

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
March 19, 2018

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 Nancy Darga, Councilmembers Sam Ekong, Patrick Giesa, and Marilyn Price

Absent: None

Also

Present: City Manager Patrick Sullivan, City Clerk Dianne Massa, Police Chief Michael Carlson, Senior Services Coordinator Pam Cameron, DDA Director Lori Ward, Planning Consultant Sally Elmiger, City Prosecuting Attorney John Martin, and eight 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 None

APPROVAL OF AGENDA AND CONSENT AGENDA

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

Approve City Council Minutes of:

- Regular Meeting of March 5, 2018

Receive Bills List:

- Accounts Payable Week of February 19, 2018

- Accounts Payable Week of March 12, 2018

Receive Board and Commission Minutes: None

Receive Departmental Reports:

- Youth Assistance: 3/18

Board and Commission Appointments:

- Arts Commission: Appoint Roland Hwang to fill vacancy term expiring 6/30/19

- Downtown Development Authority: Appoint Jeri Johnson to fill vacancy, term expiring 9/30/19

Proclamation / April 16-20, 2018 as Week of the Young Child

Amendment to the Fees, Fines and Penalties Schedule / Property Maintenance Civil Infraction

Street Closure Request / Beal Town Block Party / June 23, 2018

Designation of Street Administrator

Proclamation / Equal Pay Day / April 10, 2018

Request for Special Meeting of City Council / March 22, 2018
Finalization of FY 2018-19 Goals, Objectives and Priorities

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

A. Ordinance Amendment – Chapter 10 Animals Second Reading

During the November 7, 2016 City Council meeting, a resident from North Lexington Condominium Association asked City Council whether or not the police have jurisdiction to enforce laws at North Lexington Condominiums. This request stemmed from two “dog at large” civil infraction charges that were dismissed at court because the City’s Dog at Large ordinance (10-2) does not prohibit dogs off leash on private property that is not open to the public. City Council directed the Chief of Police to investigate, with the Prosecutor and City Attorney, as to how residents of homeowners associations, who have shared use of property, can receive the same enforcement as other City residents in regards to dogs being off leash.

The City Prosecutor was consulted on this matter and determined that amending the existing ordinance language in Chapter 10, Section 10-2 in the Code of Ordinances would provide the protection needed for residents who share private property in common in the City. The City Attorney has reviewed the proposed ordinance amendment to Section 10-2 and has no issue with the change. Violation of Section 10-2, the Dog Running at Large ordinance, is a civil infraction payable at the violations bureau. No fee amendment is needed for violation of this ordinance.

At its regular meeting on March 5, 2018, City Council introduced for first reading a proposed amendment to Chapter 10 Animals in the Code of Ordinances.

Michael O’Shea, Township Resident, voiced his belief that the proposed ordinance amendment resulted from incidents with his dog when he lived at Lexington Condominiums, in which it was alleged that his dogs were “at large.” O’Shea does not believe the ordinance needs to be changed, citing the following reasons: communications about his dog being “at large” were untrue, his dogs were on private property at Lexington Commons and contained within an invisible fence, and the Police Department continually encouraged his neighbors to file complaints. Although he has met with the Police Chief several times and provided documentation pertaining to the approved invisible fence, O’Shea alleged continued Police harassment pertaining to his dogs. He provided transcripts and other documents pertaining to these incidents for City Council review.

City Council thanked Mr. O’Shea for his comments.

City Council Comment and Discussion: John Martin, the City’s prosecuting attorney, responded to a question from Council pertaining to the impact of the proposed ordinance amendment. Although the Code of Ordinances defines public and private property, the proposed language was in reaction to concerns raised by Judge Lowe pertaining to the issue of public and private property. Under the Home Rule City Act, the City is responsible for ensuring the safety of its residents. In the case before Judge Lowe, an 84 year-old woman was knocked down by an unleashed dog while in the common area at a condominium complex. The impact of the ordinance amendment is that any dog in the City that is outdoors must be on a leash. The proposed language regulates “shared” areas, including those types of areas at condominiums and apartments. A leash is not required if the dog is on private property and

contained by a fence, including an electronic fence. However, if the dog goes through the fence, and is not leashed, it is a violation.

Being that no one wished to speak, the public comments were closed.

Motion Ekong, seconded by Giesa to waive second reading and adopt the proposed amendment to Chapter 10 Animals, Section 10-2 Dog Running at Large in the Code of Ordinances as presented.

Motion carried unanimously.

NEW BUSINESS

A. Approval of Rental Agreement 315 Griswold

The City of Northville owns the property in and around Mill Race Village. Through an agreement with the Northville Historical Society, the Northville Historical Society manages the grounds and maintains the buildings. Several years ago, the City purchased a house at 315 Griswold, immediately north of Mill Race Village, for use as a storage facility and an archive for the Historical Society. The house had excess space available and the Historical Society found a tenant willing to rent the space, which helps to generate revenue for the Historical Society. The house was leased to the New Hope Center for Grief Support from 2008 until they relocated last year.

The Historical Society has found a new tenant that is willing to rent both floors of the house at a rate of \$1,300 per month. The new tenant is the Living and Learning Enrichment Center, currently located on Mary Alexander Court. On March 7, 2018, the Board of Zoning Appeals approved the Northville Historical Society's request for a use variance to allow Living and Learning Enrichment Center to use the building.

Motion Darga, seconded by Ekong to approve the rental agreement for 315 Griswold, between the Northville Historical Society and the Living and Learning Enrichment Center. **Motion carried unanimously.**

B. Master Plan Text Amendments

In February 2017, City Council asked the Planning Commission to review the prohibition of first floor residential uses in the Master Plan and Cady Street Overlay District. Since any zoning ordinance needs to be consistent with the Master Plan, the Master Plan must first be amended. Last year, the Planning Commission reviewed the Master Plan and circulated proposed changes to the neighboring communities. The proposed amendments removed the first floor residential prohibition and also added language which recognizes increased residential density as a goal in the downtown core.

In subsequent discussions, the Planning Commission decided to remove the density limits from the Master Plan and, instead, take a "form based" approach to redevelopment in the Cady Street corridor. At their March 6, 2018 meeting, the Planning Commission asked for input from the City Council and the Downtown Development Authority prior to proceeding further.

The Planning Consultant reviewed Carlisle/Wortman memos dated March 14, 2018 and March 19, 2018. The memos detailed the recommendations of the Planning Commission and the proposed Master Plan

amendments, as well as recent comments from the Downtown Development Authority's (DDA) Economic Development Committee.

City Council Comments and Discussion: City Council reviewed the Planning Commission and DDA Economic Development Committee comments. Discussion brought out the following additional comment for further changes to the proposed Master Plan sub-area plan (revised 3/14/18) for Planning Commission consideration:

In general:

- Increasing flexibility is positive.
- Agree with removing the maximum density from properties that abut Cady Street, and adopting the approach that the dimensional requirements in the Zoning Ordinance will regulate density in this area.

Opportunities/Constraints:

- Do not want to see wholly residential development fronting Cady Street. Preference is some commercial continuity that connects the downtown with this transitional area. One way to achieve this is to require some commercial uses at "key" locations, such as intersections or other sites.
- Agree with DDA comment of not requiring a certain percentage of commercial uses at key locations. Agree with revising the Zoning Ordinance to include performance standards to encourage mixed-use projects with some commercial in key areas. Add examples of "key areas" to the Master Plan.

Preferred Land Use: Mixed Use/Planned Development:

- Allow single-use "buildings" as part of a larger, multi-building mixed-use development, but not single-use residential developments in the Creative Mixed-Use area. This comment tied in with the DDA's comments regarding this area.

Form Based Policies:

- Change the words "Adjacent to Cady Street..." to "On properties abutting Cady Street..."
- Add the street addresses for the New Victorian and the Belanger buildings, for clarity.

Site Design and Pedestrian Considerations:

- First Bullet to read: "Consideration should be provided for relocating the Farmer's Market." (Remove reference to a specific location.)
- Last Bullet to read: "The City should evaluate the current alignment of the Cady Street and South Main Street intersection for enhanced traffic and pedestrian safety."

The Planning Consultant will take City Council and the DDA Economic Development Committee's comments back to the Planning Commission.

**C. SMART Specialized Services Contract
FY2018**

The Senior Adult Services program receives funding from the Suburban Mobility Authority for Regional Transportation (SMART) Specialized Services Operating Assistance program in support of transportation services for residents over the age of 65 and individuals with disabilities.

The SMART Specialized Services funding available to the City of Northville for FY2018 is \$2,488. In order to receive the funds, an application is submitted that includes a project description and annual budget. Then quarterly reports are completed and submitted. For several years, the City of Northville has participated in the Specialized Services program, which is presently closed to new applicants. The contract was provided for City Council's review. The contract contains the same contract language and insurance requirements as previously approved in past years.

The City of Northville/Parks and Recreation Department will receive \$2,488 for use toward the operation of the senior transportation program.

City Council Comments and Discussion: Staff provided further explanation of the number of buses used by the Department, and future plans to add passenger vans to the fleet.

Motion Ekong, seconded by Price to approve the Specialized Services Contract with Suburban Mobility Authority for Regional Transportation (SMART) for FY 2018 and to authorize the City Manager to sign the contract on behalf of the City of Northville. **Motion carried unanimously.**

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications

Roth spoke of the correspondence from the State Historic Preservation Office (SHPO). SHPO has additional 2017 grant funds available and elected to cover 100% of the Historic District Survey project. The City no longer needs to provide matching funds. This saves the City approximately \$6,000.

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 8:15 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

Ken Roth
Mayor

Approved as submitted: 4/16/18