

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL STUDY SESSION MEETING  
CITY HALL – COMMUNITY ROOM  
OCTOBER 28, 2019

The Study Session meeting of the Farmington Hills City Council was called to order by Mayor Massey at 6:00pm.

Council Members Present: Bridges (arrived at 6:08pm), Bruce, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: None

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

**CONSUMER PROTECTION REGARDING PET SALES**

Councilmember Bruce stated that he has been contacted by individuals concerned with the commercial sale of pets that are sick and appear to have come from puppy mills. He mentioned that other communities have adopted ordinances to prohibit the commercial sale of pets in an effort to eliminate the puppy mill industry and he introduced Molly Tamulevich from The Humane Society of the United States to make a presentation.

Molly Tamulevich, Michigan State Director, State Affairs for The Humane Society of the United States, explained that much of their work is on the legislative side and one issue that they are working on is trying to end puppy mills. She presented a model ordinance that would prohibit the retail sale of puppies, noting that the ordinance would not impact responsible breeders. She stated that she was contacted by Farmington Hills' resident Terry Walsh regarding this issue.

Terry Walsh, resident, spoke of her concern with retail pet sales and how consumers can also suffer from the sale of sick puppies.

Ms. Tamulevich further explained that the ordinance would not reduce buyers' choice or increase on-line sales and it is the hope that such ordinances would build support for state legislation on this issue. She introduced a representative from the Michigan Humane Society who mentioned that this issue has received more engagement from supporters than any other legislation.

Councilmember Bruce thanked them for their presentation and felt it was a great first step.

Questions were raised on puppy mills versus breeders, including test animals as part of the ordinance and how to combat on-line sales from puppy mills. Ms. Tamulevich responded that she could be a resource for the definitions of puppy mill versus breeder. The ordinance as presented would only address retail sales of puppies and test animals are a separate issue. She added that the majority of sales are driven by impulse buying when people see the puppies and studies have shown that such ordinances has not increased on-line sales but has reduced retail sales.

Mayor Massey acknowledged the importance of awareness on the issue and the Mayor and Council thanked everyone for their presentation and comments.

**FEDERAL COMMUNICATIONS COMMISSION (FCC) ORDER REGARDING CABLE/VIDEO FRANCHISE AND PEG FEES**

City Attorney Lisa Anderson discussed the recent order by the Federal Communications Commission (FCC) that would have a significant impact on cable franchise fees in the city. She noted that there are currently three (3) cable providers in the city with franchise agreements. Franchise fees are capped at 5% so the city can charge a 5% franchise fee and an additional 2% for PEG fees that were never considered part of the franchise fee. She explained that the new Order changes all of that and it is interpreted that any fee of any kind that is a cable related fee is a franchise fee; therefore, the PEG fees would have to be deducted from the franchise fee. This is a significant amount of money for the city. She added that the exception is capital costs so she has suggested to city staff that the 2% is allocated for capital costs where possible.

Finance Director Steve Barr stated that it would reduce the city's franchise fees by approximately \$500,000 per year with the exception of possibly the first year if they can allocate some of the costs towards capital.

Attorney Anderson mentioned that the Order is being challenged; however, she has seen a trend in reducing municipal rights.

Discussion was held on possible alternatives to the PEG channels.

**ADJOURNMENT**

The study session meeting adjourned at 6:51pm.

Respectfully submitted,



Pamela B. Smith, City Clerk