

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
May 2, 2016

Mayor Roth 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 Ken Roth, Mayor Pro Tem James Allen, Councilmembers Nancy Darga, Sam Ekong, and Marilyn Price

Absent: None

Also Present: City Manager Patrick Sullivan, City Clerk Dianne Massa, Director of Public Works James Gallogly, Police Chief Michael Carlson, and seven citizens

PRESENTATIONS

A. Citizens Comments None

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion Darga, seconded by Allen to approve the agenda and consent agenda as presented:

Approve City Council Minutes of:

- Special Meeting of April 7, 2016
- Special Meeting of April 14, 2016
- Regular meeting of April 18, 2016

Receive Bills List:

- Checks #98409 to #98489
- Checks #98490 to #98551
- EFT #500233

Receive Board and Commission Minutes:

- Downtown Development Authority: 3/15/16
- Housing Commission: 3/9/16

Receive Departmental Reports: None

Board and Commission Appointments: None

Proclamation / May as Mental Health Month

Special Event Request / Independence Day Parade / July 4, 2016

Special Event Request / Arts & Acts / June-17-19, 2016

Special Event Request / Gardenviews Anniversary Block Party / May 28, 2016

Special Event Request / Civil War Encampment / July 4, 2016

Motion carried unanimously.

NEW BUSINESS

A. Special Event Request /Northville Food Fest (formerly Rib Fest)

The City of Northville received a request from Matt Flynn of Ultimate Fun Productions (UFP) of Ferndale, Michigan, to conduct a Food Fest at Ford Field from June 24- 26, 2016. City staff reviewed the application and met with the applicant. The following is pertinent to the request:

- The festival would take place at Ford Field. Set up would begin at 10:00 a.m. on June 23rd and clean up would take place after the event closes on June 26th. Set up would include fencing, stage, lights, sound, tents, porta-johns, dumpsters and vendors. A layout of the event was included with the application.
- Event hours would be 4:00 p.m. until 11:00 p.m. on June 24th, noon until 11:00 p.m. on June 25th, and noon until 10:00pm on June 26th. It is anticipated that 1,500-2,000 visitors per day will attend this event.
- A 5K run will start at Northville Downs at 4:45 p.m. on June 25th, head south on River Street, cross Seven Mile Road and continue onto Hines Drive, loop into the Township and return to the City with assistance by the Police Department. River Street and Seven Mile Road would have a temporary closure until runners/walkers clear the course.
- This event will include food vendors, vendors selling general merchandise, and vendors selling lemonade. Water, pop and alcohol sales will be controlled by UFP. All vendors will comply with Health Department and Michigan Liquor Control Commission regulations.
- Vendors using propane or open flame devices will be inspected by the Fire Department prior to opening.
- A temporary electrical distribution panel will be installed at Ford Field and will require an electrical permit and inspection.
- Water usage will be metered by the Department of Public Works (DPW) and invoiced.
- Banners, signage and menu boards will be placed around Ford Field to guide and welcome visitors to the festival. UFP will provide 15-20 additional porta-johns, 30 trash receptacles and a dumpster for the event. Parks and Recreation staff will be on-site during the festival set-up to monitor placement of tents due to the irrigation system, and monitor the festival periodically for the duration of the event.
- Activities include a supervised children's area consisting of a petting zoo, mini zip line, camel and pony rides, bounce houses and a climbing wall. The Shel-Camino monster truck will be available for rides in a separate area near the back of the park. The semi-truck and trailer that transports the monster truck will be parked between the ride area and the back of the stage for the band to control noise and for the protection of patrons. The monster truck is a specially designed ride truck that can carry ten passengers and is equipped with numerous safety features including a hand held kill switch remote. The truck is also equipped with turf tires that will not damage grass or pavement. All activities will run for the duration of the festival, except the monster truck, which will end at 9:00 p.m. each night.

- The event will have beer and wine with entrance/exit points controlled by security that will be checking ID's and wrist bands. Five to ten security personnel will be on-site for the duration of the festival to monitor for underage drinking and over consumption.
- Generators will be provided by the producer and will be the quiet running type. Portable lights will also be provided by the producer to light the event area and the stairs to Ford Field for patrons after dark. The pathway from Hutton Street will be barricaded so residents do not inadvertently enter the monster truck area from the back side.
- UFP carries a \$5M general liability policy and a \$1M liquor liability policy. The producer and all vendors will provide certificates of insurance, endorsements, and hold harmless agreements according to the recommendation from MMRMA, the City's insurer.

Ultimate Fun Productions will be invoiced accordingly for Parks and Recreation, Police and DPW staff, water usage, and for the electrical inspection. UFP further agrees to compensate Mill Race Village for wedding revenue loss at an amount agreed upon by the City.

City Council Comments and Discussion: Matt Flynn of Ultimate Fun Productions (UFP) and John Badenjck were present to respond to questions and concerns about this event.

- City Council comments voiced concern with serving spirits at this event. Beer and wine have a pre-made alcohol content that is more easily controlled than the pouring of mixed spirits. UFP noted they produce 30-35 events per year with spirits and have not had any problems. It was requested that the City consider allowing spirits next year.
- In response to a question about the music, UFP noted that consistent with last year, each night music will be played until the event closes, which is 11:00 p.m. The Police Department stated that minor noise complaints were received last year and the sound level was adjusted to the satisfaction of the complainant.
- Council voiced concern pertaining to potential damage to Ford Field that could occur if a large event is held after a rain event. Heavy vehicles and large usage will wash out the field and turf. The Parks and Recreation Director has final authority on holding the event in Ford Field and may adjust the layout to protect the fields. Language to this effect must be included in the contract as well as an indemnification clause for damage to the fields.

UFP voiced concern with losing more than \$100,000 if the event was canceled. UFP will pay for any damages to the fields. UFP plans to work with the Parks and Recreation Director to create a contingency plan, and bring that plan back to Council for approval (i.e. closing E. Main Street) in the event that inclement weather prohibits using the fields at Ford Field.

- Ford Field clean up needs to be completed within 24 hours of the event closure. As part of the cleanup, City Council requested that UFP track the location of all yard signs placed throughout town to advertise this event and that those signs then be removed as part of the event clean up. Sign removal should not be the responsibility of the Department of Public Works.
- UFP noted that an escrow payment will be made prior to the event for Parks and Recreation, Police and DPW staff, water usage, and the electrical inspection.
- Regarding the 5K Run, further explanation was given pertaining to the road closures. UFP explained that race marshals will escort affected residents and no resident would be prohibited from access to and from their driveways if needed. Seven Mile Road will only be closed to let

runners through and should not adversely impact traffic. Staff noted that last year no complaints were received from the Bealtown neighborhood.

- Regarding liability insurance, Staff confirmed the requirement that the City will be named as an additional insured. UFP and other event vendors will each provide insurance and execute a Hold Harmless Agreement to indemnify the City.
- As the Northville Historical Society (NHS) will not be able to schedule any weddings this weekend, of which wedding income is a large source of revenue, compensation to NHS needs to be negotiated.
- Staff noted that any large special events for Ford Field for 2017 and beyond will require one-year application notice. NHS will not schedule any weddings for those weekends. The event organization will be required to compensate NHS for wedding revenue loss for that weekend.
- UFP requested that they be allowed to use Mill Race Village (MRV) as this compensation is essentially a rental of MRV. They would like to incorporate an art fair into this event and MRV would be an ideal location and could be incorporated into the footprint of the event. It was noted that the City has an operating agreement with NHS for Mill Race Village. UFP would need to work with NHS for use of Mill Race Village as part of their event venue.
- It was noted that NHS will need to place docents to guard MRV to ensure people from the Food Fest did not wander into the Village and cause any damage. UFP will be allowed to use MRV parking and may keep the music on as there will not be any weddings. Security guards will not be needed to guard the parking lot.
- It was also noted four potential wedding bookings for June 17-19 will not occur due to the Food Fest event. Event bookings average about \$745 per event and an average weekend would be around \$2,235 of lost revenue. UFP questioned what the net revenue would be (less expenses that MRV is not incurring). Net revenue would be a more accurate amount.
- Discussion ensued pertaining to information to consider when negotiating the average amount of lost revenue. This would include researching rental data for June, July, and August for the last three years, as well as researching the revenue data for the busiest weekend and slowest weekend. Using data to average the revenues from June, July, and August would assist in arriving at a compensation figure that could be used for future special events in Ford Field that might impact MRV.
- In response to questions from City Council, UFP explained that they are a “for-profit” organization. In 2015, the 5K Run (which is a fundraiser) and the Rib Fest event did not make a profit. As the event grows and is promoted, it should become profitable.
- City Council directed that the following be included in the Ford Field rental/use contract or as a paragraph referenced in the agreement:
 - o UFP shall abide by any decision made by Parks and Recreation regarding use of the field due to field conditions/weather. Parks and Recreation has the final authority on holding the event in Ford Field and may also adjust the event layout to protect the fields.
 - o An indemnification clause for any damages to Ford Field.
 - o Clean up is to be completed within 24 hours after the event ends.
- While Council is supportive of having art and music in the event, it was also noted that this is a large event that has a major impact on the Park and MRV, which pays its bills through wedding

events. Feedback on this event was not universally positive. City Council is taking that feedback into consideration and is being thorough in its review of this request.

Motion Allen, seconded by Darga to approve the event as presented provided the applicant provides the appropriate certificates of insurance and indemnification. This approval is also contingent upon securing a parking agreement with Northville Downs and negotiating a mutually acceptable negotiated fee with the Northville Historical Society for Mill Race Village. **Motion carried unanimously.**

B. Purchase of Replacement 800 MHz Radios

In August 2004, the City of Northville entered into an agreement with Northville Township to transfer the City of Northville dispatch services to the Township. In 2008 Northville Township converted its VHF radio system to the 800 MHz, Michigan Public Safety Communication System (MPSCS). Since the Township dispatches City of Northville patrol units, it was necessary for the City to purchase the same 800 MHz radio.

Since last year, funds to replace all radio equipment have been budgeted in the Police Equipment Replacement Fund. The decision was made last year to spread the purchase of the radio equipment over a three-year period to help prevent radio equipment failure at or near the same time. The first of these three purchases with Motorola was made last year.

Motorola is the manufacturer the Department has used for its initial radio purchase in 2008 and in last year's purchase of replacement radios. Motorola equipment has held up well overall and offers service in the area. The Department sees a benefit of staying with Motorola equipment in order to keep the accessory compatibility amongst radios, and officer familiarity with the equipment, which becomes vital in high stress situations.

Motorola is currently offering a promotional discount of \$150 off each hand-held portable radio, \$150 off each mobile radio, as well as paying the one-time MPSCS user fee of \$250 for each radio. Because of these significant discounts and savings currently being offered by Motorola, the Police Department is requesting to purchase this year's and next year's 800 MHz Radios at this time. The Department received the Motorola radio equipment quote under the State of Michigan Contract (#071B2200101) for the replacement of the following equipment:

- 4 Mobile APX6500 In-Car Radios
- 8 Motorola APX6000 Portable (prep) radios
- 1 Gang (six position) charger unit
- 1 Individual charger unit

The cost of this equipment is \$46,539.27 plus \$1,400 installation through the City's vehicle outfitter, Cruisers, for a total of \$47,939.27. This cost includes the \$600 promotional discount for the four in-car radios, the \$1,200 promotional discount for the eight handheld radios, and the \$3,000 one-time MPSCS user fee for all twelve radios.

The FY2016 Police Equipment Replacement Fund contains provisions for this purchase in the amount of \$29,000. A budget amendment is necessary to transfer the balance of \$18,939.27 from the Police Equipment Replacement Fund reserves

City Council Comments and Discussion: It was explained that purchasing the remaining radios this year provides a savings of \$6,400. Further explanation of the MPSCS user fee was given, noting that the one-time user fee for each radio is a cost savings over the usual annual fee.

Motion Darga, seconded by Allen to accept the Motorola quote under the State of Michigan Contract in the amount of \$46,539.27 for the purchase of the 800 MHz radio equipment and authorize \$1,400 for the setup of four Motorola in-car radios. Further authorized is a budget amendment in the amount of \$18,939.27 from the Police Equipment Replacement Fund reserves to fund this purchase. **Motion carried unanimously.**

C. Water Residential Assistance Program (WRAP)

With the change in Northville's water supplier from the Detroit Water and Sewerage Department (DWSD) to the Great Lakes Water Authority (GLWA), a special fund (0.5% of all annual water and sewer revenues) was set aside for assistance to residential water/sewer customers who are at or near the Federal Poverty Level (FPL). This special assistance program is called Water Residential Assistance Program (WRAP). WRAP is designed to be a universal program for all customers within the GLWA service area, including customers in the City of Northville. As created, it will provide monthly utility bill assistance up to \$300 per year for two years, arrearage assistance up to \$700 per year, and a one-time assistance up to \$1,000 for minor plumbing repairs in a home.

WRAP was officially launched on March 1, 2016, and covers an area that includes Wayne, Oakland, Macomb, Genesee, Washtenaw, Lapeer, Monroe, and St. Clair Counties. In Wayne County, this program is managed by the Wayne Metro Community Action Alliance. To be eligible for this program, residential water customers must be at or below 150% of the FPL. The water bill must be in the water customer's name (not the property owner's name) and the participant must have an income source.

If the City joins this program, utility customers requesting financial assistance on their utility bills will be referred to the Wayne Metro Community Action Alliance who will screen them for eligibility. Eligible applicants will work directly with Wayne Metro Community Action Alliance and not with the City. The City will receive payments to cover a portion of the current charges and assistance up to \$700 for arrearages. These amounts will be credited to the applicant's account. With this assistance, should an applicant continue to miss payments, they will be cut off from the program and the City will then address the payment delinquency with the utility customer as it normally does.

For the City of Northville to join WRAP, it must agree to, and sign a Memorandum of Agreement (MOA) with the Wayne Metro Community Action Alliance. This MOA covers City of Northville responsibilities to the program, what the Community Action Alliance must undertake, and most importantly what a water customer must agree to for financial assistance. This MOA has been reviewed by the City Attorney and the City's insurer, MMRMA, and was found to be acceptable for Northville's use. There is no cost to the City to join this program. The program is financed through a fund established by the Great Lakes Water Authority.

City Council Comments and Discussion: It is important for the City to join the program, otherwise residents would not be able to take advantage of this assistance opportunity. It was requested that Staff heavily publicize this program to residents so they are aware of its availability. City Council requested to see data of the number of City of Northville water bill customers that benefitted from this program.

In response to questions pertaining to eligibility, Staff explained that Wayne Metro Community Action Alliance works directly with the resident to determine income eligibility.

It was also noted that while there is no budget impact to the City to join the program, there will be a budget impact to the City regarding late payment penalties. Customers in WRAP cannot be charged a penalty if they are receiving assistance through the WRAP program. Lack of compounded penalties for WRAP participants will have a slight impact to the Water and Sewer Fund.

Motion Darga, seconded by Price to approve a Memorandum of Agreement with Wayne Metro Community Action Alliance to join the Water Residential Assistance Program as provide by the Great Lakes Water Authority. Further, the Public Works Director shall be authorized to sign this agreement on behalf of the City of Northville. **Motion carried unanimously.**

D. Professional Services / Pavement Management System

In May 2011, City Council awarded a contract to Spalding DeDecker to develop a Pavement Management System for the City of Northville. The primary purpose of this project was to develop an objective pavement asset management program based on acceptable best engineering practices. This project gave the City a tool to program costs effectively, and prioritize street improvements for the City of Northville based on an outside objective inspection of the streets. The City used the information gained from this project to schedule annual street improvements throughout our community.

In 2013, the original 2011 pavement management report was updated to prepare a long-term capital improvements program for streets, which was then presented to Northville residents for vote on an August 2015 street improvement millage request.

Beginning in 2016, the State of Michigan is requiring municipalities to submit an annual Asset Management Report to the State. This new requirement is necessary if the City wishes to continue to receive its annual Act 51 revenues. The purpose of this requirement is to provide accurate information on all the roads in Michigan to State officials using the same asset management investment reporting tool.

In addition to this new State requirement, the City of Northville is again in need of updating the 2013 pavement management report with current street conditions. In 2016, the City may be creating a new “Infrastructure Committee.” This new committee will be charged with looking at the condition, operation and maintenance, and the capital improvements needs of the City’s infrastructure. With streets being a major component of this infrastructure, it is proposed that current and accurate information will be needed and provided to this Committee.

Because Spalding DeDecker has been working on the pavement management needs of Northville’s City Streets since 2011, a price was requested from them to update the report. The proposal provided by Spalding DeDecker will update the City’s 2013 Pavement Management Report using a PASER (Pavement Surface Evaluation and Rating) survey. This effort will incorporate value engineered repair strategies with budget scenarios for City consideration. Spalding DeDecker will inspect all of Northville’s roadways, curbs and sidewalks, document and inventory existing conditions, and then incorporate utility repair/replacement work in presenting a prioritized improvement plan. This updated report will also provide the necessary data suitable for input in an Investment Reporting Tool (IRT) as required to meet the City’s new annual reporting requirements to the State of Michigan through the Act 51 Distribution and Report System (ADARS). This data must be inputted into the State’s system before October 2016.

The proposal submitted by Spalding DeDecker included a fee of \$8,220 for this work. There are sufficient funds in the City Streets, Drainage and Sidewalks Fund balance to cover this fee. A budget amendment will be necessary to cover this cost.

City Council Comments and Discussion: It was reiterated that the City must submit an Asset Management Report to the State in order to receive its Act 51 funding. This is a new State mandate. Staff voiced that once Spaulding DeDecker created the Report template, in future years the DPW Director and Finance Department might be able to update parts of the report in order to reduce this annual cost.

The proposal's Scope of Additional Services overall acceptable pavement network condition will be a 10-year prediction. Council questioned if 10 years is long enough for roads and should this be a 20-year prediction as people expect roads to last longer than 10 years. It was explained that 10 years is used as the standard as it is more difficult to predict 20-year road conditions.

Discussion ensued pertaining to the methodology that will be used to gather data for major streets, local streets, and collector and feeder roads to determine the hierarchy of roads; inventorying current existing road conditions; and incorporate utility repair/replacement work for the improvement plan. The impact of "driver miles" for roads should be a factor. A poorer condition road with high "driver miles" might need to be scheduled for planned improvements earlier than a low "driver miles" road in the same existing poor condition.

The significance of conducting traffic counts was discussed. It was noted that the Police Department plans to purchase a speed traffic sign that will also be able to provide traffic counts. While traffic counts are not pertinent to the report data needed to secure Act 51 funding, traffic counts are of value when applying for grant applications.

Motion Allen, seconded by Darga to approve a change order in the amount of \$8,220 to a professional services contract with Spalding DeDecker for Pavement Management and Asset Management services and State reporting requirements. Further, the Public Works Director is authorized to sign this change order. **Motion carried unanimously.**

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications None

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 8:31 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

Ken Roth
Mayor

Approved as submitted: 05/16/2016