



FINAL

REGULAR MEETING MINUTES

A regular meeting of the Farmington City Council was held on September 21, 2015, in 23600 Liberty Street, Farmington, MI. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 7:00 PM by Mayor William Galvin.

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Greg Cowley	Councilmember	Present	
William Galvin	Mayor	Present	
JoAnne McShane	Councilmember	Present	
Steve Schneemann	Mayor Pro Tem	Present	
Jeff Scott	Councilmember	Present	

City Administration Present

- Director Christiansen
- Director Demers
- Superintendent Eudy
- City Clerk Halberstadt
- City Manager Murphy
- Attorney Schultz
- Treasurer Weber

2. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by 2015 Miss Farmington, Sidney Schrand, along with the first and second runners-up, Alyssa Grabinski and Carly Rowe.

3. APPROVAL OF ITEMS ON CONSENT AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

A. Consideration to Approve Special Event Request for Farmington Music Boosters' "Tag Days" Fundraising Event Scheduled for October 2 and 3

B. Farmington Monthly Payments Report

C. Public Safety Monthly Report - August, 2015

4. APPROVAL OF REGULAR AGENDA

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Scott, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

5. PUBLIC COMMENT

Rachel Gallagher, Downtown Development Authority Board Member, expressed support for the proposed Orchards Phase II project. She discussed the need for apartments in the downtown area.

6. PRESENTATION/PUBLIC HEARINGS

A. Introduction of New Miss Farmington, Sidney Schrand, and Presentation of Checks

On behalf of the Delores Riley Educational Grant, Kimberly Riley presented scholarship awards to Miss Farmington, Sydney Schrand, and the first and second runners-up, Alyssa Grabinski and Carly Rowe.

Sydney Schrand discussed her fundraising effort for her charity, "Peace, Love and Planet", a non-profit run by Gina Adams-Levy. Ms. Adams-Levy was present to receive a donation for her charity from Ms. Schrand. Ms. Adams-Levy discussed her partnership with the schools through education and implementation of green initiatives. They are teaching students to be good stewards of the planet.

Cowley requested that Ms. Adams-Levy partner with the city to implement recycling in the downtown.

7. UNFINISHED BUSINESS

A. Second Reading of Ordinance #C-779-2015, Zoning Text Amendment – Outdoor Seating

Present: Caitlin Malloy-Marcon, LSL Planning

Malloy-Marcon reviewed two major changes to the Zoning Text Amendment for outdoor seating. As a result of relaxed State requirements, the first major change is communities are now allowed to use something other than fences or walls to define outdoor seating areas, such as planters, rocks, etc.

The second major change to the Outdoor Seating Ordinance, allows for outdoor platforms or seating areas to be located in parking lots adjacent to the establishment if there is not enough room on the sidewalk next to the building.

Responding to a question from Cowley, Malloy-Marcon stated the ordinance allows for an applicant to request outdoor dining in a public parking lot.

Schultz advised a request for an outdoor dining area located in a city parking lot would have to be approved by City Council.

Responding to a question from Cowley, Christiansen stated the Planning Commission will consider requests for outdoor dining in a parking lot on a case-by-case basis, noting safety and security would be a primary concern.

Discussion followed regarding the impact of obligating parking spaces for outdoor dining and liability of outdoor seating in public lots.

Schultz advised the word "private" can be added to the ordinance language. He pointed out Council always has the option to approve a request for outdoor dining in a public lot whether it is in the ordinance or not. He stated a request to use a private lot only requires approval from the Planning Commission.

Schneemann stated it may be worthwhile to include in the ordinance that a request for a raised platform in a public parking lot requires Council approval.

Christiansen pointed out that outdoor seating is usually associated with a building which is not necessarily true of public parking.

McShane stated she has seen buildouts of wooden type decks, but all had fences around them. She would like to see some type of extra guarantee of liability and holding the city harmless. She does see opportunity in the future for this type of outdoor seating if parking decks are installed.

Galvin noted this ordinance has gone through a number of reviews by Council, City Administration and LSL Planning. He asked Council for their thoughts about Schneemann's proposal to add language to the ordinance that requests to locate outdoor dining in a public parking lot must be approved by Council.

Council concurred to add the additional language to the ordinance.

Motion to approve a revised Zoning Text Amendment regarding Outdoor Seating as amended; adding the following language to the end of Paragraph 9, "Use of a public parking lot for such purpose shall require City Council approval." [SEE ATTACHED ORDINANCE].

The votes were taken in the following order: Galvin, McShane, Schneemann, Scott, Cowley.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Steve Schneemann, Mayor Pro Tem
SECONDER:	JoAnne McShane, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

B. Second Reading of Ordinance #C-780-2015, Zoning Text Amendment – Single Family Residential Zoning Standards

Present: Caitlin Malloy-Marcon, LSL Planning

Malloy-Marcon advised this item was first brought up in regards to the R1 Zoning District that tends to have smaller lot sizes and smaller homes. The Council's interest was to allow these homes to expand on their property in hopes to keep families in Farmington who want larger homes.

Malloy-Marcon highlighted the more significant changes to the ordinance. She stated they have softened some of the setback requirements; allowed for larger lot coverage; and added front yard setback and building height caveat that allows for individual applicants to expand beyond what are now looser requirements for the R1 Zoning District if the following criteria is met:

- 1) The proposed development uses an open air, unenclosed porch spanning at least 50% of the building frontage;
- 2) the front façade is made up at least 25% windows and doorways;
- 3) the side and front yard landscaping plans exceed ordinance requirements and include significantly enhanced landscape features such as raised beds, ornamental trees, garden lighting to create an aesthetically pleasing environment to the surrounding properties.

Schneemann stated these proposed changes address the concerns previously discussed by Council. He expressed support for adoption of this text amendment on a trial basis. He stated once these changes have been in place a year, he would like City Administration to report back on whether residents have taken advantage of these relaxed standards and their effectiveness.

McShane expressed concern about the possibility of homes that are moved further forward than other homes on a block. She would like to see these changes implemented on a two-year trial basis. She stated if no one takes advantage of the relaxed standards the city may consider returning to previous standards. She likes the flexibility the relaxed standards provide in order to promote families staying in Farmington.

Scott pointed out the city has outdated housing. He stated this ordinance is a good start to address that deficiency, however, it doesn't go far enough on some of the issues. He would like to see the proposed 35% lot coverage increased to 40%.

Christiansen confirmed any enclosed structure would be part of the calculation for total lot coverage.

Scott reiterated that 35% lot coverage is not enough. He pointed out that if the city limits the coverage no resident will want to add 3' on the front of their house.

Malloy-Marcon noted that a significant addition can be added to a home with 35% lot coverage and increased building height.

Scott would like to see the city be more generous up front than to make small

incremental changes. He likes the requirement for a porch, but expressed concern regarding the requirement that the front façade be made up of at least 25% doors and windows.

Responding to a question from Cowley, Malloy-Marcon stated these relaxed standards for single family residential are very aggressive compared to other communities in Oakland County. She confirmed that if the relaxed standards are approved, LSL will put together a plan to market them to the community.

Schneemann concurred these proposed changes are very aggressive for single family homes. He recommended the marketing plan include something in the tax bill. He would support increasing lot coverage to 40%. He stated it should be recognized that these changes should be treated as an experiment.

McShane expressed support for 40% lot coverage, however, she does not want further encroachment in the front yard.

Scott continued to express concern regarding the requirement that the front facade include 25% windows and doors.

Galvin questioned whether the 25% requirement would be a barrier to what the city is trying to achieve in stimulating housing redevelopment.

Schneemann noted windows and doors are expensive which could be a barrier, but it would also increase the level of quality in the neighborhoods.

Scott suggested that the 25% requirement be on a *per story* basis.

Galvin advised City Administration get the word out to developers once the relaxed standards are approved.

Scott also expressed concern regarding the requirement that the open air porch span 50% of the front façade.

Council concurred to change the 50% span requirement to 40%.

Galvin reiterated the three proposed amendments to the proposed Zoning Text Amendment:

1. increase lot coverage maximum from 35% to 40%;
2. the requirement that the front façade be made up of at least 25% windows and doorways changed to on a *per story* basis;
3. change the span requirement for the open air porch from 50% to 40%.

C. Motion to approve Ordinance C-780-2015, Zoning Text Amendment - Single Family Residential Zoning Standards as amended: 1) increase lot coverage maximum from 35 to 40%; 2) the requirement that the front façade be made up of at least 25% windows and doorways be changed to a per story basis; and 3) change the span requirement for the open air porch from 50% to 40%. [SEE ATTACHED ORDINANCE]

The votes were taken in the following order: McShane, Schneemann, Scott, Cowley, Galvin.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	JoAnne McShane, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

8. NEW BUSINESS

A. Consideration of Amended Site Plan/PUD Plan for Orchards Phase II, 33300 Slocum Street.

Present: Fabio Cervi, Cervi Construction

Christiansen discussed the background on the original 2004 PUD Agreement which called for a single phase condominium development with two separate buildings, 16 units per building, separated by a proposed public street. The initial developer did not complete the second building. In 2010 the City Council agreed to amend the PUD Agreement to remove the land on which the proposed second building would be built. The PUD Agreement was amended at the same time to make the PUD a two-phase development, with the second building to be built as a separate development.

Christiansen described the elements of the proposed apartment project including a single garage for each unit and a space in the driveway, totaling 22 parking spaces. He spoke about providing adequate space for the dumpsters and a pedestrian connection to the downtown. The developer has agreed to extend the sidewalk to the north in order to connect to the downtown.

Christiansen stated the PUD Agreement is specific with respect to the road. The road will provide access to both buildings, but it is limited in width and does not allow for on-street parking. He noted the road was envisioned in the original PUD of potentially becoming a public road. He pointed out the PUD Agreement specifically identifies how the road will be maintained.

McShane expressed concern regarding the significant parking challenge that will result from the Phase II development. She stated the proposed plans are very handsome and fit within the surroundings, but there needs to be a plan on how parking will be addressed.

Scott expressed appreciation to the developer for working with the city on this project. He stated the new development will be a real asset to the city.

Mr. Cervi stated the Orchards Phase II would be comprised of 11 luxury townhomes with rentals from \$1650 to \$1750. He believes this project will contribute to the growth of the city.

Responding to a question from Schneemann, Christiansen confirmed the proposed development meets the requirements of the Zoning Ordinance for a PUD. He pointed out Mr. Cervi is in step number three of the PUD process.

Responding to a question from Schneemann, Cervi stated the materials for the project include asphalt dimensional shingles for the roof; full brick on all sides; limestone accents and banding; and confirmed the height is the same as the Phase I building.

Christiansen confirmed the proponent has committed to putting in a sidewalk.

Schneemann expressed concern regarding the front facing garages which will result in a lot of in and out traffic. He suggested moving the building closer to the road, put in on-street parking with a sidewalk, and would allow for ample room in the back for rear garages. He stated it is a handsome project and would love to see it built, but the garages need to be in the rear.

Cervi advised he looked into the possibility of rear garages, but according to his engineers the existing utilities make it virtually impossible to flip the building.

Responding to a question from Galvin, Christiansen stated the next step in the process is approval of the final site plan by the Planning Commission.

Responding to a question from Galvin, Cervi stated he would like to break ground in this season. If that happens, they will begin to market the townhomes at the end of spring or early summer next year.

Responding to a question from Galvin regarding the road, Schultz advised the road is still private. He stated there is an executed quit claim deed that exists. He noted the PUD Agreement requires adequate maintenance of the road. He stated if the city decided to take it over there is a mechanism in the PUD Agreement that requires the road be brought up to city standards.

Responding to a question from Galvin, Cervi stated he does not anticipate any issue with the ability of trash trucks to access the dumpsters.

City Attorney recommended adding the following amendments to the PUD Plan: 1) including the sidewalk in the plan; 2) require that the road be brought up to city standards; and 3) confirm that a full, detailed site plan is brought back to the Planning Commission for final approval.

Scott expressed concern regarding the city taking back the road. He pointed out the road has 12 curb cuts within a 195' span. He doesn't know of any other city roads that have that many curb cuts within that short of a span.

Schultz noted there is no requirement that the city take back the road when asking the proponent to bring it up to an acceptable standard.

Cervi agreed to help fix the road.

Galvin advised this project has been vetted and reviewed by multiples layers of staff, LSL Planning, and the Planning Commission and it has passed every time. He noted the surrounding neighbors are amenable to the project; and pointed out the downtown district needs this project. He stated the city doesn't have enough capacity for downtown residents.

Motion to approve an amended site plan, subject to consultant and staff review requirements, and to direct City Administration and City Attorney's office to finalize the plan and public improvements in accordance with the existing PUD Agreement as amended and including the following additional amendments: 1) include the sidewalk in the plan; 2) require that the road be brought up to city standards; and 3) confirm that a full, detailed site plan is brought back to the Planning Commission for final approval.

The votes were taken in the following order: Schneemann, Scott, Cowley, Galvin, McShane.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Jeff Scott, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

B. Consideration to Approve Maxfield Training Center Parking Lot Lease Agreement and Shiawassee Park Lease Agreement with Farmington Public Schools

Murphy provided the background on both of the proposed leases with Farmington Public Schools. He stated the leases will be short term until Farmington Public Schools divests itself of these properties.

Motion to approve MTC Parking Lot and Shiawassee Park lease agreements with Farmington Public Schools, subject to final approval as to form by City Manager and City Attorney, which may include minor, non-substantive revisions. [SEE ATTACHED AGREEMENTS].

The votes were taken in the following order: Scott, Cowley, Galvin, McShane, Schneemann.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: JoAnne McShane, Councilmember
SECONDER: Greg Cowley, Councilmember
AYES: Cowley, Galvin, McShane, Schneemann, Scott

C. Consideration to authorize permit request for Farmington Brewing Company to hold its one year anniversary weekend November 13 – 15

Present: Jason Schloff, Farmington Brewery Co-owner

City Administration reviewed a special event request from the Farmington Brewery Company to hold its one-year anniversary celebration during the weekend of November 13-15.

Jason Schloff was present to discuss the details of the event.

Motion to approve a special event request from the Farmington Brewery Company to hold its one-year anniversary celebration on Friday, November 13th from 4 p.m. until midnight; Saturday, November 14th and Sunday, November 15th, from noon until 10 p.m.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Steve Schneemann, Mayor Pro Tem
SECONDER: Jeff Scott, Councilmember
AYES: Cowley, Galvin, McShane, Schneemann, Scott

D. Consideration to Approve Purchase of Parking Signs

City Administration requested approval for the purchase of 73 parking signs at cost of up to \$6,000, if the funds cannot be found elsewhere.

Scott expressed concern that the city is taking on more of the DDA's expenses.

Murphy responded that is why he stated if the funds cannot be found elsewhere. He will be asking the DDA to cover the costs of these signs, but knows they have a very tight budget.

Cowley concurred that the DDA should pick up the cost for the signs.

Schneemann agreed this cost is in the DDA "wheelhouse." He is not opposed to providing a loan. He would like to see this project move forward.

Responding to a question from Galvin, Demers advised the number of net new signs is between 45-50.

Galvin expressed some concern regarding the large quantity of signs that will be

installed in the downtown. He wants to make sure the downtown is a polite and inviting environment.

Demers responded that part of the reason for the large quantity of signs is that many of the existing signs need to be changed from 2 hours to 3 hours. Secondly, the main lot between Market and Main Street is currently unsigned.

Responding to a question from Galvin, Demers stated the parking fines that are being charged and collected are paid directly to the 47th District Court.

Responding to a question from Schneemann, Demers confirmed they are attempting to install only the minimum number of signs necessary.

Discussion followed regarding the color scheme for the signs.

Motion to approve the purchase of 73 parking signs at a cost of up to \$6000 from the Downtown Development Authority budget.

The votes were taken in the following order: Scott, Cowley, Galvin, McShane, Schneemann.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Greg Cowley, Councilmember
SECONDER:	Jeff Scott, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

E. Clarification of Financials of Council Chambers

City Administration provided clarification of the financials for the renovation of the Council Chambers.

9. DEPARTMENT HEAD COMMENTS

Weber stated the city received a AA rating for bonds that were recently issued. He noted some of the positive comments about the city in the bond rating report.

Demers advised the city is terminating the animal trap program and discussed the reasons why.

Eudy cautioned Council not to take back the road discussed in the earlier PUD agreement. He spoke about a program the city undertook several years ago to vacate roads and does not want to reverse that trend.

Christiansen discussed the status of the K-Mart site, including issues regarding the wall, Tile Shop renovation and the 3-story building. He noted the Fresh Thyme demolition would be completed that week.

10. COUNCIL COMMENT

McShane would like City Council to pursue becoming a Blue Zone Community. She stated this project would be all about community well-being. It is a systems approach through its

citizens, schools, employers, grocery stores and community leaders where they collaborate on policies towards better health and well-being. She believes with Fresh Thyme coming into the city there is potential for a partnership.

Schneemann stated the vote on the Phase II- Orchards Project was a difficult one. He believes 85% of the project is good, but the front facing garages is a real compromise. He sees it as a "B" project. He voted for the project because it has received so much broad support.

Schneeman stated the city needs to maintain high standards and not sell itself short. He noted the city is an excellent community that can demand excellence. He stated just because a developer may have to spend an extra \$10K to put in some extra storm sewer doesn't mean the city shouldn't make it a requirement. He pointed out the city has more projects coming and needs to demand excellence.

With regard to downtown signage, he stated it is important that everything that is done in the community goes through some level of scrutiny. He stated communities who take the time for design are the communities that are doing well and are places where people want to live. He stated the city always needs to be vigilant in everything it is doing.

Cowley commented that he recently attended the Michigan Municipal League conference. He noted three items he found interesting from the conference: 75% of households in the United States do not have children; solar energy technology is emerging; and the benefit of volume purchasing relative to containing water rates. He suggested reaching out to Farmington Hills to consider volume purchasing.

Galvin announced City Hall now has wi-fi.

11. ADJOURNMENT

The meeting adjourned at 10:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	JoAnne McShane, Councilmember
SECONDER:	Greg Cowley, Councilmember
AYES:	Cowley, Galvin, McShane, Schneemann, Scott

William E. Galvin, Mayor

Susan K. Halberstadt, City Clerk

Approval Date: _____