

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
October 6, 2014

Mayor Johnson called the meeting to order with the Pledge of Allegiance at 7:30 p.m. in the City of Northville Municipal Building, City Council Chambers, 215 W. Main Street, Northville, Michigan, 48167.

ROLL CALL

Present: Mayor Christopher Johnson, Mayor Pro Tem James Allen, Councilmembers Nancy Darga, Ryan McKindles, and Sam Ekong

Absent: None

Also Present: City Manager Patrick Sullivan, City Clerk Dianne Massa, Police Chief Michael Carlson, Parks Superintendent Jason Nezych, Director of Public Works James Gallogly, and 18 citizens

PRESENTATIONS

A. Citizens Comments None

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion Darga, seconded by Allen to adopt the agenda and consent agenda as presented:

Approve City Council Minutes of:

- Regular Meeting of September 15, 2014

Receive Bills List: Checks #89828 to #89921, EFT #500181, Checks #89922 to #90028, EFT #500182, Checks #90029 to #90113, EFT #500183, Checks #90114 to #90206

Receive Board and Commission Minutes:

- Beautification: 8/18/14

Receive Departmental Reports: None

Board and Commission Appointments: None

Special Event Request / Holiday Lighted Parade / November 21, 2014

Special Event Request / Holiday Lighted Parade / Lighted Parade Bleacher Request

Request to Dispose of Assets / Computers, Refrigerators / Allen Terrace

Resolution Supporting Senate Bill 2221 and House Resolution 4421 to Reauthorize Motor Cities Heritage area in Michigan

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

A. Amendment to Chapter 90 Vegetation / Code of Ordinances / Second Reading

At its August 4, 2014 meeting, City Council directed City Staff to investigate the City's Weed Ordinance (Article III of Chapter 90) as it relates to milkweed. Article III defines milkweed, along with seven other listed plant species, as noxious and poisonous weeds in the City of Northville.

The noxious and poisonous weeds list in the City's Code of Ordinances has not been reviewed since 1962. At one time, these weeds were thought to be undesirable and were defined as noxious and poisonous weeds in the ordinance. New information is learned about the pros and cons of these naturally appearing weeds in Michigan. Though in the past milkweed was thought to be undesirable from an agricultural point of view, it is now known this plant is critical to the health and survival of the Monarch butterfly. Milkweed is no longer on the State's noxious weeds list, nor is it on the Federal list of noxious weeds. This is also true about ox-eye daisies, goldenrod, and burdock, all of which are on the City's current list of noxious and poisonous weeds. Only Canada thistles, wild carrots, ragweed, and poison ivy in the City's current list are on the State's lists of noxious and poisonous weeds.

Instead of keeping a list of noxious and poisonous weeds in the City's Code of Ordinances, it was recommended the Ordinance would reference the lists used by the State of Michigan. In this way, the City with its limited resources will not have to investigate and maintain a current list of noxious and poisonous weeds. Instead, it can rely on the State of Michigan to keep its lists current.

The City Attorney reviewed modifications made to Chapter 90 "VEGETATION", Article III and approved it for recommendation to City Council. Key changes are summarized as follows:

- Section 90-61 Noxious and poisonous weeds Purpose: Section modified to eliminate the current list and include all species identified in the State of Michigan's noxious weeds and restricted noxious weed list available from the Michigan Department of Agriculture and Rural Development as established under Act 329 of 1965.

At its regular meeting of September 15, 2014, City Council introduced for first reading the proposed ordinance amendment to Chapter 90 Vegetation, Article III Weeds in the Code of Ordinances.

Motion Darga, seconded by McKindles to waive second reading and adopt the amendments to Chapter 90 Vegetation, Article III Weeds as presented. **Motion carried unanimously.**

UNFINISHED BUSINESS

A. Request to Establish a Micro Brewery at 410 N. Center Street

On November 7, 2013, the City received a Liquor License Review Committee Application from Kevin DeGrood, with the intent of starting a "brewery taproom" indicating that the business would only sell the beer manufactured on the premises. The business would be located at 410 N. Center. Since the building was a new development and construction had just begun, there was a significant delay in processing this application. Originally the building at 410 N. Center was zoned for office use.

The applicant indicated the intent to operate a Micro Brewery with a DBA of North Center Brewing Company LLC. A Micro Brewery means a brewer that produces in total less than 60,000 barrels of beer

per year and may sell the beer produced to consumers at the licensed brewery premises for consumption on or off the licensed brewery premises and to retailers.

The Plan of Operation indicates seating for 44 patrons. A parking agreement for 410 N. Center Street has been approved by City Council, and the agreement includes the micro brewery. While the business will not have kitchen facilities, it will provide pre-packaged snacks, such as pretzels and chips. Additionally, menus from local restaurants will be available, inviting patrons to order food from elsewhere and consume it on the premises.

For entertainment, the North Center Brewing Co. will provide hand shuffle board and darts. On occasion, live entertainment may occur; however, this entertainment will not use amplified instruments. An entertainment permit is not required for this activity. There will be televisions for sports viewing and a sound system for recorded music. The Plan of Operation indicates that the business will be closed on Monday and Tuesday. It will be open from 5:00 p.m. until 11:00 p.m. on Wednesday and Thursday and from 5:00 p.m. until midnight on Friday. Saturday hours will be from noon until midnight and Sunday will be from noon until 8:00 p.m.

The business will have a manufacturing operation to produce beer. The manufacturing process uses water, grains, hops, and a variety of flavors. There will not be any hazardous waste and the odor produced by the process will be similar to cooked oatmeal. Mr. DeGrood has not previously operated a micro brewery. The Police Department conducted a background investigation and has not found any negative contacts or violations involving Kevin DeGrood.

The success of this business will likely place additional pressure on area parking. This may result in increased parking restrictions or enforcement efforts. Additionally, the increased traffic at the intersection of Rayson and Center Streets may warrant a traffic study to determine if further traffic control is warranted.

The Liquor License Review Committee held a public hearing in accordance with the City's Liquor Management Ordinance and recommended that City Council pass a resolution approving Kevin DeGrood's application for a Micro Brewery located at 410 N. Center. Staff can find no reason to object to the approval of this request subject to final inspections and code compliance.

Resident Lori Rogala requested that the neighborhood comments voiced at the Liquor License Review Committee meeting also be included in the record, which were summarized as follows:

- Concern with people driving from other places to here, increased traffic to neighborhood.
- Most existing micro-brewery establishments are not near residential areas.
- This location is too far north from core downtown and is not appropriate.
- Lack of appropriate buffer between the business and abutting houses.
- Hours are too late.
- Concern with increased parking which will further exasperate the current lack of on-street parking and traffic issues on Grace/Lake/Rayson Streets.
- Capacity is 81, while Plan of Operation states seating for 44 patrons. Concern with the discrepancy.
- No public parking in this area of the City.
- Potential for intoxicated people wandering the neighborhood.
- Lack of street width for parking on both sides of the street.
- Do not want this business to be granted an outdoor service permit.

A comment from City Council explained that the Michigan Liquor Control Commission resolution does not provide for City Council to add conditions or comments to their recommended approval. This was in response to neighborhood concerns that the Brewery would also offer outdoor seating and service. North Center Street Brewing would need to return to the City Council to request approval for an Outdoor Service permit.

Motion McKindles, seconded by Ekong that the City council take no action to object to the Michigan Liquor Control Commission approving the request by Kevin B. DeGroot to obtain a Micro Brewery License to be located at 410 N. Center Street. **Motion carried unanimously.**

NEW BUSINESS

A. Change Order / Community Center Roof Replacement and Restoration

On June 2, 2014, City Council awarded a construction contract to Royal Roofing Company for the Northville Community Center Roof Replacement and Restoration project. The project work is scheduled to be completed in October of 2014. The original Request for Proposal for the bids closed on April 22, 2014. It was later discovered that a 70-foot section of gutter along the front of the building that was not in the original contract was damaged and is also in need of replacement.

Royal Roofing Company recently quoted the additional 70 foot of gutter replacement at a cost of \$6,300. This gutter replacement uses the same unit prices as described in the original contract. The gutter removal and replacement is using Tremco Products to be performed by Royal Roofing Company to keep the warranty from being voided. These gutters will be tied into the existing metal flat roof with 70 feet of new 24 gauge pre-finished gutter and 10 feet of downspout, 2 Ply of Burmastic weather proofing, striping in gutter flange with Tremco ELS mastic and Burmesh, and install gravel set into Burmastic. The new gutter replacement is on the front of the building on the west side. The east portion of the front is scheduled to be replaced per the original bid. Allowing Royal Roofing to perform this additional work would ensure matching gutters along the entire front of the center.

The cost to make this repair is \$6,300. The Northville Parks and Recreation Commission has been setting money aside in the Senior Adult Services Capital Outlay Fund for this project. A change order was prepared increasing the contract by this amount.

City Council Comments and Discussion: Staff further explained that while the cost of the gutter seemed high, the method required to install the gutters requires replacement at the same time the roof is restored in order to not void the roof warranty.

Motion Darga, seconded by McKindles to approve Change Order #1 with Royal Roofing Company in the amount of \$6,300 for the Northville Community Center Roof Replacement and Restoration Project. **Motion carried unanimously.**

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications

Darga spoke of the October 4th Friends of the Rouge River sponsored river clean up event. More than 20 students from Lawrence Technological University (LTU) removed debris and built a stone wall to deflect the current on a bend in the river (in the City of Northville along the Middle Rouge River) that was

eroding into a series of residential yards that backed up to the river. Darga requested the City send a letter of appreciation to LTU.

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 7:45 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

Christopher J. Johnson
Mayor

Approved as submitted: 10/20/2014