

MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
CITY HALL - COMMUNITY ROOM
MAY 9, 2022 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 6:03pm.

Council Members Present: Barnett, Boleware, Bridges, Bruce, Knol Massey and Newlin

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, and City Attorney Joppich

Mayor Barnett stated that she wanted to add to the agenda discussion on the smoking lounge ordinance that is before City Council this evening. There were no objections.

DISCUSSION ON RENTAL DWELLING UNIT REGISTRATION AND INSPECTIONS

Charmaine Kettler-Schmult, Interim Director of Planning and Community Development, stated that the rental inspection ordinance was approved by Council in 2014 and the program implemented in 2015. She noted that there was an amendment to the ordinance to clarify the inspection process. She explained that the current program is focused on the maintenance and upkeep of single-family dwellings and property and inspections are conducted every 3 years. The department initially contacted non-homestead properties notifying them of the new ordinance requirements and current notifications generally come through code enforcement efforts.

City Manager Mekjian stated that City Council had requested expanding the rental inspection ordinance to multi-family dwelling so he asked staff to explain where the city was to date with the current ordinance and discuss the possibility of expanding the program.

Scott Lenhart, Building Official, stated that he has reviewed ordinances and program from comparable communities and there is a wide range of ordinances and how this is handled in other communities; but he believes that if this is the direction City Council wants to take, the current ordinance could be amended to include a more comprehensive program that would include multi-family dwellings.

Interim Director Kettler-Schmult clarified that the current inspection includes the exterior of the dwelling only and property unless the homeowner requests an inspection of the interior or if there is something visible from the outside such as a broken window or hole in the roof that could deem the dwelling not in compliance with the code.

Building Official Lenhart reported that there are approximately 11,000 dwellings that would be involved if multi-family inspections were included as part of the rental inspection program. He discussed with Council what constitutes a rental and costs to the city for these changes in the program.

Comments and concerns of City Council members included:

- Adequate staffing to add multi-family dwellings to the program and scheduling inspections
- Obtaining permission from owners for access to the interior of dwellings
- Decline of some apartment buildings and the effect on the entire City with regard to health, safety and welfare

Suggestions of Council included:

- Conducting inspections as units become empty and before new tenants move in
- Education and outreach to landlords
- Targeting older apartment complexes first to lessen the burden on city staff

PUBLIC COMMENTS:

Phil Newman, representing the Detroit Metropolitan Apartment Association, shared the following suggestions and concerns with the discussion this evening:

- Suggested that inspections are conducted on a complaint basis, which is feel is an option under State Statute
- Landlords will pass costs of associated with an inspection program onto the tenants so if there are no complaints or issues, why should those tenants be paying additional costs
- Agrees with the privacy issue and commented that tenants cannot be forced to open up their apartments to provide access

Mayor Barnett encouraged Mr. Newman to participate in future discussions on this issue on behalf of the area landlords.

Council requested Attorney Joppich to look into the following issues/suggestions raised:

- Possibility of targeting complexes on a complaint basis or targeting older complexes
- Privacy issue and ability to gain access to interior of dwellings

DISCUSSION ON THE SMOKING LOUNGE ORDINANCE

Mayor Barnett stated that she was concerned the smoking lounge ordinance was potentially excluding the cigar bars because it does not allow for the sale of liquor; however, the current liquor license ordinance does not allow for the sale of liquor on premise unless it is in conjunction with a bona fide restaurant.

Members of Council suggested revisiting the liquor ordinance as they felt it was outdated and that it does exclude cigar bars and clubs. Council was comfortable with moving forward with the introduction of the amendment to the smoking lounge ordinance this evening since there are other ordinances that already prohibit those establishments if they intend to serve alcohol without also being in conjunction with a restaurant operation; but agreed with having a broader discussion on this topic in the future.

Council wished to have this come back sooner than later and Attorney Joppich stated that he would review the liquor ordinance and report back to City Council in approximately one month.

ADJOURNMENT:

The study session meeting adjourned at 7:11pm.

Respectfully submitted,



Pamela B. Smith, City Clerk