

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
August 3, 2015

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

ROLL CALL

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

Absent: None

Also Present: City Manager Patrick Sullivan, Fire Chief Stephen Ott, Deputy City Clerk Michelle Massel, and 3 citizens

PRESENTATIONS

- A. Citizen Comments** Dave Basher of 337 Sherry Lane voiced concern that the north lane of the loop of Morgan Circle was paved in the last 15 years and one lane is fine, while the south side seems to be falling apart and has been patched. It was unclear if faulty material or craftsmanship is a contributing factor in the deterioration of the pavement.

Further comment from same resident voiced concern about the timing and cost of the special election. It was answered that the City felt that although a special election costs around \$8,000, asking residents for 2.25 mills is a commitment and the City preferred to have residents look at the proposal in depth, versus in November when the ballot will have numerous proposals. It would allow engineers to get started on drawings so the City could bid the projects out to schedule repairs next spring because the City has fund balance they could use this year. It was explained that the City needed to move forward since Proposal 1 failed at the State level. The Street Improvement Plan was based on a detailed engineering report from a pavement management company in 2013 that noted deficiencies and the remaining life span of our streets. It was noted that the funds collected from the current millage are used not only for paving, but also for crack sealing, plowing, and cold patching.

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion Darga, seconded by Ekong to approve the agenda and consent agenda as presented.

City Council Minutes:

- Regular Meeting of July 6, 2015
- Special Meeting of July 13, 2015
- Regular Meeting of July 20, 2015

Checks #94399 to #94488, Checks #94489 to #94610 EFT #500209

Appointment to Beautification Commission: Patricia Heath, Term Exp. 6/30/18

Conflict of Interest Policy
Request to Place Signs / Beautification Awards
The Senior Alliance / Annual Implementation Plan 2016
Street Closure Request / Beal Town Block Party / August 15, 2015

Motion carried unanimously.

ORDINANCES

A. Proposed Ordinance Amendment / Article 25, Dimensional Variance Criteria – 2nd Reading

At its May 19, 2015 meeting, the Planning Commission conducted a public hearing to consider text amendments to Article 25 Board of Zoning Appeals pertaining to the Dimensional Variance Criteria in the City of Northville's Zoning Ordinance. The Planning Commission worked with the Board of Zoning Appeals (BZA) to refine the language and the BZA supports the proposed zoning ordinance text amendments.

The proposed text amendments would reduce the number of criteria used by the BZA to evaluate a dimensional variance. This would assist the BZA in reaching a consensus on whether a specific variance request meets the criteria. The modified ordinance would eliminate some redundancy, yet preserve the criteria that are supported by case law. The changes include the following:

- In the original language, "public safety" was mentioned in two criteria. This has been consolidated into a single criterion.
- The "relationship to adjacent land uses" criterion was eliminated, as it has not been the subject of case law and is not considered a mandatory criterion for BZA consideration.
- Examples of "self-created" have been added to the proposed ordinance amendment to assist the BZA in determining what is, and what is not, a self-created situation.

The proposed changes were reviewed by the City Attorney, who determined that they are supported by the Zoning Enabling Act and applicable case law.

The Planning Commission is recommending approval of the proposed changes to Article 25. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendments.

At its regular meeting of July 20, 2015, City Council introduced for first reading the proposed amendments to the Zoning Ordinance.

Council Comments and Discussion: None

Motion Allen, seconded by McKindles that the Northville City Council waive second reading and adopt the proposed amendments to Article 25 Board of Zoning Appeals, Section 25.04 Powers and Duties in the City of Northville Zoning Ordinance as presented.

Motion carried unanimously.

NEW BUSINESS

A. First Amended and Restated Interlocal Fire Agreement Between the City of Northville and City of Plymouth

On February 28, 2011, the Cities of Northville and Plymouth entered into an Interlocal Fire Service Agreement, under which the City of Northville provides Fire and EMS services to the City of Plymouth. Following a period of planning and transition, the Agreement became fully operational on January 1, 2012.

The Agreement provided for an Advisory Board, now referred to as the Northville Plymouth Fire Advisory Board (NPFAB) consisting of the City Manager from each City, an elected official from each City, and an outside member with experience in the paid-on-call fire service. At its meeting of November 3, 2014, following nearly three years of operations under the Agreement, the NPFAB directed the City Managers from each City to meet and discuss the status of the operation, and to address any changes that might be needed to the Agreement.

Representatives from both Cities have met several times in the ensuing months, and discussed a number of potential changes to the Agreement. As a result of these discussions, the attached First Amended and Restated Interlocal Fire Service Agreement was prepared. At its July 20, 2015 meeting, the NPFAB approved the document, subject to final approval from City Attorney, and referred to the matter to the Northville City Council and the Plymouth City Commission for consideration and adoption. The City Attorney has reviewed and approved the document.

The changes to the Agreement, which are shown on the attached mark-up version in red, can be summarized as follows:

1. Section 3(b): Changes the number of authorized personnel from “30-55” to “up to 60.”
2. Section 3(c): Adds language to include the third station – the Plymouth Old Village station.
3. Section 4(d): Changes the language to include Northville – *i.e.*, that **either** City can request on-site staffing during designated time periods, and that the requesting community solely pays for such coverage (this reflects current practice).
4. Adds a new Section 6(d) concerning the purchase of apparatus. This section provides that, with the exception of a new aerial apparatus (see below), apparatus will be purchased by, paid for and titled to the City in which the apparatus is initially assigned, notwithstanding the cost sharing provisions of the Agreement. In the event of termination of the Agreement, the City holding title to the apparatus would continue to own it and bear the financial responsibility of it, free of any claim or obligation of the other City. Northville will approve the purchase of any apparatus, regardless of the City which will purchase, own and pay for it (similar to the process described in Section 6(a) for the apparatus Plymouth purchased as part of its start-up costs). Notwithstanding which City holds title to the apparatus, the operation and use of the apparatus will remain the responsibility of the Department. Any piece of apparatus may be temporarily reassigned to a different station during the life of the Agreement.
5. With this amended agreement, Plymouth will no longer contribute funds to the Equipment Replacement Fund to the extent that they are earmarked for future apparatus purchases, and a new Section 6(e) provides that a refund or credit will be issued by Northville to Plymouth for such contributions made in the past. The amount is estimated to be approximately \$312,102.16. Plymouth will

continue to contribute to the Equipment Replacement fund in connection with capital equipment other than apparatus.

6. Section 6(f) is added to address the purchase of a new aerial ladder truck. Given that this is a particularly expensive piece of apparatus that is needed only on occasion, the Agreement provides that such apparatus would remain a shared asset for the benefit of both Cities, and the cost of the apparatus would continue to be shared for the life of the apparatus, even in the event that the Agreement expires or is otherwise terminated. In such circumstance, each City would have access to the aerial apparatus, train its personnel on its operation and use, and the apparatus would respond automatically on structure fire calls or other requests in each City.

7. Changes to various sections related to items 4-6, above, specifically sections 7, 8(f), 10(c) and 10(d)(c).

The Agreement has proven beneficial to both Cities, increasing resources while reducing costs, both operationally and for long-term capital equipment. Several of the proposed changes are relatively minor, updating the Agreement to reflect current practice.

The most significant change is the purchase of apparatus. It was noted that, under the current Agreement, Plymouth would contribute significant sums of money toward the purchase of apparatus, long-term capital items, without any equity or ownership interest in them. This issue had come into focus as the consideration of new apparatus purchases was beginning. A number of possible solutions to this concern were discussed. In the end, it was felt that the current proposal, which mirrors how the purchase of apparatus was handled in the “start-up” phase, was the best approach.

Handling the purchase of a new aerial ladder truck as a shared asset, with each City contributing to its cost, even in the event of expiration/termination of the Agreement, allows both Cities to maintain access to an important, if expensive piece of equipment.

Council Comments and Discussion: In response to a question from Council, it was answered that the ladder truck is housed in Plymouth because that is the only station it will fit in. It was further explained that the cities have two separate funds for the purchase or replacement of certain equipment and a joint fund for the purchase/replacement of other equipment, all of which is detailed in the agreement. The separate and combined funds allow for the purchase and sharing of the equipment between the two cities, and protects that investment if the agreement is dissolved in the future.

Motion Darga, seconded by McKindles that the Northville City Council adopt the First Amended and Restated Interlocal Fire Service Agreement between the Cities of Northville and Plymouth, and authorize the Mayor and City Clerk to sign the Agreement on behalf of the City of Northville. **Motion carried unanimously.**

B. Historic District Demolition Guidelines Amendments

At its July 15, 2015 meeting, the Historic District Commission approved changes to their *Guidelines for Consideration of Applications for the Demolition or Moving of Structures Within the Northville Historic District*.

The proposed changes require the applicant to provide site plans and floor plans that are printed to scale. Currently, site plans and floor plans submitted are drawn to scale. However, they are not always printed to scale. This requirement will assist the HDC and the HDC Staff Liaison when reviewing applications.

The HDC Demo Application will be updated to reflect this change to advise applicants that site plans and floor plans provided with the application must be drawn and printed to scale.

Council Comments and Discussion: In response to a question, it was answered that this change does not require applicants to have blueprints drawn, only that drawings submitted be to scale and any copies submitted be to scale also.

Motion McKindles, seconded by Darga that the Northville City Council approve the amendments to the *Guidelines for Consideration of Applications for the Demolition or Moving of Structures Within the Northville Historic District* as presented. **Motion carried unanimously.**

C. MML Annual Meeting / Northville Official Representative

The City has been requested by the Michigan Municipal League (MML) to designate by official action the City of Northville's official representative at the Annual Meeting. The meeting is scheduled for Wednesday, September 16, 2015 through Friday, September 18, 2015 in Traverse City.

Traditionally, the Mayor has represented the City at the MML annual meeting.

Council Comments and Discussion: None

Motion McKindles, seconded by Darga to designate Mayor Christopher Johnson as the official representative, the City Manager designated as the alternate, for the City of Northville at the Annual Meeting of the Michigan Municipal League to be held on Wednesday, September 16, 2015 through Friday, September 18, 2015 in Traverse City.

Motion carried unanimously.

COMMUNICATIONS

A. Mayor and Council Communications

Councilmember Darga stated she attended the Buy Michigan Now Festival, a vendor was selling furniture manufactured in Ohio, but stated they had a sales representative in Michigan. In response to her question it was answered that the Catalyst Company solicits vendors for the Festival.

B. Staff Communications

None

There being no further business to come before Council, the meeting was adjourned.

Adjournment: 8:05 p.m.

Respectfully submitted,

Michelle Massel
Deputy City Clerk