

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL STUDY SESSION MEETING  
CITY HALL – COMMUNITY ROOM  
FEBRUARY 25, 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 6:15pm), Bruce, Knol, Lerner, Massey, Rich and Steckloff

Council Members Absent: None

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

**MARIHUANA UPDATE**

City Manager Boyer stated that tonight will be a continuation of discussions that started last month on this topic.

Attorney Joppich reviewed the options and requirements of either opting in or out of both licensing medical marihuana facilities and recreational marihuana. He distributed a list of communities who have opted out of the recreational marihuana law. He explained that discussions this evening would involve whether or not to allow commercial establishments in relation to the recreational marihuana law and not personal use as that is permitted by statute. After discussing the issue at length at their last meeting and summarizing some of that information tonight, he feels there are 3 options for Council to consider with regard to commercial establishments for recreational marihuana: 1) opting out and not allowing them in Farmington Hills; 2) opting in and adopting regulatory ordinances or 3) opting out for now and to bring the issue back for further review once the state has put some regulations in place and to see what case law may come about. Attorney Joppich added that the state was provided until the end of the year to establish regulations. If City Council were to opt out, this would mean that they are prohibiting recreational marihuana establishments in Farmington Hills. If this were the case, he would suggest accomplishing this by way of two separate ordinances, one amending the City Code and another to amend the Zoning Ordinance.

Discussions were held on the various options. In response to questions, Attorney Joppich noted that the State is setting up various work groups and are seeking volunteers at this time to serve on these work groups in order to obtain input and then will formulate their administrative regulations. He confirmed that if a community opts out, there is no deadline for them to opt in.

Attorney Joppich mentioned that state law addresses under-aged persons and that same language could be included in any city ordinance as a safeguard for children when and if the city should decide to opt in. He added that the language is unclear whether you can opt in for only certain categories and there are various issues like that which still need to be clarified through the courts.

Concerns were expressed about cash being held on site at these establishments since they are unable to utilize federal banking institutions since marihuana is still illegal at the federal level.

The general consensus of Council was that they would prefer to opt-out at this time until the state has put their policies in place but reserve the right to revisit the issue and opt-in at a later date. Ordinances would be drafted for consideration at a future regular meeting.

**COMMUNITY DEVELOPMENT AND RENTAL INSPECTION UPDATE**

Mark Stec, City Planner, reviewed the status of various projects within the City.

Concern was expressed regarding the parking lot at the West River Shopping Center. Ed Gardiner, Director of Planning and Community Development, responded that code enforcement is addressing those concerns.

*Mayor Massey and Councilmember Knol had to leave the meeting at this time.*

Charmaine Kettler-Schmult, City Planner, explained that the rental inspection ordinance passed by Council was effective as of late 2014. Notifications were sent to all non-homestead properties in 2015 in an attempt to identify rental properties. Approximately 1,865 notices were sent out and the Department has registered 793 properties to date. They continue to move forward with renewals and trying to identify non-compliant properties.

It was suggested that the city consider inspecting all non-homestead properties as other communities have done rather than identifying them as rental properties and that this may capture more of the rental units. An inspection program for apartment buildings was also suggested and imposing fees for non-compliance.

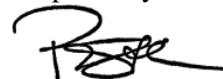
Ms. Kettler-Schmult explained what other communities have done and how that same type of ordinance could actually exempt properties that the city is trying to register and inspect.

Attorney Joppich stated that he would review the current ordinance as it relates to enforcement tools.

**ADJOURNMENT**

The study session meeting adjourned at 7:25pm

Respectfully submitted,



Pamela B. Smith, City Clerk