

City of Northville
CITY COUNCIL REGULAR MEETING MINUTES
December 4, 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, Communications Director Liz Cezat, Assistant City Attorney Jeffrey Schroder, and two 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 Ekong, seconded by Price to approve the agenda and consent agenda as presented.

Approve City Council Minutes of: None

Receive Bills List: Accounts Payable Week of November 20, 2017

Receive Board and Commission Minutes: None

Receive Departmental Reports: None

Board and Commission Appointments:

- Youth Assistance: Reappoint Michele Fecht and Suzanne Lynn, terms expire 12/31/2020

- Economic Development Corporation: Reappoint William Demray, term expires 1/1/2023

- Board of Review: Reappoint Maureen Ryan, term expires 1/1/2021

School Tax Collection Fee

Motion carried unanimously.

NEW BUSINESS

**A. Contract Award
Parking Lot Snow Plowing**

Traditionally, the Public Works Department has handled the snow plowing of public parking lots in the City. To reduce overtime costs, in 2009 the City of Northville began bidding out this work and awarding it to the lowest priced qualified contractor. On November 1, 2017, the City of Northville received sealed bids as follows:

Xpert Landscaping and Snow	\$4,920
Franks Landscaping	\$8,360
Premium Lawn Solutions	\$8,440

City staff met with the low bidders, Xpert Landscaping and Snow, and Franks Landscaping, to determine its experience and ability to perform this work for the City. After holding these meetings, it was mutually agreeable with both Xpert Landscaping and Snow and Franks Landscaping that they were not able to meet the snow plowing expectations of the City. Both companies requested to withdraw their bids and the City allowed them to do so.

City staff met with Premium Lawn Solution and believes the company has the experience, manpower, and equipment sufficient to undertake Northville’s snow plowing program. The City Attorney has reviewed and approved the contract prepared for this program, and Michigan Municipal Risk Management Authority (MMRMA) has set the insurance requirements. All bids received were lower than what the City paid in 2015 and 2016 (\$11,250). Though Premium Lawn Solutions has a higher bid than the two other bidders, the bid is 30% less than what the City paid in 2015 and 2016.

City Council Comments and Discussion: In response to questions from City Council, Staff explained that for commercial projects, snow plowing is not a “per push” industry. Bidding the project as a “per push” contract for the entire season would result in higher costs. As such, the project was bid with a fixed component of four pushes, which is the average number of pushes the City uses in a snow season. The second low bid was not recommended as during the reference check, it was found that the vendor had a previous contract with a neighboring community that did not work out.

Motion Darga, seconded by Ekong to approve and award a contract for snow removal services in the amount of \$8,440 plus \$2,105 for each additional call out after four snow events for 2017 and 2018 to Premium Lawn Solutions of Ann Arbor, Michigan. Further, the Public Works Director is authorized to sign said contract on behalf of the City. **Motion carried unanimously.**

**B. Contract Award
Transportation Services for 2018 Ski and Snowboard Club**

The Ski and Snowboard Club is a popular winter program for the Northville Parks and Recreation Department. Annually, over 200 middle and high school age participants join this weekly program, which transports participants from the Recreation Center at Hillside to the Mount Brighton Ski Area.

Parks and Recreation solicited transportation service bids for the 2018-2020 Ski and Snowboard Club seasons, using the MITN (Michigan Intergovernmental Trade Network) site. Four bids were received and a bid tabulation was provided to City Council.

Trinity Transportation was the lowest bidder for motor coach transportation services for all three years at a rate of \$599 per motor coach in the first year, with a \$100 cancellation fee and a \$250 turn-around fee. Year two, Trinity has a rate of \$617 per motor coach, with a rate of \$635 for the third year. The \$100 cancellation fee and \$250 turn-around fee remained the same throughout the three years of the contract. Trinity has been providing the Northville Parks and Recreation Ski and Snowboard Club transportation for the past nine years. Their service has been professional and reliable throughout this tenure. The direct costs for the Ski and Snowboard program are paid by the participants, and the program registration fees include all transportation expenses.

Motion Darga, seconded by Ekong to accept the bid from Trinity Transportation of Wyandotte, Michigan for transportation services during the 2018-2020 Ski and Snowboard Club seasons at motor coach rates of \$599 per motor coach in year one, \$617 in year two, and \$635 in year three, with a \$100 cancellation fee and \$250 turn-around fee each year. **Motion carried unanimously.**

C. Contract Award Redesign of City Website

To improve the City's communication, access and image, City staff proposed to upgrade design of the City's website. The new website will incorporate new technology standards that improve functionality, enhance viewing options, offer better photo images, and intuitive navigation. The advertised Request for Proposal noted the following improvements the City seeks to achieve in the website redesign:

- Be easy for users to navigate and find information
- Be organized and efficient, using intuitive design techniques
- Present an attractive, contemporary format that displays some of the City's historic graphic elements
- Include a contact management system that is easy to maintain internally, with outside support as needed.

An internal Website Committee was established to guide the website redevelopment process. Eleven proposals were received. The proposals were evaluated and the five proposals which fell under \$26,000 were reviewed by the Committee. The Committee focused on the two lowest bidders: the current vendor, Muniweb, and the second low bidder, CivicLive. The Committee observed live demonstrations from both finalists, and viewed several municipal websites designed by the two vendors. References were checked and a post presentation review was conducted by the Committee.

CivicLive was chosen as the recommended vendor based on their nationwide experience, design capabilities, ease of use, leading edge technology, value of product and service, and security. The contract was provided to City Council for consideration. This contract was reviewed by the City Attorney and the City's insurer.

City Council Comments and Discussion: City Council commented on the functionality goals for the redesigned website. Customized forms that allow direction submission to a specific Department directly from the website is viewed as a customer service improvement. City Council also hoped to see improved research capabilities, especially with the zoning ordinance. In response to questions from Council, Staff explained that each staff member responsible for content management will have their own unique user id. This helps in creating an audit trail for updates.

In response to a question from City Council, Staff explained that the content management system is transferable to a new website vendor should CivicLive go out of business. The current website will

remain live until the new website is ready to launch. Content transfer from the current website to the redesigned website will be done by CivicLive.

It was pointed out that, after being selected through the RFP process, CivicLive submitted its own agreement to the City. The City Attorney has had lengthy negotiations with CivicLive to make changes to the agreement that were more favorable to the City and more in line with the RFP indemnification and insurance requirements. While the indemnification section was revised, CivicLive would only increase the limitation of liability from the contract price to \$72,000. This amount is significantly lower than the standard \$1M. Should City Council accept the liability limitation, this would be for the life of the contract for any type of claim or potential liability.

Discussion ensued pertaining to the liability requirements for the current website vendor (uncertain, but believe to be the standard \$1M), belief that a data breach risk is improbable as the new website will be hosted on multiple servers owned by CivicLive, and the City uses a third-party vendor for accepting card payments through the website.

Motion Darga, seconded by Ekong to award the website redesign contract in the amount of \$16,400 including on-site training to CivicLive and authorize the City Manager to sign the contract with West Interactive Services Corporation (CivicLive). **Motion carried unanimously.**

D. Revised Easement Agreement 158 - 160 E. Main

In October 2007, the City acquired a Permanent Easement Agreement from the owners of 158- 160 E. Main Street, The Main Street Group. The purpose of the Easement Agreement was to allow the City to install, maintain, repair, alter, replace, inspect and operate a cable system on the west wall of the building. The cable system was planted with vines that served to provide a green element to the Town Square design. The Easement Agreement prohibited the owners of the building from altering or demolishing the cable system or interfering in anyway with the operation of the cable system.

Earlier this year, the building at 158-160 E. Main Street was sold to Campus & Associates, LLC. The new owners will be operating a restaurant at the location and are in the process of making significant changes to the building that will allow for additional windows to be added to the west side of the building to better connect visually and physically with Town Square.

The project received Historic District Commission (HDC) approval on October 18, 2017, and will return to the Planning Commission for final approval on Tuesday, December 5, 2017. In order to accommodate the planned changes to the building, several amendments to the Easement Agreement were required. The changes included:

- New ownership reflected in the revised document.
- The revised documents allows the cables to be temporarily removed and the pattern altered per the designs approved by the HDC on October 18, 2017. The owners are required, at their sole expense, to remove and reinstall the cable system.
- The owners are required to replant the vines on the western wall of the building per the original planting plan dated April 23, 2007.
- The owners are permitted to remove the City's fence which serves as a screen to the rear of the building and install a new fence that will be part of an expanded enclosed area at the rear of the building. The new fence will be slightly taller to screen a cooler being installed in the enclosure. The new fence will be painted the original color and will be maintained by the owner, at owner's sole expense.

City Council Comments and Discussion: In response to a question from City Council, Staff explained that the City will not be pursuing a cross-easement with Campus & Associates. The owner no longer plans to add balconies to the exterior of the building that would extend over Town Square. Staff did not request an easement for the awnings that will extend over Town Square as the City does not have an easement agreement with other property owners whose awnings extend over City right-of-way.

Motion Ekong, seconded by Darga to approve the revised Easement Agreement and authorize the DDA Director to execute and record the agreement on behalf of the City. **Motion carried unanimously.**

E. Request to schedule a Closed Session pursuant to Section 8 (e) of Public Act 267 of 1976 relating to the matter of Dr. Thomas Prose v City of Northville, WCCC Case No. 2017-15338-AA, Hon. John Gillis, and, Section 8 (h) of Public Act 267 of 1976 relating to privileged attorney-client communication to the Mayor and City Council from Assistant City Attorney Jeffrey Schroder dated November 21, 2017.

Motion Ekong, seconded by Price to recess the regular meeting and go into Closed Session pursuant to Section 8 (e) of Public Act 267 of 1976 relating to the matter of Dr. Thomas Prose v City of Northville, WCCC Case No. 2017-15338-AA, Hon. John Gillis, and, Section 8 (h) of Public Act 267 of 1976 relating to privileged attorney-client communication to the Mayor and City Council from Assistant City Attorney Jeffrey Schroder dated November 21, 2017. **Roll Call Vote. Yes: Darga, Ekong, Giesa, Price, Roth. No: None. Motion carried.**

Meeting recessed at 7:42pm. Meeting reconvened at 8:13pm.

MAYOR AND COUNCIL COMMUNICATIONS

A. Mayor and Council Communications None

B. Staff Communications None

Being no further business, the meeting was adjourned.

Adjournment: 8:13 p.m.

Respectfully submitted,

Dianne Massa, CMC
City Clerk

Ken Roth
Mayor

Approved as submitted: 12/18/17