

**Approved
February 25, 2008**

REGULAR MEETING
(CONDUCTED AS A COMMITTEE-OF-THE-WHOLE)
OF THE COUNCIL
CITY OF SOUTHFIELD
MINUTES

January 7, 2008

The meeting of the Council convened at 7:00 p.m. in the Council Conference Room of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan, with Council President Joan Seymour in the Chair. PRESENT: Council Members: Donald Fracassi, Myron Frasier, Sylvia Jordan, Sidney Lantz, Bill Lattimore, Joan Seymour and Kenson Siver. ALSO PRESENT: Deputy City Clerk Susan Silva, Acting City Administrator James Scharret and City Attorney Jack Beras. There being a quorum, Council was in session.

The first item on the agenda was a presentation on the City Centre Future Land Use Plan.

Nik Banda stated that members of the City Centre Advisory Board (CCAB), the Cornerstone Development Authority (CDA), the Parks and Recreation Board and the Planning Commission were invited to the meeting. Eighteen months ago the City began talking about developing a Master Plan. The Master Plan is on target to be presented to Council in April. Since 1991 the CCAB has been focused on developing a plan for the City Centre area. The CCAB board consists of representatives of the major stakeholders in the area and one resident from the area. The Board used \$20,000 of its own funds to hire Rosetti Architects to help develop a plan. Matt Rosetti has been working with the Board for six months. Many communities, such as Canton and Warren, have been taking steps to secure futures. They are taking steps to keep students, young families and businesses within their community. Southfield will be left in the dust if the City does not take action. The City needs to do something spectacular if it wants to be recognized. No other city can claim to be the "Center of It All" and have 26 million feet of office space. Council is not being asked to make any decision at this time. The City and the CCAB are looking for a consensus on Council's interest in the proposal and permission to move forward in its effort to secure the City's future.

Doug Etkin, Chairman of the CCAB, stated that the plan being presented represents their perception of how the area should be used for the next fifty years. Ten major property holders are working together and putting aside their differences, to come up with a plan that keeps Southfield vital and to add a residential component. The City has to recreate

and reinvest. The City can't afford to stand still. He asked that Council give the plan serious consideration.

Matt Rosetti, stated that the group looked at what already existed in the area and then determined what should be where in terms of buildings, commercial or retail or residential. The City does not have a core that people can rally around. The City has a fantastic building, the Library, anchoring one end of the City's property. The Board looked at creating a sports complex which would be located at the apex. A ring road would be created around the center hub of activity with a pedestrian friendly area, consisting of slower traffic, sidewalks, street parking, etc. Civic Center Drive would be boulevarded with a parking lane on each side. Setbacks would be eliminated to create a zero lot line. Evergreen Road is large enough to allow for street parking. It would also be boulevarded. There would be a public plaza where the three roads, Central Park Boulevard, Civic Center Drive and Evergreen Road come together. Phase II could feature a fountain/ice rink and a bandshell/farmers market. Phase II would be the construction of a cultural building near the existing library. Phase IV would involve mixed use developments that include retail, restaurants at street level and housing on the upper stories. The tall office buildings would be built along the freeways. The green space behind City Hall would be used for sports fields.

Stefan Stration, Pomeroy Investments, stated that in Southfield the question becomes where do you build in a city that is almost built out. They took a regional approach on the theme "Center of It All."

There are a few different financing options.

1. Close the existing DDA and re-establish a DDA within the City Centre boundaries.
2. Use the existing CCAB as the DDA Board.
3. Change the existing legislation within the Principal Shopping District to allow for TIF's.
4. Change existing legislation within the DDA guidelines to allow for two districts within the City of Southfield.

If a TIF was established, the City could use the incremental capture of taxes to finance public infrastructure including new municipal buildings and parking structures as well as road improvements and streetscapes.

Private development will not occur without aggressive land use changes that allow developers to see the vision and establish a district and capture revenue through a TIF to finance infrastructure improvements.

Mr. Etkin stated that the City's golf course is key to making the vision work. The City would be able to control what the golf course property would be used for and the City would benefit from any taxes derived from development of the golf course property.

Mr. Banda replied that Pomeroy Investments has moved tenants out of three buildings and plans to demolish the buildings. There is substantial property that is primed for redevelopment. The City has talked to MDOT about the need for a bridge across the Lodge Freeway to enable students and faculty at LTU to access the area. The next step is working out the details. The Zoning Ordinance will need to be revised and the City will need to work with the lobbyist to change legislation to allow for two DDA's.

Councilman Siver congratulated the group for their vision. The vision for Evergreen Road is phenomenal. He would like to see freeway decks that are even larger than the current ones. He asked if there were any plans for the Evergreen Road south of the Thompson Farm. Mr. Banda replied that the area was discussed a great deal. Residential is probably the best use for that area. He believes some plans would push for the redevelopment of the residential area.

Councilman Siver stated that another possibility would be to move the golf course away from Evergreen Road. Mr. Banda replied that the golf course could be stretched into the neighborhood; however, he was encouraged not to let the golf course drive the plan. The CCAB was told that the Nature Preserve and Mary Thompson Farm must stay where they are.

Councilman Fracassi expressed disappointment that the plan did not look at the entire area, including the residential area north of City Hall. He envisioned a large pond with mixed uses around it. The City needs a dense development that is unique. The City can't concentrate just on the City site. He is not afraid to rezone property but developers need to take charge of their property. Mr. Etkin replied that all areas would have a higher density than what currently exists.

Councilman Fracassi stated that commercial should be on main floors and have people living above it. The whole area should be walkable. He would like to see the area developed much differently that it is currently. Mr. Banda replied that the core of the plan is retail on the first floor with three stories of living space above it.

Councilman Fracassi asked what the next phases would be so that he could get a feel for what it would look like. Mr. Banda replied that the next phase is to change the zoning ordinance. Council needs to believe in the core concept in order for the plan to work.

Councilman Fracassi asked what the developers planned to do with their property. Mr. Etkin replied that the Pomeroy property will be demolished. For the time being, nothing will be done with the property. The key to a central core is to include both sides of Evergreen Road.

Councilman Fracassi asked if City Hall needs to come down first in order to make the other owners jump. Mr. Etkin responded that the City needs to put in the Master Plan what they are willing to do with the golf course, for example. The first step is agreeing

on a vision and then creating a financial structure to pay for the physical structure and then the marketplace will pay for the rest.

Councilman Fracassi asked if the City agrees to rezone the golf course and Pomeroy builds will the others jump in or will it all stop. Mr. Banda replied that there are outside forces that have approached the City and they want to see the big picture before they take a step forward. One big developer asked about buying City Hall and leasing it back to the City. They want to partner with the City.

Councilwoman Jordan stated that three words come to mind; reinvest, reinvent, retool. She is open and interested. The City needs to develop a walkable community across Evergreen Road. She would like to see some concrete plans. She asked what the timetable would be. Mr. Banda replied that within four months a financing plan would be brought forward and the components of the various phases. Council would meet with developers and let the developers know what the City is looking for. As word gets out, pressure will keep it moving forward. It will take three to five years to build it out.

Councilwoman Jordan stated that she is unclear about what happens to City Hall. Mr. Banda replied that there are two ways to handle it. One is to use the Library as a book end and build along Evergreen Road. Another possibility is that Mr. Etkin's building, immediately across from the Library, becomes City Hall.

Councilwoman Jordan asked where the Nolan development stands. Mr. Banda replied that the storage facility is being built. The residential development with retail is on hold. The property will be developed with residential or office, not retail. There are seven universities in Southfield and there is no place for the students to go.

Councilwoman Jordan replied that she is very excited about the plan. She wants it done in phases but she also wants it completed. Mr. Banda replied that Council controls the plan.

Councilman Lantz responded that Council does not control it once property is rezoned. Mr. Banda replied that contract zoning and PUD's (planned unit developments) include design standards so that the City can control what is built. Ordinances can be written to tighten the limits.

Councilman Lantz expressed concern that recreation facilities will be privatized once developers are involved. He also worries that the plan will eliminate green space that the City has tried so hard to keep. Mr. Banda replied that it would be an urban form of green space. Many communities are closing their golf courses because they only serve a handful of people. The current buildings in the City complex are very inefficient. New buildings would have better use of space, be more efficient and better organized. A cultural center is important for any vibrant city.

Councilman Lantz stated that rezoning is his greatest concern. If the City rezones before the project start the City end up the loser because the developers will build what they want. Mr. Banda replied that the new zoning classifications will not work like anything the City currently has in place. Mr. Etkin added that the Master Plan will show that the City can redevelop the golf course consistent with the Master Plan.

Councilman Lantz asked how much bond money would the City need. Mr. Banda responded that the financing aspect is part of the next step. The TIF dollars would pay for the bonds as the project moves forward.

Mayor Lawrence stated that the questions being asked will be answered when the plan is presented. Tonight's presentation was a vision of the future. Change is never comfortable. The City has a chance to create a synergy, a place where people want to go. The DDA has served as a keeper of the Northland area and good things have happened in that area. The City needs to continue to have a group in place, be it the DDA or something else, to keep a handle on the area. Don't abandon an idea or a vision for the Northland area. A DDA in the City Centre area makes sense but there needs to be a replacement for the Northland area.

Mayor Lawrence commented that the golf course piece is the hardest part to swallow. The business community always compliments the City on the Evergreen Hills golf course. Southfield has been referenced in the Wall Street Journal as being a great city. Developers want to invest here.

Councilman Lattimore stated that as the City embarks on its 50th Anniversary, it is beginning to look its age. In order to remain world class we need to keep up and be competitive with other municipalities. Cool cities have places to go to eat and shop. Southfielders tend to go elsewhere to eat and that is a trend he would like to stop. There is a lot of wasted space in the City complex. The ice arena needs renovations and the Pavilion sits empty a majority of the time. Most municipalities are getting out of the golf course business. The City needs to start with Evergreen Road to keep people living and working here.

Councilman Frasier commented that he sees possibilities in the vision. There is an opportunity to make a concentration of green eco-friendly buildings. He stated that at the MML Conference it was noted that people, 21-35 years of age, tend to find a place to live and then look for a job. He asked whether part of the housing would be affordable. Mr. Banda responded that he sees places within a large range of prices, affordable for both upper and lower income.

Councilman Frasier stated that the plan needs to include a way for seniors to move about without having to constantly move their car. Mr. Banda responded that one developer suggested a light rail system.

Councilman Frasier questioned the need for a ring road. Mr. Rosetti replied that the ring road would provide a way to keep traffic flowing during a major event.

Councilman Frasier noted that whatever is done the City needs to make sure that the CDA is taken care of as well. He expressed concern that a sports facility needs to be built for the residents. If the facility is built for a sport that no one in Southfield participates in than it is being built for people in other communities. The City needs to keep residents in mind as the principal users. Mr. Banda replied that buildings need to be multi-faceted.

Council President Seymour stated that the City has been trying to do something with the City Centre area for a long time. Southfield has an advantage because it is already the business center of Michigan but the City needs to keep it attractive. Our business residents are also part of Southfield. She was pleased that everyone seemed to be coming together and agrees that the City needs to think outside the box. She is uncomfortable with losing the softness that the green of the golf course gives. The zoning should be done after a plan has been agreed upon. She does not want to abandon the CDA. The activity in the Northland area needs to continue.

Mr. Banda replied that the CCAB wants to bring a plan forward. Timing and cost will be key. He thanked the Mayor and Council for their time and attentiveness.

Next on the agenda was a resolution in opposition to Comcast's proposed PEG Channel change.

Mr. Scharret stated that the resolution may help delay or stop the actions of Comcast. He would like to get a copy of the resolution to Senator Gilda Jacobs and Representative Paul Condino immediately.

Councilman Fracassi asked if there was any contact with the MML on this matter. Lisa Hawkins, Cable 15, replied that the MML is working with several communities on the issue. MML supports asking the State Legislature to stop Comcast's efforts.

Mr. Scharret stated that there has been a three prong approach. Congressman John Dingell sent a letter to Comcast, to which Comcast did not respond favorably. The second approach is to have the State Legislature take action and the third more remote approach is legal action. The State Legislature may take the matter up as early as Wednesday.

Councilman Lattimore asked if the City was poised to sue Comcast either individually or with other communities. Mr. Beras replied that there is a community in Michigan that has retained legal counsel and is poised to file suit this week if the State Legislature does not take action. The community has asked for financial contributions equal to 1% of the franchise fees.

C-01-2008 Motion by Lattimore; seconded by Jordan.

RESOLVED: that pursuant to Section 10 of the Rules of Procedure adopted by the Southfield City Council on February 23, 1998, Council hereby determines that there is an immediate need to act.

Motion passed unanimously.

C-02-2008 Motion by Lattimore; seconded by Jordan.

WHEREAS, Comcast Cablevision is in the City of Southfield providing cable TV to residential customers; and

WHEREAS the City of Southfield has invested in a video production department in order to reach out to residents with city and community programming on the city government channel, also know as Channel 15; and

WHEREAS, Comcast Cablevision has indicated to the City of Southfield that it will change some of the terms of its Franchise Agreement (“Agreement”) signed with the City in April 1999, per the new law in the State of Michigan (P.A> 480 of 2006) that allows it to re-visit all provisions of the Agreement, Comcast:

▶ Will change the location of the Government Access and Educational Access channels to the 900’s effective January 15, 2008.

▶ Will require customers, who are currently capable of finding the channels on their TV sets, to pay, after one year, a monthly fee for digital converter boxes. Customers will have to call to get the converter box. If they do not, subscribers will not be able to get City Cable 15 programming nor will subscribers receive any price adjustments.

▶ Through this policy, Comcast will make it more difficult for viewers to receive City Cable 15 programming, including City Council Meetings, city event information, Electronic Bulletin Board messages and emergency alerts.

▶ Through this policy, Comcast is in essence requiring subscribers to get additional equipment to see programming they have already paid for.

▶ Comcast has not provided adequate information to its customers on all the costs associated with acquiring the digital converter boxes necessary to view City Cable 15 programming.

▶ The City of Southfield will be required to purchase digital converter boxes for numerous cable drops throughout the city in order to view local programming at additional costs of approximately \$4.20 per month per television.

► This propose channel change will result in thousands of dollars in re-branding costs to City Cable 15 to inform viewers of the new channel without significant compensation from Comcast.

► Comcast has informed the City of Southfield that the new digital delivery method will mean better audio and video quality; however, Comcast has not yet provided a demonstration or technical specifications for the new quality claims; and

► City Cable 15 has been deluged with hundreds of calls from seniors, those on fixed incomes and other residents who oppose this change.

THEREFORE BE IT RESOLVED that the City of Southfield opposes Comcast's decision to move PEG channels to the Digital 900 series on January 15, 2008 and urges our state lawmakers to amend Michigan's Public Act 480 to prevent such action.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to our state legislators in Lansing, MI-NATOA, Michigan Municipal League and the Michigan Public Services Commission.
Motion passed unanimously.

Next on the agenda was the adoption of the 2008 City Council Meeting Schedule.

Councilman Siver stated that since there would be no School Election on May 5th he would recommend scheduling a Council Meeting for May 5th and eliminate the meeting on May 27th. He also asked that the October 6th meeting be switched to a Regular Meeting and the October 14th meeting be switched to a Committee-of-the-Whole Meeting.

C-03-2008 Motion by Jordan; seconded by Fracassi.

RESOLVED: that pursuant to Section 10 of the Rules of Procedure adopted by the Southfield City Council on February 23, 1998, Council hereby determines that there is an immediate need to act.

Motion passed unanimously.

C-04-2008 Motion by Jordan; seconded by Fracassi.

RESOLVED: that Council does hereby adopt the 2008 City Council Meeting Schedule.

Motion passed unanimously.

The last item on the agenda was the City Administrator's contract.

Council President Seymour stated that the transition team had met and they are satisfied with the proposed contract.

C-05-2008 Motion by Lattimore; seconded by Jordan.

RESOLVED: that pursuant to Section 10 of the Rules of Procedure adopted by the Southfield City Council on February 23, 1998, Council hereby determines that there is an immediate need to act.

Motion passed unanimously.

C-06-2008 Motion by Jordan; seconded by Lattimore.

RESOLVED: that James G. Scharret be appointed as City Administrator, pursuant to Section 6.1 of the City Charter for a term commencing January 1, 2008 through December 31, 2009; and that the Mayor and City Clerk are hereby authorized to execute the employment agreement between the City and Mr. Scharret which reflects the contractual terms with regard to his appointment.

Motion passed unanimously.

Councilman Fracassi stated that a copy of the Sign Ordinance was included in Council's packet. He stated that he had requested that Mr. Banda take another look at electronic signs.

Mayor Lawrence replied that the City needs to give gas stations and churches the flexibility to use electronic message signs.

Mr. Beras replied that they would bring the matter before Council at the next Committee-of-the-Whole meeting. He asked Council to notify Mr. Banda if there are any additional changes to the Sign Ordinance they would like reviewed.

Mayor Lawrence asked for increased inspections of illuminated signs. The Fifth Third Bank sign has three letters burned out. Mr. Scharret replied that he would have Code Enforcement look into the matter.

There being no further business, the Regular Meeting (conducted as a Committee-of-the-Whole) adjourned at 10:15 p.m., January 7, 2008, until the next Regular Meeting on January 22, 2008, in the Council Chambers of the Municipal Building, 26000 Evergreen Road, Southfield, Michigan.

Joan Seymour, Council President

Susan D. Silva, Deputy City Clerk