

MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
CITY HALL – COMMUNITY ROOM
APRIL 8, 2024 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Pro-Tem Bridges at 6:00pm.

Council Members Present: Aldred, Boleware, Bridges, Bruce, Dwyer and Knol

Council Members Absent: Rich

Others Present: City Manager Mekjian, City Clerk Lindahl, Assistant City Manager Mondora, Directors Kettler-Schmult and Rushlow, and City Attorney Joppich

DISCUSSION ON BALLOT LANGUAGE FOR CHARTER AMENDMENTS:

a. TERM OF OFFICE FOR COUNCILMEMBERS AND MAYOR

City Clerk Lindahl explained that due to recent changes in election laws, the certification of elections is now taking several weeks, therefore causing an issue with the way the city charter reads and the term of elected officials. The charter states that successful candidates are sworn in at the next regular council meeting and if the election is not certified that cannot happen, which causes a lack of quorum. To address this issue, the City attorney has prepared a draft charter amendment to be placed on the November 5, 2024 ballot.

City Attorney Joppich reviewed proposal language and explained how it would appear in the charter. He noted that he is waiting for an informal approval by the attorney general's office and once he has that, the resolution can go before council at a regular meeting.

It was the consensus of Council to put this item on the agenda as directed by the City Attorney.

b. PUBLIC ROADS AND STREET MILLAGE

City Attorney Joppich said that the proposed ballot language for CHARTER AMENDMENT PUBLIC STREETS AND ROADS MILLAGE reflected a renewal of the existing millage as well as an increase, which increase was actually a restoration of the original 2 mills approved by the voters, but which had been rolled back per Headlee Amendment requirements. The resolution language complied with the state's strict wording requirements, including being limited to 100 words. If passed by the voters, the proposed amendment will replace City Charter Section 7.02e with language consistent with the ballot proposal language.

Assistant City Manager Mondora affirmed that there will be a very robust educational push regarding this ballot proposal. The City will provide informational material as it had done in the past, including FAQs.

It was the consensus of Council to accept the ballot language and to put the amendment on the ballot in November. As for the previous item, this item will be placed on a Council agenda as directed by the City Attorney.

DISCUSSION ON LIQUOR LICENSE ORDINANCE AMENDMENT

City Clerk Lindahl explained that the American Legion was moving from Farmington to Farmington Hills. The American Legion had their own liquor license, but the ordinance prevented them from using their license because they were not a bona fide restaurant operation. This issue had come up before during Council discussion at the May 9, 2022 study session, and those minutes are included in tonight's background documentation.

Council generally agreed with the need to expand the ordinance. However, there was some concern that the draft ordinance language moved from something that was well defined (bona fide restaurant operation) to something much less defined, making approvals reliant on Council's favor rather than a clear standard.

City Attorney Joppich explained that the City already had broad discretion to deny a liquor license, in that Section 4-46(4) gave Council the ability to decide whether a liquor license permit will provide a benefit to the community, as described in this subsection.

It was the consensus of Council to put this item on a regular City Council agenda for first reading.

DISCUSSION ON TEMPORARY CONNECTION AGREEMENTS – DEFERRAL POLICY FOR CONNECTION FEES

Assistant City Manager Mondora explained that over the last 60 years or so the City had a policy through the Public Services Department to allow the City to enter into temporary connection agreements with residents in hardship situations where a resident serviced by a private sewer or water system was required to make a connection to public sewer or water system when the public system was not available across the property frontage. The agreement outlined that a temporary connection could be used, but when the utility was extended across the property, the property owner would be subject to an appropriate proportional share of the cost through a special assessment district or a payback district.

There were currently over 100 payback districts in Farmington Hills. There have been situations where a property owner may not be aware of the connection agreement that is legally recorded against their property, either because it wasn't called to their attention when they purchased the property, or they weren't the original property owner that signed it. If the home is purchased via a mortgage, the title company involved is responsible for finding this legally recorded agreement during a title search. If for some reason this does not happen or the agreement is not otherwise disclosed, the temporary connection agreement can come as a surprise to the property owner. If a property owner indicates that they are unable to pay or make installment payments, a relief mechanism is available to residents whose income is no more than 200% of the federal poverty level. If this was the case, the City's policy to potentially deal with that situation is that the costs can be deferred and no payment made until such a time as the property changes hands or there is a sale.

Council has received draft language from City Attorney Joppich regarding the deferral policy for temporary connection agreements. It was the consensus of Council to put the draft language on the agenda.

Public comment

Susan Suokas, Farmington Hills, spoke of the difficulty she is facing, after learning about the connection agreement that was recorded against her property. She purchased the property 11 years ago, but the agreement was not made known to her by the title company. She had not known about the temporary connection agreement until last year when she tried to sell the home, and discovered that the cost of a permanent connection would be \$52K plus another \$20K-\$40K for an attachment. She stated that the cost

will destroy all equity in her home, making it impossible for her to move to a more retirement-friendly location. She has been told that the statute of limitations prevented her from seeking redress from the title company involved when she purchased her home.

Council discussed Ms. Suokas' situation, and City Manager Mekjian said that he and his staff had been working with Ms. Suokas for some time regarding this issue.

With Council's approval, City Attorney Joppich offered to have a conversation with Ms. Suokas' attorney regarding this matter.

ADJOURNMENT

The study session meeting adjourned at 7:11pm.

Respectfully submitted,

Carly Lindahl, City Clerk