

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
CITY HALL – COMMUNITY ROOM
SEPTEMBER 8, 2014 – 6:00PM

The Study Session meeting of the Farmington Hills City Council was called to order by Mayor Brickner at 6:05pm.

Council Members Present: Brickner, Bridges, Bruce, Knol, Lerner, Massey and Steckloff

Council Members Absent: None

Others Present: City Manager Brock, City Clerk Smith, Assistant City Manager Boyer, Director Randle and Attorney Joppich

DISCUSSION OF REQUEST TO ESTABLISH AN INDUSTRIAL DEVELOPMENT DISTRICT AND AN INDUSTRIAL FACILITIES TAX EXEMPTION FOR CEP BIOCOAT LLC:

Keith Waslewski of Orchid Orthopedic Solutions, a division of CEP BioCoat LLC, stated that the roots of the company go back to 1977 and Orchid Orthopedic Solutions was formed in 2005. The company has since built a group of orthopedic suppliers specializing in implants and innovative technology. He noted that their 14 different locations are world wide and all of their products are FDA regulated and compliant.

Mr. Waslewski stated that the Farmington Hills location, CEP BioCoat LLC, specializes in the coating used on the products.

Mr. Luke Schrader, of CEP BioCoat LLC, explained the different types of coatings and displayed some of the products used. He noted that they are combining all 3 locations in Southfield and moving them to the facility in Farmington Hills. He stated that it is important to them to expand their capabilities and to provide a good face for Orchid Orthopedic Solutions.

Mr. Waslewski pointed out that the building in Farmington Hills has been vacant for the past 2 years, and they are using local suppliers for the construction and move to the Farmington Hills facility. He added that while they are moving most of their 130 employees from the other locations in Southfield to Farmington Hills there will be some job openings due to those employees that chose not to make the move. He added that they will also be increasing the energy efficiency of the building to reduce utility consumption and create a better work environment.

Mr. Schrader added that they will also be increasing the number of employees to 140 employees due to the increase in business.

Mr. Waslewski explained their reasons for leasing the facility at this time and commented that they are making a significant investment in the facility.

Mayor Brickner explained that under the new Personal Property Tax (PPT) legislation, CEP BioCoat would not qualify for the 7 year abatement as originally applied for, but would still be able to receive tax abatement for one year.

Madhu Oberoi, Economic Development Director, explained that the Economic Development Corporation recommended approval of the 7 year abatement in the event of a legal challenge to the PPT legislation;

realizing if that legislation remains as is, the 7 year abatement would be void and the company would only receive one year abatement.

She reviewed the requirements of the City to qualify for tax abatement noting that CEP BioCoat LLC meets all of those requirements; and she discussed the financial impact on the City. She added that the company is making a huge investment in the city and they want to show their commitment.

Councilmember Bridges inquired if Orchid Orthopedic Solutions has received other tax abatements in other communities and inquired about any competitive challenges. Mr. Waslewski confirmed that they have received one year tax abatements in 3 other communities.

Mr. Schrader responded that there is a European Company that has a location in Indiana that provides for the same type of coating as CEP BioCoat LLC.

Discussion was held on the number of jobs being brought to Farmington Hills and new jobs created.

Councilmember Knol pointed out that with the customer base in Indiana it could possibly also create business for local hotels, restaurants and other local businesses.

The consensus of City Council was to move forward with holding the required public hearings at the next regular meeting.

DISCUSSION ON THE CITY'S ANIMAL ORDINANCE – CHAPTER 6 OF THE CITY CODE:

City Manager Brock stated that several residents have requested that City Council review the current Animal Ordinance with regard to the requirement that animals, particularly dogs, shall be on a leash or under “oral control”. The residents would prefer that the ordinance is amended to require that animals are kept on a leash. He noted that most of the dangerous dog cases reviewed by the city arise out of animals not being on a leash.

Mayor Pro-Tem Bruce stated that while he loves dogs, he feels that they should be kept on a leash. He feels that dog owners often under-estimate their ability to control the dog or their dog's ability to obey. He feels it is reasonable to require dogs to be on a leash and feels that it would cut down on the number of dogs running free in the city. He suggested amending the ordinance to remove the wording “under oral control”.

Councilmember Steckloff inquired if most of the dangerous dog cases were in parks or neighborhoods. City Manager Brock responded that most of the cases were dogs out in neighborhoods that were not on a leash. He stated that there are also those instances where dogs are running loose, but not necessarily considered a dangerous dog or causing any harm. There have been no incidents in parks that have been reported.

Councilmember Lerner inquired if the ordinance is enforced by the Police Department. Mr. Brock confirmed that it was.

Councilmember Bridges stated that he liked the idea, but felt it would be difficult to enforce. He questioned if other communities require dogs to be on a leash.

City Attorney Joppich explained that it is common for communities to require dogs to be on a leash. He stated that the issue of being “under oral control” is unique to Farmington Hills in his experience.

Residents in attendance indicated that their issue has been with a particular dog roaming out of its yard and onto other properties and being aggressive. It was noted that the dog previously attacked one of the resident's dogs and that case was heard before the City's Animal Review Board; but it continues to roam off of its own property.

Councilmember Massey pointed out that amending the ordinance to require an animal to be on a leash when not on its own property would not solve the issue of dogs roaming out of their yard; and that is an enforcement issue.

Considerable discussion was held on the complaints by the residents and enforcement. In general it was felt that this was an enforcement issue, but Council was not opposed to considering the proposed amendment to the ordinance.

Mayor Brickner requested that Attorney Joppich provide ordinances from other communities for Council's review in relation to requiring a leash, the length of the leash and enforcement, and to schedule the matter to come back to City Council for further review at a study session on October 13, 2014.

DISCUSSION ON CONTRACTOR GRASS CUTTING ON SUNDAYS:

City Manager Brock stated that this issue was also raised by a citizen complaint and request to review the current ordinance. The resident was complaining about a neighbor having their lawn cut by a contractor on Sunday. This is not currently covered in the city's ordinances.

Councilmember Knol questioned if a resident would still be allowed to cut their own grass. Mr. Brock explained that a resident would be allowed to cut their own grass on Sundays, and that the request would be to prohibit a homeowner from having a contractor cut grass on Sundays. The resident stated that they felt they would be able to speak with a neighbor to request that they not cut their grass, but could not do the same with a contractor.

The consensus of City Council was that they did not feel there was a need at this time to amend the ordinances as requested.

DISCUSSION OF FIREWORKS LEGISLATION:

Councilmember Bridges referred to the article provided to Council indicating that Senator Anderson has introduced legislation to restore Michigan's fireworks regulations back to pre-2011 regulations. He stated that he feels Senator Anderson makes a good point and that the new regulations have caused more harm and more complaints. He suggested that Council consider a resolution in support of this legislation.

Councilmember Massey stated that he feels this should be dealt with at the state level. He does not feel the regulations pre-2011 were any more enforceable than the regulations are now and while he appreciates the views expressed, he feels it is too early to express any support as the legislation has not yet been introduced.

City Manager Brock clarified that the article states that Senator Anderson introduced legislation, but he could not find the Bills listed yet.

Mayor Pro-Tem Bruce stated that he would prefer to wait until a Bill is filed so Council could review it before they consider any type of resolution of support.

Discussion was held on enforcement and the number of complaints. City Manager Brock stated that complaints have increased with the new fireworks regulations.

It was the consensus of Council to bring this issue back for discussion once the legislation is introduced and filed.

ADJOURNMENT:

There being no further discussion, the meeting adjourned at 7:20pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Smith', with a stylized flourish at the end.

Pamela B. Smith, City Clerk