



FINAL

REGULAR MEETING MINUTES

A special meeting of the Farmington City Council was held on January 3, 2017, City Conference Room, 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 Galvin.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

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

3. PUBLIC COMMENT

No public comment was heard.

4. NEW BUSINESS

A. Consideration to Renew the Principal Shopping District (PSD) Special Assessment

Murphy advised the Principal Shopping District (PSD) special assessment is scheduled to expire in June 2017. City Administration is requesting that the City Council adopt the first resolution to initiate the renewal

process. The first resolution instructs the City Manager and DDA Director to provide a report, which would be submitted at the February 21st meeting. There are a total of five resolutions before the assessment can be renewed.

Move to adopt a resolution to proceed with preparation of project plans and cost estimates as part of the process to renew the Principal Shopping District Special Assessment.

[SEE RESOLUTION NO. 1-17-001].

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

B. Consideration to Approve Resolution Approving Small Winemaker License for Farmington Underground Canning and Kegging, LLC, Located at 33200 West Nine Mile Road, Suite B&C, and Related Agreement Permitted the Use of Such Premises.

Present: Jason Schlaff and Jason Hendricks were present

Hendricks provided information regarding the Farmington Underground Canning and Kegging, a subsidiary of the Farmington Brewing Company. He stated they are requesting a winemaker license with similar provisions approved by Council for a license at the Nine Mile facility two years ago.

Schultz stated that the license they receive from the state enables them to serve alcohol on the premises, however, the agreement with the City prohibits on-site consumption.

Bowman confirmed no changes were made from original request.

Responding to a question by Galvin, Schultz confirmed that any retail sales and consumption are not permitted at the facility.

Move to adopt a resolution of Local Approval for Small Winemaker License at 33200 West Nine Mile Road and the related agreement limiting use of the premises to production only, subject to final review and approval as to form by the City Manager and City Attorney. [SEE RESOLUTION NO. 1-17-002].

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

Roll Call: Cowley, Galvin, Schneemann, Scott, Bowman

5. **DISCUSSION**

A. Code Enforcement

Galvin noted that this agenda item was prompted by his concern expressed at a previous meeting regarding the condition of Hershey's Ice Cream.

Murphy advised that only 2% of registered businesses in Farmington represent a property maintenance issue. He stated John Koncsol, Code Enforcement Officer, does an excellent job in addressing city code violations. He pointed out Koncsol always makes every effort to find a solution to an issue. The city cannot cite a vacant property owner if the property is up to code.

Scott asked how the city can get landlords to meet Farmington's expectations. He confirmed that the city can force Hershey's to remove the sign based on city ordinance. He inquired about the dark store ordinance in Muskegon.

Murphy advised the dark store ordinance mainly applies to big box stores that are vacant.

Schultz discussed the Muskegon ordinance and questioned whether it is enforceable, as it involves increasing the registration fee as long as a store remains vacant.

Scott would like to see more teeth in addressing vacant, blighted property.

Cowley stated that his customers have questioned why the city has not dealt with the blight at Hershey's ice cream. His opinion is there is plenty of meat in the city ordinance to address this issue. He would like to see tougher administration of city code to protect the value of the downtown.

Galvin stated that we need to think about code enforcement city-wide.

Cowley pointed out there are several sections within the city code that would address blight. He expressed support for moving toward a dark store ordinance.

Galvin asked for a definition of dark store ordinance.

Responding to a question from Galvin, Schultz stated a dark store relates to tax evaluation of a vacant store. He advised that from a property maintenance perspective there are provisions in the ordinance that deal with vacant commercial buildings. He cautioned that the city would not want to punish the owner of a vacant property to the point that they fill their space with anyone. Most communities do not have a regulation that requires a tenant in a building.

Christiansen explained the action the city is taking to address the Hershey's store. He discussed the inventory of vacant properties. He stated that the city cannot force property owners to fill vacancies.

Cowley supports tougher ordinances to address vacancies. He questioned why the Downtown Development Authority doesn't buy the building.

Christiansen responded the building owner isn't interested in selling at this time.

Cowley said the city needs to find a way to address vacant and blighted properties to protect the collective value of surrounding businesses.

Scott questioned why it is preferable for a landlord to sit on a vacant property; could the city enact an ordinance to motivate landlords to fill vacancies? He would like to see an economic incentive to fill vacant properties and make it more uncomfortable for owners that sit on those properties.

Schneemann doesn't know how we, as a city, can force tenancy. He believes a vibrant city will naturally fill vacancies.

Bowman noted that Farmington is a city in transition. She spoke of some instances where code enforcement was used successfully. She stated that this is a process and does not want to be known as a city that strong arms businesses. She is comfortable relying on city staff to make sure what is in place continues to grow Farmington and move the city forward.

Cowley cited Drakeshire Plaza as another example of owners not having an incentive to fill their vacancies. He is not willing to let owners who

have received tax breaks to sit on their properties. He believes that now is the time to encourage businesses to invest or sell.

Schultz explained that in 2009 the city adopted an ordinance dealing with vacant buildings. He warned that what we think is an enforceable ordinance may not be seen in the same way by the court. He cautioned that aggressive enforcement is one thing, but we need to make sure it is defensible. The city needs to do everything it can to remedy a case before it actually goes to court.

Christiansen cited the successful use of incentives to businesses and the number of redevelopments the city has seen. He believes not implementing the Farmington Streetscape had a negative effect on the Farmington Road businesses.

Galvin believes the owner of Hershey's is not a willing partner with the business development community. He spoke about the successful redevelopment of the Kmart property because the developer was willing to work with the city to overcome barriers. He believes City Administration needs to be more aggressive in code enforcement and should have the latitude to address each challenge without involvement from city council.

Galvin pointed out this discussion is not just about Hershey's and the downtown, but about the entire city.

Schultz will work with the city to ensure ordinances are enforced.

Responding to a question from Scott, Galvin stated the hold-up in the implementation of ordinance relating to residential rentals is funding.

6. COUNCIL COMMENT

Cowley advised the Walker Parking meeting will be held on February 16th.

Bowman announced that the Riley Park ice rink is up and running and very busy. There are two upcoming events: Glow Skate on January 28th and Skate and Date on February 12th. She thanked everyone involved with the ice rink.

Galvin noted the new ice rink enclosure does a fabulous job keeping people warm. He expressed his condolences regarding the recent passing of Spencer Brown, former chairman of the Grand River Corridor Improvement Authority.

7. ADJOURNMENT

Move to adjourn the meeting.

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

The meeting adjourned at 8:19 p.m.

William E. Galvin, Mayor

Susan K. Halberstadt, City Clerk

Approval Date: February 21, 2017