

MINUTES  
CITY OF FARMINGTON HILLS  
FARMINGTON HILLS CITY COUNCIL  
CITY HALL - COMMUNITY ROOM  
JULY 24, 2023 - 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, Bridges, Bruce, Knol, Massey and Newlin  
(arrived at 6:07pm)

Council Members Absent: None

Others Present: City Manager Mekjian, City Clerk Smith, Assistant City Manager Valentine, Directors Brown and Kettler-Schmult and City Attorney Joppich

**RENTAL DWELLING UNIT REGISTRY AND INSPECTION FOLLOW-UP**

Mayor Barnett stated that Phil Neuman of the Detroit Metropolitan Apartment Association, who had participated in past discussions just recently found out about the meeting and is out of town so she will pass on information to Mr. Neuman; but requested that for any future discussions he is contacted directly about the meetings in advance.

Charmaine Kettler-Schmult, Director of Planning and Community Development, explained that study sessions were held on May 9 and October 10, 2022 with regard to expanding the rental inspection program to multi-family dwellings. She stated that the city has over 60 complexes and 10,000+ units. During the study sessions, several questions arose, including The Department of Housing and Urban Development (HUD) inspection standards and location of HUD units within the city, inspection fees and what would be included in the inspection.

Director Kettler-Schmult stated that the HUD inspection process is quite extensive involving a 19 page form and is conducted for new locations, during the annual inspection process or upon special request. She added that is it very difficult to pinpoint the HUD unit locations as that information is not freely provided.

(Councilmember Newlin arrived at 6:07pm)

Discussion was held on HUD standards and whether only a landlord could designate only a certain percentage of units for the HUD program or it had to be the entire building. Councilmember Boleware stated that she believed it could be only a percentage of units and suggested reaching out to the cities state and federal representatives for more information on location of HUD units within the city.

Steve Joppich, City Attorney, spoke to the different methods of regulating a multi-family inspection program and cautioned against the sampling method as that could put the city at risk for claims of discrimination or unfairness for targeting or sampling certain units. He added that other cities that have a multi-family inspection program do not use the sampling method and inspect all units within the city.

Mayor Barnett pointed out that Mr. Neuman had suggested inspecting on a complain basis but commented that many people are afraid to complain so she feels that would now work.

Discussion was held on the sampling method and Attorney Joppich stated that it is not the best route for the city as it comes with some risk and that it would be best to inspect all units on a rotating basis.

Council inquired about inspecting Air BNB's and Director Kettler-Schmult responded that they would not be part of the inspection program as they are not allowed in the city and would; therefore, be issued a citation.

Council expressed the need for more inspections for commercial properties as well as residential and stricter code enforcement upon commercial establishments.

Scott Lenhart, Building Official, discussed the top four areas of concern that are included in an initial inspection as they are considered life safety issues: dryer venting, smoke alarms (detectors), GFCI wall outlets and furnace certification; and noted that other blatant violations noticed during the inspection would also be addressed. He reviewed the proposed fee structure and potential costs to landlords and/or tenants.

Staff confirmed that any units covered under the HUD program and their inspection process would be exempt from the city's inspection program and that is another way to obtain location information for on these units.

Council suggested including apartment buildings/units that are 10 years + old from their certificate of occupancy into the program so the city is not wasting time and money inspecting newly constructed buildings. Attorney Joppich stated that language could be included in the ordinance to address this concern but that suggested yielding to the experts in the field about the time period and when the first inspection should occur.

In response to Council, staff noted that they could hire out the inspection program or handle it in house; but it would require additional staffing.

Council expressed concern regarding spending all of the city's resources on residential and reiterated the need to also focus on commercial properties and stricter code enforcement upon those properties.

Council suggested a spreadsheet showing them what other communities have an ordinance regulating an inspection program for multi-family dwellings, how often they inspect properties and samples of their inspection checklists. It was also suggested that the first building to be inspected should be chosen at random.

The consensus was for staff to proceed with drafting an ordinance for a full multi-family inspection program on a 3-4 year rotating basis with HUD units to be excluded from the program and for a schedule of inspection to be published.

Council also preferred the idea of using a third party to conduct the inspections due to the volume.

City Manager Mekjian stated that as far as a budget for the program, he feels cost recovery would be built into the fees so there would not be a cost and the city will review options for this.

Attorney Joppich added that the ordinance would reflect the 4 elements mentioned for the initial inspections as a start and that could always be amended to expand it at a later date if necessary.

Council requested a study session to further discuss commercial establishments including blight, parking lot potholes, signs in the right-of-way and maintenance of detention ponds.

**ADJOURNMENT**

The study session meeting adjourned at 7:03pm

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Smith', written over a horizontal line.

Pamela B. Smith, City Clerk