

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
April 3, 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 James Allen, Councilmembers Nancy Darga, and Marilyn Price

Absent: Councilmember Sam Ekong (excused)

Also Present: City Manager Patrick Sullivan, City Clerk Dianne Massa, Police Chief Michael Carlson, Director of Public Works James Gallogly, reporter from the Northville Record, and 24 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 Allen, seconded by Darga to approve the agenda and consent agenda as presented.

Approve City Council Minutes of:

- Regular Meeting of March 20, 2017

Receive Bills List:

- Accounts Payable Week of March 29, 2017

Receive Board and Commission Minutes: None

Receive Departmental Reports: None

Board and Commission Appointments:

- Board of Review (alternate): Reappoint Elizabeth Zaenge, term expiring 1/1/20

- Building Authority: Reappoint Patrick Sullivan, term expiring 3/26/22; reappoint James Gallogly, term expiring 3/26/20

- Senior Advisory Commission: Reappoint Andrea Murdock, term expiring 3/31/20

Motion carried unanimously.

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. Update on Carpenter/Grace Alley Paving

In November 2016, the City was contacted by residents regarding the paving of a segment of the alley between Grace and Carpenter Streets. The paving was done by a private contractor hired by Chester Czaplicka, 619 Carpenter Street. The pavement was placed behind 619 and 615 Carpenter, and 612 and 626 Grace, south of Baseline Road. The work was done without the required permit, and was done without the City's knowledge. Resident complaints raised concern with increased traffic speeds, safety issues with traffic speed, and storm water runoff issues into their yards and garages.

Mr. Czaplicka filed an "after-the-fact" permit application. The permit was not granted and a letter was sent, advising that to obtain a permit, he would be required to retain a professional engineer to design a storm sewer for this segment of the alley and to construct said improvement. In addition, the engineer would need to certify the alley pavement was properly placed, and would also need to address speed concerns. If Mr. Czaplicka was not willing to do so, he would need to remove the asphalt and return the alley to its original gravel condition.

The City has met with Mr. Czaplicka, his attorney, and his engineer. Several deadlines imposed by the City were extended several times, and not met. Czaplicka's solution of a French Drain across his property was determined unacceptable. The licensed engineer retained by Czaplicka ruled out the French Drain as a solution and has explored connecting to an existing storm sewer at the south end of the alley or directionally boring a storm line to the north and connecting it to an existing storm sewer in Baseline Road. At this time, there has been no commitment from Czaplicka or the immediate neighbors to comply with the City's permit requirements on this matter. Since the pavement was placed unlawfully on public right-of-way without a City permit, the Public Works Department will notify all residents along the alley that the asphalt pavement will be removed and the alley returned to its original gravel condition. A "Special Report – Carpenter Grace Alley Pavement Update – April 2017" was provided to City Council, which detailed the paving matter and documented contact and deadlines.

The following residents addressed City Council:

Joe Hoffman, 625 Carpenter. Hoffman stated that he has owned the property at 619 Carpenter for over 30 years and sold it to Czaplicka. Hoffman has been a good steward of the alley, cleaning up debris, walnuts from the walnut tree, etc. Over time, the alley has shifted onto his property. Hoffman contributed to the cost of the alley paving in good faith, believing that a permit was pulled. Asphalt has not increased speeds. Recent paving has not increased erosion of the alley except to 619 and 625 Carpenter as the water now drains between these homes. Other water drains due to gutters, drain pipes, etc. from surrounding homes. Hoffman provided City Council with photographs of the 2006 alley survey boundary from the north and south, flooding observations, erosion observations, alley paving, and traffic observations. Hoffman hoped that a reasonable resolution could be found.

Chet Czaplicka, 619 Carpenter. Czaplicka apologized for assuming the builder had obtained the necessary permits. The alley now pitches to the east and the paving has done the City a favor as the water now goes in the natural swale in an area between 619 and 625 Carpenter. He is also moving downspouts so that other neighbors are not impacted by storm water. Czaplicka noted that the large walnut tree in the alley has forced the alley onto his property and a large amount of the paving is on his property. Czaplicka stated he has been accommodating in allowing others to drive on his property in order to use the alley.

Uldis Vitins, Vitins Engineering. Vitins Engineering was retained by Czaplicka to explore solutions for the storm water in the area. Vitins noted that the paving has changed the alley pitch from west to east, and from north to south. Most drainage goes on the property between 619 and 625 Carpenter, with a small amount travelling south. Vitins used formulas from the Wayne County Storm Water Management Ordinance to calculate the runoff rate, minimum asphalt slope, and flow. The storm water solution needed could be done by connecting to storm sewer on Baseline Road as there isn't a connection to storm sewer on Carpenter or Grace Streets. This work could be funded through a special assessment.

Jeff Wilseck, 612 Grace. Wilseck noted that his driveway connects to the alley. He asked the City to improve the alley several times. With the City's permission, he has spent money to lay gravel. The asphalt has improved the alley. The mud and muck is gone. There are no speed issues resulting from the paving. The City needs to work for a solution that benefits all neighbors and addresses the alley conditions.

Brent Flewelling, 561 Carpenter. Flewelling voiced concern with no permits pulled and neighbors were never informed, water runoff, increased speed and traffic, cost of maintenance and future cost, and no maintenance agreement. He is not in favor of the alley paving.

The following residents submitted written comments to City Council. They oppose the alley paving and support returning the alley to its gravel condition:

Brent Flewelling, 561 Carpenter
Jeffrey Gill, 531 Carpenter
Adam and Lori Danes, 538 Grace

City Council Comments and Discussion: It was noted that City Council was not being asked to act on this matter. At Council's request, City Administration provided a full report for Council review and has made the recommendation to remove the pavement and return the alley to its gravel condition. Comments noted the City has been more than accommodating by extending deadlines. The matter could have been avoided had the proper permit been applied for and issued, and the pavement had been properly engineered. It is harder and more complex to address the matter after the fact. City Administration has tried to resolve the matter as if a permit had been issued. If a permit had been issued, it would have required an engineered storm water drain solution.

Chester Czaplicka, 619 Carpenter. Czaplicka stated that it is not the property owner's responsibility to fix the alley issues. He has retained an attorney and is prepared to defend the alley paving. Czaplicka believed the alley had a preexisting condition that was not addressed and the City neglected to maintain the alley. He did agree that a permit should have been applied for and issued before the alley paving was done. Czaplicka was supportive of a special assessment to pay for his portion of the storm water solution. Czaplicka stated that removing the pavement will require removing the walnut tree as he will not allow traffic to continue to use the portion of the alley that has shifted onto his property.

Jeff Wilseck, 612 Grace. Wilseck spoke in opposition of removing a 100-year old tree. He believed that his taxes should be used to maintain or improve the alley.

Following further discussion, City Council concurred that the neighborhood needed to come together to resolve the matter, and agree to a funding mechanism for the storm sewer, such as a special assessment. The City does not expect one property owner to pay for the issue. The need to adhere to the standard that would have been required if a permit was issued was reiterated. City Council agreed to the May 1, 2017 deadline as offered by Czaplicka's attorney. If the neighborhood cannot come to an agreement, the City will remove the pavement and return the alley to its gravel condition.

NEW BUSINESS

A. Lease Extension and Addendum / 315 Griswold

The City of Northville owns the property in and around Mill Race Village. Through an agreement with the Northville Historical Society (NHS), NHS manages the grounds and maintains the buildings. Several years ago, the City purchased a home at 315 Griswold, immediately north of Mill Race Village, for use as a storage facility and an archive for the Historical Society. The house had excess space available and the Historical Society found a tenant willing to rent the space which helps to generate revenue for NHS.

In 2013, Council approved a lease agreement between the New Hope Center for Grief Support and the Historical Society. That agreement is set to expire on April 30, 2017. The tenant indicated that they will be moving to another location, but not until sometime in May. Both the City and New Hope are agreeable to a month-to-month extension to accommodate the move.

Motion Allen, seconded by Darga to approve the addendum to and the extension of the lease agreement for 315 Griswold, between the Northville Historical Society and the New Hope Center for Grief Support.
Motion carried unanimously.

B. Approval of Leasehold Improvement for Poole's Tavern Outdoor Seating Area

In 2015, Council approved a lease with Poole's Tavern, 157 E. Main Street, for the City-owned open space on the northwest corner of Main and Hutton Streets in order for them to refurbish and expand their outdoor seating area. The lease specifies that the City must approve any leasehold improvements on City property.

Poole's is ready to start the first phase of the improvements to the area, which include new paving, a deck area, decorative railings, and improved handicapped access to the rear of the building. City staff has completed a Minor Site Plan Review of the plans and granted approval, contingent upon City Council's concurrence. A later phase will include a pavilion or awning type structure that will cover part of the outdoor seating area.

Representatives from Poole's Tavern gave a brief presentation of the proposed terrace improvements and were available for questions.

City Council Comments and Discussion: A comment from City Council stated that in May 2017, the Historic District Commission approved the colors, textures, and patterns for the terrace improvements and materials. In response to questions from City Council, Poole's Tavern representatives explained:

- The decking area underneath the tree will have seating.
- The circular area will be used as a waiting area.
- The proposed improvements increase outdoor seating capacity.
- The improvements are ADA compliant.
- The fencing will be bolted to the decking and anchored to the pavement. It will remain year-round and will not be removed. Snow removal in the area is the responsibility of Poole's and they have been doing so for several years.
- Phase 2 improvements will be designed and completed after Poole's receives the necessary easements from Bank of America.

Motion Allen, seconded by Darga to approve the first phase of Poole’s improvements to the outdoor seating area. **Motion carried unanimously.**

C. Fiscal Year 2017-2018 Budget and Five-Year Plan (2017-2021)

In accordance with City Charter, the proposed budget document is to be presented to the Northville City Council on or before the first meeting in April. Accordingly, the FY2018 Annual City Budget notebook is included with the April 3, 2017 City Council Agenda packet. This is a balanced budget. The Taxable Value of the City, net of DDA, increased 3.84% and the State Equalized (Assessed) Value increased 5.44%. This will provide for an additional \$191,000 in tax revenue in the General Fund and \$16,000 for street improvements.

Budget study session meetings are scheduled at 7:00 p.m. in the Northville City Council Chambers on April 6, 2017 and April 13, 2017. Department Heads will present their respective budgets at the two study sessions. After each budget study session meeting, the City Council will be asked for additional direction and/or revisions to the budget before it is finalized and sent for publication in the local newspaper on May 4, 2017. The public hearing and requested budget adoption is scheduled for May 15, 2017.

No action taken

D. Up-fitting of Police Vehicles

On November 21, 2016, City Council approved the purchase of two 2017 Ford Utility Police Interceptor vehicles. At that time the Police Department decided to separate out the up-fitting costs from the vehicle purchase cost. The vehicles were delivered to the Department in February 2017.

For officer safety purposes and to be compliant with contractual language, the standard equipment in patrol vehicles is to be located in the same position in each vehicle to the greatest extent possible. To help ensure set up is consistent amongst patrol vehicles and to ensure the vendor is located within a reasonable driving distance from the city, the Department sought out quotes from four reputable local vendors to up-fit the two new patrol vehicles. The vendors were provided a complete list of equipment needed to maintain consistency between vehicles and were asked to transfer as much of the existing equipment from the 2012 Ford Crown Victorias being taken out of service to the 2017 Ford Utility vehicles. The following are the results of the quote requests for up-fitting the 2017 Ford Utility Vehicles:

Vendor	Quote per Vehicle
Cruisers, Inc., Brighton, MI	\$ 9,380.00
RAS Engineering, LLC, Livonia, MI	\$ 9,839.75
Canfield Equipment Service, Inc., Warren, MI	\$11,727.35
ABS Storage Products, Detroit, MI	\$ 6,047.00 2nd quote - still a partial quote

Cruisers, Inc., from Brighton, Michigan provided the lowest quote at \$9,380 per vehicle. Cruisers, Inc. has been the Department’s up-fitter for many years and has provided excellent customer service. On many occasions, Cruisers, Inc. has come to the Department to work on vehicles and transported vehicles to and from their shop, freeing up Department personnel. Turnaround time with Cruiser’s Inc. has always been reasonable.

The cost for up-fitting the two vehicles is \$18,760, which will come from the Police Equipment Replacement Fund. This amount is within the approved budget of \$80,000, of which \$51,952 was used to purchase the two 2017 Ford Utility vehicles, leaving a balance of \$28,048.

City Council Comments and Discussion: In response to a question from City Council, it was explained that City Council may waive the bidding process. Due to the need to retain certain equipment and to up-fit the vehicle to match other vehicles as closely as possible, writing bid specifications could essentially eliminate most vendors as they might not be able to meet the bid specs.. Accepting quotes allowed the vendors some flexibility in providing the up-fit cost.

Motion Darga, seconded by Price to waive the competitive bidding process and accept Cruiser's quote to up-fit the Police Department's two 2017 Ford Utility Police Interceptor vehicles in the amount of \$18,760. **Motion carried unanimously.**

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications

Darga spoke about her recent attendance at the SEMCOG general assembly meeting.

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 8:16 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

Ken Roth
Mayor

Approved as submitted: 5/1/17