

AGENDA

REGULAR MEETING OF THE COUNCIL OF THE CITY OF SOUTHFIELD TO BE HELD AT 6:00 P.M., LOCAL TIME, IN THE COUNCIL CONFERENCE ROOM AND 7:30 P.M., LOCAL TIME, IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, 26000 EVERGREEN ROAD, SOUTHFIELD, MICHIGAN, ON MONDAY JULY 30, 2018, PURSUANT TO SECTION 4.3 OF THE CITY CHARTER.

ROLL CALL

STUDY SESSION

(Presentation and discussion of each study item will be limited to ten minutes)

1. Southfield Employees Retirement System Ordinance
2. Term of Office of ACS Commissioners
3. Discussion of Resolution Regarding Establishing “Indigenous People’s Day”
4. Discussion of Resolution Supporting House Bill 4986
5. Traffic Control Order Y-82-18
6. Traffic Control Order SP-35-18
7. Appointment of Director, Fiscal Services
8. Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company
9. Approval of Annual Maintenance Agreement with Bibliotheca for the Library’s Self-Check and RFID System
10. Approval to Purchase Hardware/Software Maintenance, Support and Networking Components from CDW-Government (CDW-G)

CLOSED SESSION

1. Discussion of Labor Relations

MOVE TO COUNCIL CHAMBERS

PLEDGE OF ALLEGIANCE

PRESENTATIONS

APPOINTMENTS

MINUTES

CONSENT AGENDA

- A. Term of Office of ACS Commissioners
- B. Discussion of Resolution Regarding Establishing “Indigenous People’s Day”
- C. Discussion of Resolution Supporting House Bill 4986
- D. Traffic Control Order Y-82-18
- E. Traffic Control Order SP-35-18
- F. Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company
- G. Approval of Annual Maintenance Agreement with Bibliotheca for the Library’s Self-Check and RFID System
- H. Approval to Purchase Hardware/Software Maintenance, Support and Networking Components from CDW-Government (CDW-G)

PUBLIC HEARINGS

- A. PSLU18-0005, the Special Use Request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west side of Southfield Road between W Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan

SITE PLANS**COMMUNICATIONS**

- A. Request for Recognition – Pamela Gerald
- B. Request for Recognition – Gerard Mullin
- C. Request for Recognition – Carl Myles
- D. Request for Recognition – Fred Bunker
- E. Request for Recognition – Richard Meltzer

COUNCIL

- A. Approve Travel Expense Report for Daniel Brightwell: Michigan Political Leadership Program, Kalamazoo, Michigan, July 20-21, 2018.

MAYOR

ADMINISTRATION

- A. Appointment of Director, Fiscal Services

ATTORNEY

CLERK, TREASURER, PLANNER, ASSESSOR, ENGINEER

SCHEDULE

ORDINANCES



Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

July 30, 2018

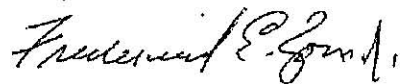
Honorable Mayor and Council
City of Southfield
Southfield, Michigan

RE: Southfield Employees Retirement System Ordinance

Dear Sirs and Mesdames:

At the July 30, 2018 Study Session, the Chair of the Southfield Employees Retirement System (SERS) Board, Sue Mannisto; the SERS Investment Consultant, Christopher Kukn; and the SERS Pension Attorney, Michael VanOverbeke, will be present to discuss the SERS ordinance and the subject of Investment Trustee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Frederick E. Zorn, Jr.", written in a cursive style.

Frederick E. Zorn, Jr. CEcD
City Administrator

July 30, 2018

Honorable Mayor and Council
City of Southfield
Southfield, Michigan

RE: Term of Office of ACS Commissioners

Dear Sirs and Mesdames:

The Southfield City Charter sets the parameters for City Council's appointment of three (3) Administrative Civil Service (ACS) Commissioners and one (1) Alternate Administrative Civil Service Commissioner. Recently, in going through the ACS appointment process for a new Commissioner, we discovered that the terms of office of the current Commissioners do not appear to be consistent with the terms outlined in the City Charter. At times over the years, when a new Commissioner was appointed to fill an unexpired term, a completely new six-year term was granted, rather than (correctly) filling the remainder of the vacant term. The City Charter (Section 6.5 (a)), sets the following term of office:

The civil service system shall consist of three (3) members appointed by the council for terms of office of six (6) years, commencing on the third Monday in April, except that the first members appointed under this Charter shall serve for the following terms: One (1) member shall be appointed for a term expiring on the third Monday in April, 1959; one(1) member, for a term expiring on the third Monday in April, 1961; and one (1) member, for a term expiring on the third Monday in April, 1963; and thereafter each member shall be appointed for a regular six-year term.....Vacancies shall be filled for the unexpired terms.....The commissioner whose term of office shall next expire shall serve as chairman of the commission.

Furthermore, there was a Charter amendment passed in 2003 which provided for the following:

The Council shall also appoint an alternate member to serve on the commission for a six (6) year term with the official term of office to commence on February 1, 2004.

Based on these Charter provisions, we have calculated the following term **expiration dates** for the four Commissioners as follows:

Commissioner 1: **April 20, 1959**; 1965; 1971; 1977; 1983; 1989; 1995; 2001; 2007; 2013; 2019

Commissioner 2: **April 17, 1961**; 1967; 1973; 1979; 1985; 1991; 1997; 2003; 2009; 2015; 2021

Commissioner 3: **April 15, 1963**; 1969; 1975; 1981; 1987; 1993; 1999; 2005; 2011; 2017; 2023

Alternate: **January 31, 2004**; 2010; 2016; 2022

Based on current length of service and most recent appointments, we would propose that Ms. L. Susan Mannisto serve in the term identified above as Commissioner 1 (with her term expiring April 20, 2019); Mr. Ronald Miller serve the term identified above as Commissioner 2 (with his term expiring April 17, 2021); Ms. Shirley Lightsey serve the term identified above as Commissioner 3 (with her term expiring April 15, 2023); and Ms. Donna Sanders serve the term identified above as Alternate (with her term expiring January 31, 2022). This proposal has been reviewed and approved by the Civil Service Commissioners, the City Attorney, and the Council's Boards and Commissions Sub Committee.

We therefore recommend approval of the resolutions below.

Respectfully Submitted,



Frederick E. Zorn, Jr. CEcD
City Administrator

WHEREAS, it is the intent of the City Council to adjust the term of the four (4) current Administrative Civil Service Commissioners listed below to align with the terms of office as identified in the City Charter,

BE IT RESOLVED, that the term of office for Administrative Civil Service Commissioner L. Susan Mannisto expire on April 20, 2019, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Ronald Miller expire on April 17, 2021, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Shirley Lightsey expire on April 15, 2023, and

BE IT FURTHER RESOLVED, that the term of office for Alternate Administrative Civil Service Commissioner Donna Sanders expire on January 31, 2022.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan 48076

RE: Discussion of Resolution Regarding Establishing "Indigenous People's Day"

Dear Sirs and Mesdames:

It is my understanding that at the study portion of your meeting this evening, the Legislative Committee has requested Council consideration of establishing Indigenous People's Day in the City of Southfield on the second Monday in October of each year. The Legislative Committee has reviewed and discussed this issue and voted to favorably recommend such action to the full City Council. Attached, for your review and consideration, please find a proposed resolution establishing Indigenous People's Day in the City on the second Monday in October of each year.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'S. Ward', with a long, sweeping horizontal stroke extending to the right.

Susan P. Ward Witkowski
City Attorney

INDIGENOUS PEOPLE'S DAY RESOLUTION

WHEREAS, the City of Southfield recognizes that Indigenous nations have lived upon land in Michigan and this country since time immemorial and values the progress our society has accomplished through American Indian technology, thought and culture; and

WHEREAS, the City of Southfield understands that in order to help close the equity gap, government entities, organizations, and other public institutions should change their policies and practices to better reflect experiences of American Indian people and uplift our country's Indigenous roots, history, and contributions; and

WHEREAS, the idea of Indigenous Peoples Day was first proposed in 1977 by a delegation of Native Nations to the United Nations - sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, in 1990, representatives from 120 Indigenous Nations at the First Continental Conference on 500 Years of Indian Resistance unanimously passed a resolution to transform Columbus Day into an opportunity to educate the rest of the country about pre-existing Indian cultures that have survived an often-violent colonization process and continue to exist and thrive in present day America; and

WHEREAS, the cities of Berkeley, CA; Albuquerque, New Mexico; Minneapolis, MN; as well as several cities in Michigan, including, Ann Arbor,

Traverse City, East Lansing and Alpena, have voted to recognize the second Monday in October as Indigenous People's Day to honor the culture, heritage, and contributions of Native Americans; and

WHEREAS, the City of Southfield has a strong history of recognizing cultural diversity, which the City celebrates and honors; and

WHEREAS, the United States Federal Government recognizes Columbus Day on the second Monday of October, in accordance with the Federal holiday established in 1937;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Southfield that the City of Southfield shall recognize Indigenous People's Day on the second Monday of October; and

IT IS FURTHER RESOLVED that Indigenous People's Day shall be used to reflect upon the ongoing struggles of Indigenous people on this land, and to celebrate the thriving culture and value that Indigenous nations add to our city, State and nation; and

IT IS FURTHER RESOLVED that the City of Southfield encourages other businesses, organizations and public entities to recognize Indigenous People's Day.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan 48076

RE: Discussion of Resolution Supporting House Bill 4986

Dear Sirs and Mesdames:

It is my understanding that at the study portion of your meeting this evening, the Legislative Committee has requested Council consideration of a resolution prepared by the Michigan Government Finance Officers Association (MGFOA) in support of HB 4986. The bill would repeal the property tax exemption for disabled veterans who are homeowners, and in lieu thereof, would establish an income tax credit equal to 100% of the property taxes paid by a disabled veteran. Thus, under the bill, the funding obligation of providing a disabled veteran's property tax credit would shift from local units of government to the State of Michigan. Attached, for your review and consideration, please find a proposed resolution prepared by MGFOA in support of House Bill 4986 which MGFOA has requested local units of government to approve.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Susan P. Ward Witkowski', written in a cursive style.

Susan P. Ward Witkowski
City Attorney

RESOLUTION

WHEREAS, the Michigan House has introduced legislation, House Bill 4986, to amend certain sections of the Income Tax Act of 1967 to entitle a permanently and totally disabled veteran, or a widow/widower of a disabled veteran, to an income tax credit in an amount equal to 100% of the property taxes paid or 23% of gross rent paid (the "State Income Tax Credit"), and

WHEREAS, HB 4986 would also repeal the General Property Tax Act section that currently allows a real property tax exemption for disabled veterans who are homeowners (the "Local Property Tax Exemption"), and

WHEREAS, HB 496 would replace the Local Property Tax Exemption with the State Income Tax Credit, aligning state policy with the funding burden therefrom and appropriately shifting such funding burden from local units of government to the State, and

WHEREAS, the legislation benefits disabled veterans who are homeowners and disabled veterans who are renters, and

WHEREAS, the House Fiscal Agency estimates that repeal of the current law would increase local property tax revenues by \$16.0 million to \$20.0 million, and revenue from the 6-mill state education tax which accrues to the School Aid Fund would increase by \$4.0 million, and

WHEREAS, HB 4986 has been referred to the House Tax Policy committee.

NOW, THEREFORE, BE IT RESOLVED, that the City of Southfield, Michigan, by this resolution, supports HB 4986 and its proposed changes to the Michigan tax code providing for the State Income Tax Credit for permanently and totally disabled veterans and repealing the Local Property Tax Exemption.

BE IT FURTHER RESOLVED that the City of Southfield supports benefiting disabled veterans who are homeowners and disabled veterans who rent.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to members of the Michigan Senate and the Michigan House of Representatives, in September when they return to the legislature.

TRAFFIC CONTROL ORDER Y-82-18

YIELD RIGHT-OF-WAY

The following Traffic Control Order has been issued by the Southfield Traffic Engineering Department, effective July 30, 2018. It is approved by the City Council of the City of Southfield on July 30, 2018 and shall become a permanent Traffic Control Order effective this date.

At the following designated intersection within the City of Southfield, all drivers shall Yield the Right-of-Way as so designated.

YIELD RIGHT-OF-WAY

82.1 Southbound Lathrup YIELD to Dorset

82.2 Eastbound and Westbound Dorset YIELD to Lathrup

82.3 Northbound Lathrup YIELD to Magnolia

82.4 Eastbound and Westbound Magnolia YIELD to Lathrup

This Order becomes effective when signs giving notice of the same have been erected.

David Wawrzyniak

Traffic Engineering Department

Dated: July 30, 2018

I, Sherikia Hawkins, the duly elected and qualified Clerk of the City of Southfield, Oakland County, Michigan, do hereby certify that the foregoing Resolution was adopted by the City Council at the regular meeting held on July 30, 2018.

Sherikia Hawkins

City Clerk

TRAFFIC CONTROL ORDER SP-35-18

SPEED LIMIT

The following Traffic Control Order has been issued by the Southfield Traffic Engineering Department, effective July 30, 2018. It is approved by the City Council of the City of Southfield on July 30, 2018, and shall become a permanent Traffic Control Order effective this date.

SPEED LIMIT – 35MPH

Evergreen Road from North Norwood Drive to West Eleven Mile Road

This Traffic Control Order hereby rescinds and/or supersedes all previous Speed Limit Orders with respect to the above-mentioned Road section within the City of Southfield.

This Order becomes effective when signs giving notice of the same have been erected.

David Wawrzyniak

Traffic Engineering Department

Dated: July 30, 2018

I, Sherikia Hawkins, the duly elected and qualified Clerk of the City of Southfield, Oakland County, Michigan, do hereby certify that the foregoing Resolution was adopted by the City Council at the regular meeting held on July 30, 2018.

Sherikia Hawkins

City Clerk

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, MI

Re: Appointment of Director, Fiscal Services

Dear Sirs and Mesdames:


Creating and developing an effective Management Team is the foundation for our ability to implement the goals and objectives set for us by your Honorable Body.

In February 2017, we were fortunate to engage the services of Austen Michaels as Deputy Director, Fiscal Services. As you may remember, Austen previously served in a senior Financial Services capacity at SMART, and worked as a senior auditor for Plante Moran, where he was assigned to the City of Southfield's team. He is a registered CPA, and holds a BBA and Masters of Science in Accounting from Wayne State University. He is also an Adjunct Professor of Accounting at Oakland Community College.

In his 15-month tenure with the City of Southfield, Mr. Michaels has proven to be an exceptional addition to our team. He has directed the completion of our 2017 audit, as well as the 2018-2019 budget process. Since the retirement of Jim Pierce in January, Mr. Michaels has stepped in to oversee and take ownership of all the functional areas of the Fiscal Services group, including payroll, general Accounting Department functions, internal audits, grants accounting, and the creation of various reports and financial measurement benchmarks for the Council Finance Committee. As a member of the City Administrator's Core Management team, the Fiscal Services Director serves also to provide seasoned guidance and expertise necessary in strategic planning for all municipal operations. The "thinking environment" for this level position involves constructing solutions to problems where there is no roadmap to follow. I am confident that Austen Michaels has the skills and knowledge of our operations to be successful in this role.

Therefore, I am pleased to recommend to your Honorable Body the appointment of Austen Michaels as Director, Fiscal Services, effective immediately. I am recommending that Mr. Michaels be appointed at the salary of \$119,815 in Management Group Grade S. In addition, I am recommending that he receive this wage adjustment retroactive to January 6, 2018, following Mr. Pierce's retirement, to recognize his singular role in leading our Fiscal Services group since that date.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council approve the appointment of Austen Michaels to the position of Director, Fiscal Services, effective July 23, 2018, at the base wage of \$119,815 in Management Group Grade S, with the same rights and benefits as afforded to other Management Group employees, and

BE IT FURTHER RESOLVED: That Council approve a wage adjustment, retroactive to January 6, 2018, to \$119,815, payable as soon as administratively feasible.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

Re: Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

Dear Sirs and Mesdames:

On May 22, 2017, City Council approved entering into a commercial listing agreement with Friedman Brokerage Company ("Friedman") relative to the Northland Property. The agreement provided that Friedman would seek interested, qualified buyers to purchase the Northland property, or parcels therein, as well as provide marketing and consulting services. The agreement was for a one-year period which expires on July 31, 2018. Friedman has worked diligently on the proposals by PMB and Edward Rose regarding potential acquisition of parts of the Northland property, and staff is recommending that the listing agreement with Friedman be extended. At this point, since the marketing component as set forth in the original agreement has been largely completed, Friedman is developing a new cost structure which will focus more on the consulting portion of the services, as well as the continued listing of the property for sale. Friedman has indicated that the new arrangement it is developing will result in reduced costs to the City. During such period as staff and Friedman work out the terms of a new agreement to be presented to City Council for consideration, staff is recommending that the current agreement be extended for a period not to exceed sixty (60) days so as to assure continuation of the listing services by Friedman.

Recommendation: It is recommended that your Honorable Body adopt the attached recommended resolution approving a sixty-day extension of the current commercial listing agreement with Friedman Brokerage Company relative to the Northland property, and authorizing the Mayor and City Clerk to sign an extension agreement on behalf of the City, upon review and approval by the City Attorney.

Respectfully submitted,



Susan P. Ward Witkowski
City Attorney

RECOMMENDED RESOLUTION:

BE IT RESOLVED that City Council does hereby approve a sixty-day extension of the commercial listing agreement with Friedman Brokerage Company relative to the former Northland Mall property;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the extension agreement with Friedman Brokerage Company on behalf of the City of Southfield, upon review and approval by the City Attorney.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

RE: Approval of annual maintenance agreement with Bibliotheca for the library's self-check and RFID system.

Dear Sirs and Mesdames:

Background: On September 22, 2014, the Council approved the library to install an RFID security system with self-check machines to allow patrons to borrow items themselves. The system was installed and has been in use for over one year. The first year of maintenance was included in the cost of installation, but ongoing maintenance requires that a contract be in place with the library paying a fixed cost annually for general maintenance. On September 26, 2016 Council approved the maintenance contract for this system. The contract for the coming year has been received and is ready for approval.

Fiscal Impact: The cost of this maintenance contract is \$18,338.79 for the period beginning 8-1-18 through 7-31-19. Funds are provided for this contract in the approved 2018-19 Library Support Division Contractual/Professional budget (account number 271-500-5004-38180).

Recommendation: Therefore, this office respectfully recommends that Council approve the maintenance contract for the Southfield Public Library with Bibliotheca for the aforementioned time frame in accordance with Chapter 8, Section 1.279 (1) of the City's Code of Ordinances: "Where the subject of the contract is not competitive in nature, this item being available through a sole source, and/or no advantage to the City would result from requiring competitive bidding..." in a not-to-exceed amount of \$18,338.79 as provided in the 2018-19 budget.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION:

RESOLVED: That the City Council of the City of Southfield does hereby authorize the Southfield Public Library to enter into the attached contract without the requirement of competitive bidding in accordance with Chapter 8, Section 1.279(1) of the City's Code of Ordinances: "Where the subject of the contract is not competitive in nature, this item being available through a sole source, and/or no advantage to the City would result from requiring competitive bidding..." in a not-to-exceed amount of \$18,338.79 as provided in the 2018-19 budget.

Sufficient funds are provided for these purchases in the proposed 2018-19 Library Support Division Contractual/Professional budget (account number 271-500-5004-38180).

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

Re: Approval to Purchase Hardware/Software Maintenance, Support and Networking Components from CDW-Government (CDW-G)

Dear Sirs and Mesdames:

Background: The Library's data infrastructure is the core backbone for all Library technology. The original networking technology has changed significantly since initial installation in 2003, with a major upgrade made to virtualized systems several years ago. Library staff and users constantly rely on the Library's computers (and therefore the infrastructure that connects them) to serve users in need of vital information, prepare materials for public use, and locate information independently. A network is only as fast, secure and reliable as what binds it together: a properly updated and maintained data infrastructure.

To simplify the purchasing process, CDW-G and the National Intergovernmental Purchasing Alliance (NIPA) offer a competitively solicited and publicly awarded cooperative purchasing agreement for Information Technology solutions to organization members such as the Library (Contract: 2018011-01). The contract term is March 1, 2018 through February 28, 2023.

CDW-G is an authorized reseller of Cisco's Smartnet contract under this program. Smartnet provides hardware/software maintenance for all the Cisco components on site. CDW-G consultants originally engineered the Library's Cisco infrastructure design. CDW-G has on-staff engineers who can provide professional advanced technical training and/or engineering support for small installation projects and scheduled maintenance on a time and materials basis. Additionally, CDW-G can provide incidental components for the Library's data network infrastructure as needed. The significant financial investment made three years ago to bring Library technology to modern data networking standards now must be supported and maintained so that the full investment is realized and continues to serve the Library and its users.

We propose funding this continuing support of already purchased Library networking equipment through use of several Library Technology Division accounts: Computer Services, Contractual / Professional, and Operating Supplies.

CDW-G Professional Technical Engineering Fees (T&M fees) – 40 hr block @ \$200/hr for FY 2019	8,000.00	Computer Services	271-500-5005-38030
CDW-G Smartnet Hardware/Software Solution Support	13,030.00	Contractual/Professional	271-500-5005-38180
CDW-G Open PO Misc. Network Components as needed for FY 2019 invoices.	1,000.00	Operating Supplies	271-500-5005-27400
Total	22,030.00		

Fiscal Impact: The total cost of the proposed network infrastructure hardware/software maintenance, support, and components is 22,030.00. Sufficient funds are available for this purchase in the Library Technology Division Computer Services, Contractual/Professional, and Operating Supplies accounts.

Recommendation: The Library requests that your Honorable Body approve the recommended resolution authorizing the purchase of hardware/software support, maintenance and components from CDW-G in an amount not to exceed \$22,030.00.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION

RESOLVED: That Council does hereby approve the purchase of Library network infrastructure maintenance, support, and components, in an amount not to exceed 24,030.00, to CDW-G based upon their receipt of the National IPA contract for Information and Technology Solutions originally competitively solicited and awarded by the City of Mesa, Arizona; contract # 2018011-01, for the contract term March 1, 2018 – February 28, 2023. Funds are available for this purchase in Library Technology Accounts: Computer Services (271-500-5005-38030), Contractual/Professional (271-500-5005-38180), and Operating Supplies (271-500-5005-27400).

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan 48076

RE: Discussion of Labor Relations

Dear Sirs and Mesdames:

I would appreciate the opportunity to review labor relations strategy with you in connection with the negotiation of collective bargaining agreements, at your meeting scheduled for Monday, July 30, 2018. I would ask that this review take place in a closed session, pursuant to Section 8(c) of the Open Meetings Act.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Susan P. Ward Witkowski', written in a cursive style.

Susan P. Ward Witkowski
City Attorney

CLOSED SESSION

July 30, 2018

Honorable Mayor and Council
City of Southfield
Southfield, Michigan

RE: Term of Office of ACS Commissioners

Dear Sirs and Mesdames:

The Southfield City Charter sets the parameters for City Council's appointment of three (3) Administrative Civil Service (ACS) Commissioners and one (1) Alternate Administrative Civil Service Commissioner. Recently, in going through the ACS appointment process for a new Commissioner, we discovered that the terms of office of the current Commissioners do not appear to be consistent with the terms outlined in the City Charter. At times over the years, when a new Commissioner was appointed to fill an unexpired term, a completely new six-year term was granted, rather than (correctly) filling the remainder of the vacant term. The City Charter (Section 6.5 (a)), sets the following term of office:

The civil service system shall consist of three (3) members appointed by the council for terms of office of six (6) years, commencing on the third Monday in April, except that the first members appointed under this Charter shall serve for the following terms: One (1) member shall be appointed for a term expiring on the third Monday in April, 1959; one(1) member, for a term expiring on the third Monday in April, 1961; and one (1) member, for a term expiring on the third Monday in April, 1963; and thereafter each member shall be appointed for a regular six-year term.....Vacancies shall be filled for the unexpired terms.....The commissioner whose term of office shall next expire shall serve as chairman of the commission.

Furthermore, there was a Charter amendment passed in 2003 which provided for the following:

The Council shall also appoint an alternate member to serve on the commission for a six (6) year term with the official term of office to commence on February 1, 2004.

Based on these Charter provisions, we have calculated the following term **expiration** dates for the four Commissioners as follows:

Commissioner 1: **April 20, 1959**; 1965; 1971; 1977; 1983; 1989; 1995; 2001; 2007; 2013; 2019

Commissioner 2: **April 17, 1961**; 1967; 1973; 1979; 1985; 1991; 1997; 2003; 2009; 2015; 2021

Commissioner 3: **April 15, 1963**; 1969; 1975; 1981; 1987; 1993; 1999; 2005; 2011; 2017; 2023

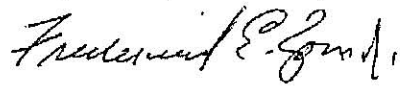
Alternate: **January 31, 2004**; 2010; 2016; 2022

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Based on current length of service and most recent appointments, we would propose that Ms. L. Susan Mannisto serve in the term identified above as Commissioner 1 (with her term expiring April 20, 2019); Mr. Ronald Miller serve the term identified above as Commissioner 2 (with his term expiring April 17, 2021); Ms. Shirley Lightsey serve the term identified above as Commissioner 3 (with her term expiring April 15, 2023); and Ms. Donna Sanders serve the term identified above as Alternate (with her term expiring January 31, 2022). This proposal has been reviewed and approved by the Civil Service Commissioners, the City Attorney, and the Council's Boards and Commissions Sub Committee.

We therefore recommend approval of the resolutions below.

Respectfully Submitted,



Frederick E. Zorn, Jr. CEcD
City Administrator

WHEREAS, it is the intent of the City Council to adjust the term of the four (4) current Administrative Civil Service Commissioners listed below to align with the terms of office as identified in the City Charter,

BE IT RESOLVED, that the term of office for Administrative Civil Service Commissioner L. Susan Mannisto expire on April 20, 2019, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Ronald Miller expire on April 17, 2021, and

BE IT FURTHER RESOLVED, that the term of office for Administrative Civil Service Commissioner Shirley Lightsey expire on April 15, 2023, and

BE IT FURTHER RESOLVED, that the term of office for Alternate Administrative Civil Service Commissioner Donna Sanders expire on January 31, 2022.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan 48076

RE: Discussion of Resolution Regarding Establishing "Indigenous People's Day"

Dear Sirs and Mesdames:

Within the study portion of your meeting this evening, the City Council considered the request of the Legislative Committee to establish and proclaim the second Monday in October of each year as Indigenous People's Day in the City of Southfield. At such time, there was a consensus of Council to move the matter forward to the regular portion of the agenda this evening for approval. Accordingly, I recommend that you approve the attached resolution establishing the second Monday in October of each year as Indigenous People's Day in the City of Southfield.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Susan P. Ward Witkowski', with a long, sweeping horizontal stroke at the end.

Susan P. Ward Witkowski
City Attorney

INDIGENOUS PEOPLE'S DAY RESOLUTION

WHEREAS, the City of Southfield recognizes that Indigenous nations have lived upon land in Michigan and this country since time immemorial and values the progress our society has accomplished through American Indian technology, thought and culture; and

WHEREAS, the City of Southfield understands that in order to help close the equity gap, government entities, organizations, and other public institutions should change their policies and practices to better reflect experiences of American Indian people and uplift our country's Indigenous roots, history, and contributions; and

WHEREAS, the idea of Indigenous Peoples Day was first proposed in 1977 by a delegation of Native Nations to the United Nations - sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, in 1990, representatives from 120 Indigenous Nations at the First Continental Conference on 500 Years of Indian Resistance unanimously passed a resolution to transform Columbus Day into an opportunity to educate the rest of the country about pre-existing Indian cultures that have survived an often-violent colonization process and continue to exist and thrive in present day America; and

WHEREAS, the cities of Berkeley, CA; Albuquerque, New Mexico; Minneapolis, MN; as well as several cities in Michigan, including, Ann Arbor,

Traverse City, East Lansing and Alpena, have voted to recognize the second Monday in October as Indigenous People's Day to honor the culture, heritage, and contributions of Native Americans; and

WHEREAS, the City of Southfield has a strong history of recognizing cultural diversity, which the City celebrates and honors; and

WHEREAS, the United States Federal Government recognizes Columbus Day on the second Monday of October, in accordance with the Federal holiday established in 1937;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Southfield that the City of Southfield shall recognize Indigenous People's Day on the second Monday of October; and

IT IS FURTHER RESOLVED that Indigenous People's Day shall be used to reflect upon the ongoing struggles of Indigenous people on this land, and to celebrate the thriving culture and value that Indigenous nations add to our city, State and nation; and

IT IS FURTHER RESOLVED that the City of Southfield encourages other businesses, organizations and public entities to recognize Indigenous People's Day.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan 48076

RE: Discussion of Resolution Supporting House Bill 4986

Dear Sirs and Mesdames:

Within the study portion of your meeting this evening, the City Council considered the request of the Legislative Committee to approve a resolution supporting House Bill 4986. At such time, there was a consensus of Council to move the matter forward to the regular portion of the agenda this evening for approval. The bill would repeal the property tax exemption for disabled veterans who are homeowners, and in lieu thereof, would establish a Michigan income tax credit equal to 100% of the property taxes paid by a disabled veteran. Thus, under the bill, the funding obligation of providing a disabled veteran's property tax credit would shift from local units of government to the State of Michigan. Accordingly, I recommend that you approve the attached resolution in support of House Bill 4986.

Respectfully submitted:



Susan P. Ward Witkowski
City Attorney

RESOLUTION

WHEREAS, the Michigan House has introduced legislation, House Bill 4986, to amend certain sections of the Income Tax Act of 1967 to entitle a permanently and totally disabled veteran, or a widow/widower of a disabled veteran, to an income tax credit in an amount equal to 100% of the property taxes paid or 23% of gross rent paid (the “State Income Tax Credit”), and

WHEREAS, HB 4986 would also repeal the General Property Tax Act section that currently allows a real property tax exemption for disabled veterans who are homeowners (the “Local Property Tax Exemption”), and

WHEREAS, HB 496 would replace the Local Property Tax Exemption with the State Income Tax Credit, aligning state policy with the funding burden therefrom and appropriately shifting such funding burden from local units of government to the State, and

WHEREAS, the legislation benefits disabled veterans who are homeowners and disabled veterans who are renters, and

WHEREAS, the House Fiscal Agency estimates that repeal of the current law would increase local property tax revenues by \$16.0 million to \$20.0 million, and revenue from the 6-mill state education tax which accrues to the School Aid Fund would increase by \$4.0 million, and

WHEREAS, HB 4986 has been referred to the House Tax Policy committee.

NOW, THEREFORE, BE IT RESOLVED, that the City of Southfield, Michigan, by this resolution, supports HB 4986 and its proposed changes to the Michigan tax code providing for the State Income Tax Credit for permanently and totally disabled veterans and repealing the Local Property Tax Exemption.

BE IT FURTHER RESOLVED that the City of Southfield supports benefiting disabled veterans who are homeowners and disabled veterans who rent.

BE IT FURTHER RESOLVED that copies of this resolution be distributed to members of the Michigan Senate and the Michigan House of Representatives, in September when they return to the legislature.

TRAFFIC CONTROL ORDER Y-82-18

YIELD RIGHT-OF-WAY

The following Traffic Control Order has been issued by the Southfield Traffic Engineering Department, effective July 30, 2018. It is approved by the City Council of the City of Southfield on July 30, 2018 and shall become a permanent Traffic Control Order effective this date.

At the following designated intersection within the City of Southfield, all drivers shall Yield the Right-of-Way as so designated.

YIELD RIGHT-OF-WAY

82.1 Southbound Lathrup YIELD to Dorset

82.2 Eastbound and Westbound Dorset YIELD to Lathrup

82.3 Northbound Lathrup YIELD to Magnolia

82.4 Eastbound and Westbound Magnolia YIELD to Lathrup

This Order becomes effective when signs giving notice of the same have been erected.

David Wawrzyniak

Traffic Engineering Department

Dated: July 30, 2018

I, Sherikia Hawkins, the duly elected and qualified Clerk of the City of Southfield, Oakland County, Michigan, do hereby certify that the foregoing Resolution was adopted by the City Council at the regular meeting held on July 30, 2018.

Sherikia Hawkins

City Clerk

TRAFFIC CONTROL ORDER SP-35-18

SPEED LIMIT

The following Traffic Control Order has been issued by the Southfield Traffic Engineering Department, effective July 30, 2018. It is approved by the City Council of the City of Southfield on July 30, 2018, and shall become a permanent Traffic Control Order effective this date.

SPEED LIMIT – 35MPH

Evergreen Road from North Norwood Drive to West Eleven Mile Road

This Traffic Control Order hereby rescinds and/or supersedes all previous Speed Limit Orders with respect to the above-mentioned Road section within the City of Southfield.

This Order becomes effective when signs giving notice of the same have been erected.

David Wawrzyniak

Traffic Engineering Department

Dated: July 30, 2018

I, Sherikia Hawkins, the duly elected and qualified Clerk of the City of Southfield, Oakland County, Michigan, do hereby certify that the foregoing Resolution was adopted by the City Council at the regular meeting held on July 30, 2018.

Sherikia Hawkins

City Clerk

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

Re: Approval of Extension of Northland Listing Agreement with Friedman Brokerage Company

Dear Sirs and Mesdames:

On May 22, 2017, City Council approved entering into a commercial listing agreement with Friedman Brokerage Company ("Friedman") relative to the Northland Property. The agreement provided that Friedman would seek interested, qualified buyers to purchase the Northland property, or parcels therein, as well as provide marketing and consulting services. The agreement was for a one-year period which expires on July 31, 2018. Friedman has worked diligently on the proposals by PMB and Edward Rose regarding potential acquisition of parts of the Northland property, and staff is recommending that the listing agreement with Friedman be extended. At this point, since the marketing component as set forth in the original agreement has been largely completed, Friedman is developing a new cost structure which will focus more on the consulting portion of the services, as well as the continued listing of the property for sale. Friedman has indicated that the new arrangement it is developing will result in reduced costs to the City. During such period as staff and Friedman work out the terms of a new agreement to be presented to City Council for consideration, staff is recommending that the current agreement be extended for a period not to exceed sixty (60) days so as to assure continuation of the listing services by Friedman.

Recommendation: It is recommended that your Honorable Body adopt the attached recommended resolution approving a sixty-day extension of the current commercial listing agreement with Friedman Brokerage Company relative to the Northland property, and authorizing the Mayor and City Clerk to sign an extension agreement on behalf of the City, upon review and approval by the City Attorney.

Respectfully submitted,



Susan P. Ward Witkowski
City Attorney

RECOMMENDED RESOLUTION:

BE IT RESOLVED that City Council does hereby approve a sixty-day extension of the commercial listing agreement with Friedman Brokerage Company relative to the former Northland Mall property;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the extension agreement with Friedman Brokerage Company on behalf of the City of Southfield, upon review and approval by the City Attorney.

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

RE: Approval of annual maintenance agreement with Bibliotheca for the library's self-check and RFID system.

Dear Sirs and Mesdames:

Background: On September 22, 2014, the Council approved the library to install an RFID security system with self-check machines to allow patrons to borrow items themselves. The system was installed and has been in use for over one year. The first year of maintenance was included in the cost of installation, but ongoing maintenance requires that a contract be in place with the library paying a fixed cost annually for general maintenance. On September 26, 2016 Council approved the maintenance contract for this system. The contract for the coming year has been received and is ready for approval.

Fiscal Impact: The cost of this maintenance contract is \$18,338.79 for the period beginning 8-1-18 through 7-31-19. Funds are provided for this contract in the approved 2018-19 Library Support Division Contractual/Professional budget (account number 271-500-5004-38180).

Recommendation: Therefore, this office respectfully recommends that Council approve the maintenance contract for the Southfield Public Library with Bibliotheca for the aforementioned time frame in accordance with Chapter 8, Section 1.279 (1) of the City's Code of Ordinances: "Where the subject of the contract is not competitive in nature, this item being available through a sole source, and/or no advantage to the City would result from requiring competitive bidding..." in a not-to-exceed amount of \$18,338.79 as provided in the 2018-19 budget.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION:

RESOLVED: That the City Council of the City of Southfield does hereby authorize the Southfield Public Library to enter into the attached contract without the requirement of competitive bidding in accordance with Chapter 8, Section 1.279(1) of the City's Code of Ordinances: "Where the subject of the contract is not competitive in nature, this item being available through a sole source, and/or no advantage to the City would result from requiring competitive bidding..." in a not-to-exceed amount of \$18,338.79 as provided in the 2018-19 budget.

Sufficient funds are provided for these purchases in the proposed 2018-19 Library Support Division Contractual/Professional budget (account number 271-500-5004-38180).

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, Michigan

Re: Approval to Purchase Hardware/Software Maintenance, Support and Networking Components from CDW-Government (CDW-G)

Dear Sirs and Mesdames:

Background: The Library's data infrastructure is the core backbone for all Library technology. The original networking technology has changed significantly since initial installation in 2003, with a major upgrade made to virtualized systems several years ago. Library staff and users constantly rely on the Library's computers (and therefore the infrastructure that connects them) to serve users in need of vital information, prepare materials for public use, and locate information independently. A network is only as fast, secure and reliable as what binds it together: a properly updated and maintained data infrastructure.

To simplify the purchasing process, CDW-G and the National Intergovernmental Purchasing Alliance (NIPA) offer a competitively solicited and publicly awarded cooperative purchasing agreement for Information Technology solutions to organization members such as the Library (Contract: 2018011-01). The contract term is March 1, 2018 through February 28, 2023.

CDW-G is an authorized reseller of Cisco's Smartnet contract under this program. Smartnet provides hardware/software maintenance for all the Cisco components on site. CDW-G consultants originally engineered the Library's Cisco infrastructure design. CDW-G has on-staff engineers who can provide professional advanced technical training and/or engineering support for small installation projects and scheduled maintenance on a time and materials basis. Additionally, CDW-G can provide incidental components for the Library's data network infrastructure as needed. The significant financial investment made three years ago to bring Library technology to modern data networking standards now must be supported and maintained so that the full investment is realized and continues to serve the Library and its users.

We propose funding this continuing support of already purchased Library networking equipment through use of several Library Technology Division accounts: Computer Services, Contractual / Professional, and Operating Supplies.

CDW-G Professional Technical Engineering Fees (T&M fees) – 40 hr block @ \$200/hr for FY 2019	8,000.00	Computer Services	271-500-5005-38030
CDW-G Smartnet Hardware/Software Solution Support	13,030.00	Contractual/Professional	271-500-5005-38180
CDW-G Open PO Misc. Network Components as needed for FY 2019 invoices.	1,000.00	Operating Supplies	271-500-5005-27400
Total	22,030.00		

H

Fiscal Impact: The total cost of the proposed network infrastructure hardware/software maintenance, support, and components is 22,030.00. Sufficient funds are available for this purchase in the Library Technology Division Computer Services, Contractual/Professional, and Operating Supplies accounts.

Recommendation: The Library requests that your Honorable Body approve the recommended resolution authorizing the purchase of hardware/software support, maintenance and components from CDW-G in an amount not to exceed \$22,030.00.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION

RESOLVED: That Council does hereby approve the purchase of Library network infrastructure maintenance, support, and components, in an amount not to exceed 24,030.00, to CDW-G based upon their receipt of the National IPA contract for Information and Technology Solutions originally competitively solicited and awarded by the City of Mesa, Arizona; contract # 2018011-01, for the contract term March 1, 2018 – February 28, 2023. Funds are available for this purchase in Library Technology Accounts: Computer Services (271-500-5005-38030), Contractual/Professional (271-500-5005-38180), and Operating Supplies (271-500-5005-27400).

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
CITY OF SOUTHFIELD**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, July 30, 2018, at 7:30 P.M., Local Time, in the Council Chambers of the Municipal Building, 26000 Evergreen Road, City of Southfield, County of Oakland, Michigan, at which time and place the Southfield City Council will consider the following request pursuant to Title V, Zoning and Planning, Chapter 45, Zoning, of the Code of the City of Southfield, to wit:


PSLU18-0005 Special Use Request of Southfield HD Plaza, LLC, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west of side of Southfield Road between West Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan.

Written comments may be delivered to the City Clerk's office, 26000 Evergreen Road, P.O. Box 2055, Southfield, MI 48037-2055, prior to the public hearing.

Questions regarding this matter should be directed to the Planning Department at (248) 796-4150.

SHERIKIA L. HAWKINS – CITY CLERK

Publish Date: July 12, 2018

 **Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.**

**CITY PLANNER'S RECOMMENDED RESOLUTION FOR CITY COUNCIL
JULY 30, 2018**

RESOLVED: That PSLU18-0005, the Special Use Request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west of side of Southfield Road between W Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan, be approved for the following reasons and conditions;

1. The submitted special use, with any conditions recommended by the Planning Department and the Planning Commission, will be of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
2. The location, size, intensity and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate there from which might be adverse to occupants of any nearby permitted uses.
3. The proposed use is in accord with the spirit and purpose of this Chapter and is not inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
4. The proposed use is of such character and vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or adjacent thoroughfares.
5. The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor, or fumes.
6. The proposed use will not be adverse to the promotion of the health, safety and welfare of the community.
7. The proposed use is designed and operated so as to provide security and safety to employees and the general public.
8. The petitioner is encouraged to seek a way to place a pedestrian connection between the Home Depot store and the new retail center along with wayfinding signage.

Comments: The Council held a Study Meeting on this item on July 9, 2018 and made the following comments:

1. The Council had no questions related to the Special Use but did wonder why this requirement is in the Zoning Ordinance. City Planner Croad noted that there is no real indication in the files as to why a restaurant use in a retail center of less than 4 tenant spaces is there and noted further that staff was looking to eliminate this requirement when the Zoning Ordinance is amended.

Planning Department received the Special Use Request on April 27, 2018. The Planning Commission held a Public Hearing on this matter on June 20, 2018 and made a favorable recommendation.

TC:JLS

L:\Planning\RESOLUTIONS\PSLU18-0005 Home Depot Outlot for 7-30-18 Council

DATA SHEET

CASE NO.: PSLU18-0005

SECTION: 11

PETITIONER: Matthew Berke, Southfield HD Plaza

REQUEST: Special Use

PRESENT ZONING: ERO Education Research-Office (Smith-Pinkerton Consent Judgement)

PRESENT LAND USE: Shopping Center per PSP16-0004

MASTER PLAN: North Southfield Sub-area

FRONTAGE: 261.65' **ON:** Southfield Road

DEPTH: 177.78' **AREA:** 1.22 acres

ABUTTING R.O.W. EXISTING: 204.14' **PROPOSED:** Same

MISCELLANEOUS: To reduce the tenant space quantity from 4 spaces to 3 and allow for a restaurant use.

Parking:	Req'd: 60.59 (61)	Provided:	70
Landscape:	Req'd: N/A	Provided:	N/A
Bldg. Ht.:	N/A	Provided:	Height not changing
Setbacks:	Front (East): 75'	Provided:	95'
	North Side: 30'	Provided:	57'
	South Side: 30'	Provided:	39.5'
	Rear (West): 75'	Provided:	60'

PLANNER'S RECOMMENDATION: *Favorable*

COMMISSION ACTION: *Favorable* **DATE:** *June 20, 2018*

COUNCIL ACTION: **DATE:**

CITY PLANNER'S RECOMMENDATION
JUNE 20, 2018

Requested by: Matthew Berke, Southfield HD Plaza

Request: Special Use Request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west of side of Southfield Road between W Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan.

Legal Description: Sidwell Parcel 2411-416-026

Location: West side of Southfield Road between W Twelve Mile and Webster

Findings:

Existing Zoning/Land Use: Property to the north, west and south are zoned ERO Education Research-Office and are developed with parking areas for the Home Depot store per Smith-Pinkerton Consent Judgment. The property to the east across Southfield Road is zoned RS Regional Shopping and is developed with a shopping center.

Site Plan: The sites contain 1.22 acres of land. There is 261.65' of frontage on Southfield Road with a depth of 177.78'.

Special Use Request is to establish a restaurant in a shopping center of less than four tenant spaces.

Issues considered by the Planning Department during the review of the special use were:

1. Special Use Standards and Conditions of Article 10, Education Research-Office district and the Smith-Pinkerton Consent Judgment.
2. Southfield Comprehensive Master Plan notes North Southfield Road Sub-area for this parcel.
3. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.

Recommendation: The Planning Department recommends **FAVORABLE CONSIDERATION** of the Special Use request of Matthew Berke, Southfield HD Plaza, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west of side of Southfield Road between W Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan for the following reasons and conditions:

1. The submitted special use, with any conditions recommended by the Planning Department and the Planning Commission, will be of such size and character that it will

be in harmony with the appropriate and orderly development of the General Business District.

2. The location, size, intensity and periods of operation of the proposed use is designed to eliminate any possible nuisance likely to emanate there from which might be adverse to occupants of any nearby permitted uses.
3. The proposed use is in accord with the spirit and purpose of this Chapter and is not inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
4. The proposed use is of such character and vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or adjacent thoroughfares.
5. The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor, or fumes.
6. The proposed use will not be adverse to the promotion of the health, safety and welfare of the community.
7. The proposed use is designed and operated so as to provide security and safety to employees and the general public.

L/Planning/PL Commission/Planners-Rec/PSLU18-0005 Home Depot Outlot

MEMORANDUM

TO: Planning Commission
FROM: Jeffrey Spence, Assistant City Planner
DATE: June 20, 2018
RE: PSLU18-0005 (Establish a restaurant in a retail center with less than 4 tenants)

A. SPECIAL LAND USE STANDARDS:

1. **The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the ERO Education Research-Office District:** City Council has already determined the proposed uses, including restaurants, are appropriate uses for this site through an approved site plan in 2016. The total square footage of the building is not changing and will not result in a dramatic increase in parking with converting addition space to restaurant use. In fact, the proposed layout reduces the parking requirements by 9 spaces. The proposed use is in character with the surrounding area.
2. **The location, size, intensity, and periods of operation of any such proposed use may be designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses:** The proposed use is in harmony with adjacent uses in the Southfield Road corridor. Therefore, there should be little, if any, adverse effects from this use on adjacent properties.
3. **The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning:** This proposal is consistent with the Chapter objectives.
4. **The proposed use must be of such character that the vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or the adjacent thoroughfares:** A site plan was approved for this site in 2016 for mixed-use development, including restaurants, and there were no parking concerns raised at that time. It is not believed that the conversion of addition space to a restaurant will negatively impact Southfield Road or adjacent properties.
5. **The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor, or fumes:** The site has been developed with a Home Depot for years and the addition of the mixed-use development, as approved by the City Council in 2016, should not cause adverse effects on the surrounding area with the conversion of an additional tenant space to restaurant.

6. **The proposed use, or change of use, will not be adverse to the promotion of the health, safety and welfare of the community:** As noted above, the use should not have adverse effects on adjacent properties.

7. **The proposed use, or change in use, must be designed and operated so as to provide security and safety to the employees and the general public:** This mixed-use development has already been approved by the City Council and is under construction. The retail center and the proposed use as a restaurant was initially designed to provide security and safety for patrons and employees.

cc. Terry Croad -- Director of Planning
Sue Ward, Esq. -- Southfield City Attorney

L/Planning/2018/PSLU18-0005 Home Depot Plaza 6_20_18

CITY OF SOUTHFIELD SPECIAL USE APPLICATION

<p style="text-align: center;">City of Southfield Planning Department 26000 Evergreen Road Southfield, MI 48076</p> <p>Telephone: 248-796-4150 Fax : 248-796-4105 E-mail: contactplanning@cityofsouthfield.com</p>	Date Submitted: <u>4/27/18</u>	
	Reference Number: <u>PSCU 18-0005</u>	
	Sidwell Number: <u>24-11-426-026</u>	
	Associated Site Plan File Number (if applicable): <u>PSP 16-0004</u>	

NOTICE TO THE APPLICANT: *Petitions must be filed with the Planning Office by 12:00 noon 40 calendar days prior to being placed on the Planning Commission agenda.*

I (We) the undersigned do hereby make application to the Planning Department of the City of Southfield to develop the property herein described.

1. Name of the Proposed Development: Southfield HD Plaza
2. Description of the Subject Property: outlot of Home Depot
 Address: 29775 Southfield Road
 Nearest Cross Streets: Webster
 Acreage: 1.22 acres
3. Gross Building Area (G.B.A.) this project: 9,196sf Total G.B.A on site 9,196sf
4. Zoning classification of the subject property: ERO (Smith-Pinkerton Consent Judgement)
5. Description of proposed use/scope of work (please list all proposed changes to the property):
center is changing from 4 stores to 3 stores.
one space is a proposed restaurant
6. Value of development: \$ 1,500,000 ; New FTE Jobs _____

7. APPLICANT INFORMATION	8. PROPERTY OWNER INFORMATION
Company <u>Southfield HD Plaza, LLC</u>	Company _____
Name <u>Matthew Berke</u>	Name <u>SAME</u>
Address <u>31000 Northwestern Hwy #200</u>	Address _____
City <u>Farmington Hills</u> State <u>MI</u> Zip <u>48334</u>	City _____ State _____ Zip _____
Email <u>mberke@keystoneecres.com</u>	Email _____
Phone <u>248-406-7111</u>	Phone _____

9. Applicant's interest in the property (if other than owner) _____

10. Signature of Applicant  Date 4/23/18

11. Signature of Property Owner  Date 4/23/18

Supplemental Forms:

- Site Plan Application Packet
- Medical Marijuana Submittal Checklist
- Daycare Submittal Checklist
- Public Art Information Handout

**MINUTES OF THE CITY OF SOUTHFIELD PLANNING COMMISSION
STUDY MEETING OF JUNE 6, 2018
CONFERENCE ROOM A – PUBLIC SERVICES BUILDING**

Planning Commission Members Present: Commissioners Culpepper, Denson, Huntington, Martin, Miah and Willis

Planning Commission Members Excused: Griffis

Staff Present: City Planner Croad
Planner Spence

Chairman Culpepper called the first item.

PSLU18-0005 is a Special Use Request of Southfield HD Plaza, LLC, to establish a restaurant in a shopping center of less than four tenant spaces, property located at 29775 Southfield Road, Sidwell Parcel 2411-426-026, on the west of side of Southfield Road between W Twelve Mile Road and Webster, City of Southfield, Oakland County, State of Michigan.

Planner Spence gave a brief overview of the proposal noting the site plan for this property was approved by the City Council in 2016 for retail and restaurant use in a four (4) tenant retail center. The building is currently under construction. The reason this project is back before the Commission is because the owner wishes to combine two of the tenant spaces into one creating a three (3) tenant retail center with a restaurant. Based on the Zoning Ordinance, a restaurant in a retail center of less than four (4) tenant spaces is a Special Use. This proposal doesn't change the site plan in any way; there are less parking spaces required for the proposed use than for the original project. He introduced Mr. Matt Berke.

Mr. Berke noted that they were approached for a restaurant use that was larger than the proposed space per the 2016 site plan. They already have a bank and a mattress shop in line for the other spaces. City Planner Croad asked what the status of the landscaping for the balance of the Home depot frontage was. Mr. Berke stated that installation was set to begin within a week or so.

Chairman Culpepper noted that with this tenant the retail center would be full which is a good thing.

Commissioner Willis inquired that if ten (10) years from now the owner wanted to do this would they have to go through the Special Use process? City Planner Croad replied they would if the standards don't change.

Commissioner Denson asked for confirmation that additional landscape is needed on the Home Depot site. It was confirmed that was a condition of the original approval.

Commissioner Martin inquired if barrier-free spaces needed to be closer to the doors. Could they be spread out? City Planner Croad noted the ones shown are centered on the building and he didn't have an issue with them.

Commissioner Huntington asked if there was a pedestrian connection between the new building and the Home Depot building. Mr. Berke noted one was not proposed.

Chairman Culpepper reiterated the landscape along Southfield Road is needed now.

Planner Spence noted all Minutes will be emailed to the Commissioners prior to the Regular Meeting.

There was no other business so the meeting was adjourned at 7:00pm.

1 CITY OF SOUTHFIELD
2 REGULAR MEETING OF THE PLANNING COMMISSION
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5 The PLANNING COMMISSION MEETING,
6 Taken at 26000 Evergreen Road,
7 Southfield, Michigan,
8 Commencing at 6:30 p.m.,
9 Wednesday, June 20, 2018,
10 Before Earlene Poole-Frazier, CSR-2893.
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1 COMMISSIONERS:
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3 DONALD CULPEPPER, Chair
4 STEVEN HUNTINGTON, Vice Chair
5 ROBERT WILLIS, Secretary
6 DR. LATINA DENSON, Commissioner
7 JACQUETTA MIAH, Commissioner
8 ROBERT WILLIS, Commissioner
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11 Jeff Spence, Planning Department
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1 Southfield, Michigan

2 Wednesday, June 20, 2018

3 6:30 p.m.

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5 MR. CULPEPPER: I'd like to call this
6 meeting to order. Please stand to pledge allegiance
7 to the flag.

8 (Pledge of Allegiance recited at 6:31 p.m.)

9 MR. CULPEPPER: Mr. Spence, would you recall
10 the roll, please?

11 MR. SPENCE: Mr. Martin?

12 MR. MARTIN: Present.

13 MR. SPENCE: Mr. Culpepper?

14 MR. CULPEPPER: Present.

15 MR. SPENCE: Mr. Griffis is excused.

16 Mr. Huntington?

17 MR. HUNTINGTON: Present.

18 MR. SPENCE: Dr. Denson?

19 DR. DENSON: Present.

20 MR. SPENCE: Ms. Miah?

21 MS. MIAH: Present.

22 MR. SPENCE: Mr. Willis?

23 MR. WILLIS: Here.

24 MR. SPENCE: Mr. Chairman, you have a quorum
25 to conduct business this evening.

1 ask questions and then seek answers to any concerns
2 that there may be. So again, this particular item
3 will come back to the Planning Commission on July 11th
4 at 6:30 in the room next door. And you're, obviously,
5 invited to attend.

6 MR. CULPEPPER: Thank you. Mr. Spence, give
7 me a few minutes to let the audience leave, and we'll
8 take the next item on the agenda. We'd like to thank
9 you for coming out and being patient so far.

10 Mr. Spence, we have one item, number five,
11 would you take that, please?

12 MR. SPENCE: Yes. So your next item
13 PSP18-0005, this is a Special Use Request of
14 Southfield HD Plaza, LLC, to establish a restaurant in
15 a shopping center of less than four tenant spaces,
16 property located at 29775 Southfield Road. This is on
17 the west side of Southfield Road between West Twelve
18 Mile Road and Webster. And this particular site is in
19 front of the Home Depot store.

20 Legal notice advertising this matter for
21 public hearing on Wednesday, June 20, 2018, was
22 published in the May 21st, 2018, publication of the
23 Southfield Sun. And legal notice was also sent by
24 first-class mail to all property owners within
25 350 feet of the property.

1 If you recall, this particular item came
2 before you a couple weeks ago. The site itself, as I
3 had noted, is directly in front of the existing Home
4 Depot site. You can see it on the screens here before
5 you.

6 If I may, because this is an open meeting, I
7 have to keep that door open. If you can excuse me
8 just for a second.

9 MR. CULPEPPER: Thank you, please. Because
10 people need to realize any open door meeting, the door
11 must remain open through the entire meeting. Thank
12 you, sir.

13 MR. SPENCE: With regard to the existing
14 conditions on the site, this is an existing parking
15 lot right now for the Home Depot site, and you can see
16 the area in red is the actual site. The building is
17 actually under construction right now. The site plan
18 for this particular project was originally approved in
19 September of 2016 by the City Council. And at that
20 time the petitioner came in with a mixed use
21 development of both restaurant and retail uses. It
22 went through a site plan process because there were
23 four tenant spaces that were proposed for this
24 particular building. But the restaurant did go
25 through the process as a site plan.

1 The petitioner is here this evening because
2 what they would like to do is combine two of those
3 four spaces into one space which results now in a
4 three tenant retail center instead of a four tenant
5 retail center. Based on the zoning ordinance, any
6 restaurant that is in either standalone or any site
7 less than four spaces because a future land use, which
8 is the reason it's before you.

9 I will note that when this project
10 originally went through the process back in 2016 from
11 a parking standpoint, based on the maintenance of the
12 retail use, a total of 70 parking spaces were
13 required, and 70 spaces were shown on the site plan.
14 That restaurant at that time actually was zoned as a
15 5500 square foot restaurant. The petitioner is now
16 proposing, based on the tenant mix, that the
17 restaurant that they're proposing now would be a total
18 of 3600 square feet. So we're almost 2,000 square
19 feet smaller than what the original restaurant was.
20 And based on the tenant base that's being proposed
21 with a bank, the retail center, the retail portion for
22 a mattress store, and then put a restaurant, the total
23 parking is actually nine spaces less than the 61
24 spaces required, 70 shown on-site than what was
25 originally approved by the City Council. So we

1 actually have less parking required on this property
2 based on this current tenant mix than what was
3 originally proposed and approved.

4 If you recall at the meeting on June 6th,
5 one of the issues that came up had to do with
6 landscaping, particularly the landscaping along the
7 balance of the frontage of Home Depot, which would
8 basically be the area to the north. I'll show that
9 right here. Again, this is the overall site. So the
10 area north to the red box there we did require as a
11 condition of approval of the site plan for the
12 construction of this building before you this evening
13 was that there is similar landscaping placed on the
14 Home Depot site to the north. So at least we have
15 some consistencies from north to south along the
16 frontage.

17 I'm happy to say they've already started
18 construction. They've started planting of landscaping
19 in that particular area. So they're satisfying that
20 particular need, not only the concern that staff had
21 but the concern that Planning Department had with
22 regard to landscaping. I'm going to turn it over to
23 Matt, and if you have any comments before we go.

24 MR. BERKE: My name is Matthew Berke for
25 Southfield HD Plaza, 31000 Northwestern Highway, Suite

1 200, Farmington Hills, Michigan, 48124.

2 Thank you, Jeff. I think you pretty much
3 covered everything in there. I just want to point out
4 part of the process of developing a center you don't
5 know your tenants going into it. I formally set it up
6 as a four tenant shopping center. As time went on and
7 tenants came about, we're very pleased with the
8 tenants that we have there or hope to have there, and
9 it just kind of came -- it came to that three-store
10 makeup rather than four-store makeup. I really wasn't
11 aware of the Zoning Ordinance, but now we are aware
12 and that's why we're here today. And I know the
13 landscaping was brought up. I hoped that it was going
14 to be completed by now. It's not completed, but it's
15 well underway. I did bring some pictures. May I
16 approach?

17 MR. CULPEPPER: Yes, if you have them, I'd
18 like to see them. Okay. Thanks. Anything else?

19 MR. BERKE: That's all.

20 MR. CULPEPPER: Thank you. You may have a
21 seat. This is a public hearing, so I'll open it up to
22 the public. This is a public hearing, if there's
23 anyone that would like to discuss or have comments
24 about this issue, would you please come to the mic at
25 this time?

1 Seeing none, I now declare the public
2 hearing closed. Okay. Give us a few minutes to look
3 at this and then we'll have questions, answers,
4 comments from the Commission. She can sit down while
5 we're doing this.

6 Commissioners, comments, concerns,
7 questions? Commissioner Huntington?

8 MR. HUNTINGTON: I go to Home Depot almost
9 every day, and I see the construction is going fairly
10 smooth. It's a pleasure to see some of that asphalt
11 disappearing. I've never seen that place even almost
12 full. So getting rid of that asphalt and putting
13 something there viable for the city I think is a great
14 deal. The only concern I have is for the people
15 walking back and forth from the restaurants to the
16 Home Depot. I'm not sure if that's going to be an
17 issue or not, but you get a lot of big trucks, vans
18 backing in and backing. So there's kind of a concern
19 of people walking back and forth from Home Depot and
20 going to the restaurants. That's really my concern.
21 You really don't have a designated land to walk from
22 one place to another. So I think that is the only
23 concern that we have, because it can get dangerous
24 with walking through that parking lot so with so many
25 big trucks backing up constantly and you can't see

1 well. You may want to address that.

2 MR. BERKE: Thank you. While we do not have
3 a designated walkway from Home Depot to the shopping
4 center directly, we did create a sidewalk along
5 Southfield Road to the shopping center. So that maybe
6 alleviates what was already there before, this parking
7 lot people walking from Southfield Road. We do also
8 have our own designated parking. Although there is
9 flow through between the two, we have our own
10 designated parking. So people that are coming to the
11 shopping center will be parking in those spaces and
12 entering the shopping center that way.

13 In addition, in the area behind the shopping
14 center as part of the site plan there are three new
15 islands being created. So those will sort of
16 alleviate the amount of spaces right between the
17 building and the shopping center. It might make that
18 easier as well.

19 MR. HUNTINGTON: Okay. Thank you.

20 MR. CULPEPPER: Commissioner Willis?

21 MR. WILLIS: I'm kind of agreeing with
22 Commissioner Huntington. There's going to be
23 situations where people leaving one store going
24 through that parking lot to a restaurant. Even a
25 designated path, a painted path that shows this is

1 more pedestrian than automobile. Because this is for
2 pedestrians and not automobiles. And I know there's
3 going to be people who are doing that.

4 MR. BERKE: I'm just not sure exactly how
5 that would be done, you know, without really --

6 MR. CULPEPPER: Tearing up.

7 MR. BERKE: -- one, we don't own the Home
8 Depot parcel. We only own this parcel. I can't force
9 that on Home Depot. I'm happy to talk to them to see
10 if that can be done. But it creates, you almost have
11 to get a whole new row of parking, which creates
12 another problem with calculations and parking. While
13 I can appreciate what you're saying, I'm not sure how
14 it can be done. There's excess, you know, to the
15 landscape area to the south of us, they could walk
16 through that way, I believe. But I just can't -- I
17 can't really answer that.

18 MR. CULPEPPER: Okay. Let me say this: I
19 appreciate what you've done, is you've taken it and
20 gone to three units. What I like, what I've said
21 previously in our study meeting, is you have tenants,
22 and that's good. You're not opening up something
23 hoping you get tenants, you have provided tenants.
24 The landscaping was a big thing. And again, we went
25 by there and looked at it and I'm glad you started.

1 Now, the issue with pedestrian traffic. All of us
2 know that when you've got three different businesses
3 in the same area, people are going to be going to one
4 business, walking to another. We just hope that you
5 have some wayfinding signs up directing. I understand
6 perfectly that you can't put it in that parking lot,
7 because you're taking about four or five spaces. But
8 on the tip of that, it would be nice, knowing that you
9 don't own the whole parking lot, if you could have a
10 conversation with Home Depot. Home Depot is all set.
11 We know that. But if you could have a conversation
12 with Home Depot, letting them know that you're coming
13 before the Planning Commission and we have some safety
14 concerns. Safety is number one. We're going to look
15 after our patrons and our residents and so to you.
16 And we know that people are going to walk. Again,
17 what we're saying here is without going through
18 something you can't tear your parking lot up and get
19 your site plan or you want get your site plan package.
20 If you could have a conversation with Home Depot and,
21 say, look, if there's any way we can come up with
22 quote, unquote, a pedestrian walkway from point A to
23 point B, that would designate. We need to use this
24 area and not cut through and be liable to people
25 getting hit.

1 MR. BERKE: Sure. We have a good working
2 relationship. So hopefully we can do that.

3 MR. CULPEPPER: Hopefully, by the time you
4 get the site plan you go before Jeff, I'm sorry Mr.
5 Spence and Mr. Croad, you can have some idea what they
6 said. All you can do is reach out to them. Safety is
7 a number one concern that we want to make your sure
8 that the residents coming and going from the
9 restaurant and Home Depot can do it safely. We
10 appreciate it.

11 Commissioner Denson?

12 DR. DENSON: Thank you. Jeff, did staff
13 have any recommendations? Because I know that
14 somebody mentioned that when we were at the study
15 group.

16 MS. MIAH: Yes, I did.

17 DR. DENSON: So did anybody talk about that?

18 MR. SPENCE: I'm sorry, say that again?

19 DR. DENSON: When this case was here what,
20 two, three weeks --

21 MR. SPENCE: Discussed on the 6th.

22 DR. DENSON: Yeah.

23 MR. SPENCE: Okay.

24 DR. DENSON: It was the same concerns. So
25 did anybody, including staff, have some

1 recommendations or some suggestions?

2 MR. SPENCE: No. I mean, it kind of was an
3 item that kind of hung out there in the study meeting.
4 I have it here that Mr. Huntington brought that
5 particular item up at the meeting on the 6th. Staff
6 was not given -- there was no direction given for
7 staff to review that, as I recall. It was just an
8 item that kind of hung out there and that was it.
9 There was no direction given for us to continue to
10 look at the possibility of that.

11 Now, I will say that if this is a concern,
12 and there's at least three commissioners who have
13 brought this up, staff would be happy to continue to
14 work with Mr. Berke and Home Depot to look at the
15 possibility of getting some type of pedestrian
16 connection there. We'd be happy to do that. If you
17 want to make it a condition of the special use, we can
18 do that as well. Not that he would provide one, but
19 at least we would research the possibility of putting
20 one in that would be favorable not only to the City
21 and to the Commission but to Home Depot as well.
22 Because Mr. Berke is right in that if we were to add a
23 pedestrian connection between these two it would
24 probably mean losing a significant amount of parking
25 in order to do that. And albeit that Mr. Huntington

1 is right, the entire parking lot is never full. But
2 we'd be happy to do the research on that to see the
3 possibility of actually adding some type of pedestrian
4 connection in there. It might be just be something in
5 writing in lieu of an actual landscaped area, but at
6 least it would satisfy what you're looking, which is a
7 designated path that's not in the driveway that will
8 allow the people to get from the Home Depot building
9 to this particular location. We'd be happy to work
10 with Mr. Berke on that.

11 MR. CULPEPPER: Jeff, I think you see at
12 least six heads here nodding that that's what we'd
13 like to do. Again, recognizing that Home Depot has
14 it. But the keyword here is safety. The pedestrians
15 being able to move safely. I hope you take a look at
16 the site plan. Hopefully, we can include that in the
17 site plan without losing any parking spaces.

18 Regardless of whether it's full or not, you've got to
19 meet the standards of having enough parking spaces.

20 Commissioner Martin?

21 MR. MARTIN: With or without the
22 walk-through, I see that the three islands that you
23 have in the rear, have you considered putting
24 pedestrians have the right-of-way signs on the north
25 or south ends of those islands? Because traffic,

1 regardless having a walkway or not, traffic never use
2 pedestrian's right-of-way. If you give them a notice,
3 it might help eliminate some of the problems for
4 drivers and walkers.

5 MR. BERKE: It's not something that has come
6 up. Again, those islands are on Home Depot property.
7 We're happy to talk to them. I'm happy to discuss
8 with them along the safety issues.

9 MR. CULPEPPER: He did not know those
10 islands were Home Depot. But again, although Home
11 Depot owns it, and we didn't bring it up before, Home
12 Depot did because there was no connection to traffic.
13 Again, Mr. Spence and Mr. Croad will get into that.
14 We need to ensure that Home Depot and you understand
15 that we are concerned about traffic. And although
16 Home Depot owns it and you don't, suggestion, not a
17 recommendation, would be to put some type of wayfinder
18 up there say, please, yield to pedestrians or
19 whatever. Because he's right, even though it's not
20 yours.

21 MR. MARTIN: Just for clarification, on the
22 plan there are two islands behind the store.

23 MR. CULPEPPER: Right.

24 MR. MARTIN: And they're within the
25 boundaries. Are they part of the project?

1 MR. CULPEPPER: The two islands in the back,
2 which one are you talking about?

3 MR. MARTIN: The large island, one to the
4 north and one to the south that are running
5 perpendicular to Twelve Mile.

6 MR. SPENCE: To Southfield Road?

7 MR. BERKE: Those are pretty much half and
8 half.

9 MR. SPENCE: Yeah.

10 MR. BERKE: I thought you were talking about
11 the three islands.

12 MR. MARTIN: I mentioned those initially.

13 MR. BERKE: So if we are able to add a sign,
14 we have no problem adding a sign.

15 MR. CULPEPPER: I thought you were talking
16 about the three --

17 MR. MARTIN: I initially did, in essence.

18 MR. CULPEPPER: Yeah. Overall, when you do
19 the site plan, you know we do have a strong suggestion
20 here about pedestrians and trucks and movement. So
21 even though some of that property may be Home Depot's,
22 you are going to have a conversation and, hopefully,
23 our department also with Home Depot is signage. He
24 said it, people are going to do what they want to do
25 anyway. But at least you've got some type of sign.

1 And with the delivery of trucks coming in, they need
2 to adhere to pedestrian safety. And, hopefully, we
3 don't have any incidents, because that area now is
4 going to be more congested than it was. We can't
5 forget about the seniors, you're going to have your
6 restaurant now and it's going to be congested.

7 MR. SPENCE: Again, if I may, through the
8 Chair, because this is special use, you can add
9 special conditions, if they're critical of moving it
10 forward. In this case, I can put something together
11 and I'll read it to the Commission.

12 MR. CULPEPPER: Yeah, read it to Commission.
13 We don't want to hold up anything. But safety is
14 number one. The site plan is going to have some
15 issues if we don't address this site plan from this
16 point.

17 MR. SPENCE: Petitioner will work with the
18 City and Home Depot to seek placing of a pedestrian
19 path and wayfinding signage between the building and
20 Home Depot.

21 MR. CULPEPPER: Also, what about the back.
22 We just talked about that.

23 MR. SPENCE: That's the signage. That's
24 where the signage comes in.

25 MR. CULPEPPER: Mr. Martin does that satisfy

1 you?

2 MR. MARTIN: Okay. Commissioner Denson?

3 MR. SPENCE: You want me to reread?

4 MR. CULPEPPER: Read it one more time.

5 MR. SPENCE: So the petitioner is to work
6 with the City and Home Depot to seek placing a
7 pedestrian path and wayfinding signage between the
8 building and Home Depot. Okay.

9 MR. CULPEPPER: Yeah, that's what I'm
10 looking for. Commissioner Denson, you okay with that?

11 DR. DENSON: Yes.

12 MR. CULPEPPER: Commissioners Willis and
13 Martin?

14 MR. MARTIN: Yes.

15 MR. SPENCE: Okay. So what it does, is it
16 doesn't hold the petitioner accountable to installing
17 one, basically what I'm saying is give us the
18 opportunity to research it, to look at it and see if
19 we can find a way to provide both signage and a
20 pathway that is acceptable to the City, Home Depot and
21 the petitioner.

22 MR. CULPEPPER: And I'm thinking Home Depot
23 shouldn't have a problem with it, because it gives
24 safety for people not only coming to your business but
25 also other. Commissioner Willis?

1 MR. WILLIS: This is kind of a comment.
2 Seeing that Home Depot would be really willing to work
3 with you, because an industrial lawyer would be happy
4 to find out how they have increased their business.
5 So it seems like Home Depot would be kind of a willing
6 partner in that situation. But just an observation.

7 MR. CULPEPPER: Okay. Thank you.
8 Commissioners, any other problems? Jeff, do you have
9 a recommendation?

10 MR. SPENCE: I do. I will mention that, as
11 always, we've done a memorandum for special meetings.
12 So staff as gone through the seven different items
13 here, and we do believe that this does meet the
14 special use standards within the zoning ordinance.
15 And with that, the staff recommendation for the
16 Planning Department does recommend favorable
17 consideration of the special use request of Matthew
18 Berke, Southfield HD Plaza, to establish a restaurant
19 in a shopping center of less than four tenant spaces
20 on property located at 2977t Southfield Road, Sidwell
21 Parcel 2411-426-026, on the west side of Southfield
22 Road between Twelve Mile Road and Webster, City of
23 Southfield, Oakland County, State of Michigan, for the
24 following reasons and conditions:

25 The submitted special use with conditions

1 recommended by the Planning Commission and the
2 Planning Department will be of such size and character
3 that it will be in harmony with the appropriate and
4 orderly development of the ERO District. And if I may
5 just add to that per the consent judgment that was
6 part of this as well.

7 MR. CULPEPPER: Per the consent judgment.

8 MR. SPENCE: And the consent judgment. The
9 location, size and intensity, and periods of operation
10 of the proposed use is designed to eliminate any
11 possible nuisance likely to eliminate therefrom which
12 might be adverse to the nearby permitted uses.

13 The proposed use is in accord with the
14 spirit and purpose of the chapter and is not
15 inconsistent with nor contrary to the objective sought
16 to be accomplished by the Chapter of Southfield
17 Planning.

18 The proposed use is of such character and
19 vehicular traffic generated will not have an adverse
20 effect or be detrimental to the surrounding land uses
21 or the thoroughfare.

22 The proposed used is of such use and
23 intensity, character and land use on site so as to
24 eliminate any adverse effects resulting from noise,
25 dirt, dust, glare, odor, fumes.

1 The proposed use will not adverse to the
2 promotion of health, safety and welfare to community.

3 The proposed use is designed to operate to
4 provide security and safety to employees and the
5 general public.

6 Finally, the add on here is that we had
7 discussed the petitioner is to work with the City and
8 Home Depot to seek placement of a pedestrian path and
9 wayfinding signage between the building and Home
10 Depot.

11 MR. CULPEPPER: Commissioners, you've heard
12 the recommendation from the Planning Department. May
13 I have a motion, please? Commissioner Martin?

14 MR. MARTIN: So motion we move for favorable
15 approval.

16 MR. CULPEPPER: Could I have second for
17 that?

18 DR. DENSON: Second.

19 MR. CULPEPPER: It's been motioned by
20 Commissioner Martin, second by Commissioner Denson.
21 All in favor?

22 (All stated aye.)

23 MR. CULPEPPER: Any opposed? Thank you very
24 much. Good luck. Mr. Spence?

25 MR. SPENCE: Yes. The next item, approval

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If you wish to address the City Council at a meeting with regard to a matter not listed on its agenda, please comply with the following:

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3. It is recommended that you describe the matter that you wish to address before Council. This will allow City staff to review the issue and provide Council with relevant information which might assist it in better understanding and dealing with your concern.
4. You will be limited to a period of three (3) minutes in which to address the Council.

SHERIKIA L. HAWKINS
CITY CLERK

I, Pamela Gerald, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for Monday, July 30, 2018, for the purpose of discussing

"What Matters" in Southfield

Check-out the Southfield Citizens Oversight Committee
on You-Tube and Like Us on Facebook


TT:IND ST AMMBT.

RECEIVED

MAY 18 2018

CITY CLERK
CITY OF SOUTHFIELD

Name: Pamela Gerald
Address: P.O. BOX 155
City: Southfield
State: Michigan
Zip: 480-37-0155
Phone: 248-346-0439
Email: NA

 Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

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SHERIKIA L. HAWKINS
CITY CLERK

I, Gerard Mullin, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for July 30, 2018, for the purpose of discussing

"What Matters"


12:18 PM 5/18/18

RECEIVED

MAY 18 2018

CITY CLERK
CITY OF SOUTHFIELD

Name: GERARD MULLIN
Address: P.O. Box
City: SOUTHFIELD
State: MI
Zip: 48037
Phone: 248-346-0439
Email: gerardmullin2012@gmail.com

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SHERIKIA L. HAWKINS
CITY CLERK

I, Carl Douglas Myles, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for July 30, 2018, for the purpose of discussing The lack of consistency with waste removal, yard waste and branch chipping. Also my concerns with the inability of code enforcement to persuade my neighbor to cut his grass and trim his hedges.

Name: Carl Myles
Address: 25670 Mulberry
City: Southfield
State: mi
Zip: 48033
Phone: _____
Email: _____

 Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

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SHERIKIA L. HAWKINS
CITY CLERK

I, Fred Bunker, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for July 30, 2018, for the purpose of discussing Planning of re-zone of Garner listed on Planner Sood's "only master plan ever for Sfld"


RECEIVED

JUL 25 2018

CITY CLERK
CITY OF SOUTHFIELD

Name: Fred Bunker
Address: 2420/ Garner
City: Sfld
State: Mi
Zip: 48033
Phone: 248-356-0327
Email: ffbunker@aol.com

25:11WUZ TUD ST.

 Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

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4. You will be limited to a period of three (3) minutes in which to address the Council.

SHERIKIA L. HAWKINS
CITY CLERK

I, Richard Meltzer, do hereby request to be recognized by the Southfield City Council, at the meeting scheduled for 7-30-18, for the purpose of discussing Local Control

ES:11W#5Z 7MP 87,

RECEIVED

JUL 25 2018

CITY CLERK
CITY OF SOUTHFIELD

Name: Richard Meltzer
Address: 20850 Wink
City: Southfield
State: MI
Zip: 48076
Phone: 248-356-4835
Email: richard.meltzer@hotmail.com



Individuals with special needs who plan to attend this meeting should contact the City Clerk's Office at 248-796-5150 (voice) or 711 (TDD). If auxiliary aids or services are needed, reasonable advance notice is required.

CITY OF SOUTHFIELD
BUSINESS/TRAVEL EXPENSE/REIMBURSEMENT REPORT

To be completed and submitted, along with all receipts, to the Accounting Department within one month of return. This form should be used to document all expenses involved in the trip, including all items paid for by the City and cash advances. Obligations incurred must be in accordance with City policies and procedures set forth in the Administrative Travel Regulation. All exceptions to the expense guidelines must be approved prior to the trip and documented on the TRAVEL AUTHORIZATION FORM.

Daniel Brightwell	Councilman	7/20-7/21/18
NAME	DEPARTMENT	DATES OF TRAVEL

Michigan Political Leadership Program	Kalamazoo, Michigan	7/20-7/21/18
TITLE, SPONSOR, AND LOCATION OF PROGRAM		DATE(S) OF PROGRAM

DAY	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	TOTALS
DATE:	7/15	7/16	7/17	7/18	7/19	7/20	7/21	
HOTEL:								\$0.00
MEALS:								
Breakfast								\$0.00
Lunch								\$0.00
Dinner								\$0.00
TRANSPORTATION:								
Airfare								\$0.00
Mileage (auto)*								\$0.00
Taxi/Shuttle/Bus								\$0.00
Gasoline*								\$0.00
Parking Tolls						\$30.00		\$30.00
Other (explain)								\$0.00
								\$0.00
								\$0.00
REGISTRATION:								\$0.00
								\$0.00
BAGGAGE CHGS:								\$0.00
								\$0.00
TELEPHONE:								\$0.00
								\$0.00
OTHER: (identify)								\$0.00
								\$0.00
								\$0.00
								\$0.00
TOTALS:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30.00	\$0.00	\$30.00

TOTAL EXPENDED	\$30.00
LESS ITEMS PAID FOR BY CITY	\$0.00
LESS CASH ADVANCES	
LESS EXPENSES NOT ELIGIBLE FOR REIMBURSEMENT	
TOTAL DEDUCTIONS	\$0.00
REIMBURSEMENT DUE EMPLOYEE or	\$30.00
BALANCE DUE CITY	\$0.00

*Please list the type of vehicle that was used (City, Management Group, or Personal): City

Please complete page 2 before submitting.

Items Paid for by the City

Item	Amount
TOTAL	\$0.00

Explanatory Notes: _____

I hereby certify that the travel indicated hereon was accomplished according to the proper authorization, that the information is correct, and that no part of the compensation claimed was of a personal nature.

Signed: *Daniel Brightwell*

Date: *7/23/18*

Title and Department: *Daniel Brightwell, Council*

Supervisor's Review and Approval: _____

Date: _____

City Account Number*: *101-340-3400-38605*

* Account number should end in 38600 for travel associated with conference attendance, and 39600 for travel associated with participation in training opportunities.

REMINDER: Attach a copy of the approved TRAVEL AUTHORIZATION FORM as required in the Travel Policy. Enter an invoice into the Inforum Gold system for reimbursement owed the employee or attach a deposit slip receipted by the cashier for reimbursement owed the City.

FOR OMB / ACCOUNTING USE ONLY

Reviewed by: *Karen Elly*

Date: *7.26.18*

Reviewed by: _____

Date: _____

July 30, 2018

Honorable Mayor and Council
Municipal Building
Southfield, MI

Re: Appointment of Director, Fiscal Services

Dear Sirs and Mesdames:

Creating and developing an effective Management Team is the foundation for our ability to implement the goals and objectives set for us by your Honorable Body.

In February 2017, we were fortunate to engage the services of Austen Michaels as Deputy Director, Fiscal Services. As you may remember, Austen previously served in a senior Financial Services capacity at SMART, and worked as a senior auditor for Plante Moran, where he was assigned to the City of Southfield's team. He is a registered CPA, and holds a BBA and Masters of Science in Accounting from Wayne State University. He is also an Adjunct Professor of Accounting at Oakland Community College.

In his 15-month tenure with the City of Southfield, Mr. Michaels has proven to be an exceptional addition to our team. He has directed the completion of our 2017 audit, as well as the 2018-2019 budget process. Since the retirement of Jim Pierce in January, Mr. Michaels has stepped in to oversee and take ownership of all the functional areas of the Fiscal Services group, including payroll, general Accounting Department functions, internal audits, grants accounting, and the creation of various reports and financial measurement benchmarks for the Council Finance Committee. As a member of the City Administrator's Core Management team, the Fiscal Services Director serves also to provide seasoned guidance and expertise necessary in strategic planning for all municipal operations. The "thinking environment" for this level position involves constructing solutions to problems where there is no roadmap to follow. I am confident that Austen Michaels has the skills and knowledge of our operations to be successful in this role.

Therefore, I am pleased to recommend to your Honorable Body the appointment of Austen Michaels as Director, Fiscal Services, effective immediately. I am recommending that Mr. Michaels be appointed at the salary of \$119,815 in Management Group Grade S. In addition, I am recommending that he receive this wage adjustment retroactive to January 6, 2018, following Mr. Pierce's retirement, to recognize his singular role in leading our Fiscal Services group since that date.

Respectfully submitted,



Frederick E. Zorn, Jr., CEcD
City Administrator

RECOMMENDED RESOLUTION:

BE IT RESOLVED: That Council approve the appointment of Austen Michaels to the position of Director, Fiscal Services, effective July 23, 2018, at the base wage of \$119,815 in Management Group Grade S, with the same rights and benefits as afforded to other Management Group employees, and

BE IT FURTHER RESOLVED: That Council approve a wage adjustment, retroactive to January 6, 2018, to \$119,815, payable as soon as administratively feasible.