

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
June 1, 2015

Mayor Pro Tem James Allen called the meeting to order with the Pledge of Allegiance at 7:30 p.m. in the City of Northville Municipal Building, City Council Chambers, 215 W. Main Street, Northville, Michigan, 48167.

ROLL CALL

Present: Mayor Pro Tem James Allen, Councilmembers Nancy Darga, Ryan McKindles, and Sam Ekong

Absent: Mayor Christopher Johnson (excused)

Also Present: City Manager Patrick Sullivan, City Clerk Dianne Massa, Police Chief Michael Carlson, Director of Public Works James Gallogly, Parks and Recreation Director Jason Spiller, and State Representative Kathy Crawford. No citizens were present.

PRESENTATIONS

A. Citizens Comments

State Representative Kathy Crawford (38th District) introduced herself to City Council. She summarized the various committees she serves on and also reviewed her office hours. Crawford noted that the State Legislature is working on alternate solutions to address road improvement funding. Crawford presented the City with a seedling from the historic Catalpa tree located on the Capitol grounds.

(As Representative Crawford was not present at this point of the meeting, this presentation took place after New Business item A.)

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion Darga, seconded by Ekong to adopt the agenda and consent agenda as presented:

Approve City Council Minutes of:

- Regular Meeting of May 4, 2015
- Special Meeting of May 11, 2015
- Regular Meeting of May 18, 2015

Receive Bills List: Checks #93632 to #93719, Checks #93720 to #93799, EFT #200206

Receive Board and Commission Minutes:

- Housing Commission: 4/8/15

Receive Departmental Reports: None

Board and Commission Appointments: None

Special Event Request / Concours d'Elegance Preview / July 25, 2015

Request to Place Signs / Northville Garden Walk / July 8, 2015

Special Event Request / Independence Day Parade / July 4, 2015
Special Event Request / Civil War Encampment / July 4, 2015
Special Event Request / Talent for the Title / June 6 and 13, 2015
Request to Dispose of Assets / Police Department Computers
Request to Place “Little Free Libraries” on City Property

Motion carried unanimously.

RESOLUTIONS AND ORDINANCES

A. Amendment to Chapter 54 / Offenses and Miscellaneous Provisions / Article VI Offenses Against Public Safety / Minors at Racetrack / Second Reading

Chapter 54, Article VI of the City of Northville Code of Ordinances excluded minors under the age of 12 from race track property, and minors 12-18 years of age, unless accompanied by a parent or legal guardian. The City can see no reason to prohibit minors under the age of 12 from attending the race track provided they are accompanied at all times by a parent or legal guardian. The proposed amendment removes this restriction and has been reviewed by the City Attorney. At its May 18, 2015 regular meeting, City Council introduced the proposed amendment for first reading.

Motion Darga, seconded by Ekong to waive second reading and adopt the amendments to Chapter 54, Article VI Offenses Against Public Safety pertaining to minors at the racetrack, in the City of Northville Code of Ordinances as presented. **Motion carried unanimously.**

B. Amendment to Chapter 54 / Offenses and Miscellaneous Provisions / Article VI Offenses Against Public Safety / Fireworks / Second Reading

Public Act 256 of 2011 established the Michigan Fireworks Safety Act. The Act allows for the sale and use of consumer fireworks without a permit, prescribes licensing requirements and conditions for retailers, and establishes restrictions and penalties for improper use of fireworks.

Section 54-183 of the City Code of Ordinances pertaining to fireworks was vague and was revised to allow the City to reflect the changes made to the State law, to include regulating the ignition, discharge, and use of consumer fireworks to the day preceding, the day of, and the day after a national holiday. The proposed text amendments were reviewed by the City Attorney. At its May 18, 2015 regular meeting, City Council introduced the proposed amendment for first reading.

Motion McKindles, seconded by Ekong to waive second reading and adopt the amendment to Chapter 54 Offenses and Miscellaneous Provisions, Article VI Offenses Against Public Safety pertaining to fireworks, in the City of Northville Code of Ordinances as presented. **Motion carried unanimously.**

NEW BUSINESS

A. Amendment to Fees, Fines, and Penalties Schedule / Parked Over Legal Limit

At the March 3, 2015 Parking Committee meeting, the Parking Committee recommended the graduated fine schedule for Parking Over the Limit be replaced with a flat fee of \$25 with the first infraction being a warning. The idea in this was to eliminate the extra workload of tracking the violators in the graduated fine system. However, by keeping the first infraction a warning, a tracking system would still remain in place. A Parking Committee meeting was held again on May 19, 2015, to address the tracking issue and

warning for a first offense “Parking Over the Limit” violator. At this meeting the Parking Committee recommended eliminating the warning and to establish a set fine of \$15.

Staff supports the Parking Committees recommendation to eliminate the graduated fine system for parking over the legal limit and introduce a flat fee. Staff provided a resolution for City Council consideration, which would eliminate violations 1 through 6 of the parking fines list and establish a flat fee of \$15 if paid within seven days, \$25 if paid after seven days, and \$50 if paid beyond twenty-one days for parking over the legal timed limit.

Motion Darga, seconded by McKindles to adopt the resolution to amend the City of Northville Fees, Fines, and Penalties Schedule as presented. **Motion carried unanimously.**

(Citizens Comments – State Representative Kathy Crawford was heard)

B. Appointment of Election Commissioner

The Election Commission consists of the City Clerk, City Attorney, and a member of the Council who shall not be a candidate for elective office at the election for which he is appointed. An Election Commissioner is needed for the August 4th and November 3rd Elections. Mayor Pro Tem Allen has agreed to serve as the Election Commission for both elections.

For the August 4th Election, the Election Commission will meet at 8:00 a.m. at City Hall on June 25, 2015 and July 27, 2015. Meetings for the November Election have not been scheduled.

Motion Darga, seconded by Ekong to appoint Mayor Pro Tem James Allen to serve as the Election Commissioner for the August 4th and November 3rd Elections. **Motion carried unanimously.**

C. Commercial Natural Gas Supply

In 2009, the City of Northville explored the possibility and began purchasing its natural gas from a source other than Consumers Energy. For almost six years, the City has received its natural gas from an independent supplier who is licensed to sell natural gas in the State of Michigan. This year, the City of Northville advertised for bids regarding the supply of natural gas for the next two years. A bid document was prepared which included the City’s most recent insurance and indemnity language as prepared by the City Attorney and the Michigan Municipal Risk Management Authority (MMRMA), the City’s insurer. The bids were advertised through the State of Michigan’s Michigan Intergovernmental Trade Network (MITN) system procurement system.

On May 12th the City received one bid for this gas supply program from My Choice Energy of Marine City, Michigan. The fixed-unit price amount as requested in the bid documents was \$4.09 per MCF. This is less than the \$5.044 per MCF the City paid this past year from its current supplier. This bidder also offered a variable price, which is a number set by the New York Mercantile Exchange (NYMEX) plus \$.95. It is, however, recommended that Northville stay with the fixed price as requested in the bid.

It was proposed the City of Northville award its natural gas supply to My Choice Energy for the following five locations: City Yards, Town Square, Comerica Community Connection, City Hall, and Allen Terrace. Based on the amount of gas used per year by the City of Northville and the savings obtained by shifting from its current supplier to My Choice Energy, the City could save as much as \$6,000 in natural gas purchases this year. The savings would be even more, if the City was still obtaining its gas from Consumers Energy.

The City Attorney has reviewed the Commercial Natural Gas Supply Agreement and found the document to be acceptable for City use. There is no cost or additional charges from My Choice Energy or Consumers Energy for the City to switch its supplier for natural gas supply, or to switch back to Consumers Energy should there be a need to. The City can expect to see savings in its natural gas purchases over the next two years.

City Council Comments and Discussion: Staff noted that, in the future, it may consider partnering with the school district to see if partnering will result in a better price.

Motion Darga, seconded by Ekong to approve an agreement with My Choice Energy of Marine City, Michigan, to supply natural gas at the unit price rate of \$4.09 per MCF to the City of Northville, and further move to authorize the Public Works Director to sign said agreement on behalf of the City.

Motion carried unanimously.

D. 2015 Pavement Marking Program Contract Award

Every year, the Department of Public Works (DPW) administers a pavement marking program for City streets. Most of the City's pavement marking is contracted out to contractors equipped for this type of work, with the DPW annually undertaking a smaller amount in parking lots and along streets in the downtown area. Most of these areas are parking-related.

On May 12, 2015, the City of Northville accepted bids for this work. This bid was advertised through the Michigan Intergovernmental Trade Network (MITN) system. The City received two bids for this work as follows:

P.K. Contracting, Inc.	\$22,402.24
R.S. Contracting, Inc.	\$13,349.80

R. S. Contracting, Inc. has performed this work for the City of Northville for the past three years. Their work is considered to be very good, with several surrounding communities using their services and City Staff recommends they be awarded this work for 2015. The City Attorney and MMRMA reviewed this contract and approved them for use on this project. Work would begin after July 1, 2015 and be completed before school begins in September.

Funding for this program comes from the City's FY2016 Major Street budget. For FY2016 the City budgeted \$15,000 for this work so this bid is within the approved budget. In addition to doing this work in 2015, this contractor has agreed in the contract to do this work for the City in FY2017 and FY2018 at no increase in cost.

City Council Comments and Discussion: In response to a question from City Council, Staff explained that the bids were based on using paint, not thermo-plastic. Thermo-plastic is best for new, clean roads. Otherwise, it peels when plowed. Discussion ensued pertaining to the preferred route to Maybury State Park and how it will be marked.

Motion McKindles, seconded by Darga to approve and award a contract for the 2015 Pavement Marking Program in the amount of \$13,349.80, and authorize the DPW Director to sign an agreement with R.S. Contracting, Inc. of Casco, Michigan, for this work. Further, if a budget in this amount is approved for FY2017 and FY2018, the DPW Director is approved to order this work in those years at no increased cost. **Motion carried unanimously.**

E. 2015 Crack Sealing Program Contract Award

The City's Capital Improvement Plan for streets, drainage, and sidewalks proposes a small amount of joint and crack sealing on City streets each year. This program extends the life of City streets and reduces the overall expenditures on streets. The scope of work for this annual project includes locating and cleaning cracks and open joints in the roadway, which are then sealed with a hot mastic sealant. The selected locations are as follows:

Church Street (E. Main Street to E. Cady Street)
Dunlap/Hutton curve (N. Center Street to E. Main Street)
Fairbrook (S. Wing Street to S. Center Street)
Randolph Street (Eight Mile Road to N. Center Street)
Marquis Parking Lot (downtown Northville)

On May 12, 2015, the City received bids from six contractors for the 2015 Crack Sealing Program. The advertisement for this project was handled through the Michigan Intergovernmental Trade Network (MITN) system. The bids received are as follows:

JJ Cunningham	\$12,655.00
Michigan Joint Sealing Company	\$14,251.00
Carr's Outdoor Services, Inc.	\$16,830.00
Scodeller Construction Company	\$18,687.50
S & J Asphalt Paving Company	\$18,912.50
Midwest Pavement Contracting, Inc.	\$19,402.50

The bids were checked and reviewed, and all were submitted properly as required in the City's Advertisement for Bids. JJ Cunningham, the low bidder, was contacted and is prepared to do this work in June for Northville. JJ Cunningham is out of Clarks Summit, Pennsylvania. Because this firm is out of state and has not been used by Northville in the past, Staff has checked the references and found this firm to be highly praised for their work. This company bid on Northville's project because they are doing similar work in Alpena, Michigan and Northville's work can fill in a day on their work calendar while they are in Michigan.

The contract documents prepared for this project have been reviewed and approved for this project by both the City Attorney and Michigan Municipal Risk Management Authority, the City's insurer. This contract is acceptable to the Contractor.

For this project, the City has approved \$25,000 in the FY2016 Major Street Fund and \$10,000 in the FY2016 Parking Fund for a Joint and Crack Sealing Program. A budget amendment will be necessary to shift some of the funding from the Major Street Fund to the Local Street Fund, and to pull this funding forward into the FY2015 budget year so that it can be done in June, 2015. As the contract amount is well under budget for crack sealing streets, it is recommended that the DPW Director be authorize to add additional crack sealing on other streets up to the budget amount.

City Council Comments and Discussion: As this is an out-of-state contractor, questions were raised pertaining to insurance and the jurisdiction for lawsuits if one was filed.

Motion McKindles, seconded by Ekong to approve and award a contract in the amount of \$12,655 to JJ Cunningham of Clarks Summit, Pennsylvania, and further that that the Public Works Director be authorized to sign the agreement and approve additional crack sealing on other streets and parking lots using the contract unit prices up to the budget amount of \$35,000. **Motion carried unanimously.**

F. 2015 Sidewalk Program Contract Award

The City’s Capital Improvement Plan for streets, drainage, and sidewalks proposes a small amount of improvements to the City’s sidewalk system each year. In addition to sidewalk improvements performed with each street improvement project, the City annually administers a small program of sidewalk repairs throughout the City of Northville. The scope of work for this project includes the spot repair of sidewalks at various locations throughout the City. For 2015, the selected locations were based on concerns raised by residents throughout the past year, as well as replacements based on inspections made by Department of Public Works staff. The purpose of this annual program is to improve the walkability of the City’s sidewalk system, and reduce the likelihood of trip and fall incidents.

Through the Michigan Intergovernmental Trade Network (MITN) system, on May 12, 2015, the City received bids from five contractors for this year’s sidewalk program as follows:

	<u>Local Streets</u>	<u>DDA Streets</u>	<u>Total</u>
Goretski Construction Company	\$20,250	\$14,450	\$34,700
A Land Construction	\$22,050	\$13,500	\$47,010
Audia Construction	\$45,050	\$36,980	\$82,030
Lacaria	\$49,150	\$45,000	\$94,150
HGS Construction	Late and bid was not opened.		

The bids were checked and reviewed, and based on this analysis it is recommended that Goretski Construction Company is awarded this project. The contract documents prepared for this project were reviewed and approved by both the City Attorney and Michigan Municipal Risk Management Authority, the City’s insurer.

For this project, City Council approved \$35,000 for sidewalk replacement in the FY2016 budget. The total bid is within the budget amount. However, the DDA has been asked to cover the cost of this sidewalk work within the DDA District. If approved by the DDA Board, additional sidewalk repair work can be done with the Street funds set budgeted for the DDA streets, in the approximate amount of \$14,450.

City Council Comments and Discussion: The DPW Director was directed to ensure the most up-to-date standards and details were used for all curb cuts.

Motion Darga, seconded by McKindles to approve and award a contract in the amount of \$34,700 to Goretski Construction Company of Milford, Michigan, and, if the DDA agrees to cover the cost of the sidewalk repair work within the DDA District, authorize the Public Works Director to increase this amount by \$14,450 for additional sidewalk work in the City, provided all specifications meeting current codes. Further, the Public Works Director is authorized to sign this contract on behalf of the City.

Motion carried unanimously.

G. 2015 Permanent Utility Cut Repair Program Contract Award

Each year, the City of Northville experiences watermain breaks throughout the year. After each watermain break is repaired, temporary repairs are made to the road surface using a “cold patch” material. In addition to these emergency cuts into the road, there are cuts made into streets which are necessary to bring water and sewer leads to new homes constructed in the community. To repair the road cuts and make spot repairs to areas of failing asphalt, the City annually bids out a “Permanent Utility Cut Repair Program” whereby an asphalt contractor is retained to remove the cold patch or damaged asphalt material

and properly place new hot mix asphalt. For 2015, there are 15 locations throughout the City which need hot mix patching. These repairs restore a smooth surface to a road and help extend the life of the road pavement.

On May 12, 2015, the City accepted bids for this project as advertised through the Michigan Intergovernmental Trade Network (MITN) system. There were four bids received as follows:

Bush Brothers Asphalt Paving Inc.	\$19,800
S & J Asphalt Paving Company	\$23,100
Midwest Pavement	\$33,000
Pavex Corporation	\$50,960

The bid were checked, and analyzed. Based on this review, the bid submitted by Bush Brothers Asphalt Paving, Inc. is considered the lowest qualified bid. The City Attorney and Michigan Municipal Risk Management Authority (MMRMA), the City’s insurer, reviewed the contract documents for this project and approved them for City use. Bush Brothers Asphalt Paving Inc. has a good reputation for a small asphalt firm, and they are qualified to do this work for the City of Northville. This work will begin after July 1 and will be completed before school starts in September. Funding for permanent utility cut repairs is included in the FY2016 budget in the Water and Sewer Fund. Bush Brothers bid of \$19,800 is within the approved budget of \$20,000.

Motion Darga, seconded by Ekong to approve and award a contract in the amount of \$19,800 to Bush Brothers Asphalt Paving, Inc. of Farmington Hills, Michigan, for the 2015 Permanent Utility Cut Repair Program. Further, the Public Works Director is authorized to sign the contract agreement for this project on behalf of the City of Northville. **Motion carried unanimously.**

H. Electrical Maintenance and Repair Services Contract Award

At times, the City needs labor, equipment, materials, and supplies for routine electrical repair and maintenance services. For the safety of the public, this work needs to be performed or supervised by a licensed electrician. Electrical assistance is sometimes needed at the following City owned and/or operated locations:

City Hall	Allen Terrace	Community Center	Mill Race Village
Water Reservoir	Elevated Water Tank	DPW Facility	Main Center Deck
Cady Deck	DDA Walk-Thru	DDA Street Lights	Town Square
Taft Road Lighting	Ford Park	Community-wide parks	

On May 12, 2015, the City received bids from seven contractors, as advertised through the Michigan Intergovernmental Trade Network (MITN) system, as follows:

Sawyer Services	MAS Electrical Services, Inc.
Great Lakes Power and Lighting	B & C- Ten Air
Douglas Electric Company	Allied Building Services
Meridian Contracting Group, LLC.	

The bids received provided the City with an hourly rate for an electrician, a technician, for both regular hours and overtime hours, along with an agreed mark up price for parts and supplies needed to perform their work. The prices provided by low bidder, Allied Building Services, are as follows:

	Regular Hours	Overtime Hours
Electrician	\$60	\$90
Technician	\$50	\$75

Total cost for a year's electrical work is unknown and can vary from year to year based on how often the contractor is needed. As such, there is no total dollar amount recommended for this award.

The bids were reviewed, and Allied Building Services is the lowest bidder that properly submitted a bid for this project. Allied Building was interviewed, and City Staff believes they understand and can perform the work required under this contract.

The contract documents prepared for this project were reviewed and approved by the City Attorney and Michigan Municipal Risk Management Authority, the City's insurer. This contract is acceptable to the Contractor.

Most of the funds in the City's annual budget include a "contractual services" line item. It is up to each Department Head to request the electrical services from this contractor and pay for their services accordingly using the agreed unit prices in this contract. Because the proposed unit prices from Allied Building is less than what have been previously used, it is expected that the City will see savings over the next two years.

City Council Comments and Discussion: Discussion ensued pertaining to the need to monitor the contractor to ensure repair time charged is not excessive.

Motion Ekong, seconded by McKindles to approve and award a contract to Allied Building Services, of Detroit, Michigan, for 2015/2016 Electrical Repair Services. Further, the Public Works Director is authorized to sign this agreement on behalf of the City. **Motion carried unanimously.**

I. Survey and Engineering Services for Fish Hatchery Park

The earthen dam (retaining wall) separating the pond from Johnson Creek is failing. Over time, sediment from the parking area has washed into the pond and the pond is now only 18" deep. The increase in loading on the wall has caused it to buckle. The first priority would be to fix the earthen dam (retaining wall) by excavating and constructing a new wall. The outlet structure for this pond would also be reconstructed to eliminate the transfer of sediment to the Johnson Creek.

With the assistance of the 2015 Wayne County Millage Fund, Northville Township was awarded \$194,125 for park improvements. Two projects were identified and proposed to Wayne County for approval: Maybury 200 ft. connection, and the earthen wall/dam repairs to Fish Hatchery Park.

In order to move forward with the Fish Hatchery Park project, geotechnical surveys, soil borings, and professional engineering services are needed to develop construction, permit application, and cost estimates. With the assistance of the Director of Northville Township Public Services, the Parks and Recreation Department received quotes from ECT, Alpine, and Orchard Hiltz McCliment (OHM). ECT was priced higher than OHM. After further review, Alpine could not handle the scope of the project. OHM is commonly used by both the Township and Northville City for projects.

There is no long term budget impact. The Northville Parks and Recreation Commission is using funds from the Wayne County Millage to pay for these services. Since the Wayne County Millage funds will not be available to Northville Township until later in 2015, on May 27, 2015, the Northville Parks and Recreation Commission approved using their cash reserve to approve funding these services, not to

exceed \$20,000 for OHM advisors (Orchard, Hiltz, & McCliment, Inc.) for topographic survey, engineering support, and permitting for the retaining wall design. These funds will be transferred back into the Parks and Recreation cash reserve once the Township receives the funding from Wayne County.

The Parks and Recreation Director received a revised quote, which lowers the amount of funding needed for this portion of the project from \$20,000 to \$15,000.

City Council Comments and Discussion: Discussion ensued pertaining to the Michigan Department of Environmental Quality permitting process.

Motion McKindles, seconded by Darga to approve the use of up to and not exceeding \$15,000 from the Northville Parks and Recreation Cash Reserve funds to pay for OHM Advisors for professional engineering services for Fish Hatchery Park. **Motion carried unanimously.**

J. Geotechnical and Concept Design Services for Fish Hatchery Park

The earthen dam (retaining wall) separating the pond from Johnson Creek is failing. Sediment from the parking area has washed into the pond over time and the pond is now only 18” deep. The increase in loading on the wall has caused it to buckle. The first priority is to fix the earthen dam (retaining wall) by excavating and constructing a new wall. The outlet structure for this pond would also be reconstructed to eliminate the transfer of sediment to the Johnson Creek.

With the assistance of the 2015 Wayne County Millage Fund, Northville Township was awarded \$194,125 for park improvements. Two projects were identified and proposed to Wayne County for approval were the Maybury 200 ft. connection and the earthen wall/dam repairs to Fish Hatchery Park. In order to move forward with the Fish Hatchery Park project, geotechnical surveys, soil borings, and professional engineering services are needed to develop construction and bid documents.

There is no long term budget impact. The Northville Parks and Recreation Commission is using funds from the Wayne County Millage to pay for these services. Since the Wayne County Millage funds will not be available to Northville Township until later in 2015, on May 27, 2015, the Northville Parks and Recreation Commission approved using their cash reserve to fund these services. Contracting the geotechnical and concept design services separately from the Orchard Hiltz McCliment (OHM) Professional Engineering Services resulted in a cost savings as OHM does not have the means to conduct this service. Instead, these services will be directly contracted with SME in an amount not to exceed \$8,500.

Motion McKindles, seconded by Darga to approve the use of up to and not exceeding \$8,500 from the Northville Parks and Recreation Cash Reserve funds to pay SME for the Geotechnical and Wall Concept Design services for Fish Hatchery Park. **Motion carried unanimously.**

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications

Mayor Johnson was absent and requested Mayor Pro Tem Allen read his letter dated June 1, 2015, in which Mayor Johnson announced that, after a great deal of reflection, he has decided not to run for election again this year. While he didn’t know if there was ever a “right time” to leave, all things considered, the City is in pretty good shape. The City has a Council that works hard, comes to meetings

prepared, and makes the decisions needed. The Administrative Staff is one of the finest in the state. All in all, this seems like a good time to have a new mayor in the City. He thanked everyone for making Northville such a wonderful place.

Councilmember McKindles announced that, after much consideration, he has decided not to seek re-election. Responsibilities at home and work were deciding factors in his decision. He voiced appreciation with, and spoke of the professionalism of City Administration.

Councilmember Darga announced that she will seek re-election. This is an exciting time for Northville and the City needs someone willing to look at the entire picture, especially with a lot of new development opportunities arising. She was saddened to hear that Mayor Johnson would not seek re-election, noting the City of Northville has benefited from his steady and well-grounded leadership.

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 8:23 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

James C. Allen
Mayor Pro Tem

Approved as submitted: 7/6/15