

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL MEETING  
MAY 24, 2021 – 7:30 PM

The regular session meeting of the Farmington Hills City Council was held electronically and called to order by Mayor Barnett at 7:30pm.

During roll call, Council members were asked to state their location from where they are attending the meeting remotely.

Council Members Present: Vicki Barnett, Farmington Hills, Michigan  
Jackie Boleware, Farmington Hills, Michigan  
Michael Bridges, Farmington Hills, Michigan  
Valerie Knol, Farmington Hills, Michigan  
Ken Massey, Farmington Hills, Michigan  
Mary Newlin, Farmington Hills, Michigan  
Matthew Strickfaden, Farmington Hills, Michigan

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Gardiner, Mondora, Monico, Randle and Skrobola, Police Chief King, Fire Chief Unruh, Planning Consultant Arroyo and City Attorney Joppich

**PLEDGE OF ALLEGIANCE**

Mayor Barnett led the pledge of allegiance.

**APPROVAL OF REGULAR SESSION MEETING AGENDA**

MOTION by Bridges, support by Newlin, to approve the agenda items 1-16.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

It was noted that items 18 and 19 were not yet approved. The motion was made in error as it was meant for the consent agenda.

MOTION by Bridges, support by Newlin, to rescind the motion to approve the agenda items 1-16.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

MOTION by Massey, support by Bridges, to approve the agenda as published.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND  
STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

**RECOGNITION OF 2019 AND 2020 OUTSTANDING EMPLOYEES AND POLICE OFFICE  
AND FIREFIGHTER OF THE YEAR**

Police Chief King announced the 2019 Police Officers of the Year, Paulo Hernandez and Brian Moore and the 2020 Police Officer of the Year Prescott Line, noting that they were all currently on duty and unable to attend the meeting. He acknowledged their accomplishments and activities.

Fire Chief Unruh introduced the 2019 Firefighter of the Year Andre Gardenhire and the 2020 Firefighter of the Year Dennis Firment and acknowledged their accomplishments, activities, certifications and training over the past year and throughout his career.

Human Resources Director Randle announced the 2019 Outstanding Employees; Ethan Amolsch, Susan Hardy, Jenessa Rankin, Lindsay Santilli and Employee of the Year, Teresa Jergovich, and the 2020 Outstanding Employees; LaToya Edwards, Hannah Fogarty, Sharon Gamble, Carly Lindahl and Employee of the Year, Ashely Hopper.

Mayor Barnett thanked all of the employees for their work and dedication to the city.

**PROCLAMATION RECOGNIZING JUNE 4, 2021 AS NATIONAL GUN VIOLENCE  
AWARENESS DAY**

The following Proclamation was read by Council Member Bridges and accepted by Jenn Garland:

**PROCLAMATION**

**National Gun Violence Awareness Day**

**June 4, 2021**

***Recognizing Gun Safety Initiatives in Farmington Hills***

**WHEREAS,** National Gun Violence Awareness Day is celebrated annually on the first Friday in June to honor and remember all victims and survivors of gun violence and to declare that we must do more to reduce gun violence in our country; and

**WHEREAS,** citizens are encouraged to wear orange, the color worn by hunters and gun violence safety activists on Gun Violence Awareness Day to bring attention to gun deaths, which take many forms including suicide, homicide, domestic violence, and unintentional shootings; and

**WHEREAS,** the City of Farmington Hills is working to end senseless gun violence with evidence-based solutions and encourages responsible gun ownership that complies with State legislation requiring all handguns to be registered with a Police Department; and

**WHEREAS,** gun safety and firearms security are issues of great concern in our City and the Farmington Hills Police Department encourages all gun owners to properly secure their firearms and store them in areas not accessible to children; and

**WHEREAS,** any adult resident of Farmington Hills may obtain a free gun lock from the Police Department's front lobby Command Desk, 24 hours a day, 365 days a year through the City and County-Wide Gun Safety Lock Give-Away Programs; and

**WHEREAS,** the City also seeks to protect public safety by acknowledging that mental illness is a strong component of gun violence and encourages those with violent or suicidal thoughts to seek help and find support through the vast network of resources available to our residents such as Farmington SAFE (Suicide Awareness for Everyone).

**NOW, THEREFORE, BE IT RESOLVED** that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim June 4, 2021 as **Gun Violence Awareness Day** in the City of Farmington Hills and call upon our citizens to help save lives by taking steps to prevent the tragedy of gun violence and encourage everyone to seek help rather than turn to violence and harm innocent members of society.

**PROCLAMATION RECOGNIZING JUNE 2021 AS SCLERODERMA AWARENESS MONTH**

The following Proclamation was read by Council Member Newlin:

**PROCLAMATION  
Scleroderma Awareness Month  
June 2021**

**WHEREAS,** scleroderma is a chronic, degenerative autoimmune disease in which the connective tissues suffer from an overproduction of collagen that can affect many parts of the body such as skin, blood vessels, and internal organs; and

**WHEREAS,** an estimated 300,000 Americans have scleroderma, which is frequently misdiagnosed and affects approximately three to four times more women than men with an onset most commonly between the ages of 25 and 55; and

**WHEREAS,** since researchers have yet to identify the exact cause of scleroderma, there is a significant need for further research to increase understanding of the disease and its treatment; and

**WHEREAS,** addressing the complex health needs of people with scleroderma through comprehensive and coordinated health services is critically important to achieving positive patient outcomes; and

**WHEREAS,** through public awareness, the City of Farmington Hills seeks to focus on the needs of people living with scleroderma and the continuing improvement of services to those people and their families.

**NOW, THEREFORE, BE IT RESOLVED** that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby proclaim June 2021 as **Scleroderma Awareness Month** in the City of Farmington Hills and call upon our citizens to become better educated about scleroderma and the need for increased research and more effective treatments for this disease.

**PROCLAMATION RECOGNIZING JUNE 2021 AS GREAT OUTDOORS MONTH AND THE GREAT FARMINGTON HILLS CAMPOUT ON JUNE 5-6, 2021**

The following Proclamation was read by Council Member Strickfaden and accepted by Special Services Deputy Director Bryan Farmer:

**PROCLAMATION  
Great Outdoors Month and  
The Great Farmington Hills Campout  
June 5 – 6, 2021**

**WHEREAS,** June has been declared Great Outdoors Month and all Americans are encouraged to observe this month by spending time outside being active rather than inside being sedentary; and

**WHEREAS,** the City of Farmington Hills takes pride in our many programs that bring families together, promote a love of the outdoors, and encourage a sense of stewardship for the environment; and

**WHEREAS,** the Great Farmington Hills Campout will take place during the weekend of June 5 – 6, 2021 in beautiful Heritage Park and in backyards at homes throughout the community; and

**WHEREAS,** now in its fifteenth year, the Great Farmington Hills Campout inspires residents to celebrate the great outdoors, enjoy the health benefits of open-air recreation, and create a memorable family experience while camping, hiking, and singing around the campfire; and

**WHEREAS,** across our country during June, families will head to local recreation areas to celebrate the splendor of our nation's varied landscapes, scenic parks, and magnificent wildlife habitats.

**NOW, THEREFORE, BE IT RESOLVED** that I, Vicki Barnett, Mayor of the City of Farmington Hills, on behalf of the City Council, do hereby encourage our citizens to celebrate our City's natural resources, including our neighborhood parks and woodlands, during **Great Outdoors Month** and to spend time enjoying the great outdoors by taking part in the **Great Farmington Hills Campout** on June 5 – 6, 2021.

**CORRESPONDENCE**

The following correspondence was acknowledged:

- Complaints on deer population. Mayor Barnett suggested having a study session with DNR and other experts.

**CONSENT AGENDA**

MOTION by Bridges, support by Massey, to approve Consent Agenda items #9 through #16 as read.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

Councilmember Strickfaden noted a minor correction to the May 3, 2021 minutes to correct the spelling of Councilmember Bridges' name on page 2.

MOTION by Bridges, support by Massey, to amend the previous motion to approve Consent Agenda items #9 through #16, with the amendment to the May 3, 2021 Budget Study Session meeting minutes.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

MOTION by Massey, support by Strickfaden, to approve the Consent Agenda items #17 and #18, as read.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: BRIDGES

MOTION CARRIED 6-0-0-1.

**PUBLIC QUESTIONS AND COMMENTS**

Erika Kemski spoke on concerns regarding pesticide spraying. She would like Council to consider exploring options on regulating the use of pesticides so that neighbors are aware of when the spraying will take place and what products will be used.

Mayor Barnett asked City staff to explore what other communities are doing and what options the city has for regulating pesticides under current law and to schedule this item for a future study session.

Phil Neuman suggested posting the City Council meeting packets on the city's website.

Mayor Barnett requested to add discussion on this topic to the July 14<sup>th</sup> meeting agenda for Council's consideration.

### **COUNCIL MEMBERS COMMENTS AND ANNOUNCEMENTS**

The following comments and announcements were made:

- May 26<sup>th</sup> Farmington SAFE is hosting a virtual community conversation on COVID Mental Health starting at 7pm.
- Processing of hiring of a Diversity, Equity and Inclusion (DEI) Director
- Request for a study session to review City Code Section 10.01A and for staff to review how other communities handle hiring relatives of employees; and a request that a report on the percentage of employee relatives that work for the City is provided to Council
- Reminder of the City's position on racial equality, inclusion, diversity and equity as proclaimed at a previous Council meeting and to remember that going forward.

### **CITY MANAGER UPDATE**

City Manager Mekjian provided the following update:

- Ribbon cutting for the Hawk will be Monday, June 7<sup>th</sup> at 6pm
- The American Red Cross Blood Drive is Wednesday June 2<sup>nd</sup> from 8am to 8pm at the Costick Center.
- City offices will be closed May 31<sup>st</sup> in recognition of the Memorial Day holiday
- Garbage, recycling and yard waste pick up will be delayed by one day during the week of May 31<sup>st</sup>

### **PUBLIC HEARING**

#### **PUBLIC HEARING AND CONSIDERATION OF PLANNED UNIT DEVELOPMENT PLAN 2, 2021 LOCATED AT 27400 TWELVE MILE ROAD.**

Director Gardiner provided an overview of the request for a planned unit development (PUD) for the former Sarah Fisher property located at Twelve Mile and Inkster Roads. The property is also a city designated historic site. The request is to develop a skilled nursing facility and multi-family apartments within the RA-1B, Single-Family Residential District. The Planning Commission held a public hearing on April 22, 2021 and made their recommendation for approval to City Council at that time. Mr. Gardiner noted meeting procedures to allow for a public hearing prior to Council deliberation and action.

Raj Patel, proponent, discussed his company and reviewed the proposed development with City Council including the current condition of the property and buildings, proposed development and challenges faced and significant investment that would need to be made to the property for the proposed plan. He also spoke to the need of the skilled nursing facility in Farmington Hills.

Rod Arroyo, Giffels-Webster, reviewed his review letter provided to Council. The property is currently zoned RA-1B, Single-Family Residential and is one of the lowest density districts in the city. He discussed the surrounding zoning and uses. The Planning Commission is making a positive recommendation for final qualification of this site as a PUD that can be used in any zoning district. The applicant requested a PUD plan due to the unique nature of the site and is seeking relief from some standards by requesting uses that are not permitted in the district and for a higher density multi-family use. He reviewed the criteria that Planning Commission felt have been met to qualify for a PUD. He noted that redevelopment of the site does provide some challenges as outlined by the proponent. Council is being asked to approve the PUD plan, which is a conceptual plan and if approved by council, the proponent would come back to the Planning Commission with a full site plan. They are proposing a 140-bed skilled nursing facility and 371 rooms for the multi-family development. Mr. Arroyo noted the that

37% of site is being preserved for open space and were conditions from Historic District Commission related to the demolition of certain structures. The city's master plan designates the site for single-family and the low density designation is consistent with the current zoning; however, the master plan also shows this as a special planning area and talks about preserving the historic character of the site and any development being compatible with the surrounding single-family uses, paying special attention to traffic control and considering a PUD option as a way to work with the unique characteristics and protecting the environmental and drainage pattern to Pebble Creek. He noted that the developer did provide a traffic study.

Discussion was held on the concern the residents had expressed with regard to the apartments and what those apartments would include as far as fixtures and amenities.

It was clarified that the Planning Commission has made a preliminary determination to qualify the site as a Planned Unit Development (PUD) and before City Council is the PUD plan for consideration. It was noted that if the plan were approved, an agreement would come back to City Council that would include any conditions.

City Council acknowledged the challenges of the site but had the following concerns:

- Lack of imagination for the residential portion on the north end of the site and lack of amenities
- Prefer owner-occupied dwellings over apartments with more amenities such as a pool or courtyard area with fire pits or other gathering areas
- Density of the residential area was too high
- Too much parking area of the residential area – suggested exploring underground parking

Mayor Barnett opened the public hearing. She acknowledged letters received by Council from the following expressing concerns with the proposed development:

Hickory Oaks Homeowners Association  
Stan Serpento  
Poonam Batra

Bill Smith, resident, suggested the city consider this opportunity to purchase the site and create a park to offer more green space in the city.

Bassem Dekelbab, Hickory Oaks resident, did not agree the property was as dire as discussed by the developer. He expressed concern with the lack of amenities and the lack of areas to walk, which could potentially bring the residents into their neighboring subdivision. He noted that the elevation on the north end was already 15 feet higher than his subdivision and to add 3-story apartment buildings on top of that would create buildings over-looking their residential homes. He felt the lights and noise could also be a concern for their subdivision.

Jeff Dawkins, representing Hickory Oaks Homeowners Association, stated that residents do not have an issue with the skilled nursing facility but they are concerned with the height and density of the proposed apartments and they do not feel the development is reflective of Farmington Hills.

Terri Williams, Treasurer of Hickory Oaks Homeowners Association, stated she is also in favor of the health facility and feels that is a benefit to the community, but is not in favor of 3-story, high-density apartments. She agreed luxury townhouses or condos or green space would be a better option.

S. Lawrence, Hickory Oaks Subdivision, expressed the following concerns:

- Figures to reduce the buildings had not been provided as suggested at the Planning Commission meeting
- The elevation would be looming 45 or 50 feet over the homes in his subdivision
- High- density, multi-family apartments with no amenities is not in character with the community
- No additional landscaping has been proposed.
- The loss of green space and more hard space creating increased risk of flooding due to Pebble Creek being located in this area.
- Lighting in parking lots.
- Cut-through traffic in neighborhood that has no sidewalks and creating a safety issue for children in area.
- Decrease in surrounding property values

He added that he is very much in favor of skilled nursing facility but not the apartments.

Kelly Goldberg, High Valley, from past Council and school board meetings there was concern with lack of starter homes for people that wanted to live in the school district. She feels condos are more affordable to young families and would also help older residents age in place in Farmington Hills. She hopes someone is doing diligence about other facilities owned by the company who will own the skilled nursing and complaints through LARA to make sure there is adequate staff to safely perform their duties.

Allan Whittemore, Forestbrook/Pebblebrook, stated that one of the suggestions that came out of the Planning Commission meeting was to a couple of the buildings so that they were not looking down over the homes in the neighboring subdivisions; but he preferred luxury condos as suggested this evening. He also assumed the developer would be required to install a sidewalk along Inkster Road.

Director Gardiner confirmed that sidewalks will be required along major roads.

Jim Flaszar, Hickory Oaks, supported the skilled nursing facility but not the apartments due to the density and elevation. He mentioned the lights and noise is also a concern. He stated that the plan seems incomplete and doesn't note the sidewalks, dumpster location, snow removal, etc. and wondered if there was any thought to exploring the north end of the property for the skilled nursing facility. He requested that Mayor and Council not support the plan.

Scott Griffin mentioned that he also submitted a letter (e-mail) last week to Council suggesting various options for the site. Council acknowledged that this was received by them. He expressed concern with the size of the apartments as opposed to the skilled nursing center and the density and height proposed. He believed apartments would decrease the value of the surrounding homes but would not be opposed to luxury condos. He feels there are other options for the site and encouraged the city to not abandon their master plan.

Scott Elliot, resident and real estate agent for the site, acknowledged that this site was presented to several high-end, single-family developers, all of whom passed on purchasing the property. The best offer came from this team and a big problem with the site out of 30 acres only 14.5 acres are buildable and 3 acre deed restriction near center of skilled nursing facility so it is a tricky project. Appreciate comments on apartments and that will have to be sorted out with the developer but there is a limited pool of buyers for the site and many wanted to do multi-family on the entire site. Many millennials don't want to own and they want to lease so he believes you would get some more long-term tenants and would be nicer upper end multi-family project. Staffing numbers are for a 24/7 facility so there is a small number of staff on

site at any given time. Seller is struggling and needs to sell the property as they can no longer maintain. He hopes that they can come to an agreement on the site for all involved and get the property back on tax rolls.

Mayor Barnett asked if Toll Brothers or Robertson Brothers were approached to purchase the site as they are building the upscale luxury condos that would be preferred. Mr. Elliott stated that many developers passed but possible they could get someone with interest in the site.

There being no further public comments, Mayor Barnett closed the public hearing.

Councilmember Bridges suggested tabling the matter to provide the developer more time to revise the plan for the northern portion of the property.

Mr. Patel, developer, suggested providing him 30 days for him to review other options for the northern portion of the site. He questioned if this would come back to City Council or to the Planning Commission.

Attorney Joppich explained that the public hearing has been held so that would not have to be held or noticed again. He suggested postponing the matter to a date certain and if it would require to go back to the Planning Commission, that could be addressed at the date to which it was postponed.

MOTION by Bridges, support by Boleware, that the City Council of Farmington Hills hereby postpones consideration of Planned Unit Development 2, 2021 located at 27400 Twelve Mile Road to the July 12, 2021 City Council meeting.

Mayor Pro-Tem Boleware would prefer to see the property left as green space but realize that is probably not feasible. Her biggest concern is the with the density but she is willing to review alternatives for the site. She agrees there is a need for the skilled nursing facility.

Mr. Patel stated that anything is possible on the north end of the site but he has to offset the cost of the entire site in order to build the skilled nursing facility. He spoke to the financial burden of the site with the historic homes and working around those buildings. Mayor Barnett also mentioned the potential for historic district credits.

Councilmember Knol stated that what the Historic District Commission is requiring of the developer is no different than the previous owner who had a plan designed around those buildings that included independent living with green space. She suggested reviewing the potential for Michigan Brownfield tax credits that could help with some of the finances for the site.

Councilmember Massey noted that buying property and keeping it for green space was put in a ballot a while ago and the voters turned that down so that is not an option for the city. He understands the difficulties with the site but feels it has been very clear tonight that council wants to see owner-occupied units and less density.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**PUBLIC HEARING AND CONSIDERATION OF THE INTRODUCTION OF AN ORDINANCE TO AMEND THE FARMINGTON HILLS CODE OF ORDINANCE, CHAPTER 34, "ZONING," IN ORDER TO ADD A DEFINITION OF "CANNABIS," AND TO AMEND THE DEFINITIONS OF "MEDICAL MARIHUANA," "PRIMARY CAREGIVER," AND "MEDICAL USE"; TO AMEND ARTICLE 4, "USE STANDARDS," TO CREATE USE STANDARDS AND ESTABLISH LOCATION REQUIREMENTS RELATED TO THE CULTIVATION OF MEDICAL CANNABIS (MARIHUANA) BY PRIMARY CAREGIVERS UNDER THE MICHIGAN MEDICAL MARIHUANA ACT (MMMA); AND TO AMEND ARTICLE 3, "ZONING DISTRICTS," (ZONING TEXT AMENDMENT 1, 2021).**

Director Gardiner stated that the Planning Commission has submitted for Council consideration a proposed zoning ordinance that would remove medical marihuana caregiving as a home occupation within residential district and include them as a permitted use with conditions in Light Industrial (LI) District. Council has requested the Planning Commission to study this issue and make a recommendation. The Planning Commission held a public hearing on April 22, 2021 and recommended to Council approval of the ordinance amendment. Mr. Gardiner noted that Planning Consultant Rod Arroyo will present the ordinance to Council in detail and following that public input should be taken prior to action of City Council.

Rod Arroyo, Giffels-Webster, reviewed the proposed ordinance with City Council. The main purpose of the ordinance was to remove the function of the primary caregiver for medical marihuana from the residential district and move that into the light industrial district. He added that the term cannabis is being used throughout and this is a trend seen when speaking about marihuana as a medical product. He reviewed the regulations under the use standards section of the ordinance.

Councilmembers had the following questions:

- How would the ordinance affect current residential grow operations?
- If the odor is discernable across property lines, what is the consequence and how is that determined?
- Is there a minimum distance regulation to adjacent residential areas?
- Could the ordinance include separation between light industrial and residential areas?
- How legal grow operations would get around using more than 15% of the home as that is the current limit for home occupations
- How would the city confirm that a residential grow operation was legal or not it is were discovered some time after the ordinance was in place.

Director Gardiner responded that legal residential growers would become a legal non-conforming use. He explained that his staff along with the Fire Department is currently inspecting homes based on suspected grow operations to determine if they are operating legally within the city. He noted that the current ordinance does not have an established separation between the light industrial district and residential but that is at the discretion of Council. Mr. Gardiner stated that the odor would be determined and enforced by code enforcement and if home were using more than 15% of their home for grow operations, they would not be considered a legal use.

Attorney Joppich clarified that current legal residential grow operations would be a legal non-confirming use and would be allowed to continue in the residential district so long as they exist.

Mr. Gardiner and Attorney Joppich spoke to the requirement for residents to provide proof that they were an existing legal use and the potential for having to go through the court process. Attorney Joppich added that as caregivers they are also required to have register patients.

Planning Consultant Arroyo and City Planner Stec spoke to the Planning Commission discussion about proximity to residential areas and fact that if a separation requirement were imposed, many of the light industrial areas would no longer qualify and the Commission did not want to out-zone the use. Another consideration was the cost of an individual caregiver to go into an industrial building and eliminating some of the smaller buildings along Eight Mile Road.

In response to Council, Attorney Joppich explained that to discern odor, it would be a matter of enforcement and potentially having to build a case and providing proof on both sides that may also have to go through the legal process.

Mayor Barnett stated that this would be the same process regardless if it remained in residential neighborhoods or they caregivers were moved into light industrial districts. Mr. Gardiner confirmed that was correct and that the proposed ordinance has more restrictions to alleviate some concerns mentioned.

Attorney Joppich clarified that this ordinance relates to caregivers only and not recreational marihuana and that the city has to allow for caregivers in the community to grow medical marihuana by law; but the city has the ability to enact reasonable zoning regulations.

Councilmember Newlin still had concerns that individual homeowners would be affected and she would be more inclined to support the ordinance with separation requirements in place between districts.

Mayor Barnett opened the public hearing. She acknowledged a letter from Steven Kesto indicating that he was in favor of moving cannabis caregivers out of residential neighborhoods and into the industrial areas to fill some of the vacant buildings. He and his neighbor own industrial buildings and have lost their tenants and have had interest in caregivers moving into the buildings.

There being no further comments, Mayor Barnett closed the public hearing.

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby approves the INTRODUCTION of an ordinance to amend the Farmington Hills Code of Ordinance, Chapter 34, "Zoning," in order to add a definition of "Cannabis," and to amend the definitions of "Medical Marihuana," "Primary Caregiver," and "Medical Use"; to amend Article 4, "Use Standards," to create use standards and establish location requirements related to the cultivation of medical cannabis (marihuana) by Primary Caregivers under the Michigan Medical Marihuana Act (MMA); and to amend Article 3, "Zoning Districts," (Zoning Text Amendment 1, 2021).

Councilmember Bridges liked moving the caregivers to light industrial over residential but agreed with Councilmember Newlin with regard to the affects on abutting residential areas and suggested the Planning Commission or staff review tailoring the ordinance to have a beneficial impact on the proximity of the caregivers to abutting residential areas.

Councilmember Massey stated that there are specific requirements included in the ordinance for locking the facility and required electrical, plumbing and regulating the odor and he feels this is a great starting place to remove these types of operations from residential neighborhoods and if there are further issues, the city could amend the ordinance.

Councilmember Strickfaden would prefer stricter penalties for odors emanating across property lines.

Attorney Joppich stated that there are monetary fines but also injunctive relief included in the existing code in which the court has the power to grant such relief if requested by the city to potentially shut down the operation.

Councilmember Newlin continued to express concern for the single street neighborhoods along Eight Mile Road that could be affected.

Mayor Pro-Tem Boleware felt that this ordinance offers stricter regulations with regard to odor and the city is required to allow for the residential caregivers. She feels it is the step in the right direction and if there are future problems, it could be amended.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY AND STRICKFADEN  
Nays: BRIDGES AND NEWLIN  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 5-2.

### **UNFINISHED BUSINESS**

#### **CONSIDERATION OF APPROVAL OF REVISED CLUSTER SITE AND OPEN SPACE PLAN 60-10-2020 FOR PROPERTY LOCATED AT 38500 NINE MILE ROAD (TABLED FROM APRIL 26, 2021).**

Mark Stec, City Planner, explained that City Council held the public hearing for this proposed cluster site plan on April 26, 2021 and at that time postponed determination to come back to Council to allow the developer to address several concerns of Council including density, the 4 homes at the front entrance, additional plantings, changing the roads to from private to public roads and additional fencing to protect children at the daycare center from the detention pond. He noted that at the last meeting the public hearing was held. He noted the changes made to the plan by the proponent.

Mike Noles, representing Pulte Homes of Michigan, commented that they originally started at 30 units and presented 28 units to council at the last meeting. The PC qualified the site for the cluster option due to long narrow shape and that it is in the shadow of industrial and apartments and serves as a transitional piece of property to the residential area. He noted that when he appeared before Council previously he had approval from engineering, fire and met the planning conditions and received a recommendation of approval from the Planning Commission. He presented slides to highlight the changes to the plan based on comments from the last Council meeting that included:

- Further reduce the number of units
- Consider public roads
- Increase the separation between units 1-4
- Add fencing around the basin with a common property line with the daycare facility
- Enlarge the open space to the north to make it more inviting

- Improve Nine Mile Road views

Mr. Noles added that there was a consensus there was a need for this type of housing in Farmington Hills and that we did qualify as a transitional property, but these were the concerns. He presented slides to show the changes made based on the above comments.

Mayor Barnett acknowledged the letter received from Robert Benninger. She questioned if any other members of the public wished to speak on this item.

Frank Adams stated that his home abuts the back of the property to the east and stated that he would prefer this development over apartments on the site. He suggested that the 3 units on the cul-de-sac at the north end could be re-positioned closer together in order to spread out the homes on the east side of the property.

June Benninger commented on two alternate site plans drawn up by her son that she submitted with their letter to alleviate the density on the east side of the property by flipping the cul-de-sac curve from west to east and moving the 4-bay.

Discussion was held on the alternate plans and Mr. Noles explained the location of the pond and the need for a 15-foot retainer wall on the Benninger property line if the site were flipped and the pond were located on the east side. If they flip the cul-de-sac, it doesn't change anything down by the Benninger property. He discussed what they have already done to accommodate their concerns and noted that the pond was put on the low side of the site as it is good engineering and would be the most efficient.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby

Councilmembers Knol, Strickfaden and Mayor Pro-Tem Boleware all expressed concern with the density of the property and Councilmember Knol had also suggested staggered conifers that were not included in the revised plan.

Mayor Barnett commented that she was hoping for a more creative solution to the density concerns and more recreational space in the front.

Councilmember Strickfaden questioned the ability to table the issue again for further amendments to the density.

Mr. Noles stated that they would prefer an up or down vote tonight as they have been working on the project for over a year with staff, planning consultants and Planning Commission and have reduced the density from 30 to 26 units and have addressed every single neighbor. He commented that nobody likes development in their back yard but the project is barely feasible now at 26 units. Mr. Noles stated that this is in a transitional zone and it was affirmed by the Planning Commission and the city has a specific ordinance and they met the letter of ordinance as far as setbacks and added buffers so they would appreciate a vote tonight.

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the Cluster Site and Open Space Plan 60-10-2020 dated March 16, 2021; and

IT IS FURTHER RESOLVED, that the City Council approves an escrow deposit of \$124,755 be submitted to ensure completion of the open space plan; and

IT IS FURTHER RESOLVED, that the City Council directs the City Attorney to prepare a cluster agreement setting forth the conditions of approval for City Council consideration and approval; and

IT IS FURTHER RESOLVED, that the City Council directs the City Attorney to prepare and stipulate, on behalf of the City, to entry of an order vacating or dismissing the Consent Judgement in the case of Piemontese Social Club vs. City of Farmington Hills, Oakland County Circuit Court Case No. 75-129064, and Council's approval of this Cluster Site and Open Space Plan is subject to court approval and entry of such an order.

Roll Call Vote:

Yeas: BRIDGES AND MASSEY  
Nays: BARNETT, BOLEWARE, KNOL, NEWLIN AND STRICKFADEN  
Absent: NONE  
Abstentions: NONE

MOTION FAILED 2-5.

**CONSENT AGENDA**  
**RECOMMENDED ADOPTION OF A RESOLUTION DESIGNATING JOSEPH VALENTINE AS ACTING CITY MANAGER IN THE ABSENCE OF THE CITY MANAGER.**

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF FARMINGTON HILLS

**RESOLUTION NO. R-96-21**

At a regular meeting of the City Council of the City of Farmington Hills, County of Oakland, State of Michigan, held in the Farmington Hills City Hall on May 24, 2021, at 7:30 p.m., with those present and absent being,

PRESENT: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
ABSENT: NONE

The following resolution was offered by Councilperson Bridges and supported by Councilperson Massey:

WHEREAS, Section 3.07.B of the Farmington Hills City Charter authorizes City Council to designate an employee to serve as the Acting City Manager during periods of absence or disability of the City Manager; and

WHEREAS, Gary Mekjian was previously designated to serve as the Acting City Manager, but he has been appointed to the office of City Manager.

NOW, THEREFORE, IT IS RESOLVED that, in accordance with Section 3.07.B of the City Charter, Joseph Valentine is designated to serve as the Acting City Manager.

AYES: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
NAYS: NONE  
ABSENT: NONE  
ABSTENTIONS: NONE

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN            )  
                                          )ss.  
COUNTY OF OAKLAND        )

**RECOMMENDED APPROVAL OF TRANSFER OF YVONNE’S TREASURES TRUST FUND TO FRIENDS OF THE PARKS. CMR 5-21-57**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the transfer of all of Yvonne’s Treasures assets and future shop revenue to the Friends of the Parks, and request that the Friends of the Parks use these assets to assist Farmington/Farmington Hills senior citizens in a manner consistent with Yvonne’s Treasures program mission.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF A SPECIAL EVENT PERMIT FOR THE 10<sup>TH</sup> ANNUAL CIPRIANO CLASSIC 5K RACE EVENT TO BE HELD ON FRIDAY, JUNE 11, 2021.**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves a Special Event Permit for the 10th Annual Cipriano Classic 5K Race to be held on Friday, June 11, 2021 from 6pm-9pm, subject to the following conditions:

- The event shall not block or restrict fire lanes
- The event must comply with Fire Prevention Code requirements
- The route shall be as proposed, mainly in the residential area behind the YMCA
- Northbound Farmington Road will be closed temporarily at 12 Mile while runners begin the race
- There will be approximately 400-500 runners
- There will be 30-40 volunteers throughout the race route to assist the runners
- The applicant has been in contact with the Fire Department for medical response
- There will be ample parking for all attendees in the area of the event
- The residents of Kendallwood Subdivision will be notified by staff of the event the week prior to the run
- Reimbursement for Police Department overtime as outlined in the Police Chief’s recommendation memo for this event

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF AWARD OF BID FOR A HEAVY DUTY 60" ZERO TURN ROTARY MOWER TO WEINGARTZ SUPPLY COMPANY IN THE AMOUNT OF \$12,042. CMR 5-21-58**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order for a *Toro Model LZX921GKA60600* Mower, including all specified options, with no trade-in to Weingartz Supply Company in the amount of \$12,042.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF PURCHASE OF DELL XPS 15 LAPTOPS WITH DELL MARKETING LP IN THE AMOUNT OF \$11,766.30. CMR 5-21-59**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby authorizes the City Manager to issue a purchase order to Dell Marketing LP for Dell XPS 15 laptops in the amount of \$11,766.30.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF REQUEST FOR EMPLOYMENT UNDER SECTION 10.01A OF THE CITY CODE.**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the request for employment under Section 10.01A of the City Code for Brycen Cummings as an Ice Arena Attendant in the Special Services Department. Brycen is the brother of Raegan Baty, who is an Ice Arena Leader in the Special Services Department.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL BUDGET STUDY SESSION MEETING MINUTES OF MAY 3, 2021.**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the City Council budget study session meeting minutes of May 3, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL SPECIAL BUDGET STUDY SESSION MEETING MINUTES OF MAY 4, 2021.**

MOTION by Bridges, support by Massey, that the City Council of Farmington Hills hereby approves the City Council budget study session meeting minutes of May 4, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL STUDY SESSION MEETING MINUTES OF MAY 10, 2021.**

MOTION by Massey, support by Strickfaden, that the City Council of Farmington Hills hereby approves the City Council study session meeting minutes of May 10, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: BRIDGES

MOTION CARRIED 6-0-0-1.

**RECOMMENDED APPROVAL OF THE CITY COUNCIL REGULAR SESSION MEETING MINUTES OF MAY 10, 2021.**

MOTION by Massey, support by Strickfaden, that the City Council of Farmington Hills hereby approves the City Council regular session meeting minutes of May 10, 2021.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: BRIDGES

MOTION CARRIED 6-0-0-1.

**ADDITIONS TO AGENDA**

None

**CLOSED SESSION**

**CONSIDERATION OF APPROVAL TO ENTER INTO A CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING JOAN GREENFIELD V CITY OF FARMINGTON HILLS, OAKLAND COUNTY CIRCUIT COURT; CASE NO.2018-169707-CZ (NOTE: COUNCIL WILL RETURN TO OPEN SESSION IMMEDIATELY FOLLOWING THE CLOSED SESSION).**

MOTION by Massey, support by Bridges, that the City Council of Farmington Hills hereby approves entering into a closed session to discuss pending litigation regarding Joan Greenfield v City of Farmington Hills, Oakland County Circuit Court; Case No.2018-169707-CZ.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**Council entered back into regular session.**

MOTION by Massey, support by Knol, that the City Council of Farmington Hills hereby authorizes the City Attorney to proceed in accordance with the recommendation as outlined in his May 20, 2021 memo to Council.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND STRICKFADEN  
Nays: NONE  
Absent: NONE  
Abstentions: NONE

MOTION CARRIED 7-0.

**ADJOURNMENT**

MOTION by Knol, support by Massey, to adjourn the regular session meeting at 1:05am.

Roll Call Vote:

Yeas: BARNETT, BOLEWARE, BRIDGES, KNOL, MASSEY, NEWLIN AND  
STRICKFADEN

Nays: NONE

Absent: NONE

Abstentions: NONE

MOTION CARRIED 7-0.

Respectfully submitted,



Pamela B. Smith, City Clerk