

**City of Northville**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**March 16, 2015**

Mayor Pro Tem Allen 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(arrived 7:33 p.m.), Mayor Pro Tem James Allen, Councilmembers Nancy Darga and Sam Ekong

**Absent:** Councilmember Ryan McKindles (excused)

**Also Present:** City Manager Patrick Sullivan, City Clerk Dianne Massa, Director of Public Works James Gallogly, Fire Chief Stephen Ott, members of Northville Boy Scout Troop #755, reporter from Northville Record, and two citizens.

**PRESENTATIONS**

Mayor Pro Tem Allen recognized the members of Boy Scout Troop #755.

**A. Citizens Comments** None

**APPROVAL OF AGENDA AND CONSENT AGENDA**

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

Approve City Council Minutes of:

- Regular Meeting of March 2, 2015

Receive Bills List: Checks #92594 to #92680, EFT #500201; Checks #92681 to #92750

Receive Board and Commission Minutes: None

Receive Departmental Reports: None

Board and Commission Appointments:

- Senior Advisory Commission: Reappoint Jerome Mittman to a three-year term expiring 3/31/18

Request to Dispose of Assets / SCBA Equipment and Scott Air Packs / Fire Department

Change to Certificate of Deposit Signers

Proclamation / April as Month of the Young Child

Request to Dispose of Assets / Television / Parks and Recreation

Special Event Request / Relay for Life / May 2, 2015

Special Event Request / Friday Night Concerts

Special Event Request / Tunes on Tuesday Concerts

Special Event Request / Flower Sale /May 22 – 23, 2015

Request for Special City Council Meeting / March 30, 2015

**Motion carried unanimously.**

## **RESOLUTIONS AND ORDINANCES**

### **A. Zoning Ordinance Amendment to Articles 2 and 10 / Cady Street Overlay / Second Reading**

At its September 16, 2014 meeting, the Planning Commission conducted a public hearing to consider text amendments to the City of Northville's Zoning Ordinance. The proposed text amendments would amend Article 2 Zoning and Map Interpretation and Article 10 Central Business District, in order to establish the Cady Street Overlay District. During the public hearing, minor changes were suggested by the Downtown Development Authority. The Planning Commission reviewed these modifications at their October 7, 2014 meeting and recommended approval of the proposed amendments to City Council.

At its November 3 and November 17, 2014 meetings, City Council reviewed the proposed text amendments and requested further modifications. Since the original public hearing held by the Planning Commission on September 16, 2014, a number of changes were made to the Cady Street Overlay Ordinance. First floor residential uses were restricted as suggested by the Downtown Development Authority, and the Planning Commission created two separate Cady Street Overlay Districts (CSO-1, CSO-2). In addition, minor changes to the permitted heights were made as well as setback adjustments. The Planning Commission also responded to comments received at the joint meeting of the City Council and Planning Commission held on November 17, 2014. As a result of that meeting, first floor residential uses are prohibited in the PR-1 portion.

On January 20, 2015, the Planning Commission conducted a second public hearing on the Cady Street Overlay. After this public hearing, the Planning Commission recommended approval of the draft zoning ordinance amendments and zoning map to City Council. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendments were provided for City Council's review and consideration.

At its February 17, 2015 regular meeting, City Council reviewed the proposed text amendments. Following discussion, City Council requested additional changes to the Cady Street Overlay. The allowable building height would be adjusted to allow four stories in selected areas on the south side of Cady Street, allow four stories on the two parcels fronting S. Center Street, and include a statement in the zoning text that allows building height adjustments to be considered as part of a Planned Unit Development. Following this discussion, City Council introduced for first reading the proposed text amendments to the City's Zoning Ordinance, as modified.

City Council Comment and Discussion: In response to a question from City Council, it was explained that once the rezoning of Cady Street was effective, a new developer would follow this new zoning designation. (Mayor Johnson arrived during the discussion.)

**Motion Darga, seconded by Ekong** to waive second reading and adopt the proposed amendments to Article 2 Zoning and Map Interpretation and Article 10 Central Business District in the City of Northville Zoning Ordinance, establishing the Cady Street Overlay Districts (CSO-1, CSO-2) as presented. **Motion carried unanimously.**

### **B. Zoning Ordinance Amendment to Article 18 / Medical Marihuana / Second Reading**

At its January 20, 2015 meeting, the Planning Commission conducted a public hearing to consider text amendments to Article 2 Zoning Districts and Mapping Interpretation, Article 18 General Provisions, and Article 26 Definitions in the City of Northville's Zoning Ordinance pertaining to Medical Marihuana.

The proposed regulations were developed with guidance from the City Attorney and reflect the findings of recent Michigan Supreme Court cases. In summary, the proposed text amendments would:

- Add Section 2.07 Compliance With Law.
- Add Section 18.25 Medical Marihuana Activities. This section prohibits dispensaries or provisioning centers, but at the same time allows possession, growth, and cultivation of marihuana as permitted by State Law. Medical Marijuana activities would be allowed within residential zoning districts; however, medical marihuana dispensaries, provisioning centers, or other commercial facilities are expressly prohibited.
- Modify Article 26 Definitions: to include definitions pertaining to marihuana and medical marihuana activities.

The Planning Commission recommended approval of the proposed text amendments to City Council. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendments was provided to City Council for its review and consideration. At its regular meeting of February 17, 2015, City Council introduced for first reading the proposed amendments to the Zoning Ordinance.

**Motion Allen, seconded by Darga** to waive second reading and adopt the proposed amendments to Article 2 Zoning Districts and Mapping Interpretation, Article 18 General Provisions, and Article 26 Construction of Language and Definitions in the City of Northville Zoning Ordinance, pertaining to Medical Marihuana, as presented. **Motion carried unanimously.**

### **C. Amendments to Chapter 38 / Fire and Fire Prevention in the Code of Ordinances / First Reading**

Currently, Section 38-4 of the Northville Code of Ordinances adopts the 1996 BOCA National Fire Prevention Code by reference as the City's Fire Prevention Code. In the late 1990s, BOCA and two other major U.S. code setting organizations came together to form the International Code Council (ICC) with the aim of developing a single, consensus set of codes, including a Fire Prevention Code. By 2003, BOCA had merged into the ICC and ceased work on its legacy codes, including the Fire Prevention Code, in favor of the new organization's codes, including the International Fire Code (IFC).

In order to update the City's Ordinance and provide for the effective enforcement of appropriate fire prevention measures, it is recommended that the City adopt the International Fire Code (2012 Edition), published by the International Code Council, as the City's Fire Prevention Code. The proposed ordinance amendment was provided to City Council for its review and consideration.

City Council Comments and Discussion: In response to a question from City Council pertaining to the rationale to adopt the IFC as opposed to other available codes, it was explained that the IFC is the successor to the BOCA code currently referenced in the Code of Ordinances. The State uses its own fire code and the City will adopt that by reference as well. Explanation was also given pertaining to how the Building Code and Fire Codes affect building and development.

**Motion Darga, seconded by Allen** to introduce for first reading the proposed amendment to Chapter 38 Fire and Fire Prevention in the City of Northville Code of Ordinances as presented, with second reading and possible adoption scheduled for April 6, 2015. **Motion carried unanimously.**

## **NEW BUSINESS**

### **A. Residential Brush Collection Program**

During the FY2015 budget presentation, City Staff presented the possibility of expanding the City's solid waste services to include an enhanced residential brush collection program. Currently, the City offers weekly brush collection April through November. This program requires residents to wrap their brush with twine/rope into bundles that are four feet in length. Many residents do not do this and, as such, the backyards of neighborhood properties tend to fill up with piles of brush, which is unsightly and presents a fire hazard to the community.

City staff has looked at the possibility of providing a curb side collection program where brush will no longer need to be bundled. This would make it easier for residents to dispose of brush. Programs have been looked at that include annual, monthly or weekly collection. This enhanced service is not intended to replace the private contracting of tree and brush removal, as the City would continue to hold contractors responsible for the disposal of brush, limbs, and other debris resulting from professional tree cutting and pruning activities. This program was designed to assist private property owners with trees that may have been impacted by a storm event, or to assist with brush removal when they perform incidental tree trimming/removals on their property.

To simplify and offer the best program possible, Staff is proposing that the City offer year-long, weekly brush collection services. In addition, should the City suffer an ice or wind storm, a special collection could be implemented to collect debris from any downed trees.

Instead of picking up bulk brush and placing it into a truck to haul away, it was proposed that the brush be chipped into a truck on the street and then removed. This would minimize truck cost and efficiently remove this solid waste material from the City. The proposed program would pick up brush along City streets every Monday. This allows residents who work around their homes over the weekend to have the brush material they generate removed the following weekday. In addition, if trees or shrubs are removed during the week, the brush from these trees or shrubs can be placed at the curb, knowing that this brush will never stay there longer than one week.

Staff has been working with its current solid waste contractor, Waste Management, to put this bulk brush collection program together, and it is believed that a one day a week collection program for brush is feasible. The program will begin on April 1, 2015, when compost collection operations begin again in Northville. A preliminary draft of proposed program guidelines was provided for City Council review. Waste Management is offering to perform this service, which includes two employees, and a truck and a chipper for an hourly rate of \$125. At this rate, it is anticipated that a weekly program will cost the City \$45,000 per year. To cover this increase in cost to the solid waste program, it will be necessary to raise the City's residential solid waste fees as part of the City's annual budget process. A \$45,000 program added to the residential collection program will result in an increase to each customer of \$1.71 per month. It was proposed that the current fund balance in the residential portion of the City's Solid Waste Fund cover the increased cost for April, May and June, allowing this new program to begin the first full week of April.

City Council Comment and Discussion: The fee for this bulk brush program would be included on the Utility Bill (water, solid waste bill). The proposed rate increase would be discussed during the April budget sessions. City Council reiterated the need to get information out to residents about the new program and its guidelines. It is likely that a special edition of "Northville Matters" would be sent,

explaining the new program and the guidelines, and educating residents that this is a “Monday” program and may not coincide with their current trash pickup day.

It was also pointed out that the wood chips go to the Waste Management yard and are available to residents.

**Motion Darga, seconded by Allen** to approve a contract change order with Waste Management increasing their solid waste contract with the City in amount by \$45,000 per year for brush collection services and further, that the City’s Public Works Director is authorized to sign this change order on behalf of the City of Northville. **Motion carried unanimously.**

**MAYOR AND COUNCIL COMMUNICATIONS**

**A. Mayor and Council Communications** None

**B. Staff Communications** None

Being no further business, the meeting was adjourned.

**Adjournment: 7:52 p.m.**

Respectfully submitted,

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Dianne Massa, CMC  
City Clerk

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James C. Allen  
Mayor Pro Tem

Approved as submitted: 4/9/15