICHARDSON ROAD SUITE 100 COMMERCE TWP., MI. 48390 PHONE: 248-363-2650 FAX: 248-363-1046</p>
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EXHIBIT "A"



S.E. CORNER OF
LOT 13, "ASSESSOR'S
PLAT NO. 2"



Scale:
1" = 20'
Date:
3/27/18
Sht. No.:
10061
2 of 3

THE GROVES CENTER
SEC. 27, T.1N., R.9E.
CITY OF FARMINGTON, OAKLAND CO., MI.

OPEN SPACE EASEMENT
PARCEL 23-27-156-005



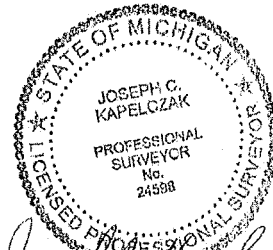
8615 RICHARDSON ROAD
SUITE 100
COMMERCE TWP, MI. 48390
PHONE: 248-363-2590
FAX: 248-363-1848

OPEN SPACE EASEMENT DESCRIPTION

PART OF THE WEST 1/2 OF SECTION 27, T.1N., R.9E., CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED N 00°37'20" W, 279.84 FEET AND N 88°42'35" E, 150.71 FEET AND N 23°50'05" E, 199.78 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GRAND RIVER AVE. AND N 57°51'50" W ALONG SAID SOUTHERLY LINE, 329.06 FEET FROM THE SOUTHEAST CORNER OF LOT 13 OF "ASSESSOR'S PLAT NO. 2", AS RECORDED IN LIBER 54 OF PLATS, PAGE 6, OAKLAND COUNTY RECORDS; THENCE S 56°44'56" W, 5.11 FEET; THENCE N 35°52'40" W, 5.39 FEET; THENCE S 53°46'45" W, 29.19 FEET; THENCE S 35°52'40" E, 5.39 FEET; THENCE S 51°47'57" W, 5.88 FEET; THENCE N 75°52'25" W, 9.98 FEET; THENCE N 14°07'35" E, 42.49 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF GRAND RIVER AVE.; THENCE S 57°51'50" E ALONG SAID SOUTHERLY LINE 37.50 FEET TO THE POINT OF BEGINNING. CONTAINING 746.42 SQUARE FEET.

THE ABOVE DESCRIBED EASEMENT OVER AND ACROSS THE FOLLOWING DESCRIBED PARCEL 23-27-156-005

PART OF THE WEST 1/2 OF SECTION 27, T.1N., R.9E., CITY OF FARMINGTON HILLS, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: PART OF LOTS 13 AND 14 AND ALL OF LOTS 15, 16 & 17 OF "ASSESSOR'S PLAT NO. 2", AS RECORDED IN LIBER 54 OF PLATS, PAGE 6, OAKLAND COUNTY RECORDS, ALL BEING DESCRIBED AS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13; THENCE S 89°16'00" W, 313.00 FEET; THENCE N 00°33'25" W, 212.27 FEET; THENCE N 88°06'38" E, 169.92 FEET; THENCE N 13°41'33" E, 24.56 FEET; THENCE N 76°00'38" W, 47.67 FEET; THENCE N 14°07'35" E, 424.55 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF GRAND RIVER AVE., THENCE S 57°51'50" E ALONG SAID SOUTHERLY LINE 366.58 FEET; THENCE S 23°50'06" W, 199.78 FEET; THENCE S 88°42'35" W, 150.71 FEET; THENCE S 00°37'20" E, 279.84 FEET TO THE POINT OF BEGINNING. CONTAINING 4.04 ACRES AND SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD.



Joseph C. Kapelczak

Scale:
NONE
Date:
3/27/18
Job No.:
10061
Sht. No.:
3 of 3

THE GROVES CENTER
SEC. 27, T.1N., R.9E.
CITY OF FARMINGTON, OAKLAND CO., MI.

**OPEN SPACE EASEMENT
PARCEL 23-27-156-005**



8615 RICHARDSON ROAD
SUITE 100
COMMERCE TWP. MI. 48390
PHONE: 248-363-2950
FAX: 248-303-1645