

**City of Northville**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**March 21, 2016**

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

Members of Boy Scout Troop #755 led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Mayor Ken Roth, Mayor Pro Tem James Allen, Councilmembers Nancy Darga, Sam Ekong, and Marilyn Price

**Absent:** None

**Also Present:** City Manager Patrick Sullivan, City Clerk Dianne Massa, Police Chief Michael Carlson, Director of Public Works James Gallogly, Downtown Development Authority Director Lori Ward, Building Official Craig Strong, Planning Consultant Sally Elmiger, members of Boy Scout Troop #755, and nine citizens

**PRESENTATIONS**

**A. Citizens Comments**

Resident and business owner Michelle Kelly gave a brief overview of the non-profit Life Remodeled. Life Remodeled is a Detroit-based nonprofit volunteer organization that seeks to remodel lives along with neighborhoods, schools, and homes. Kelly spoke of the Denby Community event being held August 1-6, 2016 and urged the Northville community to show support for Life Remodeled and stand up for Detroit.

Comments from City Council spoke in support of the event and questioned how to volunteer for the Denby Community event.

**APPROVAL OF AGENDA AND CONSENT AGENDA**

**Motion Darga, seconded by Price** to approve the agenda and consent agenda as presented:

Approve City Council Minutes of:

- Regular Meeting of March 7, 2016

Receive Bills List:

- Checks #97681 to #97767, EFT #500228

- Checks #97768 to #97854, EFT #500229

Receive Board and Commission Minutes: None

Receive Departmental Reports: None

Board and Commission Appointments:

- Senior Advisory Commission: Reappoint Lesa Buckland to a three-year term expiring 3/31/19

Proclamation / April as Child Abuse Prevention and Awareness Month  
Special Event Request / Memorial Day Parade / May 30, 2016

**Motion carried unanimously.**

## **RESOLUTIONS AND ORDINANCES**

### **A. Proposed Amendment to Chapter 82 Traffic and Vehicles / Overnight Parking / First Reading**

Section 82-130 of the City of Northville Code of Ordinances prohibits parking between 3:00 a.m. and 6:00 a.m. on any public street, court, alley, or municipal parking lot. Recently, it was brought to the attention of the Police Department that several businesses in the City, including some restaurants, coffee shops, and workout facilities, open for business between 5:00 a.m. and 6:00 a.m. Because these businesses open prior to 6:00 a.m., several overnight parking citations have been issued to patrons of these businesses for parking in violation of the ordinance.

With several businesses attracting a customer base between 5:00 a.m. and 6:00 a.m., the Police Department sees a need to change the end time of the time restrictions from 6:00 a.m. to 5:00 a.m.

The Department of Public Works estimates the cost of replacing current parking restriction signs will be \$3,000. The expenditure will come from the Major Street Fund.

City Council Comment and Discussion: It was requested the City Manager communicate the overnight parking restriction time change to the downtown businesses.

**Motion Darga, seconded by Allen** to introduce for first reading the proposed amendment to Chapter 82 Traffic and Vehicles, Section 82-130 Overnight Parking in the City of Northville Code of Ordinances as presented, with second reading and possible adoption scheduled for April 4, 2016. **Motion carried unanimously.**

### **B. Proposed Zoning Ordinance Amendment / Articles 18 and 26 / Arbor, Pergola, Trellis / First Reading**

At its October 20, 2015 meeting, the Planning Commission conducted a public hearing to consider text amendments to Article 18 General Provisions and Article 26 Construction of Language and Definitions in the Zoning Ordinance.

The proposed text amendments provide new regulations to Article 18 regarding the placement of arbors, pergolas, and trellises in the front yard setback. The regulations would allow one arbor, pergola, or trellis, within certain size limitations, in a front yard setback, provided it does not interfere with visibility from a driveway or intersection. Article 26 would be amended to include definitions for arbor, pergola, and trellis.

At their November 16, 2015 meeting, City Council reviewed the draft language and requested that a definition of required and non-required front yard be added to the ordinance related to arbors, pergolas, and trellises. The language was amended, and sent to the Planning Commission, who held a public hearing at their January 19, 2016 meeting. The Planning Commission is recommending approval of the proposed ordinance amendment. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendments were provided to City Council for its review.

As first reading was in November 2015, and the Planning Commission held a second public hearing on the changes requested by City Council, the proposed text amendments were brought back to Council for first reading.

City Council Comment and Discussion: In response to questions from City Council, the Planning Consultant provided further explanation pertaining to setback lines. Discussion ensued pertaining to accessory buildings and the trend to work at home, with home offices being located in ancillary buildings. It was requested the Planning Commission consider zoning ordinance text amendments to allow for this trend.

**Motion Ekong, seconded by Price** to introduce for first reading the proposed amendments to Article 18 General Provisions and Article 26 Construction of Language and Definitions pertaining to arbors, pergolas, and trellises in the City of Northville Zoning Ordinance as presented, with second reading and possible adoption scheduled for April 4, 2016. **Motion carried unanimously.**

### **C. Proposed Zoning Ordinance Amendment / Articles 18 and 26 / Garden Ornaments / First Reading**

At its October 20, 2015 meeting, the Planning Commission conducted a public hearing to consider text amendments to Article 18 General Provisions and Article 26 Construction of Language and Definitions in the Zoning Ordinance.

The proposed text amendments provide regulations to Article 18 regarding the placement of garden ornaments, as defined, in the front yard setback. The regulations would allow garden ornaments in a front yard setback, provided it does not interfere with visibility from a driveway or intersection. Article 26 is amended to include the definition of garden ornament. The City Council reviewed the draft language at their November 16, 2015 meeting, along with a separate proposed text amendment pertaining to Arbors/Pergolas and Trellises. City Council requested additional definitions for the Arbors/Pergolas ordinance amendment. As the ordinance language for garden ornaments is so closely tied to the amended language for Arbors/Pergolas/Trellises, it was requested that the Garden Ornament text amendments and Arbors/Pergola come back to Council at the same time.

The Planning Commission is recommending approval of the proposed changes to Articles 18 and 26. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendments were provided for City Council's review.

As first reading was in November 2015, and this ordinance amendment had no changes but is closely tied to the proposed arbor/pergola text amendments, the proposed text amendments were brought back to Council for first reading.

**Motion Allen, seconded by Darga** to introduce for first reading the proposed amendments to Article 18 General Provisions and Article 26 Construction of Language and Definitions pertaining to garden ornaments in the City of Northville Zoning Ordinance as presented, with second reading and possible adoption scheduled for April 4, 2016. **Motion carried unanimously.**

### **D. Proposed Rezoning of Lots on Grace and Rayson Street / R-2 to R-1B / First Reading**

The Planning Commission has been considering re-zoning 13 lots in the Grace, Rayson, and Hutton Street area from R-2, Second Density Residential District, to R-1B, First Density Residential District. A number of older buildings on these lots have been replaced with new single-family residences, making the

land use pattern more consistent with the R-1B District. In addition, all the lots considered for rezoning are planned for single-family residential dwellings in the City's current Master Plan. The Future Land Use Map shows the preferred zoning for these parcels to be R-1B.

On March 1, 2016, the Planning Commission conducted a public hearing to hear public comment regarding the proposed re-zonings. One resident attended the meeting and two residents provided written comments. All three represented properties on the south side of Rayson Street, and all three were in opposition to re-zoning these lots. These homeowners purchased their properties because they provided an opportunity for two-family dwellings. If these sites were re-zoned to R-1B, they would no longer have this opportunity. In contrast, the Planning Commission had received correspondence from property owners on the west side of Grace (between Lake and Rayson streets) and one property on the north side of Rayson requesting that their properties be re-zoned to R-1B. These letters were generated in 2014 during the Master Planning process.

The Planning Commission discussed the topic and moved to recommend to City Council re-zoning the lots in the area on the north side of Rayson and along Grace Street (between Lake and Rayson Streets) to R-1B, and to retain the existing R-2 zoning on lots located on the south side of Rayson Street. The lots proposed for rezoning are commonly known as:

483 Grace Ave. (#48-001-02-0009-000)	443 Grace Ave. (#48-001-04-0652-007)
465 Grace Ave. (#48-001-02-0010-000)	119 Rayson St. (#48-001-04-0652-003)
453 Grace Ave. (#48-001-02-0011-000)	131 Rayson St. (#48-001-04-0652-004)
437 Grace Ave. (#48-001-04-0652-006)	

Communication from the City's Planning Consultant and the proposed map amendment were provided for City Council review.

City Council Comment and Discussion: It was further explained that R-1B zoning would ensure existing property owners that the structures cannot be converted to two-family structures. The property owners want a single family environment. Rezoning to R-1B is a reflection of what is already happening in the neighborhood. The area has developed into larger, single-family homes.

Discussion ensued pertaining to R-2 zoning, the trend for multi-generational families, and the need for areas in the City that accommodate this. It was requested the Planning Commission consider zoning ordinance text amendments to allow for this trend. There is a need to have flexibility in the zoning ordinance to allow for "mother-in-law" cottages/structures.

**Motion Darga, seconded by Allen** to introduce for first reading, the proposed map amendment to rezone the lots on Grace and Rayson Streets from R-2 Second Density Residential District to R-1B First Density Residential District as presented, with second reading and possible adoption scheduled for April 4, 2016.  
**Motion carried unanimously.**

#### **E. Proposed Zoning Ordinance Amendment / Articles 15, 18, and 26 / Residential Building Heights First Reading**

Over the past 10 years, there have been concerns regarding the size and height of homes within established residential neighborhoods. In 2005, the Planning Commission made modifications to the Zoning Ordinance, which requires additional setbacks for finished attics and living areas above the second floor. The method of calculating building height was also modified and was established upon a "grade plane," which is the average of the ground level at the building's exterior walls. While the 2005

amendments addressed basic issues pertaining to building heights, additional review and consideration was thought to be warranted given the recent trends in residential home building.

At its January 19, 2016 meeting, the Planning Commission conducted a public hearing to consider text amendments pertaining to Residential Building Heights that address the following:

- Modifications to the Schedule of Regulations which includes a variable height limitation based upon the size of the lot for the R-1A and R-1B Zoning Districts. The smaller the lot, the shorter the maximum height.
- Coordinate maximum foundation wall heights with the “grade plane” standard.
- Include a new requirement for a Certificate of Grading to be completed prior to the Certificate of Occupancy.
- Add language that coordinates the first floor elevation of new structures with contiguous existing structures so that the new structure fits into the neighborhood. Flexibility for the Building Official has been added in cases of extreme topography.
- Modification of Article 26, Definitions, including:
  - Adding an illustration for “Basement” and “Story” showing how both are determined on a sloping lot.
  - Basing grade plane on existing grades rather than finished grades.
  - New definition for “Grade,” “Grade, Existing,” and “Grade, Finished.”
  - New/amended definitions of “Mezzanine, Residential,” “Mezzanine, Commercial,” and “Story.”

The Planning Commission is recommending approval of the proposed changes to Articles 15, 18, and 26. Communication from the City’s Planning Consultant and the proposed zoning ordinance text amendments were provided for City Council’s review.

City Council Comment and Discussion: The Building Official and Planning Consultant further explained the modifications to the Schedule of Regulations pertaining to the variable height limitation, maximum foundation wall heights with the grade plane standard, and coordination of the first floor elevation of new structures with contiguous existing structures so that the new structure fits into the neighborhood. An example grade plane elevation calculation was reviewed, which illustrated the averaged grade elevation at each building wall and provided the average grade plan for the building.

It was also explained that, currently, a Certificate of Grading is required by the Building Department when a building permit application is filed. The ordinance amendment would formalize that requirement. The grade certificate, which is done by a surveyor, will become part of the Certificate of Occupancy process. The changes will require the developer and property owner to hold to the original grade.

Additional discussion focused on the standard of review that would be applied to extreme sloping lots.

City Council requested that building companies be notified of the new ordinance requirements.

**Motion Darga, seconded by Ekong** to introduce for first reading the proposed amendments to Articles 15, 18, and 26 pertaining to Residential Building Heights in the City of Northville Zoning Ordinance as presented, with second reading and possible adoption scheduled for April 4, 2016. **Motion carried unanimously.**

**NEW BUSINESS**

**A. Change Order to Professional Services / 2015 Street Improvement Program**

In May 2015, City Council awarded a professional services contract to Zeimet Wozniak & Associates for the 2015 Street Improvement Program. Zeimet Wozniak was one of eight consults considered for the project which was advertised through the Michigan Intergovernmental Trade Network. The following streets made up the 2015 Street Improvement Program:

Rayson Street (N. Center Street to Horton Street)  
Horton Street (Rayson Street to Lake Street)  
Elmsmere Drive (Glenhill Drive to the west end cul-de-sac)

Twice this project was bid out for construction, and in both occasions the bids came in over the budgeted amount. With time running late in the year for a third attempt at obtaining construction bids, it was decided to delay the rebid of these streets until the spring of 2016 where they could be added to the streets proposed in the 2016 Street Improvement Program.

Therefore, Staff requested that Zeimet Wozniak & Associates prepare a proposal to design and manage construction for the following streets which make up the proposed 2016 Street Improvement Program. The proposal will also include the replacement of water main under the following streets:

Walnut Street (N. Center Street to East Street)  
S. Wing Street (W. Cady to 7-Mile Road)

It is proposed that a Change Order be approved by City Council to cover the additional cost associated with the addition of Walnut Street and S. Wing Street to the 2015 Street Improvement program. The additional amount proposed by Zeimet Wozniak & Associates to perform this additional work for the City is \$21,500. Approving this work now will allow the engineering to begin immediately and allow the project to be bid early in the year when it is more likely to receive better construction prices. This year's construction project should be ready to award in June 2016.

This contract change order amount added to the engineer's current contract amount (\$31,890) brings the new contract amount to \$53,390. Based on the entire budget for this project for both the 2015 and 2016 streets (\$1,130,000), this amount is less than 6% of the expected construction cost of \$1,050,000.

City Council Comments and Discussion: In response to a question from City Council, Staff further explained that the water main under Walnut Street frequently breaks and needs replacement. Discussion ensued pertaining to the construction standards used by the City for road reconstruction and water main replacement projects, and cost-saving alternatives for road construction that also provide a significant road life-span. It was noted that the addition of the water main replacement projects should attract a different group of contractors that will bid on the project as a whole.

**Motion Ekong, seconded by Darga** to approve a change order with Zeimet Wozniak & Associates in the increased amount of \$21,500 for additional professional services necessary to add the 2016 proposed street and water main improvements to the 2015 Street Improvement Project. Further, the Public Works Director is authorized to sign this change order on behalf of the City of Northville. **Motion carried unanimously.**

## **B. Special Event Request / North Center Brewing Anniversary Blowout**

The City of Northville has received a request from North Center Brewing Co., LLC, to conduct a one-year anniversary party in Town Square on April 16, 2016 from 2:00 p.m.-9:00 p.m. The following was noted:

- The party will consist of live music, a pig roast by Barlow's BBQ, and craft beer offered by North Center Brewing Company. It is expected that 400-500 patrons will attend.
- Town Square has been reserved through Parks and Recreation, set up would begin at 11:00 a.m. on Saturday, April 16, 2016, with clean up completed by 10:00 p.m. following the party.
- A live band would play from 3:00 p.m.-9:00 p.m., with music levels staying below the noise ordinance level.
- Alcohol will be served in accordance with MLCC guidelines. Drink wristbands will be issued to patrons who present proper ID. Town Square will be fenced with a pass-through on the west side in compliance with ADA guidelines. Security will be stationed at all entrances and exits to ensure alcohol does not leave the premises, monitor underage drinking and overserving.
- Two Police Officers will be on site to ensure the crowd does not spill out onto Main Street, which will be open to traffic and help with crowd control if necessary. The requestor will be invoiced for Police services in an estimated amount of \$820.
- North Center Brewing is working closely with the Downtown Development Authority and Department of Public Works to ensure proper use of electrical boxes by the band and vendors.
- Barlow's will bring in precooked food, and will comply with Wayne County Health Department Guidelines.
- The requestor will be required to provide two portable toilets for the event, Parks and Recreation will provide trash receptacles and work with North Center for cleanup and disposal.

Insurance requirements for North Center Brewing, Barlow's BBQ, and the band/live music vendor were provided to the applicant. Each is required to provide:

- Certificate of Insurance for \$1M General Liability, naming the City of Northville, Northville Township, and Parks and Recreation as an additional insured.
- Provide a separate copy of the Policy Endorsement that shows the policy change.
- Hold Harmless Agreement indemnifying the City, Township and Parks and Recreation.
- North Center Brewing will also provide a Certificate of Insurance for \$1M Liquor Liability, naming the City of Northville, Northville Township, and Parks and Recreation as an additional insured, as well as a copy of the Policy Endorsement.

City Council Comment and Discussion: DeGrood, owner of North Center Brewing, explained to City Council that he will apply for proper licensing with the Michigan Liquor Control Commission. In response to a question from City Council, DeGrood explained that his license only allows the sale of beer made by North Center Brewing. No other kinds of beer will be sold.

**Motion Darga, seconded by Price** to approve the request from Kevin DeGrood of North Center Brewing Company to conduct an anniversary party as specified above, given the insurance certificate, endorsement and hold harmless are received by the City Clerk. **Motion carried unanimously.**

### **C. Professional Service Contract / Downtown Strategic Plan**

In July 2005, City Council awarded a contract to Beckett and Raeder Inc. (BRI Team), an Ann Arbor-based Landscape Architecture, Planning, and Engineer firm, to develop a Strategic Plan for downtown Northville. The process for the development of the Downtown Strategic Plan was a collaboration of a broad cross-section of the community. A Steering Committee was appointed to guide the process and numerous opportunities were provided for community input. The result of the planning process was the development of the Downtown Strategic Plan that defined objectives and action strategies that served as a guide to decision making for the community.

With completion of 75% of the projects and programs identified in the Strategic Plan, with changes in the economy over the past eight years, and with changes in Northville demographics, the Downtown Development Authority (DDA) determined that it is necessary to develop a Strategic Plan for Downtown Northville that will address the current challenges and opportunities facing the community, and develop a set of steps to guide future development in Northville for the next five to seven years.

A Request for Proposal (RFP) was developed for Professional Services to assist the community in developing a Strategic Plan. The RFP identified the need for both a Retail and Residential Market Study that would provide the City/DDA with information about the types and quantities of retail and residential units that the market would support in Northville. As part of the bidding process, the contract was reviewed and approved by both the City Attorney and MMRMA, the City's Municipal Risk Manager.

On February 22, 2016, nine RFPs were received. A Selection Committee was appointed to review and evaluate the proposals. The Committee met on March 1, 2016, to discuss the nine submissions and determine which proposals should be explored further. Three firms were selected to interview with the Selection Committee on March 8, 2016:

Beckett and Raeder/LandUSA  
Clear Zoning/Grissim Metz Andries/The Chesapeake Group  
McKenna/Zimmerman Volk

Following the interviews and subsequent discussion on the strengths of the proposals and the assembled teams, Beckett and Raeder/LandUSA (BRI Team) was the unanimous choice of the Selection Committee. The Committee felt that the BRI Team had the best understanding of the community, assembled the best team, and were the lowest price of the three firms selected to interview. The BRI Team completed the previous Strategic Plan, which was a successful effort. In addition, Beckett and Raeder recently completed the DDA's Tax Increment and Development Plan Amended and Restated Plan and was involved in the evaluation of the school property to the west of City Hall for possible consolidation of School/City operations. LandUSA was determined to have the strongest proposal, of the firms submitting, to address the retail and market studies. References contacted for the BRI Team came back as positive.

At its March 15, 2016 meeting, the DDA unanimously approved BRI Team. In addition, it was also recommended that a Steering Committee be assembled to work closely with BRI Team throughout the planning process. BRI suggest that the Steering Committee be comprised of a diverse group of eight to ten stakeholders that include representatives from the DDA, Planning Commission, Chamber of Commerce, merchant community, property owners and residents. The following individuals were recommended for appointment to the Steering Committee:

Shawn Riley, DDA Board Chair  
Carol Maise, Planning Commission

Mary Starring, DDA Member, NCBA, merchant  
Jeff Snyder, Planning Commission

Chuck Murdock, Historic District Commission	John Argenta, Historic District Commission
Dan Ferrara, downtown merchant	Jeff Hamilton, resident
Robert Miller, resident	Jody Humphries, Chamber of Commerce

The cost of the project is \$58,900. Funds have been budgeted in both the DDA and General Fund budgets for FY 2016-17 to complete the project. In addition, the DDA has limited funds budgeted in FY2015-16 to get the project started. The project will take approximately seven to eight months to complete and will span over the course of two budget years.

City Council Comment and Discussion: A comment from City Council suggested the Steering Committee also include a person with a strong economic development background, knowledge of historic district federal funding and Brownfield grant funding, knowledge of what to ask BRI on what it needed in the strategic plan to create these development opportunities. A separate comment from City Council pointed out that BRI should have a person on staff with this economic development background. The Steering Committee should direct BRI to compile that information and include it as part of the Plan.

Additional questions pertained to the disparity in the RFP responses. It was noted that the lower bid RFP did not have a marketing firm. The highest bid RFP was a firm that was out of state, requiring travel fees. The proposal included extra sub-consultants that added to the expense but did not appear to bring substance to the project.

**Motion Allen, seconded by Ekong** to appoint the Steering Committee as follows:

Shawn Riley, DDA Board Chair	Mary Starring, DDA Member, NCBA, merchant
Carol Maise, Planning Commission	Jeff Snyder, Planning Commission
Chuck Murdock, Historic District Commission	John Argenta, Historic District Commission
Dan Ferrara, downtown merchant	Jeff Hamilton, resident
Robert Miller, resident	Jody Humphries, Chamber of Commerce

and further, award the contract for Professional Services to Beckett and Raeder/LandUSA in the amount of \$58,900 and authorize the DDA Director to sign the contract on behalf the DDA and City of Northville. **Motion carried unanimously.**

## **MAYOR AND COUNCIL COMMUNICATIONS**

### **A. Mayor and Council Communications**

Roth noted he received a request pertaining to proclaim May 13<sup>th</sup> as World Falun Dafa Day. In the past, City Council members have written letters of support for this day, in lieu of a blanket proclamation. Consensus was to continue that practice. Roth will forward the information to Councilmembers.

### **B. Staff Communications** None

Being no further business, the meeting was adjourned.

**Adjournment: 8:57 p.m.**

Respectfully submitted,

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Dianne Massa, CMC  
City Clerk

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Ken Roth  
Mayor

Approved as submitted: 4/18/16