

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
MAY 10, 2021 – 6:00PM

The Study Session meeting of the Farmington Hills City Council was held electronically and called to order by Mayor Barnett at 6:03pm. Members were asked to state their name and location (city and state) as to where they were attending the electronic meeting.

Council Members Present: Jackie Boleware, Farmington Hills, Michigan
Valerie Knol, Farmington Hills, Michigan
Ken Massey, Farmington Hills, Michigan
Mary Newlin, Farmington Hills, Michigan
Matt Strickfaden, Farmington Hills, Michigan
Vicki Barnett, Farmington Hills, Michigan

Council Members Absent: Michael Bridges

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine. Directors Mondora and Skrobola, Police Chief King and City Attorney Joppich

PROPOSED AMENDMENTS TO THE CITY'S BUSINESS LICENSE ORDINANCE

City Manager Mekjian explained that staff asked the City Attorney to assist in drafting ordinances to address issues experienced at various establishments in the city and before Council for review are two draft ordinances to regulate smoking lounges and miniature golf/go-kart and arcade establishments.

Police Chief King spoke to various issues that have been ongoing for some time at these establishments and most currently issues experienced at several hookah lounges in the city, including fights, shootings and stolen vehicles. He mentioned that when the city had an issue at a miniature golf/go-kart establishment last summer, he requested an ordinance that would strengthen the department's ability to enforce upon these establishments. He stated that he worked with the City Attorney to draft the two ordinances before City Council this evening for review and input.

Discussion was held and Council inquired if whether the city worked with owners of the hookah lounges in drafting the ordinance and the root cause of the problems and if they were occurring at these same types of establishments in other communities.

Chief King responded that staff did not work with the owners of the hookah lounge in drafting the ordinance. He stated the specific causes have not been identified but other communities have had similar issues and other establishments such as bars and restaurants closing earlier due to the pandemic may be a contributing factor. He added that the department has seen evidence of illegal alcohol and narcotic use in some of the businesses and has been told about illegal gambling. The department has had issues with at least 3 hookah lounges in the city; most recently the one located at 12 Mile and Orchard Lake Roads.

City Attorney Joppich reviewed the proposed ordinances with City Council and noted that the ordinances as drafted allow for a 90-day period for existing establishments to obtain their license. He reiterated that these are draft ordinances and staff is seeking input from Council.

Council members had the following questions and/or concerns:

- If the ordinance pertaining to smoking lounges would include smoking lounges used for cannabis should the city decide to opt in and allow for recreational use and smoking lounges for that purpose.
- Can the fire marshal close establishments temporarily for violations
- Should the ordinance include language to address illegal gambling
- The language “eminent threat” is up to interpretation and there was concern an establishment could be shut down without due process
- Concern with requiring smoking lounges to close at 12pm when bars and restaurants can be open until 2am
- Concern that the ordinance as written may prohibit the use of rooms at a miniature golf or go-kart establishment for birthdays parties as it prohibits no live entertainment
- Can the city require a certain level of insurance to cover injuries or harm that may occur in these establishments

City Attorney Joppich explained that if the city decided to opt in for recreational marijuana use and allow cannabis smoking lounges, the ordinance would need to be amended as the proposed ordinance prohibits smoking cannabis in the smoking lounges, which is consistent with current ordinances. He stated that the fire marshal does have the ability to temporarily close an establishment for being in violation of the city code but most likely the license in that case would not be revoked. He believes that illegal gambling is addressed in the draft ordinance but if not, it would be appropriate to include such language.

Attorney Joppich responded that any temporary closure of a business would only be for a period necessary to eradicate the threat. Including this language in the ordinance gives the Police Chief something in writing to refer to and is tied to the license provided to the establishment and their promise by getting the license to follow the established rules.

Chief King stated that regarding the hours of operation, any facility licensed under the LCC is permitted to be open until 2am. Smoking lounges are not licensed under that organization so that is the distinction made.

Attorney Joppich believed that insurance was already covered in the ordinance but would research this issue.

Mayor Barnett requested also receiving information on the normal hour of operation allowed for a hookah lounge. Mayor Pro-Tem Boleware commented that other hookah lounges were open until 2am.

Mayor Barnett stated that more time would be scheduled in the future to discuss these ordinances further.

FISCAL YEAR 2022 PROPOSED WATER AND SEWER RATES

City Manager Mekjian explained that the city owns its own water and sewer system but Oakland County Water Resources Commission (WRC) maintains and operates that system for the city.

Karen Mondora, Director of Public Services, stated that before City Council are the 2021/22 water and sewer rate recommendations. She introduced Raphael Chirolla, Ben Lewis, Brian Coburn and Amy Ploof from WRC who were present to discuss the proposed 2021/22 water and sewer rates.

Raphael reviewed the basic rate calculation used to determine the rates. He reviewed the projected sewer and water sales for the city’s system and noted that for FY 2022 they are estimating an average quarterly

increase of \$12.91 in sewer rates and an average quarterly increase of \$6.16 in water rates per the average residential customer. This results in a combined average quarterly bill for both water in sewer in the amount of \$342.70.

ADJOURNMENT

The study session meeting adjourned at 7:16pm.

Respectfully submitted,



Pamela B. Smith, City Clerk