

City of Utica
Regular Council Meeting
May 12, 2015

The City Council meeting was called to order by Mayor Noonan at 7:30 p.m.

Members present: Sikora, Osladil, Terenzi, Montag, Cuddington, Noonan

Absent: **In memoriam: Russell Barthelmeh, Mayor Pro Tem**

The City Council meeting was convened by Mayor Noonan, who led the pledge of allegiance at 7:30 p.m.

Russell Barthelmeh, Mayor Pro Tem

Mayor Noonan requested a moment of silence in memoriam of recently deceased Mayor Pro Tem Russell Barthelmeh.

Minutes of 4/14/15

Motion by Sikora, seconded by Montag, to approve the minutes of 4/15/15. Voting all ayes, motion **CARRIED**.

Swearing In Derrick Southard

Mayor Noonan administered the Oath of Office to Firefighter Derrick Southard.

Police Department Annual Awards

Each year during the month of May, the Police Department recognizes those individuals who have demonstrated exceptional professionalism and gone the extra steps to assist citizens and businesses. The following were recognized: Group Life Saving to Sgt. Sharrow, Officer Orłowski and Dispatcher Anderson; Life Saving to Sgt. Morabito; Life Saving to Officers Plante and Bennett; Special Recognition to Officer Orłowski and citizen Penny Valenti; Letter of Commendation to Dispatcher Anderson.

Public Hearings

45490 Utica Park Blvd.- Sign Variance Request

Motion by Osladil, seconded by Montag, to open the public hearing at 7:50 p.m. Voting all ayes, motion **CARRIED**.

As the petitioner was not present, Mayor Noonan explained the signage for McLaughlin's Furniture, as they moved tenant spaces in the same shopping complex. Due to the change in the sign ordinance their existing signage does not comply with the sign ordinance.

They are requesting an 81 ft. variance. Due to the large tenant frontage of big box stores and small sign not being visible, the City will look at changing the sign ordinance.

Motion by Terenzi, seconded by Cuddington, to approve the 81 square foot sign variance for 45490 Utica Park Blvd., as presented. Voting all ayes, motion **CARRIED**.

45510 Kensington- Garage Height Variance Request

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Roger Hall, Kirkpatrick Mgmt. and Dave Adamczyk, Builder, were present to request a 7.5 foot height variance from the maximum 15 feet height on a garage. The new garage will hold in-house maintenance items and equipment, the upstairs for dry storage of decorations and like items. Steve Cassin recommends approval, as does the Planning Commission as it is in harmony with the surrounding area. The height is no taller than the townhomes in the complex.

Bill Osladil, Councilmember asked if the fire department had any comments? They had no problem with the garage plans as submitted.

Motion by Sikora, seconded by Terenzi, to approve the variance request of 7.5 foot height variance from the maximum 15 feet height on a garage at 45510 Kensington, as presented. Voting all ayes, motion **CARRIED**.

Encore Townhomes Density & Distance Variance Parcel 07-35-300-057 Request

Michael Furnari, property owner and Tim Storey, architect, were present to request a density variance of 1.1 more per acre and a distance variance of 20 feet from the required 30 feet between buildings. To build 94-2 bedroom and 56 3-bedroom apartments. The proposed apartment buildings have more density than the surrounding condo complexes. Steve Cassin, the City Planner and Planning Commission recommended approval. Steve Cassin stated the ordinance is outdated and the proposal is consistent with surrounding properties.

Ted Gittner, 12402 Watkins, asked what is the actual variance? It is 9.1 units per acre.

Jeff Berz, 46255 Hecker, stated his wife manages apartments and apartment renting is on the rise, with 3 bedroom units in high demand.

Chief Wilseck requested no trees on the curbs.

Bill Osladil, Councilmember, asked if there are trees in the divides? Yes.

Mayor Noonan reminded Council that the plan is contingent on the final review of the sanitary sewer capacity and Furnari would be responsible for any fees associated with increasing the sewer capacity.

Ken Sikora, Councilmember, asked if the units are taller or wider? M. Furnari responded that they are lower than the Utica Townhomes as you enter on the ground floor, these are stacked flats and some units will accommodate the elderly and handicap. They are ½ stories shorter than other buildings with 457 parking spaces.

Chuck Cuddington, Councilmember, asked if the doorways are wider? Yes, 10% will be barrier free, ADA compliant.

There will be sidewalks and the project is expected to be completed in 1 year.

The density variance requested is 1.1 more per acre and the distance variance requested is not less than 20 feet from the 30 foot requirement.

Anizza Mouilleseaux and husband, 45532 Hiddenvue, are concerned with the traffic and increase to traffic, as already many cars speed on Utica Park Blvd.

Motion by Montag, seconded by Sikora, to approve the request for a density variance of 12-15 units, as submitted. Voting by roll, all ayes, motion **CARRIED**.

Motion by Sikora, seconded by Terenzi, to approve the request for a distance variance of no less than 20 feet, as submitted. Voting 5 ayes, one nay (Osladil), motion **CARRIED**.

Unfinished Business

Planning Commission Recommendations Rezoning & Conditional Use Encore Townhomes

Michael Furnari, property owner, was present to request rezoning the parcel 07-35-300-057 from MXD to R-3 and approval of conditional use to enable the building of apartments on the property. Steve Cassin and the Planning Commission recommend approval. It is consistent with the Master Plan, a good transition between existing residential and commercial property and is acceptable as conditional zoning.

Motion by Terenzi, seconded by Cuddington, to approve the request to rezone parcel 07-35-300-057 from MXD to R-3, conditional on this project only and to approve the conditional use request for same. Voting by roll, all ayes, motion **CARRIED**.

7685 Auburn- Brick Repair Road Closure Update

Ed Zadwicki, owner, updated Council that it has been worked out with the Police Chief to rebrick 7685 Auburn in conjunction with the Riverwalk Festival as the street closing of Brownell is necessary to accomplish the repairs.

Consent Business

None.

Correspondence

Motion by Sikora, seconded by Montag, to receive and file the correspondence from: St. Lawrence Catholic Church 150th Anniversary; Shelby Township 2015 Memorial Day Ceremony and Utica High School Law Enforcement Class Thank You.

Voting all ayes, motion **CARRIED**.

New Business

Department Reports

Mayor Noonan

Ballpark Update

Mayor Noonan informed Council that the Ballpark construction start date is schedule for the end of June.

CRWC Water Towns Agreement

Mayor Noonan explained the CRWC Water Towns Agreement, a new community-based initiative designed to help towns and cities in the watershed leverage the assets of the Clinton River and Lake St. Clair for water-oriented community development.

Motion by Sikora, seconded by Terenzi, to approve the CRWC Water Town Agreement, as recommended by Mayor Noonan and Jim McGrail, City Attorney, as presented.

Voting all ayes, motion **CARRIED**.

Council Reports

Mayor Noonan reminded all of the upcoming events: Riverwalk Festival, Student Government Day, Old Mill Arts & Crafts, Car Cruise. Also a thank you to Riverwalk sponsors; Macomb County government donation of \$1000 and the Macomb Daily partial free advertising.

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Assessing- Nancy Strehl, Assessor

No report.

Building- Jerry Owczarzak

No report.

Fire- Kevin Wilseck, Chief

No report.

Police- Dave Faber, Chief

Dispatch Hiring Request

Motion by Montag, seconded by Terenzi, to approve the request to hire Tiffany Pecorilli, a current PT dispatcher to full time, as requested by Police Chief Faber, start date of 5/18/15. Voting all ayes, motion **CARRIED**.

Shred Day June 6th

Chief Faber reminded all of the upcoming shred day that will be held on June 6th from 10:00 a.m. to 1:00 p.m. in the police parking lot.

Service Credit Purchase- Maureen Niedieck

Motion by Sikora, seconded by Osladil, to approve the purchase of 21 months of service credit by Maureen Niedieck, at her cost. Voting all ayes, motion **CARRIED**.

Liquor License Transfer- Utica Park Hospitality

Chief Faber informed Council of the Liquor License transfer request for Utica Park Hospitality, 46000 Utica Park Blvd. Motion by Sikora, seconded by Terenzi, to submit no negative comments concerning the Liquor license transfer to Utica Park Hospitality. Voting all ayes, motion **CARRIED**.

DPW- Bill Lang, Superintendent

OMID Sign Request

As Bill Lang was absent, Beth Ricketts, City Clerk, explained the request from the Oakland Macomb Interceptor project, to place a sign at Dobry and M-59 advertising your tax dollars at work for this project.

Motion by Terenzi, seconded by Cuddington, to approve the temporary sign request from OMID. Voting all ayes, motion **CARRIED**.

Treasurer- Philip Paternoster

MERS C-1 Plan Adoption Agreement

Motion by Sikora, seconded by Terenzi, to approve the adoption of the MERS C-1 Plan as presented. Voting all ayes, motion **CARRIED**.

Administration- Beth Ricketts, City Clerk

Beth Ricketts, City Clerk, thanked the elections workers for the great job on the recent Special State Election.

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Library- Marsha Doege, Director

Marsha Doege, Library Director, thanked the Mayor, Bill Lang, Beth Ricketts, and Ricketts Restoration for the recent work in repairing the flood damage in the Gibbing Room of the Library and the DDA for extra funding for the epoxy floor.

Book Sale

The annual Book Sale will be from June 12 until June 14 with bag sales continuing through the Riverwalk festival days.

Library Landscaping

Marsha Doege, Library Director, reported that Barb Montag and a friend have volunteered to spruce up the Library landscaping and invited people to donate perennials.

Parks and Recreation Commission

No report.

Historic District Commission

No report.

City Attorney- James McGrail

No report.

Planning Commission

Sign Ordinance Amendment

This item was tabled.

Senior Housing Steering Committee

No report.

Brownfield Redevelopment Authority

No report.

Bills Payable

Motion by Sikora, seconded by Terenzi, to approve the payment of all bills as presented.

Voting all ayes, motion **CARRIED**.

Communication from the Public

Carl Kudla spoke on his interest and support of the Ballpark.

Linda Davis-Kirksey and John Sattmann invited vendors to participate in the upcoming festivals, a thank you to Steve Cassin for promoting the event and invited businesses to have sidewalk sales during the festival dates.

Charles Rosso, a Utica High School graduate, supports the Ballpark and is interested in doing a documentary.

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Jeff Berz, resident, thanked Bill Lang and the DPW for another great job removing snow.

Bob Busby with Hansen's Running is co-hosting with Lifetime Fitness to hold a free 5K run on June 3 at 7:00 p.m., National Running Day through the residential streets with no road closures lasting approximately one hour.

Motion by Terenzi, seconded by Sikora, to allow the 5k on June 3, 2015. Voting all ayes, motion **CARRIED**.

Adjournment

As there were no further comments from the public, motion by Osladil, seconded by Cuddington, to adjourn the meeting. Voting all ayes, motion **CARRIED**. Meeting adjourned at 9:02 p.m.

Beth Ricketts
CITY OF UTICA
City Clerk