

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL STUDY SESSION MEETING  
CITY HALL – COMMUNITY ROOM  
OCTOBER 22, 2018

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 Mondora and Randle, Police Chief Nebus and City Attorney Joppich

**MDOT PRESENTATION ON M-5 CONSTRUCTION**

Karen Mondora, Director of Public Services, introduced representatives from the Michigan Department of Transportation Laurie Swanson and Kelsey Greg.

Laurie Swanson, MDOT, provided an overview of the proposed construction project that includes M-5 from Grand River through the 275 Interchange, with sign improvements proposed at the interchange and bridge work at Drake Road and at Grand River. The total project investment is estimated at \$10.17 million with a proposed construction time line from mid April through October, 2019. She noted that some bridge and weekend closures are planned.

Kelsey Greg, MDOT, explained that they will allow only single lane closures during peak traffic hours and full closures (1 bound at a time) or two-lane closures over the weekends. She added that a variance would be needed for them to work in the evening hours and over the weekends as planned in order to complete the project in the proposed time frame.

Discussion was held on additional details of the project. Council expressed some concern with noise levels for the surrounding neighborhoods.

Laurie explained that they are trying to avoid full lane closures during the day, which is why they are asking for the variance to continue work into the evenings and on the weekends. She added that there is a little more buffering from the surrounding vegetation than some of their previous projects.

**DISCUSSION ON VAPING ORDINANCE**

City Manager Boyer stated that there has been some discussion on vaping and requesting that Council review an ordinance and City Attorney Joppich has prepared a draft ordinance for Council's review.

City Council was shown various samples of vaping devices by the Police Department.

Attorney Joppich explained that the City already has an ordinance addressing the use of tobacco products by under-aged persons so he had modified the current ordinance to include vape and other nicotine products. Attorney Joppich reviewed the proposed ordinance with City Council. He added that there is pending legislation to amend the state statute on this issue.

Discussion was held and some concerns were expressed with the first offense being a misdemeanor and the amount of the fine for under-aged persons who are using the products.

Some suggestions to amend the proposed ordinance included:

- Addressing the on-line purchase and sale of the products
- Addressing paraphernalia
- Including “loose cigarettes” in the definitions
- Consider a lesser fine and civil infraction versus a misdemeanor and community service for a first offense for under-aged persons using the product; leave the fine at \$500 as proposed for persons selling the product to minors

### **DISCUSSION ON LAKE IMPROVEMENT BOARDS**

City Manager Boyer explained that the City received petitions to form a Lake Improvement Board for Coventry Lake from residents of that subdivision association. Staff met with the person who circulated the petition and there were challenges with the homeowner’s association being able to maintain the lake so residents were seeking other options/funding.

Attorney Joppich explained that while this is the first of such a request for Farmington Hills, he has dealt with this issue on several occasions in other communities and the process is governed by a State statute that sets up a process for the establishment of such a board and how it shall operate. If a sufficient number of signatures are gathered in favor of the Lake Improvement Board, the statute indicates that the City shall adopt a resolution establishing the Lake Board and a representative of the city is required to sit on the board along with other representatives from the State and County and a person from the subdivision. The Lake Board is required to conduct a study and establish funding which is essentially done through a special assessment district.

City Manager Boyer indicated that other options were provided to the circulator of the petition as this process could be quite costly to residents depending on what the Lake Board decides; but some residents are not willing or are unable to pay the dues required. Attorney Joppich added that the current homeowner’s association also includes non-lakefront owners.

City Council indicated that they would like staff to hold an informational meeting with the residents to inform them of the process if this moves forward and a Lake Board is established.

It was noted that the statue indicates that it requires 2/3 of the freeholders of land abutting the lake in order to establish the Board and after review of the definition of “freeholders”, the petition submitted is insufficient at this time. The matter would not move forward unless a new petition was submitted with the required amount of signatures.

### **ADJOURNMENT:**

The study session meeting adjourned at 7:18pm

Respectfully submitted,



Pamela B. Smith, City Clerk