

MINUTES
CITY OF FARMINGTON HILLS
CITY COUNCIL STUDY SESSION MEETING
CITY HALL – COMMUNITY ROOM
OCTOBER 9, 2017

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

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

Council Members Absent: None

Others Present: City Manager Boyer, City Clerk Smith, Assistant City Manager Mekjian, Directors Gardiner and Stephens and City Attorney Joppich

ZONING ENFORCEMENT UPDATE

Director of Planning and Community Development Gardiner explained that per the direction of City Council his staff has been asked to pay particular attention to the aesthetics and safety of neighborhoods, which goes hand-in-hand with their rental inspection program. He stated that during enforcement efforts, staff has noticed fewer foreclosures, that weed-cutting has improved and for the most part people are complying with ordinance requirements or at least bringing their property into compliance when cited by zoning. He stated that a small percentage has required court action and he has 3 properties in particular to discuss with Council this evening in order to receive further direction.

Director Gardiner discussed all 3 properties that included a pool that was not in compliance with the City Code and for which the City has obtained a court order to remove the pools. He stated that removing the pools would be at the cost to the City initially and in a couple of the cases, it is not likely the City would recoup that money. Also, placing the cost on the tax roll could, in at least one case, put the homeowner out of their home due to the financial burden.

The properties were discussed in detail. Attorney Joppich clarified that the City has obtained court orders already to remove the pools and that the City would be required to provide 72 hours' notice, although staff is trying to work with the homeowners to remedy the problem on their own.

Director Gardiner added that staff would be sending one last final letter to the homeowners of the 3 properties in question asking them to remedy the situation and notifying them of the court orders in place and next steps to be taken.

Councilmember Knol suggested finding a medium ground to help them clean up their yard and address the safety concerns with the pools without spending too much money that the city may never recoup. Councilmember Bridges concurred.

Councilmember Bruce stated that he feels in some instances the city needs to spend the money and invest in the city to maintain property values if people are unable to do so for themselves.

Councilmember Lerner suggested that Life Remodeled may be able to help. City Manager Boyer cautioned that these residents do not necessarily want help or someone to come onto their property.

Director Gardiner added that he had also surveyed other communities, none of which have ever removed a pool and most of them indicated that they would likely go in and cover the pool in some way so that it is not a safety hazard. The City has the court orders to remove the pools, but due to various circumstances of putting people out of their homes or expending money the city may never recoup, he wanted further direction of Council.

City Manager Boyer stated that it is the city's intent to reach out one last time to the owners and if they still do not comply, the city will move forward on at least 2 of these properties.

Concerns were expressed with not enforcing the current ordinance and perhaps the ordinance needed to be revised to offer more flexibility.

Mayor Massey stated that there are also the surrounding neighbors to think about. He summarized that it sounds as if the staff will continue to work with the one resident to determine if her pool is in fact operational and move forward with the letters to each owner at this time. He questioned if Council was agreeable to the direction taken by staff to date.

Council concurred with the direction of staff at this time.

City Manager Boyer commented that these were not pools that could easily be rehabilitated and they needed to be removed.

Mayor Massey suggested possibly reviewing this ordinance in the future.

Rental Inspection Program:

Charmaine Kettler-Schmult, Community Development, explained the rental inspection program indicating that they initially contacted all non-homestead properties in an attempt to identify rental properties in the community. She noted that of the 1,865 letters mailed out, the city has received 381 responses. She discussed the inspection process and stated that items that caused a subsequent inspection included needed roof repairs, exterior painting, broken windows, etc. She added that the city also found that many homeowners did not know that their properties were designated as non-homestead. Ms. Kettler-Schmult stated that the city is in the process of starting its 3 year renewal process.

Councilmember Lerner inquired about those that did not respond to the initial letter and questioned if someone was renting their home but did not register could they use the 47th District Court if they had tenant issues. Director Gardiner stated that with the renewal process, the city may also have to resend letters to those that did not respond initially and perhaps go out and knock on doors.

Attorney Joppich stated that the issue of utilizing the court if they were not registered was discussed at the time the ordinance was drafted but he will have to review the exact language in the ordinance.

It was noted that many of the repairs required were done prior to the re-inspection so the program is working to maintain these properties.

FARMINGTON HILLS LIBRARY DISCUSSION

Mayor Massey stated that this discussion was prompted by the closing of the Library Café, but that was not the focus of tonight's discussion. He explained that the library used to be funded through the general fund and in conjunction with the City of Farmington and then the library went out for a dedicated millage as its source of funding. Discussions were held at that time and continued regarding turning over the library functions and funding to people who were not elected officials and had no accountability. Mayor

Massey added that the cities make appointments to the Library Board of Trustees, but since the Library was no longer funded by the cities, the annual reports to the cities slowed and eventually stopped. He added that there were not many questions at the time because the Library has been doing a great job.

Mayor Massey explained that he asked for information on the Library's budget and a copy of the bylaws and the City Attorney provided further information on The District Library Establishment Act (DLEA). He felt that the cities should review this information and tonight's purpose would be to develop questions to discuss at a future meeting with the Library Board of Trustees.

Attorney Joppich briefly reviewed his memo and commented on the limited oversight of the Councils per the DLEA. He also reviewed the appointment process.

Councilmember Bruce expressed concern having a non-elected Board overseeing a \$5million budget with no accountability to anyone. He feels the Councils should have some oversight over taxpayer money or that the Board should be elected and accountable to the taxpayers. He also expressed concern with the make-up of the Board members and felt that more representation should be coming from Farmington Hills.

Mayor Massey pointed out that there appears to be no issue with the Library budget based on the audit conducted by Plante & Moran so there are no concerns with the budget in that respect.

Councilmember Knol did not necessarily agree with having an elected Board or funding the Library out of the general fund. She stated that at the a minimum, she feels the Library Board should review the budget annually with the Councils and provide an update so that the Councils are aware of what is happening at the Library and not reading information in the paper first and so that the Councils know who is serving on the Board.

Councilmember Bridges stated that it seemed clear that Council has no oversight over their budget or administration responsibilities but that they should exercise their right to appoint members. He concurred with Councilmember Bruce on the representation from Farmington Hills on the Board and would like to review that issue and to also work on establishing a relationship between the Board and Councils.

Councilmember Rich stated that he Library is a jewel in the community and she appreciates attendance by the Director and members of the Board this evening. She agreed that it appears there is a disproportion with regard to representation on the Board. She felt it would make sense to explore if there is a preference for an elected Board and if so, the Board should be included in the annual joint meetings held with the Councils and School Board.

Councilmember Lerner stated that he is not in favor of an elected Board. He questioned a recent payment to the pension fund and inquired how many employees were still in that fund.

Mayor Massey summarized the following questions/topics to be discussed at a future meeting with the Library Board of Trustees:

- Compliance with the Open Meetings Act – specifically dealing with minutes and closed session.
- Discussion on having an Elected Board – Pros and Cons
- Representation of the Board members (Farmington vs. Farmington Hills residents)
- Annual meeting or updates to Councils – opportunity to introduce Board to the Councils

- Pension Fund
- Building a relationship between the Library Board and Councils

Mayor Massey stated that a tentative date has been set in November to further discuss these items. He thanked Director Streit and the Board members for attending the meeting.

ADJOURNMENT:

The study session meeting adjourned at 7:24pm.

Respectfully submitted,



Pamela B. Smith, City Clerk