

**MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
STUDY SESSION
CITY HALL – COMMUNITY ROOM
DECEMBER 8, 2025 – 6:00PM**

The study session of the Farmington Hills City Council was called to order by Mayor Rich at 6:00pm.

Councilmembers Present: Aldred, Boleware, Bridges, Dwyer, Knol, Rich and Starkman

Councilmembers Absent: None

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

DISCUSSION ON CITY CODE AMENDMENT TO PROVIDE FOR REGISTRATION AND INSPECTION OF RESIDENTIAL RENTAL DWELLINGS

Background

Director of Planning and Community Development Charmaine Kettler-Schmult introduced this agenda item and noted that the discussion was a continuation of prior Council discussions, the most recent of which occurred at the October 27, 2025 study session.

The City currently has a rental registration for single-family residential homes only. There are approximately 800 units that are registered and inspected on a rotating basis. The single-family rental registration focuses on external property maintenance items. Expanding registration to duplexes and multi-family units would significantly expand this program and include internal inspection items. There are approximately 60 multi-family complexes in Farmington Hills and over 10,000 units.

Key points discussed at the July 14, 2023 study session included:

- Rental inspections should focus on the four top areas of concern, as these items are considered life safety issues: 1) Dryer venting, 2) smoke alarms (detectors) 3) GFCI wall outlets and 4) furnace certification.
- Registration exemptions for units inspected by other agency inspections (HUD or state) was discussed but not finalized.
- Inspections of all multi-family units to be performed on a 3-4 year rotating basis.
- Third party inspection instead of in-house staff to conduct the inspections

Director Kettler-Schmult outlined several areas where staff is seeking Council direction. These included clarification on occupancy standards, guidance on inspection criteria to be established by the Director, development of an appeal process for inspection outcomes, and determination of whether inspection failures should apply on a unit-by-unit basis or to entire apartment buildings.

Building Official Lenhart provided an update on research conducted with neighboring communities, including Royal Oak. He reported that Royal Oak conducts exterior-only inspections as part of its rental program, with interior inspections occurring only upon special request, which were rare. Such requests most often arise during landlord-tenant disputes, particularly during eviction proceedings.

Building Official Lenhart discussed anticipated inspection timelines and compliance rates if a similar program were implemented in Farmington Hills. Based on estimates, it would take approximately three years to complete one full inspection cycle, with initial compliance rates resulting in an estimated 80 percent failure rate. Failures would typically be due to missing or non-functioning smoke detectors, lack of required furnace inspection reports, or minor electrical issues such as GFCI outlet deficiencies. He emphasized that failure of any one of the four safety criteria would constitute an overall inspection failure.

Council discussion and questions

Council discussion highlighted concern regarding the high anticipated initial failure rate and the implications for resident safety. Building Official Lenhart acknowledged that while the failure rate appears high, many deficiencies are minor and correctable, and the overall intent of the program would be to raise baseline safety standards across rental housing.

In response to questions, Director Kettler-Schmult and Building Official Lenhart provided the following further information:

- Troy and Livonia conduct inspections of single-family, two-family, and multi-family dwellings on a three-year cycle. Specific details regarding their initial program rollout were unavailable, as the programs were established prior to current staff tenure.
- The City's current definition of renter relies on whether the property owner is receiving compensation for housing another individual. This approach requires voluntary disclosure and cooperation, which presents enforcement challenges, as staff lack investigative authority to verify financial arrangements.
- The existing definition allows certain situations, such as family members occupying a property, to avoid registration requirements; this can be used to circumvent the inspection program. An alternative definition used by other communities is based on non-owner occupancy, requiring registration and inspection of any dwelling not occupied by the owner, regardless of compensation.
- Staff does not have a formal recommendation on how renters should be defined. The definition will depend on the desired scope and expansiveness of the program.
- Registration is currently required for single-family rental homes, but not for duplexes, multifamily dwellings, or condominiums. Currently, inspections are paid for by the property owner or the management company.

Director of Economic Development Brockway reported that she and the City Manager met with representatives from the Apartment Association of Michigan on December 3, 2025. Apartment owners indicated inspection costs would likely be passed on to tenants through rent. While many communities conduct apartment inspections and the City already responds to complaints with inspections as allowed by law, apartment owners expressed concern that increased regulation may impact their ability to invest in new developments or mixed-use projects.

Director Brockway added that apartment owners were receptive to continued dialogue and expressed interest in ongoing engagement with the City, potentially through regular meetings prior to implementation of an inspection program.

Councilmember Knol emphasized that newer apartment developments already comply with modern building and safety standards as a condition of obtaining certificates of occupancy. She recommended prioritizing inspections of older rental units, which are more likely to lack basic safety features. She was

particularly concerned about the potential existence of rental units without functioning smoke detectors.

Councilmember Boleware supported the draft ordinance, noting that rental properties often present ongoing maintenance and compliance challenges. She cited examples of homeowners misrepresenting rental arrangements to avoid regulation and stated that the ordinance is needed to address safety concerns and resident complaints. She suggested exemptions or delayed applicability for new developments as a potential compromise.

Councilmember Starkman discussed the importance of balancing landlord and tenant rights, particularly regarding notice and privacy during inspections. He questioned whether inspections would be more effective if conducted by City staff or third-party inspectors. Building Official Lenhart responded that he was not aware of evidence showing greater effectiveness for either approach and emphasized the importance of completing inspections efficiently.

Councilmember Starkman further noted that conditions can vary significantly within the same apartment complex, with some units renovated and others not, underscoring the need for unit-level inspections to identify unsafe conditions even in otherwise well-maintained buildings.

Mayor Rich expressed concern regarding housing affordability and the potential impact of inspection costs on rent increases. She also emphasized the importance of public safety, citing incidents in the past year involving serious injuries to public safety officers and the risks posed by missing or non-functioning smoke and carbon monoxide detectors. She questioned how resident and first responder safety would be ensured in the absence of an inspection program.

Council asked about the anticipated cost of rental inspections based on practices in other cities. Troy charges a registration fee of \$75 for properties with 1 to 150 units, \$125 for 151 to 300 units, and \$200 for properties with more than 300 units. In addition, Troy charges an inspection fee of \$51 per unit, with a separate lockout fee assessed when inspections cannot be completed due to lack of access.

Mayor Pro Tem Dwyer emphasized that the primary purpose of the ordinance is to protect life safety; he believed the City has a responsibility to adopt and enforce such regulations. Councilmember Bridges echoed this sentiment, noting that public safety is the Council's foremost responsibility. Councilmember Starkman highlighted the importance of the ordinance in protecting renters, particularly in historically underserved areas where rental housing is prevalent. He stressed the need to ensure tenant rights and safety as central considerations in ordinance development.

Mayor Rich summarized that Council discussion reflected general consensus in favor of adopting an ordinance. She asked staff and legal counsel what direction was needed from Council for staff to return with a refined proposed ordinance.

City Attorney Joppich identified the appeal process as a key unresolved issue. He outlined options for establishing an appeals body, including using an existing board such as the Building Board of Appeals, or creating a new body. Staff would evaluate the suitability of existing appeal mechanisms, and whether such appeals would be considered zoning-related or tied to building or property maintenance codes.

City Attorney Joppich further explained that the draft ordinance would require clarification of definitions, inspection standards, and access provisions. While tenants cannot be compelled to provide

access, landlords would bear responsibility for facilitating inspections through lawful means. The ordinance anticipates a three-year inspection cycle and includes provisions allowing certificates to remain valid if delays are attributable to the City.

Director Kettler-Schmult suggested draft provisions requiring 1) payment of outstanding City fees and 2) the designation of a responsible local agent, prior to issuance of rental certificates. These measures would address recurring enforcement challenges faced by staff.

Council requested that staff gather information from other cities regarding the frequency of appeals related to rental inspections. Council discussed the practical challenges of onboarding a citywide inspection program. Program refinements could include incentives for high-performing property owners (e.g., a pass rate of 95% or higher). Incentives might include increasing inspection intervals for properties with strong compliance histories.

Councilmember Bridges asked how varying definitions of “renter” could impact the total number of inspections required. Director Kettler-Schmult responded that, based on single-family rental data, approximately 300 to 400 properties have claimed family-member occupancy without compensation, which would currently exclude them from inspection. This issue primarily affects single-family homes and is unlikely to be prevalent in multifamily developments.

Director Brockway suggested continued coordination with the Apartment Association of Michigan to improve transparency, identify responsible local agents, and provide guidance to property owners.

Councilmember Bridges acknowledged concerns raised regarding socioeconomic conditions of renters and emphasized the need to ensure that lower-income residents are not placed at greater risk due to property owner neglect.

City Manager Mekjian summarized feedback from meetings with apartment industry representatives, noting that much of the City’s rental housing stock consists of Class B and C workforce housing built in the 1970s through 1990s, with typical one-bedroom rents ranging from approximately \$900 to \$1,600 per month. Inspection fees comparable to those charged in other cities are unlikely to be a primary driver of affordability challenges.

City Manager Mekjian emphasized the importance of building direct relationships with apartment owners to encourage property maintenance, support economic investment, and enhance public safety, including improved lighting and surveillance cameras.

Mayor Rich suggested convening a broader stakeholder meeting with apartment owners, realtors, and builders to share the City’s vision, master plan implementation, and economic development goals, similar to prior business outreach efforts.

Mayor Pro Tem Dwyer supported the use of surveillance cameras at apartment complexes to deter crime, citing prior successes in other communities.

Comments from the professional residential rental community

Mayor Rich invited members of the professional residential rental community to address council regarding the proposed ordinance. Speakers highlighted the following points:

- They generally support the City's objective of focusing inspections on core life-safety items. Responsible property owners share the City's goal of maintaining safe, well-functioning residential units.
- Many professional property management firms conduct preventive maintenance inspections twice annually and already coordinate scheduled access with residents. Numerous properties are subject to overlapping inspections, including federal HUD inspections, insurance inspections, and mortgage-related inspections that occur on multi-year cycles. Duplicative municipal inspections could result in repeated resident entry, administrative inefficiencies, and tenant frustration.
- They requested that the City consider an exemption or opt-out mechanism for properties that can demonstrate compliance through comparable federal or third-party inspection programs.
- Additional operational concerns were raised regarding the cost of mandated furnace inspections and similar requirements. Large-scale inspection programs in other cities have resulted in significant expenses that ultimately impact rental rates.
- While safety measures are supported, inspection programs should be narrowly tailored to avoid unnecessary financial burdens on residents.
- Responsible owners take proactive safety measures, including installation of kitchen fire suppression devices in older buildings lacking modern fire suppression systems, routine dryer vent cleaning, and systematic replacement of aging mechanical systems.
- Phil Neuman, Detroit Metropolitan Apartment Association, said that the proposed ordinance contains two distinct components: inspection and registration. While expressing support for complaint-based inspections already authorized under existing City code, he raised concerns regarding the administrative feasibility of registering and inspecting more than 10,300 rental units citywide. Mr. Neuman cautioned that the registration requirement could present a significant administrative and bureaucratic burden for the City. He questioned whether sufficient staffing, systems, and processes had been identified to implement and manage a citywide registration and inspection program of that scale. He requested clarification on how the registration component would be administered and whether these concerns had been addressed in the ordinance's development.

In response to questions from Council, Director Kettler-Schmult affirmed that if Council provides a mandate to move forward with a rental inspection program, staff will develop a method to implement it incrementally.

City Attorney Joppich noted that the proposed ordinance is an extension of the City's existing single-family rental inspection ordinance. The original ordinance was designed to introduce regulatory requirements to less sophisticated property owners and to address homestead versus non-homestead classification issues. Expanding the ordinance to include multifamily properties raises administrative considerations that require further evaluation, including whether similar registration requirements are necessary for larger, professionally managed complexes.

Councilmember Knol referenced prior discussion regarding exemptions for properties subject to state or federally mandated inspections, such as HUD inspections. She suggested researching whether other inspections, such as mortgage or insurance inspections, had overlapping safety requirements.

Director Kettler-Schmult responded that staff could evaluate the scope of other inspection types to determine whether credit or exemptions could be applied to avoid redundant inspections.

DISCUSSION ON PARLIAMENTARY PROCEDURE

The purpose of this discussion was to review proper meeting procedure and improve clarity during meetings.

Utilizing a handout provided this evening, City Attorney Joppich provided a brief overview of parliamentary procedure principles.

Regarding Robert's Rules of Order:

- Robert's Rules of Order serve as the City Council's foundational procedural guide, as adopted by Council, but are modified and supplemented by the City's charter, code, ordinances, and state and federal law. When conflicts arise, these higher authorities take precedence over Robert's Rules.
- Robert's Rules are not designed specifically for municipal governing bodies and do not account for constitutional requirements, statutory obligations, zoning procedures, or due process standards that govern City Council actions. As a result, strict adherence to Robert's Rules is often impractical in municipal settings.
- Council generally functions effectively and minor procedural imperfections do not require correction when meetings remain orderly, fair, and legally compliant. Robert's Rules themselves recognize flexibility when deliberations are productive and rights are protected.
- Municipal proceedings often deviate from Robert's Rules due to requirements such as staff presentations, applicant testimony, consultant input, public hearings, and question periods, none of which are contemplated under Robert's Rules but are necessary to satisfy due process obligations.

City Attorney Joppich reviewed the five classes of motions under Robert's Rules:

1. Main motions propose an action for the body to consider and form the primary business of the meeting.
2. Subsidiary motions include:
 - A motion to table is intended to temporarily delay consideration within the same meeting and must be properly taken from the table to avoid unintentionally terminating the matter.
 - A motion to postpone to a future meeting requires a motion to postpone to a date certain. Failure to specify a date results in the matter effectively being terminated, as it lacks a procedural mechanism for reconsideration. When postponement is contingent on an event, such as completion of a study, best practice is to include an outside date to ensure the item returns for consideration.
 - A motion to amend is used to make minor corrections or adjustments to a main motion without creating a new motion. A motion to amend should be voted on before a vote on the main motion is taken.
 - Friendly amendments occur when the maker and seconder of a motion agree to an amendment, without a formal vote. However, even friendly amendments technically require approval by Council, either through a formal vote or clear consensus. Clarity and unanimity are preferable to avoid procedural ambiguity.
3. Privileged motions include motions to adjourn, recess, and call for the orders of the day. While some privileged motions are rarely used by Council, they take precedence over other motions and may be made at any time.
4. Incidental motions, such as requests to withdraw a motion or divide a motion (split) into separate components for individual votes may be made while a main motion is pending and take procedural precedence.
5. Motions that reopen a previously considered matter (a motion to reconsider), can only be made by a member who voted with the prevailing side, and such a motion must be made at or before the

next Council meeting. If a motion to reconsider is approved, it returns the prior main motion to the floor for renewed deliberation. Motions to rescind or amend are generally limited to ordinances and resolutions and are rarely used outside that context.

The mayor is permitted to make or second motions, although the mayor typically refrains from doing so in the role as presiding officer.

When motions become unclear, Council may call a recess, table or postpone the item, or work with legal counsel to draft clear language reflecting Council's intent before proceeding.

DISCUSSION ON USA'S 250TH ANNIVERSARY (TIME PERMITTING)

Council had a brief discussion regarding planning for the upcoming 250th anniversary of the United States.

Mayor Rich noted that she had asked the school district superintendent to include the anniversary as a topic during the upcoming joint meeting, with the intent of coordinating potential commemorative activities with the school district and the City of Farmington.

Fireworks are confirmed for June 25. The fireworks contract was previously approved at a cost of approximately \$50,000.

The national initiative known as America's Potluck encourages communities to host potluck-style gatherings on Sunday, July 5, as part of the nationwide 250th anniversary celebration. The City may wish to engage homeowners associations in discussions regarding potential participation.

ADJOURNMENT

Mayor Rich closed discussion and adjourned the meeting at 7:25pm.

Respectfully submitted,

Carly Lindahl, City Clerk