

AGENDA
CITY COUNCIL STUDY SESSION
SEPTEMBER 18, 2023 - 6:00PM
CITY OF FARMINGTON HILLS
CITY HALL – COMMUNITY ROOM
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
Telephone: 248-871-2410 Website: www.fhgov.com

1. Call Study Session to Order
2. Roll Call
3. [Grand River Corridor Update](#)
4. Adjourn Study Session

Respectfully submitted,

Pamela B. Smith, City Clerk

Reviewed by:

Gary Mekjian, City Manager

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/accommodations will be made. Thank you.



OFFICE OF CITY MANAGER

MEMORANDUM

FROM: Cristia Brockway, Economic Development Director
TO: Farmington Hills City Council
CC: Gary Mekjian, City Manager
DATE: September 18, 2023
SUBJECT: Grand River Corridor Update

This evening's study session is focused on updating City Council on the Grand River Corridor and economic development activities. Efforts include the search for new Grand River Corridor Improvement Authority members, pending updates to the Site Improvement Grant, investment areas, business attraction, and infrastructure improvements. Below is a brief, but more detailed list of topics that I would like to review and receive City Council input:

- Declining board membership, the main reason behind this, and the many meeting cancellations.
- Possible solutions to board membership that the City could apply as temporary measures.
- Some items awaiting discussion such as community benefit investments.
- Business visits that have been conducted while walking the corridor.
- Promoting existing potentials and possibilities for new uses.
- The new Grand River Corridor Site Improvement Grant Policy and Agreement.
- Discussion needing to be held on the Grand River/M-5/Freedom Road potential improvement and Reconnecting Communities Grant participation.
- Important corridor subject areas with missed considerations during the corridor update.
- Business attraction efforts and creative activities.

A PowerPoint presentation will be shown during this study session that will provide additional information.



GRAND RIVER CORRIDOR UPDATE

CRISTIA BROCKWAY, ECONOMIC DEVELOPMENT DIRECTOR

TOPIC AREAS

- Board membership and meeting status
- Business visits
- CIA site improvement grant policy
- Grand river/M-5/Freedom Road
- Corridor subject areas
- Business attraction



BOARD MEMBERS & MEETING STATUS



Declining Board Membership

The Grand River Corridor Improvement Authority (CIA) is set up to have a maximum seven-member board. A majority of the members, by state statute, must be persons having an ownership interest in property or located within the development area. One member shall be a resident of the development area or within a half mile of it.

The Farmington Hills CIA has met this requirement, but there is a great difficulty in achieving meeting quorums. Several members have retired from their workplace within the Grand River Corridor which has been the main cause of this issue.

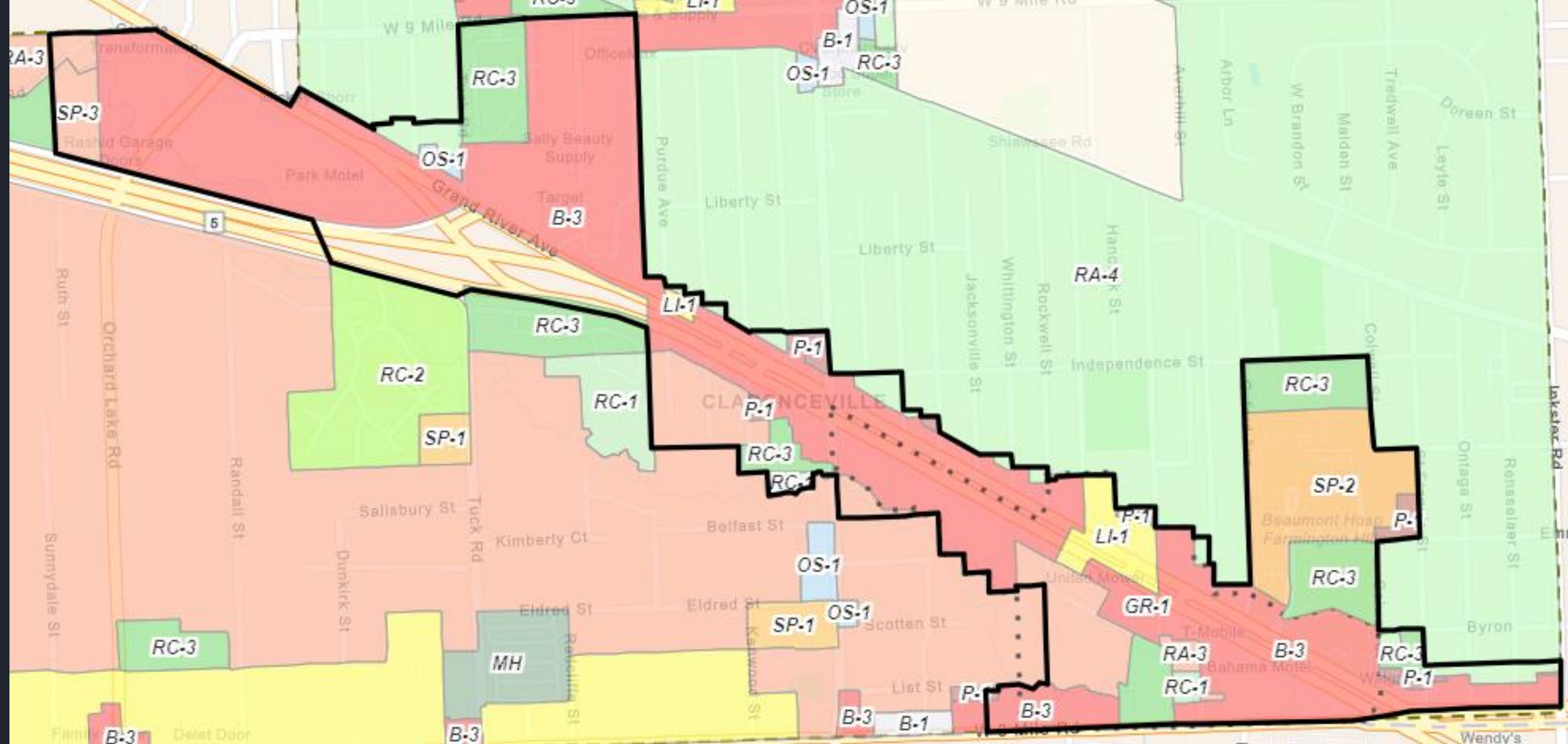
Possible Solutions

Because the CIA meets state statute on membership from the development area, I have been pursuing the opportunity of inviting City Staff to apply for board membership. This would improve board productivity, participation, meeting status, and advance community projects.

Items Awaiting Board Discussion & Approval

- Grand River Site Improvement Grant Policy & Grant Agreement
- Design standards for site improvement grant
- Street banners and hanging baskets
- Site readiness evaluations

BUSINESS VISITS



Door-To-Door Discussions

Many property owners have been unaware of the diverse business uses permitted within the B-3 district and that new business use is possible. It has been very important to get these business owners up to speed with the current zoning and involve them with upcoming opportunities that might take place after the master plan update.

Promote Possibilities

Conversations about the existing redevelopment and new market possibilities have been influential. A new master plan is imminent; therefore, it is important to showcase these individual's property potential now.

GRAND RIVER SITE IMPROVEMENT GRANT POLICY & AGREEMENT

Awaiting Board Discussion and Approval

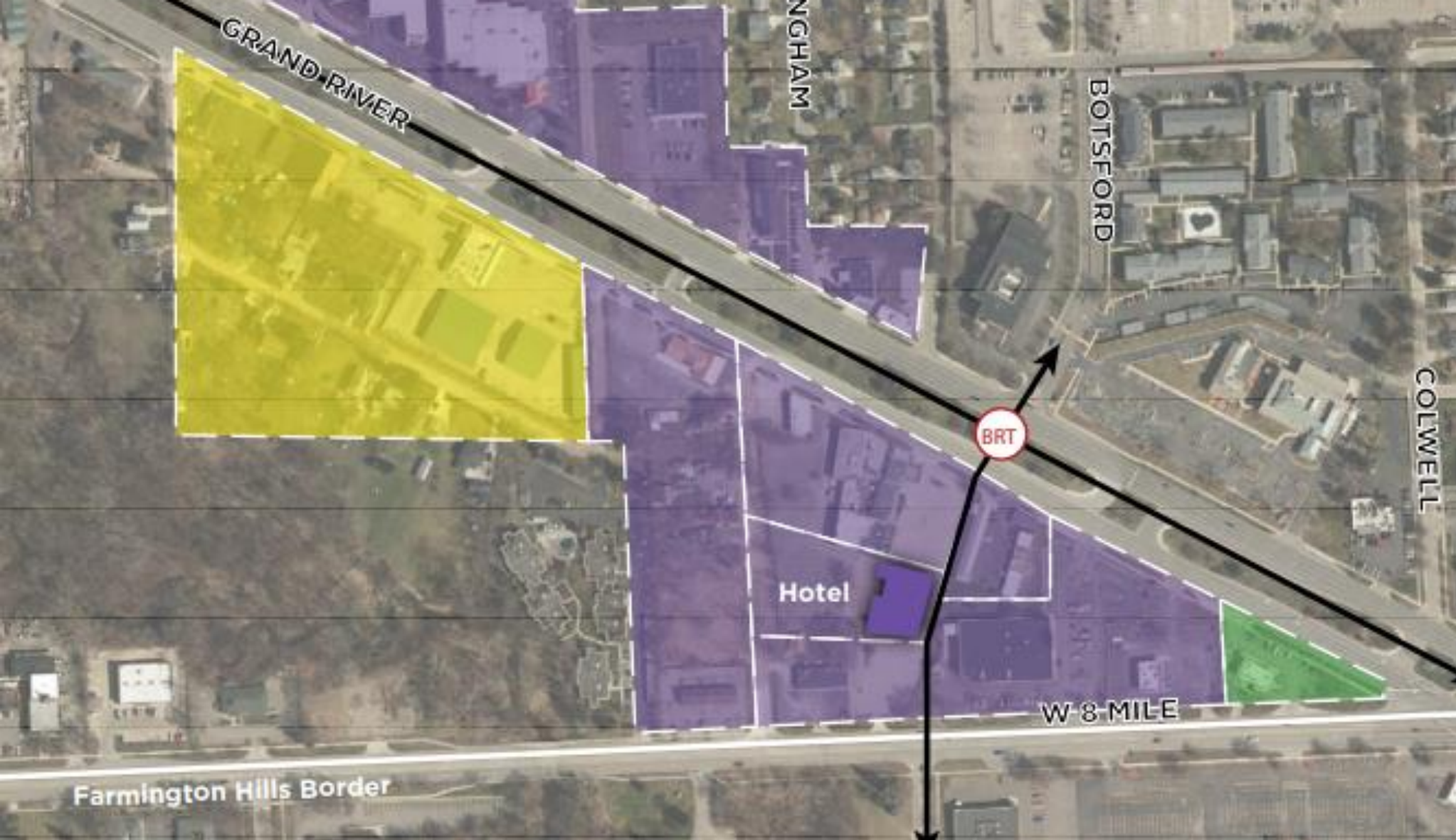
A new policy and grant agreement has been drafted for the Grand River Corridor Site Improvement Grant that will cap the amount of dollars allowed to be awarded by the board in one fiscal year. The policy will describe the intent, eligibility, rules, and describe the basic standards for interested applicants.

GRAND RIVER/M-5/FREEDOM ROAD DISCUSSION

The City has been looking to improve the neighborhood, street, sidewalk, and economic connectivity within this area by proposing an intersection alternative to the current interchange. A study for this must be conducted which is where the City will apply for the Reconnecting Communities Grant to fund that research and begin the project.

As a part of the master plan update and effort to gain letters of support for this project, I have met with several business owners directly impacted by this interchange to understand their desire for this infrastructure improvement and future economic opportunities.





Corridor Subject Areas

During the June 2023 CIA meeting, I shared my Grand River Corridor subject areas based off my Economic Development Strategy. This included seven business areas with a high level of impact along the corridor:

- The previously-mentioned interchange
- Former Sport-N-Fun
- West River Shopping Center
- Former McDonalds on Grand River and Middlebelt Road
- Vacant land east of Cuddy Brothers
- Botsford Inn
- Dunkin' Donuts

Some of proposed uses in the Corridor Update do not match the proposed master plan or plans of the business owner. A productive meeting was held at this time to discuss promoting organic development off Grand River from surrounding new investment areas and where public improvement dollars could be implemented.

BUSINESS ATTRACTION



Economic Development Corporation Inclusion

I have also included representatives from the Economic Development Corporation (EDC) at the CIA meetings as well as shared with EDC members a standard business attraction/retention message. This is a standard message to deliver business opportunities and inform owners to reach back out to the City's Economic Development Director.

T.R. Carr, The EDC Chairman, helped me host a bus tour with potential investors throughout the City and Grand River Corridor to display investment areas, market gaps, and share information on the assets that exist within the area. I have also held on-site appointments for developers and property investors looking for opportunities along the corridor.

QUESTIONS?



THANK YOU

AGENDA
CITY COUNCIL MEETING
SEPTEMBER 18, 2023 – 7:30PM
CITY OF FARMINGTON HILLS
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
Telephone: 248-871-2410 Website: www.fhgov.com
Cable TV: Spectrum – Channel 203; AT&T – Channel 99
YouTube Channel: <https://www.youtube.com/user/FHChannel8>

REQUESTS TO SPEAK: Anyone requesting to speak before Council on any agenda item other than an advertised public hearing issue must complete and turn in to the City Clerk a blue, Public Participation Registration Form (located in the wall rack by the south door entering the council chambers).

REGULAR SESSION MEETING BEGINS AT 7:30P.M. IN THE CITY COUNCIL CHAMBER

STUDY SESSION (6:00 P.M. Community Room – See Separate Agenda)

REGULAR SESSION MEETING

CALL REGULAR SESSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Approval of regular session meeting agenda
2. Presentation of Breast Cancer Awareness shirts to City Council by the Fire Department

CORRESPONDENCE

CONSENT AGENDA - (See Items No. 6 - 10)

All items listed under Consent Agenda are considered routine, administrative, or non-controversial by the City Council and will be enacted by one motion. There will be no separate discussion of these items, unless a Council Member or citizen so requests, in which event the items may be removed from the Consent Agenda for consideration.

CONSENT AGENDA ITEMS FOR DISCUSSION

PUBLIC QUESTIONS AND COMMENTS

Limited to five (5) minutes for any item of City business not on the agenda.

COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS

CITY MANAGER UPDATE

PUBLIC HEARING:

3. Public hearing and consideration of the INTRODUCTION of an ordinance amending the Farmington Hills Code of Ordinances, Chapter 34, “Zoning,” in order to add a definition of “Shipping Container” and amend the definition of “Building,” and to amend Article 5 to include a new Subsection addressing vehicles, commercial vehicles, recreational equipment, trailers, storage pods, and shipping containers and similar off-site-built enclosures that are used as an accessory building or use. [Zoning Text Amendment 2, 2023](#) (postponed from August 28, 2023).

4. Public hearing and consideration of the INTRODUCTION of an ordinance amending the Farmington Hills Code of Ordinances, Chapter 34, "Zoning," to amend the definition of "Motel". [Zoning Text Amendment 3, 2023](#), (postponed from August 28, 2023).

NEW BUSINESS:

5. Consideration of approval of agreement with Oakland County for election services related to [early voting](#).

CONSENT AGENDA:

6. Recommended approval of a resolution recognizing [Farmington Hills Firefighters Local Charity Fund](#) as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license.
7. Recommended approval of purchase of a John Deere Pro Gator for Farmington Hills Golf Club Maintenance with Revels Turf & Tractor in the amount of \$24,637.86. [CMR 9-23-110](#)
8. Recommended approval of purchase of kitchen equipment for the Senior Division at the Costick Center with Sam Tell and Son, Inc. in the amount of \$31,148.44. [CMR 9-23-111](#)
9. Recommended approval of request for employment under Section 10.01A of the City Charter for a [Hawk's Nest Aide](#).
10. Recommended approval of request for employment under Section 10.01A of the City Charter for a [Lifeguard](#).

ADDITIONS TO AGENDA

ADJOURNMENT

Respectfully submitted,

Pamela B. Smith, City Clerk

Reviewed by:

Gary Mekjian, City Manager

NOTE: Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at 248-871-2410 at least two (2) business days prior to the meeting, wherein necessary arrangements/ accommodations will be made.



DATE: September 18, 2023

TO: Gary Mekjian, City Manager

FROM: Charmaine Kettler-Schmult, Director of Planning & Community Development

SUBJECT: Draft Zoning Text Amendment (ZTA) 2, 2023 – Regulation of Shipping Containers and Similar Off-Site-Built Enclosures

BACKGROUND:

[Draft ZTA 2, 2023](#), is intended to clarify the City’s zoning regulations regarding the use of shipping containers and similar off-site-built enclosures as accessory buildings within commercial, industrial, and residential zoning districts. The draft amendment was jointly drafted by the City Attorney and City Planner at the direction of the City Manager and Director of Planning and Community Development.

The draft amendment is a response to concerns raised by City Council, a high volume of inquiries coming into the Planning Office regarding placement of shipping containers in a variety of areas, and observations by City staff and others that the use of shipping containers and similar enclosures for storage, often on a permanent basis, has become increasingly common throughout the residential neighborhoods of the City.

Draft ZTA 2, 2023, would prohibit the use of shipping containers and similar off-site-built enclosures as accessory structures or uses, with four (4) exceptions:

- (1) Use of one (1) such enclosure on a permanent basis within the LI-1, Light Industrial zoning district with the approval of a site plan;
- (2) Enclosures permitted on a temporary basis by the Zoning Board of Appeals;
- (3) Enclosures placed on residential lots for a period of time not to exceed thirty (30) days, with an additional thirty (30) days available where good cause is shown; and
- (4) Enclosures placed within any zoning district in connection with an ongoing construction project during the duration of such project.

PROCEDURAL HISTORY:

March 16, 2023 – Staff introduces draft ZTA 2, 2023, and Planning Commission passes motion to postpone item for additional information ([minutes](#)).



May 18, 2023 – Staff brings draft ZTA 2, 2023, back before the Planning Commission with additional context regarding how the ordinance would be administered, and the Planning Commission unanimously passes motion setting them item for public hearing ([minutes](#)).

July 20, 2023 – Following a public hearing, the Planning Commission unanimously passes motion recommending to City Council that draft ZTA 2, 2023, be adopted ([minutes](#)).

August 28, 2023 – Staff introduces ZTA 2, 2023, and City Council opens public hearing and passes motion to postpone item to September 18, 2023, meeting so that a correction can be made to the legal notice.

ACTION REQUESTED:

Following a public hearing ([notice attached](#)), the following motion is suggested:

RESOLVE that City Council APPROVE the ADOPTION of draft Zoning Text Amendment 2, 2023.

ATTACHMENTS:

- [Draft ZTA 2, 2023](#)
- [March 16, 2023, Planning Commission Meeting Minutes](#)
- [May 18, 2023, Planning Commission Meeting Minutes](#)
- [July 20, 2023, Planning Commission Meeting Minutes](#)
- [Public Hearing Notice](#)

ORDINANCE NO. C-_____ -2023

CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, “ZONING,” ARTICLE 2, “DEFINITIONS,” IN ORDER TO ADD A DEFINITION OF “SHIPPING CONTAINER” AND AMEND THE DEFINITION OF “BUILDING,” AND TO AMEND ARTICLE 5, “SITE STANDARDS,” SECTION 34-5.1, “ACCESSORY BUILDINGS AND STRUCTURES,” TO INCLUDE A NEW SUBSECTION 34-5.1.1.H ADDRESSING VEHICLES, COMMERCIAL VEHICLES, RECREATIONAL EQUIPMENT, TRAILERS, STORAGE PODS, AND SHIPPING CONTAINERS AND SIMILAR OFF-SITE-BUILT ENCLOSURES THAT ARE USED AS AN ACCESSORY BUILDING OR USE.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 34, “Zoning,” Article 2, “Definitions,” is amended to amend the definition of “building” and add a definition of “shipping container,” which are to read as follows:

Building means any structure or physical enclosure, either temporary or permanent, having a roof or top, and used, placed, or built for the shelter or enclosure of persons, animals, chattels or property of any kind. This shall include, without limitation, tents, awnings, ~~or~~ vehicles, trailers, and other similar enclosures situated on private property and used for such purposes.

Shipping container means:

1. Any transportation trailer, shipping container, shipping crate, cargo bin or other container produced for the transportation, relocation or shipping of any item(s);
2. Containers designed or intended to be loaded and hauled to another location for storage; and
3. Containers which have been altered or pinned in any way to be rendered immobile.

Section 2 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 34, “Zoning,” Article 5, “Site Standards,” Section 34-5.1 “Accessory Buildings and Structures,” is amended to add a new Subsection 34-5.1.1.H and shall hereafter read as follows:

Section 34-5.1. Accessory Buildings and Structures

1. Accessory buildings or structures located in any use district shall be subject to the following regulations, unless otherwise provided in this chapter:

- A. Where an accessory building or structure is physically attached to a main building, it shall be subject to and must conform to all regulations of this chapter applicable to main buildings.
- B. Accessory buildings or structures shall not be erected in any front yard nor in any exterior side yard setback unless otherwise provided in this chapter.
- C. A detached accessory building shall not be located within ten (10) feet of any main building, nor shall it be located within one (1) foot of an alley right-of-way. In no instance shall an accessory building or deck be located within an easement for public utilities or a public or private right-of way.
- D. See Section 34-5.2 and Section 34-5.3 regarding accessory off-street parking.
- E. See Section 34-5.4 regarding accessory off -street loading and unloading.
- F. See Section 34-5.5 regarding accessory signs.
- G. Satellite reception antennas may be permitted as an accessory use subject to the following conditions:
 - i. Roof-mounted antennas shall be subject to the requirements of Section 34-3.26.3.B.
 - ii. Ground-mounted antennas shall be subject to the following conditions:
 - a. The maximum height permitted shall be fourteen (14) feet.
 - b. Such antenna shall be located only in the rear yard.
 - c. Where existing structures or vegetation will not screen the antenna from the view of abutting properties, the antenna shall be screened by installation of a wall or fence, berm, evergreen plantings or a combination thereof.
 - d. The nature, size and extent of the screening shall be reviewed and approved by the director of planning and community development, or his designee, who shall take into consideration screening design principles established and adopted by the planning commission. Review and approval shall take into consideration: (i) that the proposed screening shall not operate to impose unreasonable limitations on or to prevent the reception of satellite-delivered signals; and (ii) that the cost of the required screening shall not exceed fifty (50) percent of the purchase and installation cost of such equipment.
 - iii. Conventional VHF and UHF television antennas are excluded from operation of this section on the basis of the following findings: there is a relatively small concern for wind and snow load issues; there has been a

long-demonstrated safety record; there has been an historical acceptance of such facilities from architectural and aesthetic standpoints; and the cost of complying with the procedure for application and review would be great in relation to the cost of purchasing and installing such conventional facilities.

H. Vehicles, commercial vehicles, recreational equipment, trailers, storage pods, and shipping containers and similar off-site-built enclosures shall not be used as an accessory building or use except:

- i. One (1) such building, not to exceed 160 square feet of floor space, may be permitted per zoning lot within the LI-1, Light Industrial District following the submission of a site plan in accordance with Section 34-6.1 of this Chapter and approval such site plan by the City Planner (or his or her designee) based on all applicable requirements of this Chapter;
- ii. One such building, not to exceed 160 square feet of floor space, may be permitted in any residential zoning district ~~with the approval of the Zoning Division Supervisor (or his or her designee)~~ for one (1) thirty (30)-day period per year with extensions of time permitted in the discretion of the Zoning Supervisor (or his or her designee) for good cause shown; and
- iii. Where such building is temporarily permitted ~~by the Zoning Board of Appeals~~ per Section 34-7.14.3.E of this Chapter.

- 2. [Unchanged.]
- 3. [Unchanged.]
- 4. [Unchanged.]
- 4. [Unchanged.]

Section 3 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

Section 4 of Ordinance. Savings.

The amendments of the Farmington Hills Code of Ordinances set forth in this ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the Farmington Hills Code of Ordinances set forth in this ordinance.

Section 5 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
MARCH 16, 2023, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:30 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Stimson, Trafelet, Varga, Ware

Commissioners Absent: Mantey

Others Present: Staff Planner Canty, City Attorney Schultz, Planning Consultant
Tangari

APPROVAL OF THE AGENDA

MOTION by Brickner, support by Trafelet, to approve the agenda as submitted.

MOTION passed unanimously by voice vote.

Motion passed by voice vote 7-1 (Stimson opposed).

REGULAR MEETING:

E. ZONING TEXT AMENDMENT 2, 2023

CHAPTER OF CODE: 34, Zoning Ordinance

PROPOSED AMENDMENT: Amend Zoning Ordinance to include definition of “shipping container,” amend existing definition of “building,” and to include new subsection addressing use of off-site-built enclosures as accessory buildings or uses

ACTION REQUESTED: Set for public hearing

SECTIONS: 34-2.2 and 34-5.1.1

As outlined in City Planner Perdonik’s March 8, 2023 memorandum, the purpose of ZTA 2, 2023 was to amend the Zoning Ordinance to include a definition of “shipping container,” amend the existing definition of “building,” and to include a new subsection addressing use of off-site-built enclosures, such as shipping containers, as permanent accessory structures or uses.

A recent trend has emerged in that communities in Southeast Michigan are observing industrial grade metal enclosures, such as large shipping containers, being placed within residential yards on a permanent basis for storage, as an alternative to a more traditional shed or storage building. Additionally, the Planning Office receives a high volume of inquiries regarding placing shipping containers on commercial and office properties on a permanent basis.

Under the Zoning Ordinance as presently written, staff is obligated to permit these structures permanently if they meet the height and other dimensional requirements applicable to any accessory structure.

ZTA 2, 2023 was drafted by the Planning Office with the assistance of the City Attorney’s Office, at the City Manager’s request. In the interest of the character of the community, City Council is taking the

position that such enclosures should generally be prohibited. ZTA 2, 2023 would prohibit the use shipping containers and other nontraditional off-site-built enclosures as accessory structures or uses, with three (3) exceptions:

1. Use of one (1) such structure within the LI-1, Light Industrial zoning district with the approval of an administrative site plan;
2. Structures permitted on a temporary basis by the Zoning Board of Appeals; and
3. Structures placed on residential lots for a period of time not to exceed thirty (30) days per year with the approval of the Zoning Division Supervisor.

Discussion:

- People using storage containers such as PODS when renovating their homes often needed the containers longer than 30 days. However, the draft language did allow the 30 days to be extended. The intent was to prevent storage containers being treated as permanent structures.
- Some people used storage containers as permanent housing, and in some communities storage containers were stacked and used for apartments.
- Other uses of storage containers included RV storage, lawn equipment storage, etc.
- The comment was made that the 30-day limit seemed punitive, especially as people needed to use storage containers while renovating their homes. 30 days did not seem reasonable. On the other hand, the ordinance would serve those residents who had a POD or other storage container stored next to them for long periods of time, without recourse.
- Some Commissioners wondered if this ordinance was necessary. Had the City received many complaints regarding storage containers?

After further discussion, Chair Countegan suggested that before taking action, the Planning Commission study this Zoning Text Amendment further during a future study session, and closed discussion on this item.

PUBLIC COMMENT

None.

ADJOURNMENT

MOTION by Trafelet, support by Grant, to adjourn the meeting at 10:14pm.

MOTION passed unanimously by voice vote.

City of Farmington Hills
Planning Commission Meeting
March 16, 2023
Page 3

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
MAY 18, 2023, 8:00 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 8:00 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Mantey, Trafelet, Varga

Commissioners Absent: Stimpson, Ware

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant
Tangari

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as submitted.

MOTION passed by voice vote.

REGULAR MEETING

A. ZONING TEXT AMENDMENT 2, 2023

CHAPTER OF CODE: 34, Zoning Ordinance

PROPOSED AMENDMENT: Amend Zoning Ordinance to include definition of “shipping container,” amend existing definition of “building,” and to include new subsection addressing use of off-site-built enclosures as accessory buildings or uses

ACTION REQUESTED: Set for public hearing

SECTIONS: 34-2.2 and 34-5.1.1

City Planner Perdonik introduced draft Zoning Text Amendment 2, 2023, which is intended to clarify the city's zoning regulations relative to the use of shipping containers and similar offsite built enclosures as accessory buildings on both a temporary and permanent basis within commercial, industrial and residential zoning districts.

The Planning Commission discussed the draft amendment at the March 16, 2023 meeting in some detail but ultimately passed a motion tabling it.

The draft amendment is a response to concerns raised by City Council, a high volume of inquiries coming into the Planning Office regarding placement of shipping containers in a variety of areas, and observations by City staff and others that the use of shipping containers and similar structures for storage, often on a permanent basis, has become increasingly common throughout the City, including within residential neighborhoods. Photographs in the packet illustrate some examples of shipping containers being placed on residential and commercial properties.

In response to the March 16 meeting discussion, City Planner Perdonik offered the following:

- Staff will not be administering a formal approval process for the draft ordinance relative to residential properties. The ordinance is meant to serve as a basis for complaint-driven enforcement activities in providing a clock – a starting date as well as an end date after which enforcement, possibly including a citation, can go forward.
- In order to clarify the City’s intent, the draft language had been revised, removing the reference to the approval of the zoning supervisor.
- There have been some egregious cases and the City has received complaints relative to shipping containers placed on residential lots.
- Staff will work with non-compliant homeowners on a one-to-one basis, and the zoning text amendment will give staff a backdrop for enforcement when enforcement is needed.
- During construction, a property owner is allowed to have a POD or other container on site for the duration of the construction, as long as a permit has been granted for that construction.

The Commission discussed whether to set a 30 or 60 day time frame, after a City inspector has noticed/confirmed that there is a shipping container on site. Either time limitation would be acceptable. At the end of the time period an extension can be granted by staff if circumstances so warrant.

Staff Planner Perdonik said that there were not many ordinances in the State that dealt with this emerging issue, and Farmington Hills’ ordinance would probably be used by other municipalities as they developed their own ordinance language.

MOTION by Trafelet, support by Brickner, that Zoning Text Amendment 2, 2023, which proposes to amend the Farmington Hills Code of Ordinances, Chapter 34, “Zoning,” Article 2.0, “Definitions,” to add a definition of “Shipping Container” and revise the definition of “Building,” and to amend Article 5.0, “Site Standards,” Section 34-5.1, “Accessory Building and Structures,” to include new Subsection 34-5.1.1.H addressing the use of offsite built enclosures as accessory buildings or uses, be set for public hearing for the Planning Commission’s next available regular meeting agenda.

Motion passed unanimously by voice vote.

ADJOURNMENT

MOTION by Trafelet, support by Grant, to adjourn the meeting at 8:39pm.

MOTION passed unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
July 20, 2023, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:30 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Mantey, Trafelet, Stimson, Ware

Commissioners Absent: Grant, Varga

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant
Bahm

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as published.

Motion passed unanimously by voice vote.

PUBLIC HEARING

A. ZONING TEXT AMENDMENT 2, 2023

CHAPTER OF CODE: 34, Zoning Ordinance
PROPOSED AMENDMENT: Amend Zoning Ordinance to include definition of “shipping
container,” amend existing definition of “building,” and to
include new subsection addressing use of off-site-built
enclosures as accessory buildings or uses.

ACTION REQUESTED: Recommendation to City Council

SECTIONS: 34-2.2 and 34-5.1.1

City Planner Perdonik explained that ZTA 2, 2023 is intended to clarify the City’s zoning regulations regarding the use of shipping containers and similar off-site-built enclosures as accessory buildings within commercial, industrial, and residential zoning districts. The draft amendment was jointly drafted by the City Planner and City Attorney at the direction of the City Manager and Director of Planning and Community Development.

The draft amendment is a response to concerns raised by City Council, a high volume of inquiries coming into the Planning Office regarding placement of shipping containers in a variety of areas, and observations by City staff and others that the use of shipping containers and similar structures for storage, often on a permanent basis, has become increasingly common throughout the City, including within residential neighborhoods.

Staff introduced Draft ZTA 2, 2023, at the Planning Commission’s March 16, 2023, meeting. At such meeting, the Commission discussed the draft amendment in some detail but ultimately passed a motion tabling it. In response to questions at that meeting, City Planner Perdonik explained that 1) staff will *not* require that residents obtain approval for temporary use of PODS or the like; this was

never the intent, as the thirty (30)-day requirement is intended to provide a clock for enforcement purposes, and 2) any residence or business undergoing construction may use a temporary structure provided a valid permit for such construction exists; this would not change with the adoption of ZTA 2, 2023.

In response to questions, City Planner Perdonik provided the following further information:

- ZTA 2, 2023 is a direct response to the residential use of industrial shipping containers as sheds, as well as corporate entities wanting to keep them on site on a permanent basis. Both situations impact the appearance of the community.
- For a remodeling project, the enforcement clock would begin after the remodeling was complete.

Chair Countegan opened the public hearing. Seeing that no public indicated that they wished to speak on this agenda item, Chair Countegan closed the public hearing and brought the matter back to the Commission.

MOTION by Brickner, support by Trafelet, to recommend to City Council that Revised Draft Zoning Text Amendment 2, 2023, which proposes to amend the Farmington Hills Code of Ordinances, Chapter 34, "Zoning," Article 2.0, "Definitions," to add a definition of "Shipping Container" and revise the definition of "Building," and to amend Article 5.0, "Site Standards," Section 34-5.1, "Accessory Building and Structures," to include a new Subsection 34-5.1.1.H addressing the use of off-site-built enclosures as accessory buildings or uses, be adopted.

Motion passed unanimously by voice vote.

PUBLIC COMMENT

Richard Owens, Holly Hill Farms, shared the following concerns and questions regarding Planned United Development (PUD) 1, 2023 (Item 5A on tonight's agenda):

- What does "affordable housing" mean, and how does the proposed apartment complex compare to other apartment complexes along 12 Mile Road?
- How would the proposed development affect nearby property values?
- Has there been any pressure from the State to approve this PUD?
- Mr. Owens said the applicants notified neighbors only tonight regarding tonight's meeting.

City Attorney Shultz noted that there is a legal definition of affordable housing that has to be met. However, when making its recommendation to City Council, the Planning Commission will function in its role as a land-use approving body, and how much money potential tenants make will not be considered.

ADJOURNMENT

Motion by Trafelet, support by Ware, to adjourn the meeting at 9:01pm.

Motion carried unanimously by voice vote.

Respectfully Submitted,

Marisa Varga
Planning Commission Secretary
/cem

**CITY OF FARMINGTON HILLS
CITY COUNCIL PUBLIC HEARING NOTICE**

www.fhgov.com

DATE: September 18, 2023
TIME: 7:30 P.M.
PLACE: Farmington Hills City Hall, City Council Chamber
31555 W. Eleven Mile Road
Farmington Hills, Michigan 48336
ITEM: Zoning Text Amendment 2, 2023

THE FARMINGTON HILLS CITY COUNCIL SHALL GIVE FORMAL CONSIDERATION TO A PROPOSED ZONING TEXT AMENDMENT TO THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 2, "DEFINITIONS," IN ORDER TO ADD A DEFINITION OF "SHIPPING CONTAINER" AND AMEND THE DEFINITION OF "BUILDING," AND TO AMEND ARTICLE 5, "SITE STANDARDS," SECTION 34-5.1, "ACCESSORY BUILDINGS AND STRUCTURES," TO INCLUDE A NEW SUBSECTION 34-5.1.1.H ADDRESSING VEHICLES, COMMERCIAL VEHICLES, RECREATIONAL EQUIPMENT, TRAILERS, STORAGE PODS, AND SHIPPING CONTAINERS AND SIMILAR OFF-SITE-BUILT ENCLOSURES THAT ARE USED AS AN ACCESSORY BUILDING OR USE.

Any interested person is invited to comment on the request in person at the scheduled hearing, or written comments may be submitted to the City of Farmington Hills Planning Office at 31555 W. Eleven Mile Road, Farmington Hills, Michigan 48336, or ckettler@fhgov.com, prior to the hearing. The application may be reviewed at the Planning Office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

Charmaine Kettler-Schmult
Director of Planning & Community Development

Phone: (248) 871-2540
Email: ckettler@fhgov.com
Publish: September 1, 2023

Procedures for accommodations for persons with disabilities:

The City will be following its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 871-2410 at least two (2) working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



DATE: September 18, 2023

TO: Gary Mekjian, City Manager

FROM: Charmaine Kettler-Schmult, Director of Planning & Community Development

SUBJECT: Draft Zoning Text Amendment (ZTA) 3, 2023 – Revise the Definition of “Motel” to Include Short-Term Rental of Residential Homes

BACKGROUND:

Draft ZTA 3, 2023, was drafted by the City Attorney’s Office at the direction of the City Manager in response to concerns from City Council.

Draft ZTA 3, 2023, is intended to strengthen the City’s zoning regulations regarding short-term rental of residential homes, which is not a permitted use within the residential districts of the City. To this end, the proposed amendment revises the existing definition of “motel” in such a way as to more clearly include short-term rentals.

This approach is based on Michigan case law which focused on the definition of “motel” and the limitation of motels to non-residential zoning districts as a means of prohibiting them in residential districts. Under the Zoning Ordinance, motels are restricted to the B-3, General Business, and ES, Expressway Service zoning districts.

PROCEDURAL HISTORY:

- May 18, 2023 – Staff introduces draft ZTA 3, 2023, and Planning Commission unanimously passes motion setting item for public hearing (**minutes**).
- July 20, 2023 – Following a public hearing, the Planning Commission unanimously passes motion recommending to City Council that draft ZTA 3, 2023, be adopted (**minutes**).
- August 28, 2023 – Staff introduces ZTA 2, 2023, and City Council opens public hearing and passes motion to postpone item to September 18, 2023, meeting so that a correction can be made to the legal notice.



ACTION REQUESTED:

Following a public hearing ([notice attached](#)), the following motion is suggested:

RESOLVE that City Council APPROVE the ADOPTION of draft Zoning Text Amendment 3, 2023.

ATTACHMENTS:

- [Draft ZTA 3, 2023](#)
- [May 18, 2023, Planning Commission Meeting Minutes](#)
- [July 20, 2023, Planning Commission Meeting Minutes](#)
- [Public Hearing Notice](#)

ORDINANCE NO. C-_____-2023

CITY OF FARMINGTON HILLS
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 2.0, SECTION 2.2, "DEFINITIONS," TO AMEND THE DEFINITION OF "MOTEL."

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1 of Ordinance. Ordinance Amendment.

The Farmington Hills City Code, Chapter 34, "Zoning," Article 2.0, Section 2.2, "Definitions," is hereby amended to change the definition of "Motel" to read as follows:

Motel means a dwelling unit, group of dwelling units, and any other type of building or group of buildings, which contains one or more rooms or sleeping units that are accessible from either the exterior or interior of such building or buildings, has access to a garage or other area to park vehicles, and provides overnight lodging that is offered or made available to the public for compensation on a per night or weekly basis. ~~designed to provide overnight lodging that is offered to the public for compensation and that caters primarily to the public traveling by motor vehicle.~~

Section 2 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

Section 3 of Ordinance. Savings.

The amendments of the Farmington Hills Code of Ordinances set forth in this ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the Farmington Hills Code of Ordinances set forth in this ordinance.

Section 4 of Ordinance. Severability.

If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated, and such section, clause or provision declared to be unconstitutional, void or

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
MAY 18, 2023, 8:00 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 8:00 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Grant, Mantey, Trafelet, Varga

Commissioners Absent: Stimpson, Ware

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant
Tangari

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as submitted.

MOTION passed by voice vote.

REGULAR MEETING

A. ZONING TEXT AMENDMENT 3, 2023

CHAPTER OF CODE: 34, Zoning Ordinance

PROPOSED AMENDMENT: Amend Zoning Ordinance to revise definition of “motel”

ACTION REQUESTED: Set for public hearing

SECTIONS: 34-2.2

City Planner Perdonik explained that Zoning Text Amendment 3, 2023 was drafted by the City Attorney’s Office at the direction of the City Manager in response to concerns from City Council. The draft amendment is intended to strengthen the City’s zoning regulations regarding short-term rental of residential homes, which is not a permitted use. The proposed amendment revises the existing definition of “motel” in such a way as to more clearly include short-term rentals of residential homes. This approach is based on Michigan case law which focuses on the definition of “motel” and the limitation of motels to nonresidential zoning districts as a means of prohibiting them in residential districts. Under the Zoning Ordinance, motels are restricted to the B-3, General Business, and ES, Expressway Service zoning districts; therefore, if a home is used in a manner which fits within the definition of “motel,” such use would only be permitted if such home is within a B-3 or ES District.

**MINUTES
CITY OF FARMINGTON HILLS
PLANNING COMMISSION MEETING
31555 W ELEVEN MILE ROAD
FARMINGTON HILLS, MICHIGAN
July 20, 2023, 7:30 P.M.**

CALL MEETING TO ORDER

The Planning Commission Regular Meeting was called to order by Chair Countegan at 7:30 p.m.

ROLL CALL

Commissioners present: Aspinall, Brickner, Countegan, Mantey, Trafelet, Stimson, Ware

Commissioners Absent: Grant, Varga

Others Present: City Planner Perdonik, City Attorney Schultz, Planning Consultant Bahm

APPROVAL OF THE AGENDA

MOTION by Trafelet, support by Brickner, to approve the agenda as published.

Motion passed unanimously by voice vote.

PUBLIC HEARING

A. ZONING TEXT AMENDMENT 3, 2023

CHAPTER OF CODE:	34, Zoning Ordinance
PROPOSED AMENDMENT:	Amend Zoning Ordinance to revise definition of “motel”
ACTION REQUESTED:	Recommendation to City Council
SECTION:	34-2.2

City Planner Perdonik explained that this proposal came through the City Attorney’s office in response to the issue of short-term rentals throughout the City, which use has historically been prohibited.

ZTA 3, 2023, is intended to strengthen the City’s zoning regulations regarding short-term rental of residential homes. The proposed amendment revises the existing definition of “motel” in such a way as to more clearly include short-term rentals of residential homes. This approach is based on Michigan case law which focused on the definition of “motel” and the limitation of motels to nonresidential zoning districts as a means of prohibiting them in residential districts. Under the Zoning Ordinance, motels are restricted to the B-3, General Business, and ES, Expressway Service zoning districts; therefore, if a home is used in a manner which fits within the definition of “motel,” such use would only be permitted if such home is within a B-3 or ES District.

Staff introduced Draft ZTA 3, 2023, at the Planning Commission’s May 18, 2023, meeting, during which the Commission passed a motion setting the item for public hearing with no additional information or revisions requested.

Chair Countegan opened the public hearing. Seeing that no public indicated they wished to speak on this agenda item, Chair Countegan closed the public hearing and brought the matter back to the Commission.

MOTION by Aspinall, SUPPORT by Trafelet to recommend to City Council that Draft Zoning Text Amendment 3, 2023, which proposes to amend the Farmington Hills Code of Ordinances, Chapter 34, “Zoning,” Article 2.0, Section 2.2, “Definitions,” to revise the definition of “Motel” as provided in the draft amendment, be adopted.

Motion passed unanimously by voice vote.

REGULAR MEETING

Motion carried unanimously by voice vote.

PUBLIC COMMENT

Richard Owens, Holly Hill Farms, shared the following concerns and questions regarding Planned United Development (PUD) 1, 2023 (Item 5A on tonight’s agenda):

- What does “affordable housing” mean, and how does the proposed apartment complex compare to other apartment complexes along 12 Mile Road?
- How would the proposed development affect nearby property values?
- Has there been any pressure from the State to approve this PUD?
- Mr. Owens said the applicants notified neighbors only tonight regarding tonight’s meeting.

City Attorney Shultz noted that there is a legal definition of affordable housing that has to be met. However, when making its recommendation to City Council, the Planning Commission will function in its role as a land-use approving body, and how much money potential tenants make will not be considered.

COMMISSIONER/STAFF COMMENTS

Commissioner Brickner said that he and his wife Cheryl were celebrating their 50th wedding anniversary.

ADJOURNMENT

Motion by Trafelet, support by Ware, to adjourn the meeting at 9:01pm.

Motion carried unanimously by voice vote.

Respectfully Submitted,

Marisa Varga
Planning Commission Secretary
/cem

This ordinance supports staff's efforts to regulate and enforce against short term rentals in residential neighborhoods.

City Attorney Schultz further explained that the ordinance was based on a case that upheld the right of a community to regulate short term rentals, via the definition of "motel."

Board discussion:

- Short term rentals in residential neighborhoods brought certain enforcement issues.
- Neighbors generally oppose short term rentals in their neighborhoods, as short term rentals can bring loud parties, and more or less constant movement of strangers in and out of the neighborhood. In many cases short term rentals have the ability to destabilize an entire neighborhood.
- There have been egregious cases in Farmington Hills that are currently in the enforcement process.
- The draft ordinance will give staff more of a foundation for their enforcement efforts.
- Commissioner Mantey said he supported this request being set for a public hearing; he did not, however, know how he would vote on the issue itself.

MOTION by Brickner, support by Trafelet, that Zoning Text Amendment 3, 2023, which proposes to amend the Farmington Hills Code of Ordinances, Chapter 34, "Zoning," Article 2.0, "Definitions," to revise the definition of "motel" as provided in the draft amendment, be set for public hearing.

Motion passed unanimously by voice vote.

APPROVAL OF MINUTES April 20, 2023 Special Joint Meeting, and April 20, 2023, Public Hearing/Regular Meeting

MOTION by Brickner, support by Aspinall, to approve the April 20, 2023 Special Joint Meeting minutes and the April 20, 2023, Public Hearing/Regular Meeting minutes as submitted.

Motion passed unanimously by voice vote.

PUBLIC COMMENT

None.

COMMISSIONER/STAFF COMMENTS

ADJOURNMENT

MOTION by Trafelet, support by Grant, to adjourn the meeting at 8:39pm.

MOTION passed unanimously by voice vote.

Respectfully Submitted,
Marisa Varga
Planning Commission Secretary

/cem

**CITY OF FARMINGTON HILLS
CITY COUNCIL PUBLIC HEARING NOTICE**

www.fhgov.com

DATE: September 18, 2023
TIME: 7:30 P.M.
PLACE: Farmington Hills City Hall, City Council Chamber
31555 W. Eleven Mile Road
Farmington Hills, Michigan 48336
ITEM: Zoning Text Amendment 3, 2023

THE FARMINGTON HILLS CITY COUNCIL SHALL GIVE FORMAL CONSIDERATION TO A PROPOSED ZONING TEXT AMENDMENT TO THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 2, SECTION 2.2, "DEFINITIONS," TO AMEND THE DEFINITION OF "MOTEL."

Any interested person is invited to comment on the request in person at the scheduled hearing, or written comments may be submitted to the City of Farmington Hills Planning Office at 31555 W. Eleven Mile Road, Farmington Hills, Michigan 48336, or ckettler@fhgov.com, prior to the hearing. The application may be reviewed at the Planning Office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

Charmaine Kettler-Schmult
Director of Planning & Community Development

Phone: (248) 871-2540
Email: ckettler@fhgov.com
Publish: September 1, 2023

Procedures for accommodations for persons with disabilities:

The City will be following its normal procedures for accommodation of persons with disabilities. Those individuals needing accommodations for effective participation in this meeting should contact the City Clerk (248) 871-2410 at least two (2) working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



INTEROFFICE CORRESPONDENCE

TO: Mayor and City Council
FROM: Pamela B. Smith, City Clerk
DATE: September 18, 2023
SUBJECT: Agreement with Oakland County for early voting procedures

At the City Council study session meeting of June 12, 2023, I explained that with the passing of Proposal 2 last November, 2022 early voting was now required for all state and federal elections for a minimum of nine days prior to an election and at least 8 hours per day starting on the second Saturday prior to the election and ending on the Sunday before Election Day.

Options for early voting were outlined by the legislation that included partnering with the county and options for holding early voting in every election. At the June 12th study session meeting, Council consensus was to move forward with a verbal commitment to the County to enter into an agreement for early voting.

Attached is a copy of the proposed agreement. It is consistent with the legislation guidelines and issues that have been discussed in meetings between the City Clerk's Office staff and county representatives. The City Attorney has preliminarily reviewed the agreement and will be finalizing with the County this week. Based on timing constraints, we are seeking a decision by City Council at this meeting, subject to final review by the City Attorney.

RECOMMENDATION:

IT IS RESOLVED, that City Council hereby authorizes the City Clerk to enter into an agreement for election services with Oakland County for the purposes of operating an early voting site in Farmington Hills beginning with the November 7, 2023 Election, subject to final review by the City Attorney's Office.

AGREEMENT FOR ELECTION SERVICES
 BETWEEN OAKLAND COUNTY AND CITY OF FARMINGTON And CITY OF FARMINGTON HILLS

This County Early Voting Site Agreement (the “Agreement”) is made between Oakland County, 1200 N. Telegraph Road, Pontiac, Michigan 48341 (the “County”) and City of Farmington, 23600 Liberty Street, Farmington, Michigan 48335, and the City of Farmington Hills, 31555 W. Eleven Mile Road, Farmington Hills, Michigan 483336 (“Municipality”) (the County and each municipality are sometimes referred to as the “Parties”). In this Agreement, the County and each municipality are represented by their respective clerks in their official capacities.

PURPOSE OF THE AGREEMENT. The County and the municipalities enter into this Agreement pursuant to Article II, Section 4(m) of the Michigan Constitution of 1963 and the Michigan Election Law, 1954 Public Act 116, MCL 168.720a *et seq.*, for the purpose of operating an early voting site.

Name of county
Oakland County

Name of municipality	Number of precincts in municipality	Number of registered electors in municipality
City of Farmington	5	7,755
City of Farmington Hills	27	65,408

1. **DEFINITIONS.** The following words and expressions used throughout this Agreement, whether used in the singular or plural, shall be defined, read, and interpreted as follows:
 - 1.1 **Agreement** means the terms and conditions of this Agreement and any other mutually agreed to written and executed modification, amendment, exhibit, and attachment to this Agreement.
 - 1.2 **Coordinator** means the individual appointed by the County Clerk and identified as the individual responsible for providing oversight to ensure sufficient resources are available and timely dispatched to each early voting site and monitoring the administrative requirements of early voting for the participating municipalities.
 - 1.3 **Early Voting Plan** means the document and any addenda to the document outlining the manner in which early voting will be provided in a county or municipality, as described in MCL 168.720a *et seq.* The requirements of an Early Voting Plan are described in MCL 168.720h(3).
 - 1.4 **Election Services** encompasses the following individual Election Services provided by the County Clerk’s Elections Division: Conduct and Administration of Early Voting.
 - 1.5 **Legislative Body of the Municipality** means the city or township governing board elected or appointed and serving in the municipality.
 - 1.6 **Municipality** means any participating municipality, which are entities created by the State or local authority or which are primarily funded by or through State or local authority, including, but not limited to, their council, Board, departments, divisions, elected and appointed officials, directors, board members, council members,

commissioners, authorities, committees, employees, agents, subcontractors, attorneys, volunteers, and/or any such persons' successors.

1.7 **QVF** means the Qualified Voter File as described in MCL 168.509m.

1.8 **QVF Controller** means the individual appointed by the County Clerk and identified as the Qualified Voter File (QVF) administrator of early voting information within the QVF.

1.9 **Site Supervisor** means the participating municipal clerk or a member of the County Clerk's staff who shall act as supervisor for each day of early voting. The County Clerk may appoint a different participating municipal clerk or member of the County Clerk's staff to act as a supervisor for different days of early voting. A site supervisor may delegate the supervisor's duties to a member of the supervisor's staff.

2. **SCOPE OF THE AGREEMENT.**

2.1 The Parties agree that early voting will be provided for all statewide and federal elections, and all other non-statewide elections conducted in the county.

3. **COORDINATOR.**

3.1 The Oakland County Director of Elections will serve as the Coordinator of each early voting site and will be responsible for organizing and monitoring the administrative requirements, including staffing, of early voting for the participating municipalities.

3.1.1 In the event that the Coordinator is unable to personally supervise and staff each early voting site on each day of early voting, the Coordinator may designate early voting site supervisors to assist with the staffing and supervision of early voting.

3.2 If the Coordinator becomes unavailable for any reason, the Coordinator role will be filled as follows:

3.2.1 The County Clerk will appoint a new Coordinator.

3.2.2 The new Coordinator will assume the responsibilities of the Coordinator on either a temporary or permanent basis.

4. **QVF CONTROLLER.**

4.1 The Oakland County Director of Elections will serve as the Qualified Voter File (QVF) administrator of early voting information within the QVF. The QVF Controller's duties will involve setting up the necessary voting regions, user access, and application access needed for the site(s) designated in the Agreement. The QVF Controller may designate these duties to a member of his/her staff.

5. **APPROVAL OF EARLY VOTING SITES.**

5.1 Pursuant to MCL 168.662, the County Clerk, after consulting the participating municipal clerks, will submit each early voting site location to the Board of County Election Commissioners for approval.

5.2 A regional early voting site will serve all electors covered by this Agreement. The electors covered by this Agreement will also be served by the County's central early voting site.

6. APPOINTMENT OF ELECTION INSPECTORS.

- 6.1 The Board of County Election Commissioners is responsible for the appointment of Election Inspectors.
- 6.2 At least 21 days before each election, the Board of County Election Commissioners will appoint for each early voting site at least 3 Election Inspectors and as many more as, in its opinion, are required for the efficient, speedy, and proper conduct of the election.
- 6.3 The Board of County Election Commissioners will further designate one appointed Election Inspector from each early voting site as chairperson.
- 6.4 The selection of Election Inspectors will be governed by MCL 168.674.

7. APPROVAL OF EARLY VOTING HOURS.

- 7.1 The Parties agree to all of the following:
 - 7.1.1 Early voting will be conducted for the nine days guaranteed by the Constitution. The hours will be from 8:30am-4:30pm each day, except that Thursday the hours will be from 12pm-8pm.
 - 7.1.2 The days and hours specified in this Agreement apply to early voting at all elections conducted in the County.

8. NOTICE OF EARLY VOTING HOURS.

- 8.1 Not less than 45 days before Election Day, the County Clerk and the clerk of each participating municipality agree to give public notice of the dates and hours for early voting at the regional early voting site and central early voting site by posting information on the County's and each municipality's website. If the municipality does not maintain a website, it shall post the notice in the same manner as it posts other notices.
- 8.2 After an Early Voting Site is approved by the Board of County Election Commissioners, the County Clerk will send a notice to each registered elector entitled to vote at that Early Voting Site with the information required under Michigan Election Law. The notice will be subject to review and approval by the parties. After that initial notice by the County Clerk, the Municipal Clerk will be responsible for sending the appropriate notice to each new registrant. The cost of printing and mailing the required notices will be the responsibility of each municipality.

9. BUDGET AND COST SHARING.

- 9.1 The Parties agree to the following cost sharing and chargeback procedures as follows:
 - 9.1.1 The County agrees to request funding and/or reimbursement from the State, local school district or other entity responsible for costs related to early voting.
 - 9.1.2 The County agrees to assume all costs related to the acquisition of equipment, software and supplies.
 - 9.1.3 The costs related to staffing the regional early voting site with Election Inspectors, publications and facility rental/cleaning charges that are not reimbursed by the State or other entity shall be equally divided amongst the participating municipalities. Payment will be remitted to the County within 30 days of receipt of the invoice.

10. STAFFING, SUPERVISION AND TRAINING.

- 10.1 The Coordinator is responsible for ensuring adequate staffing and supervision at the regional early voting site, and central early voting site, including selection of the site supervisor who oversees the site(s).
- 10.2 The site supervisor shall operate in the same manner and have the same authority as a municipal clerk operates in an election day polling place.
- 10.3 The site supervisors for early voting sites shall be designated for each election on the attached Exhibit B.
- 10.4 The Coordinator is responsible for providing training to the Site Supervisors and Election Inspectors appointed to serve at the Early Voting Site for each election.

11. TABULATORS AND EARLY VOTING POLL BOOK LAPTOPS AT EARLY VOTING SITE(S).

- 11.1 The Parties agree to all of the following:
 - 11.1.1 The Coordinator, in consultation with the participating municipal clerks, will determine the number of tabulators and early voting poll book laptops or other voting equipment that are necessary at the regional early voting site.
 - 11.1.2 The County will provide the tabulators, early voting poll book laptops, other necessary voting equipment and supplies.
- 11.2 The Board of County Election Commissioners will be responsible for conducting testing of the electronic voting equipment.
- 11.3 The Coordinator, or designated site supervisor, will be responsible for taking necessary steps to set up the early voting poll book laptops.

12. CANVASS OF EARLY VOTING RETURNS AND REPORTING OF EARLY VOTING RESULTS.

- 12.1 The Board of County Election Commissioners is responsible for appointing the receiving board or group of election inspectors to canvass the early vote returns on Election Day and report early voting results to the County Clerk.

13. EARLY VOTING PLAN.

- 13.1 No later than 120 days before the first statewide or federal election in each even numbered year, the Coordinator will be responsible for ensuring an Early Voting Plan, attached as Exhibit A, is filed with the County Clerk of the county in which the municipalities are located.

14. NOTICE TO SOS OF CHANGES TO LOCATIONS, DAYS, AND HOURS OF EARLY VOTING.

- 14.1 Not less than 45 days before the first early voting day allowed by statute, the Coordinator will be responsible for providing the Secretary of State any changes made to a previously submitted Early Voting Plan that affect the locations, days, and hours of operation for each early voting site operated by the County.

15. DURATION OF AGREEMENT.

- 15.1** This Agreement and any amendments will be effective when executed by all Parties, as evidenced by the signature of the County Clerk and each participating municipal clerk, unless the Agreement has an effective date specifically entered on the signature page.
- 15.2** This Agreement has no fixed termination date and may be terminated pursuant to its terms.

16. CANCELLATION, MODIFICATION, AND TERMINATION OF AGREEMENT.

- 16.1** The County Clerk may withdraw from this Agreement for any reason by providing at least 30 days written notice to the other parties to the Agreement. The notice shall be sent to the municipalities at the address provided in this Agreement to the attention of the Municipal Clerk. If the County Clerk withdraws during the statutory timeframe from the Agreement for any reason, the Agreement will cease to exist, and the clerk of each participating municipality must submit a revised Early Voting Plan to the State Bureau of Elections outlining the manner in which early voting will be provided.
- 16.2** The municipality may withdraw from this Agreement for any reason by providing at least 30 days written notice to the other parties to the Agreement. The notice shall be sent to the county at the address provided in this Agreement to the attention of the County Clerk. If a municipality withdraws from the Agreement for any reason during the statutory timeframe, the clerk of the municipality withdrawing from the Agreement must submit a revised Early Voting Plan to the State Bureau of Elections outlining the manner in which early voting will be provided.

17. GENERAL PROVISIONS.

- 17.1** County shall not be liable for any consequential, incidental, indirect, remote, speculative, punitive, exemplary, liquidated, treble, or special damages, including, but not limited to, loss of profit, opportunity, use, revenue, data, or goodwill, whether based in whole or in part in contract, tort, equity, strict liability, under statute, or any other theory of liability, regardless of whether such damages were foreseeable or contemplated and even if County was advised or aware of the possibility of such damages.
- 17.2** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, excluding Michigan's conflict of law principles. Except as otherwise required by law or court rule, any action brought to enforce, interpret, or decide any claim arising under or related to this Agreement shall be brought in the Sixth Judicial Circuit Court of the State of Michigan, the 50th District Court of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above. The choice of forum set forth above shall not be deemed to preclude the enforcement of any judgment obtained in such forum or taking action under this Contract to enforce such judgment in any appropriate jurisdiction.
- 17.3** This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other prior oral or written understandings, communications, agreements, or contracts between the Parties, except the

accompanying license agreement which is incorporated by reference. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

- 17.4** “Confidential Information” means all information and data that the County is required or permitted by law to keep confidential, which includes computer software, cybersecurity assessments and plans and measures to protect the County’s copyrighted training materials.
- 17.5** Municipality shall use appropriate safeguards to protect the confidentiality and integrity of Confidential Information. Municipality shall not reproduce, provide, disclose, or give access of Confidential Information to any Municipality Employee or third-party not having a legitimate need to know. Municipality and Municipality Employees shall only use the Confidential Information for performance of this Agreement. Notwithstanding the foregoing, Municipality may disclose the Confidential Information, if required by law, statute, or other legal process; provided that Municipality: (a) gives the County prompt written notice of the impending disclosure; (b) provides reasonable assistance to the County in opposing or limiting the disclosure; and (c) makes only such disclosure as is compelled or required. This Agreement imposes no obligation upon Municipality with respect to any Confidential Information which Municipality can establish by legally sufficient evidence: (a) was in possession of or was known by Municipality, prior to its receipt from the County, without any obligation to maintain its confidentiality; or (b) is obtained by Municipality from a third-party having the right to disclose it, without an obligation to keep such information confidential.

AGREEMENT FOR ELECTION SERVICES
BETWEEN OAKLAND COUNTY AND CITY OF FARMINGTON And CITY OF FARMINGTON HILLS

Lisa Brown
Oakland County Clerk

Signature of County Clerk

Date

Meaghan Bachman
City of Farmington Clerk

Signature of Clerk

Date

Pamela B. Smith
City of Farmington Hills Clerk

Signature of Clerk

Date

EXHIBIT A: Early Voting Plan

No later than 120 days before the first statewide or federal election in each even numbered year, the Coordinator will file an Early Voting Plan, covering the Parties to the County Agreement, with the County Clerk of the County.

Not less than 45 days before the first early voting day allowed by statute, the Coordinator will provide the Secretary of State any changes made to a previously submitted Early Voting Plan that affect the locations, dates, and hours of operation for each joint early voting site operated by the participating County and municipalities to ensure that the correct information is posted on the Michigan Voter Information Center (MVIC) portion of the Department of State's website.

Plan Coverage: County Agreement

Coordinator of County Agreement:

Name of Coordinator	Position	Email Address	Phone Number
Joseph J. Rozell	Director of Elections	rozellj@oakgov.com	(248) 858-0564

County:

Name of county	Clerk of County
Oakland County	Lisa Brown

Municipality 1:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
City of Farmington	Meaghan Bachman	5	7,755

Municipality 2:

Name of municipality	Clerk of municipality	Number of precincts in municipality	Number of registered electors in municipality
City of Farmington Hills	Pamela Smith	27	65,408

Early Voting Location Information:

	Early voting site #1	Early voting site #2
Location of site	Costick Community Center, 28600 W. Eleven Mile Rd., Farmington Hills, Michigan 48336	Waterford Oaks Activity Center, 2800 Watkins Lake Rd., Waterford, Michigan 48328
Municipalities served at site	2	45
Number of Election Workers at site	7	7
Is this an EV site for all 9 days of Constitutionally-required early voting? (Y/N)	Yes	Yes
Hours for 9 days of Constitutionally-required early voting	8:30 - 4:30 p.m. Thursday 12 - 8 p.m.	8:30 - 4:30 p.m. Thursday 12 - 8 p.m.
How many (if any) additional days of early voting will be provided at this site?	None	None
Hours for any additional days of early voting	N/A	N/A
Is this site ADA compliant?	Yes	Yes
In selecting this site, did you take into account expected turnout, population density, public transportation, accessibility, travel time, travel patterns, and any other relevant considerations?	Yes	Yes

Communication Strategy:

The parties will use the following communication strategy for informing electors of their opportunity for early voting:

Social media, websites, community newsletters, and other mediums deemed appropriate by clerks.

EXHIBIT B: SITE SUPERVISORS

Regional Early Voting Site Number: _____

Election Date: _____

Early Voting Site Supervisors:

	Primary Site Supervisor	Backup Site Supervisor
Early Voting Day 1		
Early Voting Day 2		
Early Voting Day 3		
Early Voting Day 4		
Early Voting Day 5		
Early Voting Day 6		
Early Voting Day 7		
Early Voting Day 8		
Early Voting Day 9		

REPORT TO THE CITY COUNCIL FROM THE CITY CLERK – SEPTEMBER 18, 2023

SUBJECT: Consideration of adoption of Resolution recognizing the **FARMINGTON HILLS FIREFIGHTERS LOCAL CHARITY FUND** as a non-profit organization for the purpose of obtaining a State Gaming License.

ADMINISTRATIVE HISTORY:

- The City has received a request from Kevin Steen, Founder of Farmington Hills Firefighters Local Charity Fund, for the City Council to adopt a formal resolution recognizing the charity as a nonprofit organization operating in the community.
- Farmington Hills Firefighters Local Charity Fund was formed to provide for direct and impactful services and funds to the people of Farmington Hills. The charity has a variety of current and future programs planned as outlined in the attached letter to City Council.
- The organization wishes to participate in certain fund-raising events that cannot be held without a Charitable Gaming License from the State of Michigan.
- To be eligible for such licenses the organization must be recognized as a non-profit organization by the community in which they are located.
- The organization has provided verification of their status as a tax-exempt organization as described in Section 501(c) (3) of the Internal Revenue Code and has been classified as a public charity.

RECOMMENDATION:

IT IS RESOLVED, that City Council hereby approves the Local Governing Body Resolution for Gaming Licenses Issued by the Bureau of State Lottery, recognizing Farmington Hills Firefighters Local Charity Fund as a non-profit organization operating in the community for the purpose of obtaining a Charitable Gaming License.

Respectfully submitted,



Pamela B. Smith, City Clerk



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(K)(ii))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)

Farmington Hills Firefighters Local Charity Fund
P.O. Box 184
Farmington, MI 48332

September 6, 2023

Dear City of Farmington Hills City Council,

The Farmington Hills Firefighters Local Charity Fund was formed in January 2023 with the sole purpose of serving the residents of Farmington Hills. As first responders in this city, we see people in their greatest times of need, at times, those needs extend beyond what can be provided during an emergency response. This 501(c)(3) organization allows us to go above and beyond the call, providing direct and impactful services and funds to the people of this city.

Every member of the Farmington Hills Firefighters Local Charity Fund participates on a strictly volunteer basis. No member of the organization receives any type of compensation for their performance or services. This model allows for an extremely efficient charity with very low overhead cost.

Current and future programs include:

Feeding Seniors – a program that provides food for low-income senior citizens during the holiday season.

Winter Weather Warmup – a program that provides indoor non-electric heaters and other necessities for those affected by winter storm power outages.

After The Fire – a program that provides hotels, toiletries, water, and other essentials to victims of house fires.

Beyond the Call – a program that provides financial assistance to patients in need when encountered on any call for service (medical, vehicle accident, water damage, etc.)

The charity currently creates revenue by frequent fundraising events, business partnerships, and public donations. However, we believe we can create additional revenue by conducting charitable gaming raffles.

Please consider the approval of our Michigan Charitable Gaming License.

Thank you.

Sincerely,



Kevin Steen
Founder

REPORT FROM THE CITY MANAGER TO CITY COUNCIL
September 18, 2023

SUBJECT: PURCHASE OF JOHN DEERE PRO GATOR 2020A FOR FARMINGTON HILLS GOLF CLUB MAINTENANCE

ADMINISTRATIVE SUMMARY

- The pro gator will be an addition to the golf course maintenance facility fleet and be utilized in conjunction with the topdresser for greens.
- Sealed proposals were advertised, publicly opened and read aloud by the State of Michigan (MiDeal) for Agricultural, Grounds & Maintenance Equipment. The awarded contract with Deere & Company is offered to the City of Farmington Hills as a cooperative bid. Participating in a cooperative purchase provides cost savings for the City due to the buying power of a cooperative.
- The John Deere Pro Gator will be used mostly with the topdresser for the golf course greens, to improve the firmness and to smooth the greens out for a better putting experience. The pro gator will also be used for various golf course projects and storm clean up. The heavy-duty utility cart will also free up a 4-wheel drive heavy duty utility cart which is better suited for projects.
- The equipment will be stored at Parks and Golf Maintenance Building.
- A two-year warranty for all parts & labor was required as part of the specifications.
- Funding for the John Deere Pro Gator 2020A is budgeted and available in the Special Services Parks Millage Fund.

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to approve a purchase order in the amount of \$24,637.86 for one (1) John Deere Pro Gator 2020A, to John Deere and to take delivery of the equipment via Revels Turf & Tractor as an authorized dealer.

Prepared by: James Priebe, Golf Maintenance Supervisor

Reviewed by: Nikki Lumpkin, Senior Buyer

Reviewed by: Michelle Aranowski, Director of Central Services

Reviewed by: Ellen Schnackel, Director of Special Services

Approved by: Gary Mekjian, City Manager

**REPORT FROM THE CITY MANAGER TO CITY COUNCIL
September 18, 2023**

SUBJECT: PURCHASE OF KITCHEN EQUIPMENT FOR SENIOR DIVISION AT COSTICK CENTER

ADMINISTRATIVE SUMMARY

- Sealed bids were solicited, posted on the MITN e-procurement system, opened, and read aloud on September 6, 2023, for the purchase of kitchen equipment for the Costick Center. Bid notification was sent to thirty-nine (39) vendors (including seven (7) vendors that hold the classification of minority owned, woman owned, veteran owned, disabled, disadvantaged or service disabled) with three (3) responding. We received zero “No Bids.”
- The Senior Division has been allocated grant funding from the Area Agency on Aging – ARP in the amount of \$72,000. The Senior Division submitted for two items, a commercial refrigerator, and a convection steam oven, both of which were approved for purchase by the Area Agency on Aging – ARP.
- The new commercial refrigerator will replace an aging upright refrigerator that has been needing many repair calls to keep it operating at the correct temperature.
- The new convection steam oven will replace a steamer that is not large enough to adequately handle food prep needs.
- Both appliances will assist the City in continuing Meals on Wheels and Congregate Meal Services to our residents.
- Funding will come via reimbursement from the Area Agency on Aging – ARP after submitting receipts.

BID TABULATION

ITEMS	Model	Quality Restaurant Equipment	Holzberg Commuincations, Inc.	Sam Tell and Son, Inc
		Masters Oak Park, MI	Totowa, NJ	Farmingdale, NY
ChillTemp Refrigerated Cabinet	R-171-SUA-10E	\$11,349.80	\$10,900.00	\$8,298.70
Vulcan Floor Steamer	C24Ga10-NAT	\$40,363.20	\$26,900.00	\$22,849.74
Total Purchase Amount		\$51,713.00	\$37,800.00	\$31,148.44

Bid notification was sent to 39 vendors. We received zero “No Bids”.

RECOMMENDATION

In view of the above, it is recommended that City Council authorize the City Manager to approve a purchase order for one (1) ChillTemp Refrigerated Cabinet and one (1) Vulcan Floor Steamer to Sam Tell and Son, Inc. in the amount of \$31,148.44.

- Prepared by: Teresa Bryant, Nutrition Services Coordinator
 Reviewed by: Nikki Lumpkin, Senior Buyer
 Reviewed by: Michelle Aranowski, Director of Central Services
 Reviewed by: Ellen Schnackel, Director of Special Services
 Approved by: Gary Mekjian, City Manager



INTEROFFICE CORRESPONDENCE

To: Gary Mekjian, City Manager
From: Ellen Schnackel, Director of Special Services
Subject: Consideration of Employment for Luke Morden
Date: September 18, 2023

In compliance with the City Charter Article X, Section 10.01 A, we are requesting from the City Council approval to consider for employment the following individual: Luke Morden, who is related to an employee of the City, Lorn Morden who is a Facility Coordinator.

The Department of Special Services has followed all City policies and procedures in establishing an eligibility list of qualified candidates. This includes advertising in the local newspapers, posting on websites and on social media, distribution of job announcements at Farmington Public Schools and Oakland County Community College. A thorough investigation of the applicant's credentials and a personal interview were conducted. Providing applicants are equally qualified, residents receive preference for employment opportunities.

Occasionally we have some difficulty finding qualified applicants for part-time positions because they may require certain qualifications or specialized training/certification and the work hours typically include nights and/or weekends. Therefore, in view of meeting the established criteria and being the most qualified applicant, the Department of Special Services respectfully requests the City Council's approval of Luke Morden.

Name: Luke Morden

Position Applied For: Lifeguard

Number of Employees Needed in this Position: 40

Date Position Posted: 11/8/2022 Open Until: Filled

Number of Applicants for this position: 1 Number of Applicants Interviewed: 1

Salary: \$13.50/hr

Relationship: Luke Morden is the brother of Lorn Morden who is a Facility Coordinator for Special Services.

Justification: Luke Morden is the most qualified applicant and is available to begin work immediately.

Prepared by: Hannah Muth, Recreation Supervisor of Aquatics & Facilities

Authorized by: Ellen Schnackel, Director of Special Services

Approved by: Gary Mekjian, City Manager