

**City of Northville**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**June 6, 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.

(Due to technical issues, the City Council meeting was not video recorded)

**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, Police Chief Michael Carlson, Director of Public Works James Gallogly, Housing Director Sherry Necelis, Downtown Authority Director Lori Ward, reporter from Northville Record, and 11 citizens

**PRESENTATIONS**

**A. Citizens Comments** None

**APPROVAL OF AGENDA AND CONSENT AGENDA**

Friday Night Concert Series-Correction was added to the Consent Agenda.

Special Event Request / Susan G. Komen 3-Day was removed from the Consent Agenda and added to the Agenda under New Business.

**Motion Allen, seconded by Ekong** to approve the agenda and consent agenda as amended:

Approve City Council Minutes of:

- Regular Meeting of May 16, 2016

Receive Bills List:

- Checks #98660 to #98750, EFT #500235, 500236

- Checks #98751 to #98839

- Checks #98840 to #99025, EFT #500237

- Checks #99026 to #99079

Receive Board and Commission Minutes:

- Housing Commission: 4/13/16, 4/27/16

- Liquor License Review Committee: 10/5/15

Receive Departmental Reports: None

Board and Commission Appointments: None

Amendment to Fees, Fines & Penalties Schedule – Elimination of Meter Testing Fee

Request to Place Ribbons / Turn the Town Teal / Ovarian Cancer Awareness / September 2016  
Street Closure Request / Reed Street Block Party / June 18, 2016  
Special Event Request / Tour de Ville Bike Tour / September 24, 2016  
Special Event Request / NCBA Sidewalk Sale / July 29-30, 2016  
Special Event Request / Summer Carnival – Amended / June 9-12, 2016  
Special Event Request / Friday Night Concert Series - Correction

**Motion carried unanimously.**

## **NEW BUSINESS**

### **A. Ford Field Rental Reservation Policy**

On March 7, 2016, City Council appointed a Ford Field Workgroup, comprised of Mayor Roth, Councilmember Darga, Department Heads, and representatives from the Chamber of Commerce, Northville Central Business Association (NCBA), and Downtown Development Authority. The Workgroup met on April 6, 2016 to discuss concerns pertaining to event reservations at Ford Field that caused conflicts with reservations in Mill Race Village (MRV), which is located next to Ford Field.

Based on the concerns addressed at that meeting, the Mayor directed Staff to draft a policy that addressed and defined high and low impact events, fees, reservation timing and language to cancel events due to inclement weather or unfavorable field conditions. The Workgroup met, in part, a second time on June 3, 2016, to discuss the fee, how it applies, and the date the policy would take effect. The fee for the closure of Mill Race Village was determined to be \$2,200. This fee will not apply to non-profit reservations until 2017.

Dan Ferrara, Chamber of Commerce Board Member and business owner, stated that he was part of the first Workgroup meeting, but was not invited to be part of the second Workgroup meeting. The Chamber and NCBA support Mill Race Village and the Northville Historical Society. Comments noted the following:

- Policy is precedent setting as it would allow others, such as Art House, to request a fee if the street is closed and patrons cannot access the Art House for classes.
- Other businesses such as restaurants may request compensation due to food trucks that impact their sales and access to their businesses.
- Other businesses in the downtown are impacted by special events, lose customers and revenue, and are not compensated for their losses.
- Policy sets precedent for other groups to request a hardship fee.
- Policy makes the Northville Historical Society appear uncompromising, of which they are not. Mill Race Village should compromise and be a good neighbor. MRV should be more creative and learn to operate while Ford Field is being used.
- What is the criteria used to determine that Mill Race Village cannot hold a wedding if there is a special event in Ford Field.
- The value of advertising of special events organizations to publicize Northville should be considered.
- MRV is on city-owned land and receives many subsidies from the City (utility bills paid, grass and snow removal services, public parking lot). Belief that Chamber of Commerce does not receive City subsidy for its events.
- Chamber Board will be discussing this policy at its next meeting. Feedback is a general consensus to move 2017 events to Northville Township.
- Impact to MRV and fees should be considered on a case-by-case basis and not within a single policy.

- If MRV is closed for a fee, it should be allowed to be used by the special event organizers.
- Proposed policy appears to be hasty and incomplete. City Council should consider delaying action on the policy until more discussion is held.

Toni Genitti, resident and business owner, noted that MRV is a “business” as is Genitti’s. Genitti’s knows when a wedding is occurring and make arrangements to accommodate the wedding such as a late start time. The recent Flower Sale event had an impact on weddings scheduled at Genitti’s and made access to the restaurant challenging. There was concern that this fee will drive events to other communities, which would have a negative impact on the City.

City Council Comments and Discussion: Comments from City Council included the following points.

- Current policy favors the specific event and MRV is often shut down due to the event’s activities. The proposed Reservation Policy would put all groups on the same level and not favor a specific group or charity. It is impossible to craft a policy that would please all groups.
- Evaluating special events and their impact on MRV on a case-by-case basis is difficult for the City to manage and the administrative time spent is burdensome.
- A lot of large events want to rent Ford Field and it is conceivable that Ford Field could be rented each weekend.
- A survey of surrounding areas found that City of Plymouth charges \$750/day for use of the band shell. Metro Parks charge \$800/day for pavilion rentals. The proposed fee for use of Ford Field is less.
- The existing system is not working and is creating a confrontational climate between MRV and special event organizers. Professional events are making application 30-60 days before an event, which does not allow MRV to operate due to music and parking issues. It cannot honor its contracts with other groups (i.e. weddings).
- The fee proposed is an average fee of MRV revenues and is not the actual amount for prime weekends in the summer.
- MRV does not have the opportunities that businesses have. It is run by volunteers and its operating budget is funded with fundraising and event revenues.
- The Ford Field Workgroup’s goal is to establish a more harmonious process for special event applications to use Ford Field. All viewpoints were considered when drafting this policy.
- While MRV does receive City subsidy for grass, snow removal, etc., it was pointed out that the Chamber of Commerce also receives City subsidy for special events.
- It was explained that the City owns MRV and has an agreement with the Northville Historical Society for the operation of MRV. The City cannot rent out MRV to other groups/organizations.
- A separate comment from City Council voiced concern that other groups and businesses could ask for compensation if they are restricted from doing business. There was concern that MRV appeared to be favored by this policy and fee.
- Comment suggested revising the policy to remove reference to MRV closure fee.

**Motion Darga, seconded by Allen** to approve the Ford Field Rental Reservation Policy as amended (removal of language that referenced a Mill Race Village closure fee, and adding “Ford Field High Impact/Major Event fee” to the list of established rental rates in the policy), with the understanding that non-profit organizations will not be charged the Mill Race Village closure fee until 2017. **Motion carried unanimously.**

## **B. Request to Transfer Shares of Stock Interest / Genitti's**

Genittis, Inc., dba Genitti's Hole-In-The-Wall, located at 108 – 110 E. Main Street, owned by Antonia Genitti, has dropped John Genitti, Jr. as a stockholder. Antonia Genitti requested, through the Michigan Liquor Control Commission (MLCC), transfer of 600 of the 1000 shares of stock interest to Laura Genitti. Laura Genitti, Antonia's daughter, has managed the business for 15 of the 45 years they have been in business.

Laura Genitti has submitted a Plan of Operation, which indicates the restaurant will be open Monday through Thursday 9:00 a.m. – 9:00 p.m., and Friday through Sunday 9:00 a.m. – 11:30 p.m., subject to change at customers' request. Laura Genitti stated that the Plan of Operation reflects the way they have conducted business for the past 45 years and she does not anticipate any changes in the future. Genitti's Restaurant has a capacity of 250 people with four dining rooms and 75% of the business is food sales, with 25% being alcohol. A check on the history of the business shows one MLCC violation in 2009. The Department has conducted a background check on the owners and has found no negative contacts prohibiting the transfer.

A public hearing with the City of Northville Liquor License Review Committee (LLRC) was held earlier and the LLRC recommended City Council pass a resolution approving the transfer of stock interest.

City Council Comment and Discussion: A comment from City Council requested that the original LLRC Application be corrected to show the persons proposed to be listed on the Liquor License as Antonia Genitti and Laura Genitti.

**Motion Darga, seconded by Allen** to accept the Plan of Operation and transfer of stock interest as presented. **Motion carried unanimously.**

## **C. Cady Street Project / Option to Purchase City Property**

In 2014, the developer of the Cady Project approached the City and expressed the desire to purchase the City parking lot on the south side of East Cady Street to facilitate a mixed-use building. A Cady Street Property Committee was appointed at that time and the Committee created a draft "Request for Proposal" to be used to solicit proposals for the property. City Council later decided that the time was not right to sell such a large parcel on Cady Street when the future development of the Downs property and future parking needs were still undetermined.

In 2015, the Cady Project approached the City with a smaller request to purchase just 24 feet on the west edge of the parking lot. They were also willing to exchange the north 12 feet of their existing lot so that the City can move the curb line and water main further south. It is a long-term goal of the City to move the curb line of Cady Street south to align the Cady Street intersection at Center Street.

As part of this transaction, the City would also grant a non-exclusive easement for ingress and egress across the City-owned public parking lot to the west of the developer's parcel. An Option Agreement was provided for City Council's consideration. The Option Agreement gives the Cady Project the right to purchase said City property in exchange for the 12-foot easement and \$62,454. The transaction would be completed once the Cady Project receives the necessary approvals from the Planning Commission, Historic District Commission (HDC) and the Building Department.

This sale was considered in order to facilitate the type of development along Cady Street that is contemplated in the recent revisions to the Community Master Plan and the Cady Street Overlay Zoning

District. The sale price of \$62,454 was reviewed by the City Assessor and determined to be in line with comparable sales and market values in this area.

The Cady Project has two years (plus extensions if approved by Council) to develop the site. If the site is not developed within the two years, or extended period, interest in the property reverts back to the City.

City Council Comment and Discussion: Comments from City Council noted the proposed agreement would do the following: 1) Provide for an easement through city-owned land, 2) Swap two parcels – one public-owned and one private-owned, 3) Bring \$62,454 to the City, 4) Allow for the alignment of Cady Street, and 5) Facilitate the type of development wanted for Cady Street as outlined in the Master Plan.

Further explanation was given pertaining to the “Exercise of the Option” section of the agreement, which requires the Cady Project to submit a preliminary site plan for City Council approval, as well as a special land use submission to the Planning Commission.

**Motion Allen, seconded by Ekong** to approve the Option to Purchase for the Cady Project on City owned property on E. Cady Street. The approval is also contingent upon the purchaser providing a legal description of the access easement. **Motion carried unanimously.**

#### **D. Request for Temporary Construction Sign**

I-275 between I-696 and M14 is under construction. Beginning in early May, the southbound lanes of I-275 were closed to traffic. This phase of the project will be completed and reopened to traffic sometime this summer, and subsequently northbound I-275 will then be closed. Michigan Department of Transportation (MDOT) developed a website [www.revive275.com](http://www.revive275.com) for motorists to use to receive additional information. The MDOT construction project is expected to be completed in November.

Southbound detoured traffic has substantially increased the number of cars traveling south on Center Street. The Marketing Committee and several downtown merchants have recommended that the Downtown Development Authority (DDA) capture the attention of these new motorists as they detour through town with a temporary sign.

At the May 17, 2016 meeting, the DDA Board of Directors discussed the recommendation to install temporary signage and approved a budget to install the signage on N. Center Street during the I-275 southbound closure and then relocate the temporary signage to S. Center Street during the northbound closure of I-275.

DDA staff, working with a graphic designer and sign company, proposes to install the temporary signage just south of Kroger on the west side of the street for the southbound closure. For the northbound closure, the sign will be placed at the entrance to the City lot that connects Center and Cady Streets.

The signage would be approximately 32 inches wide and 5-foot tall and be mounted on a single pole. The text would provide information about upcoming summer happenings in Northville. The sign contains a removable panel that provides the names and dates of the events, and allows Staff to swap out the panel each month with new information. This is a cost effective way of providing monthly information without the cost of producing an entire new sign or banner each month. The sign will be two-sided and will be mounted on a single 10-foot square aluminum post. The DDA budgeted \$2500 for the purchase and installation of the sign. The DDA’s 2015-16 budget will be amended during 4th Quarter budget amendments to reflect this change.

The DDA requested City Council exempt this sign from the provisions of the Zoning Ordinance. Section 21.01(d) (6) (g) of the Sign Ordinance states signs may be exempt from this section if the sign is located in the right-of-way and permitted by City Council.

City Council Comment and Discussion: City Council requested that the “font” size listing the special events be large enough so that the sign may be easily read by motorists. It was also requested that the sign be made of reusable materials so that it could be adapted for another use.

**Motion Allen, seconded by Darga** to grant an exemption to the Sign Ordinance for the installation of a temporary free standing pole-mounted sign to address I-275 construction detour traffic and allow the sign to be installed during the duration of the construction. **Motion carried unanimously.**

### **E. Allen Terrace Parking Lot Improvements**

In 2002, the parking lot at Allen Terrace was resurfaced. Since then, large cracks have developed in the main lot while the asphalt curbs are deteriorating and are no longer functional. In addition, ground water flowing down under the pavement from the hill above is undermining the pavement and causing it to heave and crack during the winter months. At their request, two Housing Commissioners members met with the Public Works Director to discuss problems with the parking lot surface and to try and find a way to quickly get this project out for bids and improved yet this year.

To expedite the design process, the Public Works Director suggested the Housing Commission consider using the professional services of Zeimet Wozniak & Associates. Last year, the City Council awarded a professional services contract to Zeimet Wozniak & Associates for the 2015 Street Improvement Program. Design is currently underway for the 2015 and 2016 street programs. The Public Works Director recommended that the Housing Commissioners consider doing a change order to Zeimet Wozniak & Associates to design their parking lot improvements. This would eliminate five to six weeks needed to secure an engineering firm through the request for proposal process, and it would be the best way to assure that the project could begin and likely be completed this year.

At the request of the City, Zeimet Wozniak & Associates prepared a project estimate, along with a proposal to design, test, inspect and manage a parking lot improvements program for Allen Terrace. The total project is expected to cost approximately \$441,000, and could be constructed in phases or as one large project.

At a special Housing Commission meeting held on May 25, 2016, the Commission unanimously approved to accept the proposal of \$28,000 for the scope of work provided by Zeimet Wozniak for the Allen Terrace Parking Lot Improvement Project. The Commission is recommending that City Council approve a change order to the current professional services contract with Zeimet Wozniak and Associates. This change order will assure that the engineering firm will meet all the insurance and indemnification requirements of the City. The Housing Commission is confident that it has sufficient reserves to cover the cost of engineering and construction for this parking lot improvement project.

City Council Comment and Discussion: The DPW further clarified that the asphalt curbs will be replaced with concrete curbs. Also, the driveway and main area will be reconstructed as part of the project.

Discussion ensued pertaining to the gulley washing and soil erosion issues from the hill that may be impacting the parking lot. Addressing these matters was not part of the scope of work provided for the project design. It was requested that Zeimet Wozniak address these issues as part of the design phase of the project.

**Motion Darga, seconded by Allen** to approve a Change Order to Zeimet Wozniak & Associates in the amount of \$28,000 to the 2015/16 Capital Improvements Project to cover professional services necessary for the design, testing, inspection, and construction management of the Allen Terrace Parking Lot Improvement Project, including review of the contributing site conditions, and to authorize the Public Works Director to sign this Change Order on behalf of the City. **Motion carried unanimously.**

#### **F. Sewer Adjustment Policy**

Periodically, customers of the water and sewer system have experienced abnormally high usage on their utility bill due to leaks. This can be due to burst pipes, equipment failures, running toilets, garden hoses left on, etc. Many times the leaks are insignificant. Other times, they are very significant and customers call wanting assistance and answers.

When requested, the Public Works Department will go to the residence to check the meter and possibly check for leaks. There are occasions in which a large leak is due to something on the owner's property in which the City has no control over. Even so, customers request that the City reduce their bill.

Staff proposed that City Council adopt a Sewer Adjustment Policy, which would provide uniform guidance on how to handle these requests. In accordance with the policy, as the City has to pay the Great Lakes Water Authority for all water that flows through the meters, no credit would be given for the water portion of the bill. In addition, if the water is discharged into the sewer system, no adjustment will be made. If the water is not discharged into the sewer system, then a partial credit will be given under certain situations. The customer will still pay for the sewer, but at the lower dual-sewer rate. This is consistent with all outdoor sprinkling customers who have to pay a sewer charge even though it is not discharged into the sewer system.

City Council Comment and Discussion: In response to a question from City Council, Staff explained that, by Ordinance, the City does not have the right to adjust the water bill. This policy gives authority to make adjustments if warranted. Further explanation was given pertaining to the "abnormal usage" events listed in the policy that would not allow for an adjustment to be considered.

**Motion Allen, seconded by Darga** to adopt Sewer Adjustment Policy. **Motion carried unanimously.**

#### **G. Special Event Request / Susan G. Komen 3-Day**

The City received a Special Event Application from the Susan G. Komen Foundation to conduct part of the 3-day walk through downtown Northville on Saturday, August 6, 2016. Directional arrows would be placed on the route Friday, August 5, 2016 and removed following the last walker the next day. A dedicated team of volunteers will be removing signs and picking up any trash along the route. Walkers would abide by normal traffic/pedestrian laws. No street closures will be necessary; therefore, no Police or Department of Public Works support is requested.

Walkers are routed from Taft to Eight Mile Road to Center Street to Northville Downs and exit the City. The walk coordinator and producer of the Buy Michigan Festival are coordinating their events to bring a sense of excitement to both events. Family and supporters will attend to cheer on their walkers. A "grab and go" refreshment station will be located at Northville Downs. The Susan G. Komen Foundation is working closely with Novi, Northville Township, and numerous other municipalities to ensure a smooth transition in and out of each City on the 3-day route.

A certificate for \$1M general liability per occurrence with an endorsement and a Hold Harmless Agreement will be received from the Foundation within a week of approval.

City Council Comment and Discussion: In response to a question from City Council, it was noted that all costs for City services related to this event would be billed to the Foundation. As no street closures will be necessary, no Police or DPW support was requested.

**Motion Darga, seconded by Allen** to approve the request from the Susan G. Komen Foundation to conduct part of the 3-day walk through downtown Northville on Saturday, August 6, 2016. **Motion carried unanimously.**

## **MAYOR AND COUNCIL COMMUNICATIONS**

### **A. Mayor and Council Communications**

Roth spoke of the July 4<sup>th</sup> Parade, noting that he plans to make arrangements for a car for City Council. Council Members were asked to let the Mayor know if they plan to participate in the parade.

### **B. Staff Communications**

The City Manager gave an update on his report from the May 16<sup>th</sup> meeting regarding proposed legislation that would affect parimutuel betting. The thoroughbred association was seeking certain revisions to update a very old law and the State Representative from Grand Blanc is proposing the changes. It was explained that an amendment was made to the proposed legislation. The proposed legislation would not have an impact to breakage fees and Northville Downs has taken a neutral stance on the amended legislation.

Being no further business, the meeting was adjourned.

**Adjournment: 8:58 p.m.**

Respectfully submitted,

---

Dianne Massa, CMC  
City Clerk

---

Ken Roth  
Mayor

Approved as submitted: 06/20/2016