

MINUTES
CITY OF FARMINGTON HILLS
FARMINGTON HILLS CITY COUNCIL
COMMUNITY ROOM
MARCH 28, 2022 – 6:00PM

The study session meeting of the Farmington Hills City Council was called to order by Mayor Barnett at 6:04pm.

Council Members Present: Barnett, Boleware, Bruce, Knol, and Massey

Council Members Absent: Bridges and Newlin

Others Present: City Manager Mekjian, Deputy City Clerk Lindahl, Police Chief King and City Attorney Joppich

A request was made to add item 3a, Discussion on Great Lakes Water Authority letter, to the agenda.

AMENDMENTS TO SMOKING LOUNGE ORDINANCE

Police Chief King explained that in the fall of 2021 the City established a Smoking Lounge Ordinance and since that time, public safety concerns have escalated not just in Farmington Hills but throughout the state and nationwide. Farmington Hills Police Department has responded to over 100 incidents at 5 of the 6 hookah lounges that exist in the city since 2014.

Police Chief King presented a power point summarizing the type/number of incidents, details of the most violent crimes that have taken place and the weapons officers confiscated at each location. He stated that the crimes are increasing in frequency, escalating in violence and increase with the later operational time of the businesses.

Council inquired about the type of tobacco being smoked and if drugs and alcohol are being consumed inside the establishments. Police Chief King stated that the department has evidence of illegal alcohol and narcotic use in some of the businesses.

Discussion was held on the state requirements for a smoking exemption certificate and how the establishments are able to remain open if they do not have a state or city license. It was noted that the one Farmington Hills establishment that has not applied for a city license is not compliant with the state requirements which may be why they have not yet applied. City Attorney Joppich noted the enforcement action the city can take under the current ordinance if these establishments are not in compliance.

Discussion was held on the police departments chase policy and Council questioned whether the license plate detection system would help with the fleeing and eluding incidents. Chief King stated that if the vehicle passed by a plate reader the department would be notified only if the plate was in the system already.

Council members expressed concerns about the violent activity taking place in the area of 12 Mile and Orchard Lake and the effects it has on the other businesses, patrons of those businesses, residents in that area and the officers responding to those calls.

Council questioned if the city could shut down these establishments where illegal activity was taking place, restrict them to certain areas of the city or prohibit smoking lounges similar to how some communities have prohibited alcohol.

Attorney Joppich responded that the city has to be careful when considering shutting a business down completely as it is taking away use of the property and if they are not licenses as required shutting them down would go through appropriate court procedures. He stated that the city could possibly do something similar as it has with medical marijuana cultivation locations and limit the use to certain locations. He is not sure if tobacco is comparable to alcohol, but he would review that option.

Attorney Joppich explained that, at this point, the city has chosen to regulate these types of businesses by requiring them to obtain a license and he discussed the current smoking lounge ordinance requirements. He reviewed the enforcement options available under the current ordinance.

Discussion was held regarding the time that smoking lounges should be required to close and what would warrant a complete shutdown of the business. Council also discussed what amendments should be made to the ordinance, updating the license fee and progressive discipline if violations arise.

Attorney Joppich stated that some of the requirements discussed may inhibit other type of smoking lounges and suggested looking into a hookah permit, similar to a dance permit issued under a liquor license. Council agreed that would be a good option.

There was general consensus amongst Council to review the following ordinance amendments:

- Security cameras, CCTV units, inside the business and in the parking area
- Limiting the hours to 10pm closing
- Require facilities to be fully licensed (license required by the state)
- Quarterly inspections minimum, with fees
- Authorizing temporary shutdown of an establishment, not to exceed 72 hours

DISCUSSION ON GREAT LAKES WATER AUTHORITY LETTER

City Manager Mekjian provided Council correspondence received from Great Lakes Water Authority (GLWA) regarding the Highland Park bad dept expense recovery for water service charges.

Mayor Barnett stated that she spoke to the Water Authority and explained that the residents of Farmington Hills do not want to pay for Highland Park's arrearages and that it is a state responsibility and has gone on too long. She also spoke to State Representative Steckloff who explained that they tried to get an amendment on the appropriation bill that would make the state responsible for covering the cost, but it was voted down.

Discussion was held on what the other wholesale customers are doing and what entities the city should notify and council consensus was for staff to prepare a resolution for Council consideration that would be sent to all other communities as well as to the members of the GLWA Board and collectively send a letter to the state.

City Manager Mekjian stated he will have something prepared for the April 11th meeting.

The study session meeting adjourned at 7:28pm.

Respectfully submitted,



Pamela B. Smith, City Clerk