

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL MEETING  
CITY HALL – COUNCIL CHAMBER  
SEPTEMBER 18, 2023 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 7:31pm.

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

Council Members Absent: Bridges and Massey

Others Present: City Manager Mekjian, Deputy City Clerk Lindahl, Directors Aranowski, Kettler-Schmult and Schnackel, Fire Chief Unruh and City Attorney Joppich

**PLEDGE OF ALLEGIANCE**

Fire Chief Unruh led the pledge of allegiance.

**APPROVAL OF REGULAR SESSION MEETING AGENDA**

MOTION by Knol, support by Bruce, to approve the agenda as published.

MOTION CARRIED 5-0.

**PRESENTATION OF BREAST CANCER AWARENESS SHIRTS TO CITY COUNCIL BY THE FIRE DEPARTMENT**

Fire Chief Unruh announced that once again the Fire Department has designed t-shirts to support breast cancer awareness and introduced Senior Fire Fighter and Vice President of the union, Kevin Steen, to speak on this year's design and the proceeds of the sales.

Kevin Steen explained that the shirts are designed in house and worn by all on-duty firefighters and paramedics for the month of October with 100% of the revenue from the sale of the shirts to go directly to the Corewell Health Foundation. Funds will be specifically earmarked for Farmington Hills residents. Over the past 10 years the shirts have raised over \$30,000 for breast cancer patients and survivors.

**CORRESPONDENCE**

The following correspondence was acknowledged:

- Emails received regarding new 96-gallon trash bins

**CONSENT AGENDA**

MOTION by Boleware, support by Newlin, to approve the consent agenda as read.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, KNOL AND NEWLIN

Nays: NONE

Absent: BRIDGES AND MASSEY

Abstentions: NONE

MOTION CARRIED 5-0.

**PUBLIC QUESTIONS AND COMMENTS**

Pam Gerald thanked those that came out to support the Suicide Prevention Community Forum on September 14<sup>th</sup> from 5:30pm to 8:30pm at The Hawk.

Tim Siegrist read the following Emergency Preparedness Tip of The Month:

**CITY OF FARMINGTON and FARMINGTON HILLS  
EMERGENCY PREPAREDNESS COMMISSION  
Tip of the Month  
September 2023**

**Goal for September: Be Informed**

During a disaster getting correct information during an emergency is the key to taking safe action. Not everyone will know what to do with emergency information as they receive it. Now is the time as the weather begins to change to start thinking of reviewing what to do for different emergency alerts, signals, sirens, and messaging.

**Things to think about**

- Emergency weather and broadcast alerts may not be in closed caption
- Information may only be printed on the screen and not spoken, this information may also move at a very fast speed
- Automated voices and messaging over speakers or phones may be hard to understand
- Information may be given quickly and the stress of the event may make it hard to understand or remember instructions
- The alert screen may be difficult for some to read if they are color blind
- English may not be a primary language

**How to Be Informed**

Sign up for these local emergency notification systems...

- FH ALERT, <https://fhgov.com> select "Stay Connected," then "FH ALERT," then "Sign Up"
- Oakland Counties alert system OakAlert, <https://www.oakgov.com/community/emergency-management/need-to-know/alerts/oakalert>

Familiarize yourself with other alert systems such as outdoor warning sirens.

Elect to purchase a NOAA Weather Radio for your family and know how to use it.

Review local weather before planning or attending an event. Prepare accordingly.

Kevin Steen thanked Council for approval of the charitable gaming license and stated that the Farmington Hills Firefighters Local Charity Fund was formed in January 2023 with the sole purpose of serving the residents of Farmington Hills. He noted that some of their current programs include Feeding Seniors, Winter Weather Warmup, After The Fire and Beyond the Call.

### **COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS**

The following Councilmember comments or announcements were made:

- The success of the following events:
  - Police and Fire Benevolent Golf Outing
  - Harvest Moon Festival in downtown Farmington
- Congratulations to those promoted at last week's Police and Fire promotional ceremonies

### **CITY MANAGER UPDATE**

City Manager Mekjian provided an update on the following:

- Heritage Festival will be held on September 22<sup>nd</sup>
- City Wide Open House to be held on October 8<sup>th</sup> Noon – 3pm
- Hawk Hustle walk/run will take place October 8<sup>th</sup> at 9am

### **PUBLIC HEARING**

#### **PUBLIC HEARING AND CONSIDERATION OF THE INTRODUCTION OF AN ORDINANCE AMENDING 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 (ZONING TEXT AMENDMENT 2, 2023).**

Mayor Barnett explained that this item was postponed from the September 11, 2023 meeting as there was a minor publishing error in the public hearing notice.

Charmaine Kettler-Schmult, Director of Planning and Community Development, explained that the proposed text amendment 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 amendment is in response to concerns raised by City Council, inquiries received by the Planning Office regarding placement of shipping containers in a variety of areas, and observations by City staff.

The amendment would prohibit the use of shipping containers and similar off-site-built enclosures as accessory structures or uses, with exceptions:

- 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;
- Enclosures permitted on a temporary basis by the Zoning Board of Appeals;
- 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
- Enclosures placed within any zoning district in connection with an ongoing construction project during the duration of such project.

The Planning Commission has unanimously recommended approval following their public hearing meeting.

Mayor Barnett opened the public hearing.

Pam Gerald, resident, asked for more clarification regarding city rules verses homeowners association rules and which rules would apply

Attorney Joppich stated that if the city zoning ordinance prohibits something that the homeowner rules does not prohibit, the city rules will apply.

Eva Diachanko, small business employee, stated that she does not support the amendment as she feels it will deter small businesses coming into the city and would like to know what will be done for existing businesses that are currently using shipping containers.

Attorney Joppich explained that there is a non-conforming use allowance under the zoning ordinance.

Director Kettler-Schmult added that the draft amendment outlines one permanent shipping container for light-industrial locations and the option for site plan approval for additional containers.

Mayor Barnett noted that this amendment targets the growth of permanent shipping containers in residential areas but does allow shipping containers for light-industrial properties.

Allan Whittmore, President of Country Estates Homeowners Association, stated that his neighbor approached the association requesting to put a shipping container on his property after the city told him a permit was not needed. Mr. Whittmore expressed concerns that the container was not conducive to the neighborhood, and he is in support of the ordinance amendment to assist with future requests.

There being no further comments, Mayor Barnett closed the public hearing.

Council noted that this amendment only applies to shipping containers being used permanently in residential areas, it does not change the city's ordinance regarding sheds and asked how this amendment would apply to business districts other than light-industrial that may have equipment delivered in a shipping container to their property.

Erik Perdonik, City Planner, confirmed that the ordinance amendment is intended to target permanent fixtures not containers that are coming and going on business properties.

Attorney Joppich added that the ordinance language covers this situation as it calls out enclosures being used as an accessory building on a permanent basis.

Councilmember Newlin stated she would not be in support of this amendment as she is in favor of using shipping containers as homes and she is concerned with the ordinance mixing business and residential areas.

MOTION by Bruce, support by Boleware, that the City Council of Farmington Hills hereby approves 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).

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, AND KNOL  
Nays: NEWLIN  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 4-1-2-0.

**PUBLIC HEARING AND CONSIDERATION OF THE INTRODUCTION OF AN ORDINANCE AMENDING THE FARMINGTON HILLS CODE OF ORDINANCES, CHAPTER 34, "ZONING," ARTICLE 2.0, SECTION 2.2, "DEFINITIONS," TO AMEND THE DEFINITION OF "MOTEL" (ZONING TEXT AMENDMENT 3, 2023).**

Mayor Barnett explained that this item was postponed from the September 11, 2023 meeting as there was a minor publishing error in the public hearing notice.

Charmaine Kettler-Schmult, Director of Planning and Community Development, explained that the proposed text amendment is intended to strengthen the City's zoning regulations regarding the use of residential homes as short-term rentals, which is not a permitted use within residential districts of the City. The proposed amendment revises the existing definition of "motel" to include short-term rentals and this approach more clearly is based on Michigan case law which focused on the definition of "motel" and the limitation of motels to non-residential zoning districts. This proposed amendment puts the city on firmer ground to classify a short-term rental of a home as a commercial use as motels are restricted to the B-3, General Business, and ES, Expressway Service zoning districts. The Planning Commission recommended approval to City Council following their public hearing meeting.

Mayor Barnett opened the public hearing.

Pam Gerald questioned whether this amendment would affect motels being used as temporary housing or residents renting their homes on a seasonal basis.

Mayor Barnett stated that the amendment prevents residential property being used as a short-term rental inside a neighborhood, motels will not be affected and can have guests for as long as the guests want to stay.

City Attorney Joppich clarified that this does not prevent motels to continue to be motels as long as they are in the proper zoning district and the ordinance is not based on how long guests stay but how the motel is compensated. He added that as far as rental homes, if it is being rented on a monthly basis, then this ordinance would not apply.

Mayor Barnett explained that there have been issues with homes in the city being rented by the day or hours causing disruption in neighborhoods.

There being no further comments, Mayor Barnett closed the public hearing.

MOTION by Bruce, support by Boleware, that the City Council of Farmington Hills hereby approves 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).

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, AND KNOL  
Nays: NEWLIN  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 4-1-2-0.

Councilmember Newlin stated she is not in support of this amendment as she believes travel patterns have changed and families are more likely to stay together in larger rental homes rather than hotels and some residents need to rent out their homes for financial purposes.

**NEW BUSINESS**

**CONSIDERATION OF APPROVAL OF AGREEMENT WITH OAKLAND COUNTY FOR ELECTION SERVICES RELATED TO EARLY VOTING.**

Deputy City Clerk Lindahl stated that with the passing of Proposal 2 last November, early voting was now required for all state and federal elections, and as discussed at the City Council study session meeting of June 12, 2022, the City of Farmington Hills along with the City of Farmington are partnering with Oakland County to offer early voting in every election and the agreement is before Council tonight for consideration.

MOTION by Bruce, support by Boleware, that the City Council of Farmington Hills 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.

MOTION CARRIED 5-0.

**CONSENT AGENDA**

**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.**



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

At a Regular meeting of the Farmington Hills City Council  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD  
called to order by Mayor Barnett on September 18, 2023  
DATE  
at 7:30p.m. a.m./p.m. the following resolution was offered:  
TIME  
Moved by Councilmember Boleware and supported by Councilmember Newlin  
that the request from Farmington Hills Firefighters Local Charity Fund of Farmington Hills  
NAME OF ORGANIZATION CITY  
county of Oakland, 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.  
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: <u>5</u>	Yeas: <u>          </u>
Nays: <u>0</u>	Nays: <u>          </u>
Absent: <u>2</u>	Absent: <u>          </u>

I hereby certify that the foregoing is a true and complete copy of a resolution offered and  
adopted by the Farmington Hills City Council at a Regular  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL  
meeting held on September 18, 2023.  
DATE

SIGNED:   
TOWNSHIP, CITY, OR VILLAGE CLERK

Pamela B. Smith, City Clerk  
PRINTED NAME AND TITLE

31555 W. 11 Mile Road, Farmington Hills, MI 48336  
ADDRESS

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

**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**

MOTION by Boleware, support by Newlin, that the City Council of Farmington Hills hereby authorizes 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.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, KNOL AND NEWLIN  
Nays: NONE  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 5-0.

**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**

MOTION by Boleware, support by Newlin, that the City Council of Farmington Hills hereby authorizes 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.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, KNOL AND NEWLIN  
Nays: NONE  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 5-0.

**RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A HAWK'S NEST AIDE.**

MOTION by Boleware, support by Newlin, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Charter for Christine Afolabi as a Hawk's Nest Aide in the Special Services Department. Christine is the sister of Angel Afolabi, who is employed in the Recreation Division of the Special Services Department.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, KNOL AND NEWLIN  
Nays: NONE  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 5-0.

**RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CHARTER FOR A LIFEGUARD.**



MOTION by Boleware, support by Newlin, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Charter for Luke Morden as a Lifeguard in the Special Services Department. Luke is the brother of Lorn Mordon, who is a Facility Coordinator in the Special Services Department.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRUCE, KNOL AND NEWLIN  
Nays: NONE  
Absent: BRIDGES AND MASSEY  
Abstentions: NONE

MOTION CARRIED 5-0.

**ADDITIONS TO AGENDA**

There were no additions to the agenda.

**ADJOURNMENT**

MOTION by Newlin, support by Boleware, to adjourn the regular session City Council meeting at 8:54pm.

MOTION CARRIED 6-0.

Respectfully submitted,



Pamela B. Smith, City Clerk