

CITY OF WOODHAVEN
COUNTY OF WAYNE, STATE OF MICHIGAN
CITY COUNCIL MEETING OF DECEMBER 2, 2014

Regular City Council Meeting of December 2, 2014, held at Woodhaven City Hall, 21869 West Road, Woodhaven, Michigan. The meeting was called to order at 7:00 p.m. by Mayor Patricia Odette

PRESENT: Mayor Patricia Odette, Mayor Pro-tem, Sharon Bono-Beaton, Council Members, Chris Papineau, Randy Odette, Dan Duderstadt, Jeffrey Harris

ABSENT: Council Member, Darrel Penix (excused)

ALSO PRESENT: Kristie Keene, City Clerk, Mark Kibby, City Administrator, Pat Kruse, City Attorney Janet Sikes, Fire Chief, Vince Price, Police Chief, J.P. Cacciaglia, DDA & Economic Development Director, Jeff Daigneau, Finance Director/Treasurer, Tim Rooney, Interim Recreation Director, Tim Neighbors, Director of Public Service and Water, John Enos, Director of Building and Planning, John Hennessey, Hennessey Engineers

14-121 Moved by Papineau, seconded by Harris, to approve the Consent Calendar as presented:

- A. City Council Members Excused Absences.
- B. Approval of Council Meeting minutes of November 18, 2014.
- C. General Fund Obligations in the amount of \$232,511.35 be approved for payment.
- D. Garbage and Rubbish Fund Obligations in the amount of \$48,480.08 be approved for payment.
- E. Building Department Fund Obligations in the amount of \$499.51 be approved for payment.
- F. Police Department Forfeiture Fund Obligations in the amount of \$1,275.00 be approved for payment.
- G. Water and Sewer Fund Obligations in the amount of \$70,643.39 be approved for payment.
- H. Motor Pool Fund Obligations in the amount of \$2,914.59 be approved for payment.
- I. Trust and Agency Fund Obligations in the amount of \$46,663.39 be approved for payment.

MOTION CARRIED UNANIMOUSLY.

A PUBLIC HEARING WAS HELD ON COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PROGRAM YEAR 2015.

For the program year 2015 the City of Woodhaven anticipates receiving an allocation of approximately \$66,000 in Community Development Block Grant Funds (CDBG) and an estimated \$2,000 in CDBG program income, for a total of approximately \$68,000.

Mark Kibby, City Administrator spoke about the program and a request from the Police Department and Clerk's Office to address ADA issues with the existing office counters.

Discussion was held on other potential projects that these funds could be used for.

Discussion was also held on the status of the proposed project at the Senior Center.

No additional public comments were given.

14-122 Moved by Mayor Patricia Odette, seconded by Bono-Beaton, to close the Public Hearing on Community Development Block Grant Funds for Program Year 2015. MOTION CARRIED UNANIMOUSLY.

14-123 Moved by Papineau, seconded by Councilman Randy Odette, to approve the following amendment to Woodhaven Code of Ordinances:

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF WOODHAVEN**

THE CITY OF WOODHAVEN ORDAINS:

THE CITY OF WOODHAVEN, BY ACTION OF THE CITY COUNCIL, ADOPTS THE FOLLOWING AMENDMENTS TO THE CODE OF ORDINANCES, CHAPTER 110, ZONING, FIRST, ARTICLE III, DISTRICTS, SECTION 110-142 IS AMENDED AS SHOWN BY STRIKING OUT TEXT AS SET FORTH BELOW:

Section 110-142. Districts Established.

For the purposes of this chapter, the municipality is hereby divided into the following districts:

- B-1 local business district
- B-2 community business district
- B-3 general business district
- CBD central business district
- ~~O-1 office district~~
- I-1 industrial 1 district
- I-2 industrial 2 district
- IRO industrial research office district
- OFA one-family attached
- ~~P-1 vehicular parking district~~
- R-1 one-family residential
- R-2 one-family residential
- R-T two-family residential district
- R-M multiple-family residential district
- TC-PUD town center planned unit development

SECOND, EXISTING SECTIONS 110-471 THROUGH SECTION 110-477 ARE DELETED AND PLACED IN RESERVE.

THIRD, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 110-603, FIRST SENTENCE, IS AMENDED BY STRIKING OUT THE TEXT AS SHOWN BELOW, WITH THE REMAINDER OF SECTION 110-603 REMAINING UNCHANGED:

Section 110-603. Off-street parking space layout standards, construction and maintenance.

Wherever the off-street parking requirements in this chapter require the building of an off-street parking facility, ~~or where P-1 vehicular parking districts are provided,~~ such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

**THIRD, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 110-713, IS DELETED
IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:**

Section 110-713. Requirements relative to height, area and type.

In addition to sections 110-711 and 110-712, the following requirements relative to height, area and types of signs apply as follows:

[remainder of page intentionally left blank; amendment continues on next page]

	R-1, R-2 One- Family	R-T Two- Family	R-M Multiple- Family	O-1 Office Building	B-1 Local Business	B-2 Community Business	B-3 General Business	CBD Central Business	IRO Ind/Res/Off	I-1 Industrial 1	I-2 Industrial 2	
No accessory signs:												
Advertising	0	0	0	0	0	0	0	0	0	0	0	
Billboard	0	0	0	0	0	0	0	0	0	0	(a)	
Political	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)	(b)	
Accessory signs:												
Business Signs	0	0	0	(c)	(c)	(d)	(d)	(e)	(d)	(d)	(f)	
Directional	(h)	(h)	(h)	(h)	(h)	(h)	(h)	(h)	(h)	(h)	(h)	
Flashing	0	0	0	0	0	0	0	0	0	0	0	
Electronic	(g)	(g)	(g)	(c)	(c)	(d)	(d)	(e)	(d)	(d)	0	

I.D. Sign— One- and Two- Family	(i)	(i)	0	0	0	0	0	0	0	0	0	
I.D. Sign - Multiple	0	0	(j)	0	0	0	0	0	0	0	0	
Other Uses in Residential	(g)	(g)	(g)	0	0	0	0	0	0	0	0	
Real estate	(k)	(k)	(k)	(k)	(k)	(k)	(k)	(k)	(k)	(k)	(k)	
Real estate development	(l)	(l)	(l)	(l)	(l)	(l)	(l)	(l)	(l)	(l)	(l)	
Residential entranceway	(m)	(m)	(m)	0	0	0	0	0	0	0	0	
Special events	(n)	(n)	(n)	(n)	(n)	(n)	(n)	(n)	(n)	(n)	(n)	
Structure type:												
Canopy	0	0	0	X	X	X	X	X	X	X	X	
Pylon	X	X	X	X	X	X	X	X	X	X	X	

Free-standing	Monum.	X	X	X	X	X	X	X	X	X	X	X	
	Projecting	0	0	0	0	0	0	0	X	0	0	0	
	Wall	X	X	X	X	X	X	X	X	X	X	X	

Legend:

(a)

- Indicates applicable footnote

0 - Denotes type of structure not permitted

x - Denotes type of structure permitted

(Ord. of 11-1-1967, § 15.26 tablenotes; Ord. No. 20-10, § 1, 2-20-1969; Ord. of 12-7-1974, §§ 3—5; Ord. of 10-18-1977, § 2; Ord. of 10-7-1980; Ord. of 9-4-1984, §§ 3, 4; Ord. of 2-21-1989, § 1; Ord. of 8-15-1989, § 4; Ord. of 4-3-1990, § 1; Ord. No. 06-069, 7-5-2006; Ord. No. 08-120, § 3, 7-1-2008)

FOURTH, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 110-714, SUB-SECTIONS 110-714(g)–110-714(n) ONLY, ARE DELETED AND REPLACED WITH THE FOLLOWING, ALL OTHER PORTIONS OF SECTION 110-714 REMAINING UNCHANGED:

Section 110-714. Footnotes to table of section 110-713.

* * *

- (g) Nonresidential uses in residential districts.
- (1) Basic requirements (nonresidential uses). In any residential districts, such signs shall be restricted to such uses as are permitted and regulated.
 - (2) Freestanding signs. One freestanding accessory sign shall be permitted in a required yard, provided that it is located no closer than 15 feet to: any existing or proposed right-of-way line (whichever is greater) or driveway offering access to the site. Furthermore, any such sign shall be located at least 50 feet to residential zoning district boundary and 15 feet to any exterior property line abutting any nonresidential zoning district. The maximum area of any such sign shall not exceed one-quarter square feet for each lineal foot of lot frontage on a major or secondary thoroughfare as designated on the city's master plan and shall not exceed a total of 32 square feet for all sign surfaces. The height of the sign shall not exceed a total of 32 square feet for all sign surfaces. The master plan and shall not exceed a total of 32 square feet for all sign surfaces. The height of the sign shall not exceed six feet above the average established grade within 50 feet of the sign.
 - (3) Wall signs. One wall sign facing the frontage access street shall be permitted provided it does not exceed ten percent of the façade upon which it is located or 30 square feet whichever is less.
 - (4) Electronic message center (EMC). An electronic message center (EMC) may be permitted subject to approval by the Planning Commission following a public hearing. Conditions of such approval are the following:
 - a. Size of the EMC is limited to 50 percent of the total sign surface it is a part of up to a maximum of 15 square feet;
 - b. Location of sign with respect to conflicts with safe traffic movements on neighboring roadways;
 - c. EMCs may be operated from 8:00 a.m. to 10:00 p.m. only;
 - d. Frequency of message change shall be no more than once every 30 seconds;
 - e. There shall be no message change from dusk to 10:00 p.m.
 - f. All EMC's shall include light sensors; and be capable of programming variable light output;
 - g. Light output shall be programmed to dim in response to ambient light;
 - h. Light output shall be dimmed to 30 percent after dusk;
 - i. Scrolling messages are not permitted;

- j. EMC owners shall permit city, state, and federal governments to post messages in the event of an emergency;
 - k. Message copy shall not include flashing light.
- (h) Directional signs. On-site directional signs for other than residential uses are permitted behind the minimum front yard setback line excluding such a sign at the access drive point provided it is located at least 15 feet from the right-of-way one. Any such sign shall be limited to not more than four feet in height and four square feet in area and shall not contain any advertising and shall be used to direct traffic to parking areas, loading areas or portion of the building. In the event directional type signs are used to create guides or information stations along a pedestrian trail all such signs shall seek to follow the size and placement guidelines as closely as possible but shall also convey all necessary information in a manner that does not create any unsafe traffic or pedestrian conditions.
- (i) Residential identification signs – One- and two-family. Unless otherwise provided for herein a dwelling shall be limited to its house numbers and an identification nameplate not exceeding two square feet in area.
- (j) Identification sign- Multiple developments. A freestanding sign identifying a multiple-family development is governed by the standards set forth in footnote (h).
- (k) Real estate sales signs. Signs used for advertising individual land and/or buildings for sale, rent and/or lease shall be permitted when located on the land or building intended to be sold, rented and/or leased. Such signs shall not exceed eight square feet in area.
- (l) Real estate development signs.
 - (1) Basic requirements. Real estate development signs pertaining to the promotion of sales and/or rental of new development projects are permitted as both accessory and non-accessory signs. Such signs may be permitted on a temporary basis to facilitate such sales and/or rentals and shall require an approved building permit from the building official that states the conditions and time period during which the permit is valid. Approved signs may be erected approximately 60 days prior to anticipate construction and shall be removed within 14 days of the selling or leasing of the last unit(s). Temporary sign permits shall not initially exceed 18 months in duration any may be considered for renewal on up to 12 month extensions. In the instance where multiple signs are involved on larger projects the process of renewal shall consider the reasonableness of reducing the number of signs to avoid site clutter, interference with occupied units and/or sight restrictions.
 - (2) Residential developments. Residential development signage shall be related to the scale of the development and the type of street the project fronts on. Along a major or secondary thoroughfare the aggregate size of signs shall not exceed one-quarter square foot of signage for each lineal foot of frontage: no one sign surface shall contain more than 24 square feet or an aggregate total of over 100 square feet along any such frontage. Unless it is demonstrated to the building official that adverse conditions would be created such signs shall be setback at least 15 feet from the right-of-way; setbacks of 50 feet shall be observed to any adjacent nonresidential zoning district and not less than 100 feet to any residential district. A distance of at least 300 feet shall be provided between any such signs.

- (3) Nonresidential developments. In the case of nonresidential types of development the ratio of signage per front foot may be increased to one-half square foot per lineal foot of frontage. The maximum size of any sign surface shall not exceed 32 square feet or an aggregate sign area total of 128 square feet along any one particular thoroughfare.
- (4) Off-site signs. Off-site signs relating to any such development shall not be located on subdivided or developed residential properties or minor residential streets unless it can be demonstrated that such a sign is essential to directing people to the development project and written permission is obtained from the property owner(s). The placement of off-site signs in a nonresidential zoning district shall require frontage on a major thoroughfare and any sign surface shall not exceed 32 square feet nor shall all such signs exceed a total signage area of 64 square feet. The number of off-site signs pertaining to a development project area shall be kept to a minimum and shall not exceed three such signs under any circumstances.
- (m) Entranceway structure signs. When an entranceway structure is proposed in conjunction with section 110-743 a sign may be placed on such a structure indicating the name of the development subject to the following limitations: no advertising is permitted on the sign; the sign shall not extend above or beyond the structure. The maximum size of a sign is 32 square feet per structure and shall include all sign faces.
- (n) Special event signs – Temporary signs.
 - (1) Basic requirements. Special event signs shall include those permitted for grand openings and/or special promotion events. The building official shall be responsible for issuing such permits. All such temporary signs and /or devices shall be anchored, mounted or otherwise secured in a manner that will avoid creating danger to the public, distraction to drivers, dangerous traffic movement or create inappropriate stress on components or electrical services that represent a potential hazard to the structures and/or public. Unless otherwise specifically provided for inflatable devices are not considered as appropriate temporary sign devices and shall not be permitted.
 - (2) Grand Openings. For a grand opening involving a new business activity or a change in ownership additional signage utilizing two of the following options will be considered: a temporary sign banner stating “grand opening”, a portable sign or pennants (festoons). A temporary banner shall conform to the size limitation of the primary permitted wall sign. A portable sign whether trailer or ground mounted shall not exceed 100 square feet of total sign surfaces. The location of such signs shall observe, as closely as possible, the 15-foot setback from public street rights-of-ways and shall not create sight distance problems between vehicular movements or between vehicles and pedestrians. A string of pennants (flag) with a length not exceeding two lineal feet for each lineal foot of principal building faced with direct public visibility. The maximum aggregate length of all such strings shall not exceed 200 feet nor contain pennants with area exceeding one-half square foot per lineal foot of string. In the case of a vehicular or similar type of dealer individual pennants or balloon may be mounted to vehicles provided the pennants or balloons not exceed one square foot of pennant or balloon per two feet of permissible string length. Balloons and/or other inflatable devices shall be specifically limited to those of a smaller nature, approximately 14 inches in diameter or smaller. The authorization of special event signage as set forth above shall only be permitted for not more than 15 days during any 12 consecutive months.

- (3) Sales promotion events. In the case of a planned shopping center or grouping of buildings special event signage shall not involve more than 15 consecutive days at one time and the aggregate number of days for any such displays shall not exceed 60 days in any 12 consecutive months.
- (4) Residential area events. Special event signs may be permitted in residential areas when accessory to “permitted uses” in said areas. Signs shall be located on the premises involved and shall be limited to non-profit organizations. Permits for such activities shall not be issued for more than 15 days at a time nor more than 60 days during any 12 consecutive months. The location of such signs shall observe the 15-foot setback from public street rights-of-ways as closely as possible and shall not create sight distance problems between vehicles or between vehicles and pedestrians. All such temporary signs and/or devices shall be anchored, mounted or otherwise secured in a manner that will avoid creating dangers to the public, distractions to drivers and/or create inappropriate stresses on building components or any electrical services that may result in danger to the public.
- (5) Municipal events. Municipal signs pertaining to public event activities, serving the city, may be placed in strategic locations as public notices.

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FIFTH, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 110-741, SUBSECTION 110-741(b)(3) IS DELETED AND REPLACED WITH THE FOLLOWING, ALL OTHER PORTIONS OF SECTION 110-741 REMAINING UNCHANGED:

Section 110-741. Site plan review (all districts).

- (b) A site plan shall be submitted to the planning commission for approval of:
 - (3) Any use in OFA, R-M, B-1, B-2, B-3, O-1, I-1 or I-2 district lying contiguous to or across a street from a single-family residential district.

SIXTH, ARTICLE V, SUPPLEMENTARY REGULATIONS, SECTION 110-745, SUBSECTION 110-745(a) IS DELETED AND REPLACED WITH THE FOLLOWING, ALL OTHER PORTIONS OF SECTION 110-745 REMAINING UNCHANGED:

Section 110-745. Walls and berms.

- (a) For use districts and uses listed in this section, there shall be provided and maintained on those sides abutting or adjacent to a residential district, an obscuring wall or landscaped berm as required in this section. The height of the wall or berm shall be measured from the surface of the parking area or land on the nonresidential side of the wall.

	Use	Height Requirements
(1)	Off-street parking area (other than vehicular parking district)	4 feet, 6 inches
2)	O-1, B-1, B-2 and B-3 districts	4 feet, 6 inches
(3)	I-1 and I-2 districts, storage areas, loading and unloading areas and service areas	6 feet to 8 feet (Height shall provide most complete obscuring possible see sections 110-412 and 110-511)
(4)	Hospital-ambulance and delivery areas	6 feet
(5)	Utility buildings, stations and/or substations	6 feet

AYES: Duderstadt, Harris, Mayor Odette, Papineau, Councilman Randy Odette, Bono-Beaton
 NAYS: None
 ABSENT: Penix
 MOTION CARRIED.

EFFECTIVE DATE: This ordinance amendment was introduced on November 18, 2014 and adopted on December 2, 2014. The effective date of this ordinance shall be the 12th day of December, 2014.

14-124 Moved by Duderstadt, seconded by Papineau, to approve the following amendment to Woodhaven Code of Ordinances; amending Woodhaven Code of Ordinances, Chapter 110 Zoning, Article V, Supplementary Regulations, Division 6, Performance Standards, Sec. 110-682 Smoke, (New Sections) Sec. 110-688 Odors, Sec. 110-689 Waste Disposal, Sec. 110-690 Electrical Disturbance, electromagnetic, or Radio Frequency Interferences, Sec.110-691 Hazardous Substances.

AYES: Duderstadt, Papineau
 NAYS: Harris, Mayor Odette, Councilman Randy Odette, Bono-Beaton
 ABSENT: Penix
 MOTION FAILED.

Approval of Amendment to the Ordinance for the City of Woodhaven Code of Ordinances; amending Woodhaven Code of Ordinances, Chapter 110 Zoning, Article IV, Schedule of Use Regulations, Sec. 110-516 Single Family, Two Family and Multiple-Family Residential Structure Compatibility Determination. This agenda item was called for motion, Councilman Duderstadt made the motion, and no seconded motion was made. MOTION FAILED.

Mr. Kruse, City Attorney notified Mayor and City Council regarding the proposed SHVUA Consolidated Service Agreement. He is asking that this Agreement be placed on the agenda for approval at the December 16, 2014 Council Meeting.

14-125 Moved by Mayor Patricia Odette, seconded by Councilman Randy Odette, to **table** the approval of the iCompass Technologies Software for further research and to give the City Attorney time to look over the contract. MOTION CARRIED UNANIMOUSLY.

Mr. Cacciaglia, DDA and Economic Director notified Mayor and City Council that the City is seeking bids for stage addition in the Main Hall of the Community Center.

Mr. Cacciaglia, DDA and Economic Director notified Mayor and City Council that the City is seeking bids for a New City Website utilizing WordPress CMS (Content Management System).

14-126 Moved by Mayor Patricia Odette, seconded by Papineau, to approve the purchase of a new Police vehicle not to exceed \$35,000. This is a budgeted item to be purchased from Account # 265-346-963.995, also to approve the equipment for this vehicle not to exceed \$6,500.00 the funds for this will come from the Federal Drug Forfeiture fund. MOTION CARRIED UNANIMOUSLY.

Mayor Patricia Odette adjourned the Woodhaven City Council Meeting at 7:49 p.m.

Mayor Patricia Odette

Kristie Keene, City Clerk