

**City of Northville**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**June 19, 2017**

Mayor Roth called the meeting to order with the Pledge of Allegiance at 7:00 p.m. in the City of Northville Municipal Building, City Council Chambers, 215 W. Main Street, Northville, Michigan, 48167.

**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, Director of Public Works James Gallogly, Police Chief Michael Carlson, Planning Consultant Sally Elmiger, Downtown Development Authority Director Lori Ward; DDA members Shawn Riley, Natalie Kneifel, and Jim Long, members of the Beautification Commission, and approximately 11 citizens

Mayor Roth read a statement informing those present that the City Council meeting was being recorded for rebroadcast on the City's website. By remaining at the meeting, consent is inferred by those present to have their voice and image recorded and posted on the City's website.

**PRESENTATIONS**

**A. Citizens Comments**

Callista Milroy, 1056 Allen, spoke about the recent Rouge River clean up event held on May 20<sup>th</sup>. Twenty-six volunteers helped gather 46 contractor-sized bags of garlic mustard. This is an invasive plant whose root system disturbs native plants and prevents them from growing. Garlic mustard cannot be composted. They hope to have more volunteers next year. City Council voice appreciation to all of the volunteers.

**B. Beautification Commission Proclamation**

The City received a request from the Northville Beautification Commission to issue a proclamation commemorating their 50th Anniversary celebration in 2017. The Mayor also spoke about the value of the Beautification Commission, complimenting the volunteers on how great the City looks and how they set the bar for others to want to make their area more beautiful.

The Beautification Commission invited everyone to celebrate with cake and coffee following the Council meeting.

### **C. Oakwood Cemetery Presentation**

Kathleen Ripley Leo, of the National Society Daughters of the American Colonists – Michigan State Society, stated that Oakwood Cemetery was selected to receive a national historical marker. With the permission of the Director of Public Works and the Cemetery Sexton, the Society submitted a grant application for the historical marker. Oakwood Cemetery is a historical cemetery, located on donated land. Buried there are veterans of the Revolutionary War, War of 1812, and Civil War. Many of the original town founders are buried there as well. Leo noted that the National Society pays for the marker installation, along with any necessary repairs or replacement, at no cost to the City. A dedication ceremony is tentatively planned for October 8, 2017 and all are invited to attend.

City Council voiced appreciation for this effort. The historical marker recognizes the City's beauty and rich history.

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

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

Approve City Council Minutes of:

- Regular Meeting of June 5, 2017

Receive Bills List:

- Accounts Payable Week of June 5, 2017

Receive Board and Commission Minutes: None

Receive Departmental Reports:

- Youth Assistance: 6/17

Board and Commission Appointments: None

Request to Dispose of Assets / Shotguns, Console, Radar Units / Police Department

Amendments to the 2016-17 Budget thru 5/31/17 and Quarterly Investment Report

Request to Use City Property for Valet Service / In-Form Studio / June 29, 2017

**Motion carried unanimously.**

### **RESOLUTIONS AND ORDINANCES**

#### **A. Zoning Ordinance Amendment / First Reading Various Articles - Front Yard Open Space**

At its February 21, 2017 meeting, the Planning Commission conducted a public hearing to consider text amendments to the zoning ordinance pertaining to various provisions related to paving and parking vehicles in the front yard of residential homes. The Planning Commission had observed that newer homes have been paving much of the front yard to accommodate circular drives and other parking pads. They considered this trend detrimental to the character of residential districts, and having a negative impact on neighboring properties.

The new language calls for single-family homes to have a minimum of 65% of the required front yard (between the front property line and the front setback line) to be unpaved. An exception is offered to single-family lots that are narrower than the required minimum lot width and have no access to an alley. These conditions would make meeting the 65% rule very challenging.

Other provisions related to parking were also clarified. The new language prohibits parking on an unpaved surface in the front yard of a residential district, and vehicles are prohibited from parking across a public sidewalk. Language was also amended to clarify that the 20-foot minimum driveway width specified in this section did not apply to single-family residential and two-family residential dwellings.

The Planning Commission is recommending approval of the proposed text amendments. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendment was provided for City Council review.

City Council Comments and Discussion: In response to a question from City Council, the Planning Consultant explained that the ordinance would allow a circular driveway if they met the requirements. The Building Official would measure to determine the amount of pavement occupying the area. If the pavement is more than 35%, the circular drive would not be allowed. If the pavement is less than 35%, it would be allowed. Pavement is defined as any area that can be parked on. A handicapped ramp or other barrier-free facility does not count as pavement.

**Motion Allen, seconded by Ekong** to introduce for first reading the proposed amendments to Articles 15, 17, 19, and 26 pertaining to Front Yard Open Space as presented, with second reading and possible adoption scheduled for July 17, 2017. **Motion carried unanimously.**

### **B. Zoning Ordinance Amendment / First Reading** **Article 19 Site Plan Review Process**

At its April 18, 2017 meeting, the Planning Commission conducted a public hearing to consider text amendments to the zoning ordinance describing the Site Plan Review process.

The intent of these revisions is to clarify when formal site plan review is necessary by the Planning Commission, and when/if an administrative site plan review is necessary by City staff, Planning Commission Chair and consultants. Language was also added to give the Planning Commission the ability to extend a preliminary or final site plan approval, if the applicant provides good cause as to why the project hasn't progressed as expected.

The Planning Commission is recommending approval of the proposed text amendments. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendment was provided for City Council review.

**Motion Allen, seconded by Darga** to introduce for first reading the proposed amendments to Article 19 Site Plan Review Process as presented, with second reading and possible adoption scheduled for July 17, 2017. **Motion carried unanimously.**

### **C. Zoning Ordinance Amendment / Second Reading** **Article 18 General Provisions - Alleys**

At its regular meeting of May 15, 2017, City Council introduced for first reading proposed amendments to the Zoning Ordinance.

The current ordinance language allows a property owner whose lot adjoins an alley to add half of the alley area to their lot in applying lot area requirements. The proposed text amendment would eliminate this provision.

The Planning Commission is recommending approval of the proposed text amendment. Communication from the City's Planning Consultant and the proposed zoning ordinance text amendment was provided for City Council review.

**Motion Darga, seconded by Price** to waive second reading and adopt the amendment to Article 18 General Provisions, Section 18.11.6 Lots Adjoining Alleys as presented. **Motion carried unanimously.**

**A. Ordinance Amendment / Second Reading**

**Chapter 74 Streets, Sidewalks and Other Public Places, Article VI Sidewalk Cafes and Outdoor Seating**

At its regular meeting on June 5, 2017, City Council introduced for first reading proposed amendments to the Sidewalk Café Ordinance.

In 2001, the City adopted the Sidewalk Café and Outdoor Seating Ordinance. At that time, the Michigan Liquor Code did not allow Sunday morning alcohol sales before 12:00pm (noon). As such, the operating restrictions for Sidewalk Cafes did not allow Sunday morning alcohol sales before 12:00pm (noon).

In 2010, the Michigan Liquor Code was amended to allow Sunday morning alcohol sales to begin at 7:00am. Since that time, the City has received requests to consider amending the ordinance to allow Sunday morning alcohol sales before 12:00pm noon for sidewalk cafes.

The proposed ordinance amendment would amend Section 74-175 Operating Restrictions to allow Sunday morning alcohol sales to begin at 10:00am, which is consistent with the sidewalk café operating hours start time Monday through Saturday.

**Motion Ekong, seconded by Allen** to waive second reading and adopt the amendment to Chapter 74 Streets, Sidewalks and Other Public Places, Article VI Sidewalk Cafes and Outdoor Seating in the Code of Ordinances as presented. **Motion carried unanimously.**

**NEW BUSINESS**

**A. Request to Transfer and Reclassify Tavern License to a Class C License  
Main Street Hospitality – 160 E. Main Street**

On May 15, 2017, Brian Maiorana, owner of Main Street Hospitality, LLC, d/b/a/ “160 Main” located at 160 E. Main Street, submitted a Liquor License Review Committee (LLRC) application requesting to transfer into the City, to 160 E. Main Street, a Tavern license with Entertainment and Out Door Service permits. The request is to reclassify the Tavern License to a Class C license, eliminate the Entertainment License and Outdoor Service permit, and add a Specially Designated Permit (SDM) and Sunday Sales AM and PM permit to the license.

Main Street Hospitality, LLC, through their attorney, has submitted a Plan of Operation with their Liquor License Review Committee application. The Plan of Operation indicates the business will be operated as an authentic Sicilian Italian restaurant. Seating on the first and second floors will accommodate 86 patrons, eight of which will be at the bar. The alcohol to food ratio is expected to be 75% food to 25% alcohol. The hours of operation will be as follows:

Monday – Thursday	4:00pm – 10:00pm
Friday and Saturday	5:00pm – 11:00pm
Sunday	2:00pm – 9:00pm

A background check has been conducted. The applicant has operated Sapori, LLC, a Class C restaurant in Washington Township, since 2014. There has been one warning by the Sheriff Department for a liquor

license violation (serving after hours) and a MLCC violation where they failed to provide server training within the timeframe required. A \$100 fine was assessed.

On June 19, 2017, a public hearing was held and the LLRC recommends City Council not object to the transfer City of Northville Liquor License Review Committee and reclassification of a Tavern license to a Class C license. All fees and costs have been paid by the applicants. Staff finds no reason to object to the approval of this request subject to final inspections and code compliance.

Attorney Karen Allen and owner Brian Maiorana further explained the business plan, Sicilian cuisine, and planned building renovations, including mezzanine seating and the installation of a wheelchair lift for mezzanine access. It was also stated that Mr. Maiorana is purchasing the building.

Brian Beale, current building owner, spoke of the two-year process to find the right tenant for this building. They plan to sell the building to Maiorana, and believe that this will prove to be a vibrant activity at this location.

City Council Comments and Discussion: It was explained that a Tavern License does not allow the sale of spirits; this is the reason for the request to reclassify the Tavern License to a Class C License. It was also explained that the SDM license allows a patron to take home beer and wine. This is not planned to be a major part of the alcohol sales. The restaurant plans to open in October or November 2017. They plan to come back to the LLRC and City Council in 2018 to request an outdoor service permit and a change in the Plan of Operation. City Council voiced appreciation for their investment in the community.

**Motion Price, seconded by Darga** to approve the resolution to transfer a Tavern license into the City and allow for reclassification to a Class C and SDM license with Sunday Sales AM and PM permits. **Motion carried unanimously.**

#### **B. Traffic Control Order #17-01 Electric/Hybrid Vehicle Parking**

On May 2, 2017, the Parking Committee recommended that two parking spots in the Old Church Square lot (Lot # 2) be reserved for charging electric /hybrid vehicles. Traffic Control Order 17-01 was written to accommodate signage and enforcement for electric vehicle charging parking stations.

City Council Comments and Discussion: Comments explained that the Downtown Development Authority Board of Directors supports this request. The charging stations were donated to the City and there is no cost for the infrastructure. The electricity is being donated through 2018 from UpToGo, a downtown business. There is no cost to the City for the upfront investment.

**Motion Ekong, seconded by Allen** to approve Traffic Control Order 17-01 as written. **Motion carried unanimously.**

#### **C. Grant Application New Voting Equipment**

The 2002 Help America Vote Act (HAVA) required state and local governments to upgrade election equipment and processes and adopt a statewide voting system. Federal funds were appropriated to each state to meet the HAVA mandates. The State of Michigan adopted “optical scan” as the statewide voting system. All jurisdictions in each county are required to use the same vendor and optical scan equipment.

In 2003, the State provided the City of Northville with new voting equipment purchased with HAVA funds.

This equipment is outdated and requires replacement. On January 24, 2017, the Secretary of State approved contracts for the next generation of election equipment. The State Administrative Board approved 10-year contracts with three vendors for optical scan voting systems that read and tabulate paper ballots marked by voters.

The Oakland County Clerk made the decision on behalf of local clerks, selecting Hart InterCivic, Inc. The Wayne County Clerk made the decision on behalf of local clerks and selected Dominion. To avoid the City of Northville having to administer two different types of voting equipment, the State recommended that Oakland County be the administrator of the next generation of equipment for the City of Northville. As such, all voters in the City will use Hart InterCivic.

The new equipment will be paid for with \$30 million in federal Help America Vote Act (HAVA) money set aside by the Secretary of State's office and with \$10 million of state-appropriated funds approved by the Legislature. The equipment will be delivered in July so it will be available to be utilized in the next election.

The State allocated funds to each municipality based on the number of precincts that existed in November 2016. The State allocated approximately \$31,000 in grant funds to provide the City with two precinct tabulators, two absent voter counting board tabulators, and two accessible voting devices for use by individuals with disabilities.

The State will also fund hardware/software agreements and equipment maintenance costs for five years. The City would continue to budget for hardware/software maintenance agreements and equipment maintenance agreements as part of the long-term budget process. The City is responsible for the cost of any incidental equipment such as card readers, flash drives, etc.

The State will pay Hart InterCivic directly. While the City will not be invoiced; it must apply for a grant to receive the equipment. This grant agreement is required as part of the State contract and was approved by the State Attorney General's office. The City Attorney also reviewed the grant agreement and found it acceptable.

City Council Comments and Discussion: Further explanation was given pertaining to the process that will be used to transmit results and canvass information to Wayne County using Oakland County equipment. Wayne County is supportive of the plan.

**Motion Allen, seconded by Darga** to adopt the resolution authorizing the City Clerk to apply for and execute the Grant Agreement with the State of Michigan for the purchase of a new voting system. **Motion carried unanimously.**

#### **D. Purchase of Additional Voting Equipment**

To comply with the Help America Vote Act, the State of Michigan is providing the City of Northville with the next generation of voting equipment. The State allocated approximately \$31,000 in HAVA funds and state-appropriated funds to provide the City of Northville with two precinct tabulators, two absent voter counting board tabulators, and two accessible voting devices for use by individuals with disabilities. The Oakland County Clerk made the decision on behalf of its local clerks, and selected Hart InterCivic as the preferred vendor.

This equipment replaces the outdated optical scan equipment provided to the City in 2003. It is expected the City will receive its new equipment in July and it will be utilized with the next election. The City Clerk's office would like to purchase one additional tabulator to have available to use on Election Day in the event there is an equipment failure. The City did purchase an additional tabulator with the 2003 equipment. The spare tabulator was used many times when precinct tabulators malfunctioned on Election Day.

Hart InterCivic, agreed to extend the state pricing to local jurisdictions that wish to purchase additional equipment. The cost for one additional tabulator is \$5,000. During the process to select vendors and negotiate contracts, the State recommended that each jurisdiction set aside funding in case a local match was needed. As such, the City budgeted \$12,000 which has been set aside in the Public Improvement Fund. Pricing came in lower than expected and the State is able to provide new voting equipment to the City of Northville without a required local match. The \$5,000 cost of the additional tabulator is available in the Public Improvement Fund for this purchase.

**Motion Allen, seconded by Ekong** to approve the purchase of one election tabulator from Hart InterCivic in the amount of \$5,000. **Motion carried unanimously.**

#### **E. 2015/2016 Street Improvement Program Final Balancing Change Order**

On August 1, 2016, City Council approved a contract with Nagle Paving Company of Novi, Michigan for Northville's 2015/16 Street Improvement Program in the amount of \$1,189,043.10. This included pavement replacement on the asphalt portion of Elmsmere Drive, Rayson Street, a portion of Horton Avenue, Walnut Street and S. Wing Street. In addition to road work, this contract also included water main replacement on Rayson, Walnut, and S. Wing Streets.

This project was substantially completed in November 2016 with minor punch list items completed in the spring 2017. With as-built quantities measured and finalized, based on the unit prices provided in the construction contract, this project exceeded the awarded amount by \$36,134.56 or approximately 3%.

In its letter dated June 7, 2017, Zeimet Wozniak, the City's engineering consultant for this project, described several changes needed to properly complete this project. The primary reasons for certain quantities running over the contract amount are listed as follows:

- Additional work was added on Elmsmere Drive to pave several of the intersection radii. This work was originally left out of the contract to save cost on the project, but was added back in to address drainage concerns raised by local residents.
- Realignment of the new water main around existing utilities required the removal and then replacement of additional sidewalk on the north side of Rayson.
- Additional sidewalk ramps were added to the contract to correct ones that did not meet current code.
- Additional undercuts were needed in the Rayson/Horton curve to correct soft spots in road base.
- Additional sidewalk and curb were added on the east side of Wing Street south of Fairbrook. During construction, it was discovered that the subgrade beneath the curb was washed out, requiring both the curb and attached sidewalk to be removed and replaced.

- An additional inch of asphalt was added to the road cross section to cover truck loads associated with Post Office deliveries.

With an overall 3% increase in cost in these projects, a budget amendment is necessary to cover cost overruns. The increase will come through the Street, Drainage and Sidewalk Improvement Fund where sufficient reserves exist to cover this cost.

City Council Comments and Discussion: It was requested that the DPW Director give City Council periodic updates during all future major capital improvement projects.

**Motion Darga, seconded by Ekong** to approve a final balancing change order to the 2015/2016 Street Improvement Program with Nagle Paving Company, Inc. increasing the contract amount to \$1,225,177.66. Further, the Public Works Director be authorized to sign this change order on the City's behalf. **Motion carried unanimously.**

## **F. Strategic Plan Update**

In 2016, Beckett and Raeder was hired by the City/Downtown Development Authority (DDA) to update the City/DDA's Strategic Plan. Since many of the key recommendations from the 2006 Plan were brick and mortar and had been completed, the emphasis of the updated Plan shifted to the marketing of the downtown, economic development of the undeveloped/ underdeveloped properties adjacent to the downtown, and creating more housing opportunities.

The planning effort kicked off on April 27, 2016. A Steering Committee was appointed by City Council with 11 members, representing a variety of stakeholder groups, which met twelve times over the past 14 months. Community input was gathered through intercept surveys, two on-line surveys, stakeholder interviews, two joint meetings with City Boards and Commissions, and a Town Hall meeting. In addition, two target market studies were performed by LandUSA for both the residential and retail markets in Northville.

The studies showed:

- The City of Northville can support up to 50,000 square feet of new retail tenants, plus a boutique hotel. This conclusion is supported by the study of market size and trade area, incomes and expenditure potential, traffic volumes; nation-wide retail trends, inventory and cluster analysis of local businesses; and supply-demand and gap model.
- There is a maximum annual market potential for up to 50 attached units throughout the City of Northville, plus 129 detached houses (for a total of 179 units).

An Action Plan was developed that lists recommendations in five areas: Design, Marketing, Organization, Economic Development, and Parking, summarized as follows:

- The Design action items are extensive. The tasks include implementing non-motorized and streetscape improvements, burying overhead utilities, and upgrading traffic signalization.
- Marketing actions call for preparing an infographic of the Retail Market Analysis and Residential Target Market Analysis, and sharing this data through an informational meeting with local realtors and regional developers. Another Marketing action strategy invites the DDA to sponsor a Creative Arts and Industry master plan.

- The recommendations for the Residential action items include streamlining the Planned Unit Development process and allowing for density bonuses in the PR-1 (Performance Regulated Industrial) zone.
- Redevelopment action items recommend advancing the community vision for the Cady Street Corridor and the Northville Downs properties previously prepared by the Planning Commission.
- To improve organizational efficiency, action items include filling DDA board member positions; conducting semi-annual work program review joint sessions with the DDA, Planning Commission, City Council and the Historic District Commission; and designating the DDA to coordinate events in the Town Square.
- A recommendation was made for the DDA and City to evaluate the feasibility of a Principal Shopping District as well as a contractual agreement with the City to increase capacity and determine a methodology for sharing costs.

At its June 6, 2017 meeting, the DDA Board of Directors approved the Strategic Plan. Estimates for individual projects, programs, and a funding strategy need to be developed.

The DDA gave a brief presentation of the goals accomplished from the 2006 Strategic Plan and the recommendations made in the updated Strategic Plan.

DDA Board Chairperson Shawn Riley stated that in the last 10 years, the City and DDA worked together to achieve 80% of the current Strategic Plan goals. Consideration should be given to expanding the DDA boundaries to create more opportunities. He also spoke of the need to hire someone to fill the role of Economic Development Director as recommended in the updated Plan. Riley also spoke of the fantastic talent on the Strategic Plan Committee. The DDA is looking at the best practices to be able to compete with other areas. He also believed the downtown does well with small events and could benefit from a boutique hotel.

DDA Board Member Jim Long stated that the revised Strategic Plan is an excellent report. He would like to see the City work with the downtown businesses to come up with a plan that allows the businesses to serve wine at the First Friday event. It is a festive atmosphere that creates opportunity for the downtown businesses. Currently, State law does not allow serving wine at the First Friday event. The event has seen reduced traffic since the businesses stopped serving wine.

City Council Comments and Discussion: City Council noted that the City conferred with the Attorney General, the City Attorney, and the Michigan Liquor Control Commission (MLCC) regarding the businesses legally distributing alcohol during the First Friday events. The viable options presented to the City include the retailers partnering with a charitable organization to pull the required permit, or working with a local producer to pull a permit. The City is open to the downtown businesses pursuing either option.

In response to a question about the difference between serving alcohol at a backyard graduation party or a retailer serving wine, it was stated that the Attorney General's explanation is the graduation party is a private event and the other is a business opening its door to the public. City Council is not advocating for either position; it is following the advice given by legal counsel.

Comments from City Council spoke of the Strategic Plan update process. The DDA Director was commended for her work in facilitating the Plan update process, all while being without office staff for over six months. The Strategic Plan update process was a year-long process in which 1,500 unique individuals participated out of a City of 6,000 people. This met one of the initial goals, which was to rely

entirely on a grassroots effort. Appreciation was voiced to all that participated on the Strategic Plan Steering Committee. The City could not function without its volunteers who care enough to put in personal time to move the City forward. The updated Plan is a great road map that will serve the City and DDA well for the next 10 years.

It was noted that in 2006, most of the recommendations were something the DDA had control over (the vision of the streetscape, Town Square). A big part of the updated Plan is “public/private” partnerships and trying to entice these entities to hear your vision for a specific site. It was also stressed that the 2006 Report was shortly before the “great recession,” and the City was in a better financial position in 2006, than it is today. There is very little money today to apply to major projects, which will create some complexity in moving the updated Plan forward.

Other comments spoke of the target market analysis for housing, in which there is a maximum annual market potential for up to 50 attached units throughout the City. There was concern with this number as SEMCOG’s demographic study found that the aging population wants to downsize to townhouses or condominiums. It was explained the target market analysis is market driven. It is a conservative estimate of how a new product will go over in a community where a track record does not exist. Nothing prevents a developer or developers from coming into the City and doing their own market study.

**Motion Allen, seconded by Ekong** to adopt the 2017 City of Northville Downtown Strategic Update as presented. **Motion carried unanimously.**

## **MAYOR AND COUNCIL COMMUNICATIONS**

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

Darga voiced appreciation to the Arts Commission and its volunteers that worked on the Arts and Acts event. It was an outstanding event.

### **B. Staff Communications**

The DDA Director spoke of the new over-sized games available for use in Town Square (corn hole, Jenga, Dominos, and connect 4). The games were created in partnership with the Village Workshop and will add to the activities in the downtown.

Being no further business, the meeting was adjourned.

**Adjournment: 8:30 p.m.**

Respectfully submitted,

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Dianne Massa, CMC  
City Clerk

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Ken Roth  
Mayor

Approved as submitted: 7/5/17