

MINUTES  
CITY OF FARMINGTON HILLS  
CITY COUNCIL STUDY SESSION MEETING  
CITY HALL – COMMUNITY ROOM  
JULY 11, 2016 – 6:00PM

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, Director Gardiner, City Attorney Joppich and Planning Consultant Arroyo

**SIMPLE RECYCLING (CURBSIDE CLOTHING) DISCUSSION**

Mike Csapo, RRRASOC, explained that they implemented the Simple Recycling program about 2 years ago as it was discovered that approximately 70 lbs. of clothing per household is discarded per year and ending up in the landfills and only 15% was being donated to charitable organizations.

Mr. Csapo introduced Scott Brady of Simple Recycling and explained that they are not interested in capturing the retail clothing that would typically go to charities but only that which would end up in the landfills. He assured Council that Simple Recycling and RRRASOC encourage continued charitable donations and only wish to capture those items that would otherwise be thrown away.

Mr. Csapo discussed the process used by Simple Recycling that would include the distribution of green Simple Recycling bags that would be collected by the company curbside. All questions, costs, etc., would be the responsibility of Simple Recycling. He stated that anything that cannot be resold in the States would go overseas and if not sold overseas would be recycled. He noted that RRRASOC will receive \$.01 per pound, which helps to offset any of their costs. He noted the various communities already using Simple Recycling.

Mr. Csapo stated that they often are asked two main questions that include if this program is adversely affecting charities and what is the burden on the community. He stated that they have heard no negative comments to date from charitable organizations and continue to encourage charitable giving; and there is no burden on the community as all costs and responsibilities for the program belong to Simple Recycling.

Mr. Csapo further explained that communities can treat this as a pilot program for the first 4 months and opt out at any time during that time frame. After 4 months, the community would be required to provide Simple Recycling 45 days notice if they wish to opt out.

Scott Brady, Simple Recycling, commented that this is a program that the City could implement that would have the highest impact environmentally at no cost. He stated that the program mirrors the trash and recycling pick-up and Simple Recycling covers all costs and manages the program. He listed various communities and other States using this program. He reiterated that the program is not competing with charities, it is competing with landfills.

Councilmember Bruce inquired if a community has to have a recycling program to implement this program and if there is any education to the public on giving to a charity versus the Simple Recycling program.

Mr. Brady confirmed a community did not need to have a recycling program in place to utilize this program. He stated that they believe the people who are currently donating to charities will continue to do so and that they are capturing those items that would typically have been thrown away.

Mr. Csapo clarified that by giving to Simple Recycling, people are not making a donation and no receipts are provided. This is a business that attempts to re-use and sell the items for profit. He added that they try to educate residents through their website, newsletters and also take that opportunity to promote charitable donations.

Councilmember Lerner inquired about what type of home goods that can be collected. Mr. Brady responded that anything that one person could easily carry to the curb can be collected such as dishes, tools, home textiles and small appliances or electronics.

Mayor Pro-Tem Knol stated that she continues to give to charities but has used this service in Farmington and feels that it is of value to the residents and she supports the program.

Councilmember Steckloff inquired if the business would employ Farmington Hills residents and if employees are unionized. She stated that she supports the idea but because this is a private company, believes it is important to know more about the company.

Mr. Brady responded that the employees are not unionized but they do partner with thrift stores throughout Southwest Michigan.

Councilmember Bridges expressed concern with the city promoting a private business and the impact on local charities. He inquired about the revenue.

Mr. Csapo stated that RRRASOC would be making approximately a couple thousand dollars a year to offset their costs and it is not a revenue-generating program for them. He added that nobody else is providing this service in the area and they want to provide this as part of their customer service.

Councilmember Bridges applauded the efforts from the standpoint of recycling, but he had a few concerns as mentioned.

Councilmember Lerner pointed out that the City does business with other private companies and this sounds like a good opportunity without spending any money.

Mayor Massey inquired if there was a resolution or agreement that Council would need to adopt to move forward with the program.

Mr. Csapo explained that RRRASOC has an agreement with Simple Recycling and when a city authorizes approval for the program in their community, that agreement is amended to include that community. He stated that most communities have authorized approval by way of a motion in a regular meeting.

Attorney Joppich stated that he would suggest following those same procedures and authorizing the program in an open meeting by way of resolution.

Mayor Massey inquired if there is a process in place if a pick-up were missed by the company and if this program could be deployed in condo or apartment complexes. Mr. Brady stated that their 800 number is on all of the literature and printed on their bags and if the City receives such a call, they can direct that

resident to Simple Recycling. He confirmed that the program could be deployed in condo or apartment complexes.

The consensus of Council was to place this item on a regular agenda for consideration.

City Council agreed to move Item #5 forward on the agenda for discussion.

### **RENTAL INSPECTION ORDINANCE DISCUSSION**

Director Ed Gardiner explained that City Council adopted a rental inspection ordinance in 2014. He has since been informed by the City Attorney's Office of recent court action regarding warrantless inspections and based on that court action, the City Attorney has suggested an amendment to the City ordinance.

Attorney Joppich confirmed that there has been court action that could affect Farmington Hills and in reviewing the ordinance, he believes some of the wording could be construed as allowing for entry upon property with no consent. He is suggesting a simple revision to clarify that wording that is consistent with the practice of the City. He added that the inspections under this ordinance are mainly with regard to the exterior of the homes

There was consensus from City Council to move forward with an ordinance amendment and to bring that before Council for consideration at a regular meeting.

### **SIGN ORDINANCE DISCUSSION**

Director Gardiner explained that there has been a Supreme Court decision with regard to sign regulations that would significantly impact the current City sign ordinance and the City has also recently received a lawsuit with regard to a proposed billboard sign. He stated that when this matter was previously discussed, City Council requested that they have the opportunity to review the draft ordinance amendment prior to the Planning Commission holding their public hearing on this matter.

Rod Arroyo, Planning Consultant, stated that the proposed ordinance amendment has been before the Planning Commission twice and he is here tonight to obtain input from City Council. The ordinance would then go back to the Planning Commission to schedule a public hearing on the issue and the ordinance would then come back to City Council for Introduction and final approval.

Rod reviewed the proposed ordinance amendment with City Council.

Attorney Joppich reviewed the court case and stated that anytime a community is regulating a sign, they are regulation speech and the court has ruled that communities cannot regulate signs based on content. He views this ordinance as a living ordinance where there may be further clarification on regulations down the road and other amendments required; but the City needs to take action now to address the court ruling and lawsuit that has been filed.

Discussion was held on the proposed ordinance and the following comments were made:

- Clarification is required regarding the definition of commercial vehicles and allowing for commercial signage on trucks in residential neighborhoods.
- Concerns were expressed with allowing A-frame signs in front of commercial establishments
- Single-family residential signs and time frame for such
- Political speech signs and number of signs allowed.
- Confirmation that flashing signs are addressed in the ordinance amendment.

Mayor Massey indicated that further discussion on this matter would continue at the next City Council study session on July 25, 2016 due to the time and fact that there was a regular City Council meeting this evening at 7:30pm.

**ADJOURNMENT:**

The study session meeting adjourned at 7:25pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Smith', written in a cursive style.

Pamela B. Smith, City Clerk