

**City of Northville**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**December 18, 2017**

Mayor Roth called the meeting to order with the Pledge of Allegiance at 7:00 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 Nancy Darga, Councilmembers Sam Ekong, Patrick Giesa, and Marilyn Price

**Absent:** None

**Also**

**Present:** City Manager Patrick Sullivan, City Clerk Dianne Massa, Parks and Recreation Director Mark Gasche, Downtown Development Authority Executive Director Lori Ward, Public Works Director James Gallogly, and four citizens

Mayor Roth read a statement informing those present that the City Council meeting was being recorded for rebroadcast on the City's website. By remaining at the meeting, consent is inferred by those present to have their voice and image recorded and posted on the City's website.

**PRESENTATIONS**

**A. Citizens Comments** None

**APPROVAL OF AGENDA AND CONSENT AGENDA**

**Motion Darga, seconded by Ekong** to approve the agenda and consent agenda as presented.

Approve City Council Minutes of:

- Regular Meeting of November 6, 2017
- Regular Meeting of November 13, 2017
- Special Meeting of November 20, 2017
- Regular Meeting of November 20, 2017
- Regular Meeting of December 4, 2017

Receive Bills List:

- Accounts Payable Week of December 4, 2017

Receive Board and Commission Minutes: None

Receive Departmental Reports:

- Youth Assistance: 12/17

Board and Commission Appointments:

- Historic District Commission: Reappoint David Field, Mario Tartaglia, terms expire 1/1/2021

Special Event Request / OLV Victory Run / June 6, 2018

Special Event Request / Tour de Ville / June 23, 2018  
Amendment to the Fees, Fines and Penalties Schedule / Individual Dumpster Service  
Request to Dispose of Assets / Community Center Folding Chairs  
Amendment to the Western Wayne County Mutual Aid Agreement / Police

**Motion carried unanimously.**

## **NEW BUSINESS**

### **A. Amendment to Option to Purchase Cady Project**

In June 2016, City Council approved an option to purchase to the Cady Project, a mixed-use, multi-story building to be constructed on the south side of Cady Street, east of S. Center Street. The original option provided for the sale of the westerly 24 feet of the City's paved parking lot on the south side of Cady Street, in exchange for the northerly 12 feet of the Cady Project (to be used in the future to widen Cady Street) and a cash payment to the City.

Since Council granted their original option to purchase, the Cady Project has refined their plans and now requests some additional easements and considerations. These easements include granting the Cady Project rights to cross our property for utilities, ingress/egress purposes, and temporary construction. They would also be granted an easement to build a storm drainage retention system underneath the City parking lot to the west. This system would retain both the runoff from their building and the City parking lot, improving storm water management on both properties.

In order to provide the parking spaces required by the zoning ordinance, the Cady Project agreed to convey to the City nine feet on the west edge of their property to be added to the City's existing parking lot. This will create room for eight new public parking spaces where no marked spaces currently exist. The value of the conveyed land exceeds what the Cady Project would be required to pay if parking credits were available for this site. The Cady Project will grant an easement so that their building can overhang the front nine feet of the parking spaces below.

The purchase price has been adjusted to \$54,894.11 to reflect the actual square footage exchanged between the Cady Project and the City. The original option provided that the Cady Project would present their site plan to Council prior to exercising the option. This step is to assure that the project to be built matches the conceptual plan that was originally presented to Council for a four or five story mixed-use building. Both the Planning Commission and the Historic District Commission have approved these plans. Representatives of the Cady Project were present to present the site plan and show the locations of the various easements.

Representatives from Cady Project gave a brief project update that included revised drawings that addressed concerns pertaining to parking and storm water drainage.

City Council Comments and Discussion: Questions and discussion pertained to the plan regarding storm water flow, the amount of square footage for each of the six condominiums, the easement for the City to give air rights to the Project for balconies that will extend over the public parking spaces, and the developer's plan to deed the roof space to individual owners.

Discussion ensued pertaining to the public parking spaces and how those spaces would be signed so that it is clear those spaces are available for public parking. The Developer was agreeable with having either

individual signs at each parking space, or a sign placed on the building, to indicate which parking spaces are public parking.

A revised “First Amendment to Option to Purchase” was provided to Council for consideration. This document was a second revision to the “first amendment” originally included in the Council packet materials. Comments pointed out that the reversion clause allows for the property to review back to the original parties if the project does not get started by the two-year deadline. The revised “First Amendment” better defines the terms. The Developer noted that he was comfortable with the changes to this document.

**Motion Darga, seconded by Ekong** to approve the First Amendment to Option to Purchase and approve the site plan for the Cady Project, LLC. **Motion carried unanimously.**

**B. Cady Street Parking Deck  
Repair to Stair Treads**

The Downtown Development Authority (DDA) is in the process of preparing a Request for Proposal (RFP) to provide services related to the repair and rehabilitation of the Cady Street Parking Deck. The scope of work includes the evaluation of the existing deck, field testing to determine the integrity of the concrete deck, and the development of a set of repair and rehabilitation documents detailing the repair types and locations.

The RFP is scheduled to be completed in January. Once the RFP is issued, the process will take approximately one year before the repairs are completed. In the short term, DDA and DPW staff noticed that the condition of the parking deck stair treads has continued to deteriorate. DDA staff requested a review of the conditions. The recommendation was to repair the stairs immediately, and not to wait to address the issue as part of the larger repair and rehabilitation project. It was also recommended that all of the stairs be addressed at the same time and that the spalling concrete be addressed at the same time.

DDA staff contacted the architects for the design of Northville’s parking deck, Rich and Associates, to see who they would recommend for this type of repairs. Matt Jobin, the project architect, suggested two contractors: RAM Construction and DC Byers. In addition, DDA staff contacted the Plymouth and Ann Arbor DDAs to request referrals and received the same contractor names.

DDA staff contacted these two contractors and requested proposals for the repair and replacement of 47 steps and the repair of the spalling concrete. Two proposals were received:

DC Byers	\$12,500
RAM Construction	\$ 9,625

RAM Construction recently completed the structural beam repair in the Cady Street Parking Deck and is very familiar with the structure. RAM has indicated that they can start work immediately upon approval. The repairs will be charged to the DDA’s Parking Structure Maintenance line item in the FY2018 budget. Sufficient funds are available to pay for the cost of the repairs.

City Council Comment and Discussion: In response to a question from City Council, Staff explained that the repair includes treating the spalled concrete.

**Motion Darga, seconded by Ekong** to waive the City’s purchasing requirement to require sealed bids for this work and award the contract to RAM Construction to repair and replace stair nosing in the Cady

Street Parking Deck as indicated in their proposal, and direct the DDA Director to sign the Agreement on the City’s behalf. **Motion carried unanimously.**

**C. Utility Vehicle Purchase  
Parks and Recreation**

The Parks and Recreation Department budgeted \$25,000 to replace a 2005 John Deere Gator Utility Vehicle, which was auctioned off earlier this year. The utility vehicle will be one of three that the Department owns and uses in a variety of ways for park maintenance.

As part of the purchase, the Parks and Recreation Department plans to purchase a cab that will allow the utility vehicle to be used in all kinds of weather, and a weather and a V-Blade plow attachment for snow removal.

Quotes were received from three area dealers with three different types of vehicles. The dealers participate in the Michigan State bid program. The summary of discounted quotes based on State bid pricing is as follows:

<u>Model</u>	<u>Vendor</u>	<u>Price</u>
Kubota UV Worksite	Weingartz, Farmington	\$23,096.64
John Deere Gator XUV	Bader & Sons Co., South Lyon	\$23,554.54
Bobcat 3650	Carleton Equip. Co., Livonia	\$24,703.65

All of the machines are 4 x 4 and are equipped similarly with cab, heater, and V-Blade plow. The most significant differences are that the Kubota and Bobcat are diesel engines while the John Deere is a gas engine. The Kubota and Bobcat have hydrostatic drive systems while the John Deere does not. Both the Parks and Recreation Department and the Department of Public Works have used John Deere utility vehicles for several years, with good reliability. Both have also used Kubota machines, but had more mechanical problems with that model.

The Parks and Recreation Department recommended purchasing the John Deere Gator based on: 1) past reliability with John Deere equipment, 2) prefer gasoline engines for maintenance, 3) do not like the hydrostatic drive systems on the Kubota and Bobcat, and 4) more room in the cab.

**Motion Ekong, seconded by Price** to waive the formal bid process and approve the purchase of a John Deere Gator Utility Vehicle with V-Blade attachment in the amount of \$23,554.54 from Bader & Sons Co. of South Lyon, with funds budgeted in the Fund 261 Capital Equipment account. **Motion carried unanimously.**

**D. Purchase of Pickup Truck  
Department of Public Works**

During the City’s annual budget process, City Council approved the purchase of a 4WD pickup truck for FY2018. This new truck will replace an existing pickup truck purchased in 1997.

For the best government pricing City staff contacted both Oakland County and Macomb County Finance Departments to utilize their annual vehicle bids (Oakland County Contract #004019) (Macomb County Contract # 71-15.T.10). The proposed new truck will be a 2018 F350 4x4 Pickup with a “V” Plow attachment.

To purchase a Ford truck, Staff secured assistance from Macomb County who awarded their bid to Signature Ford of Owosso, Michigan. The order would be made through Signature Ford for this truck using Macomb County prices.

In the past, for most of its equipment and vehicles, the Department of Public Works advertised and accepted bids from local auto dealers. However, Macomb and Oakland counties have already bid out their annual purchases of vehicles, and routinely offer their prices to communities in the State of Michigan that wish to take advantage of prices based on much larger purchase volumes. With prices for 2018 already set by Macomb County's bid, the City is able to order a truck from Signature Ford at set price. The cost of a new Ford pickup for Northville, with the needed options, is calculated to be \$37,940.

Funds have been budgeted for this purchase in the City's FY2018 Equipment Fund budget. This purchase, based on the options needed, is within the budgeted amount for this vehicle.

**Motion Darga, seconded by Ekong** to utilize Macomb County Vehicle bid #71-15 and approve the purchase of a new 4WD F350 Pickup Truck in the amount of \$37,940 from Signature Ford of Owosso, Michigan and authorize the sale of pickup truck #4 using Northville's standard disposal practices.  
**Motion carried unanimously.**

#### **E. City of Detroit Water Contract Amendment No. 4**

In 2008, the City of Northville entered into a 30-year agreement with the City of Detroit for water supply. Under this agreement, commitments are allowed to be reviewed and refined during periodic contract reopeners which routinely occur every five years. In December 2013, the contract was reopened to make minor modifications to the agreement and to adjust contract flows based on Northville's water usage in 2012 following improvements made to its water system controls.

City staff met with representatives of Great Lakes Water Authority (GLWA), and together it was agreed that adjustments were not necessary to the City's water contract at this time. Amendment No. 4 to the City's Water Contract was created by GLWA. This amendment lists the maximum flow amounts for Northville anticipated to use over the next five years. This amendment has been reviewed by the City Attorney, who has found the language to be acceptable. There is no impact to the current water and sewer budget associated with the approval of Amendment No. 4 to the Water Service Contract.

**Motion Ekong, seconded by Price** to approve a resolution approving Amendment No. 4 to the Water Service Agreement with the Great Lakes Water Authority. **Motion carried unanimously.**

#### **F. Authorization of Legal Action Interpretation Horse Racing Law of 1995**

The City Attorney requested authorization to pursue legal action regarding interpretation of the term "Breakage," as defined in the Horse Racing Law of 1995. On July 31, 2017 the Michigan Gaming Control Board (MGCB) declined the City's request for a declaratory ruling on the matter. The disputed interpretation has led to a reduction of payments to the City of nearly \$80,000 since September of 2015 to present. The City may appeal the MGCB action to Circuit Court. The City Attorney also requested authorization to work with the City of Hazel Park, which has expressed interest in working with the City on this matter.

**Motion Darga, seconded by Ekong** to authorize legal action to reverse the determination of the Michigan Gaming Control Board of the definition of "breaks" in the Horse Racing Law of 1995. Further, the City Attorney and City Manager are authorized to work with the City of Hazel Park as a potential co-plaintiff in the legal action. **Motion carried unanimously.**

**MAYOR AND COUNCIL COMMUNICATIONS**

**A. Mayor and Council Communications**

Roth thanked Council, and especially Price, for their efforts in organizing the City employee holiday luncheon. It was a nice event and many employees attended.

**B. Staff Communications**

Sullivan thanked City Council for holding the holiday luncheon. Staff enjoyed and appreciated the event.

Being no further business, the meeting was adjourned.

**Adjournment: 7:44 p.m.**

Respectfully submitted,

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Dianne Massa, CMC  
City Clerk

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Ken Roth  
Mayor

Approved as submitted: 1/16/2018