

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, OCTOBER 25, 2021 AT 7:00 P.M.**

Mayor Gatt called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Crawford, Fischer, Maday, Mutch

ALSO PRESENT: Peter Auger, City Manager
Victor Cardenas, Assistant City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 21-10-138 Moved by Crawford, seconded by Casey; CARRIED UNANIMOUSLY

To approve the Agenda as amended.

Roll call vote on CM 21-10-138 **Yeas: Staudt, Casey, Crawford, Fischer, Maday, Mutch, Gatt**
Nays: None

PUBLIC HEARINGS: None

PRESENTATIONS: None

MANAGER/STAFF REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Mary Pohlod said she lived in Country Place Condos. She was appointed to the Board of Country Place last November for a three-year term. She was there on behalf of her neighbor. She said he lives near the access road that goes into the waste area by Court C, in Country Place which is a City road. She had photographs to share with City Council showing the condition of the road. She said she was appalled at what she saw last week. She mentioned that the residents come before the Board every time and since she has been on the Board, and he has been to the City Council and not one helps him. She stated the road is a 10-foot road and they drive a 12-foot truck through it when they come through to the waste area. She highlighted an area where they have marked, and someone has already tripped on the road, and they sprained their ankle. She was really concerned for the City of Novi if someone hurts themselves on this road. She understood that there is a road that the City could put coming in here that is 50 feet, rather than coming through Country Place. She said the man that comes in all the time, his yard is destroyed, and a tree has been taken down. She hoped somehow, they can fix this road. Thank you.

Kelley Moote, 20916 E. Glen Haven Dr., Northville said she lives in Court C in Country Place Condo's. She came to voice here concerns with the repair of this drive that she walks down daily. She said this started on June 13 or just before that these giant trucks came down and cracked the road. She explained that her front door is just around the corner, so she must walk down this road every day. She said the man that the previous speaker spoke about is 88 years old, and they cracked his front step, now it is just gravel. She stated they received a letter saying that repairs would begin in the beginning of October, and here we are the end of October and all that has been done is that it is marked. She worried about the safety of the service drive, especially once it starts to get slippery with snow and ice. She hoped that proper repair will be done so that this will not happen again. She said the trucks are getting bigger. Thank you all for doing everything you do for our community.

Kathleen Mutch, 24541 Hampton Court, Novi said she and her husband, Charles Mutch wanted to say, "Thank You". She said as a child in a military family she was born in California and lived in many places around the country as she grew up, but for virtually her whole adult life she has been a resident in Novi. She was pleased to say that Councilmember Andrew Mutch, their son, has been a lifelong resident of Novi and has contributed in so many ways as a member of numerous boards, committees, and commissions, representing fellow residents in positions of responsibility at the local, county, and metropolitan level. She said when Andrew married, he and his wife Wendy, chose to remain in Novi, investing in the preservation of a historic house and came to know the history of Novi and its role in the development of this part of Oakland County. She said they are engaged in the community in several ways, not just as property taxpayers. She stated Andrew took the responsibility of being an elected member with the City Council very seriously. She said to prepare for City Council meetings, he did not rely on developers' proposals of benefits or ready only the packets of information provided by City staff although both were considered and not ignored or left unread. She said he would go to sites proposed for development to see what the benefits, losses, risks, or costs to the other residents might be, he listened to residents' concerns and represents even presents in public meetings, whether he agreed with the residents' opinions or not, the point of view residents have shared with him. She said Novi residents, even those who do not agree with him on all issues, appreciated his commitment to serving our community. She said he was respectful of others and did not base his Council votes on potential or personal political gain. She said for this, he in turn, is respected by so many Novi residents who have shared their concerns with him, even though some of them might not agree with him on anything else. She stated as voters, she and his father will miss having his name on a City Council ballot, but as a resident she hoped he has plans to find ways to continue to contribute his knowledge and experience in conversations or meetings with others who share his values and commitment to the community of Novi. She stated the "Thank You" that she began with, that is not for Andrew, he knew what they thought. She said it is for the many voters from all over Novi who have supported him in so many ways during the 16 years he has served on the City Council. She welcomed this opportunity to acknowledge and thank them for caring enough about our community to be voters, even candidates, not just residents. She said each is contributing and making Novi the best place to be.

Mayor Gatt thanked Kathleen Mutch and added that toward the end of November, he did not have the exact date, the City of Novi has a special day planned to honor Councilmember Mutch and any other Councilmembers that have served and will no longer be serving.

Margaret Schmidt, 25377 Wixom Road said she lived on a little farm in Novi. She said she was there that evening to honor her friend Andrew Mutch. She stated her relationship with Andrew has not so much been face to face, but instead a relationship filled with emails and messages. She said she sent Andrew her first email on April 20, 2008. She said it focused on the work our group was doing to save the Fuerst Farm which was the first of many a long list of emails and messages almost like it was 9 am time, time for a cup of coffee and my morning interaction with Andrew. She said her emails really took off when she discovered garlic mustard in our woods, and she entered the world of invasives, a world that continues to be part of her everyday life. She stated back in February of 2009 she was trying to put together a learning experience for the high school science club. She stated it involved the City and the school. She was not getting any cooperation and was keeping a diary. She stated on February 21 she made an entry which was long but ended with this. She said Andrew Mutch emailed her and said he was going to check into a few things and thought what she was doing was important. She said Andrew is always concerned about the environment and is the one you can count on, she believed something would be accomplished with this project. She said she was not sure what part if any, the Council will play, hard nut to crack, except for Andrew. She said February 16, 2012, her emails took off in another direction. She said they were about the retention pond between the middle school and Wixom Road. She said she was extremely upset that it was being drained and she explained to Andrew what was going on, she said that day along they went back and forth six times with emails. She said Andrew agreed to meet her at the school and have a look. She said emails about this issue went on from February to November, and in the end, nothing was really resolved, but Andrew was constantly beside her sharing his expertise and giving her his time. She said she was only one person, but he never made her feel like it was an intrusion or showed frustration. She believed that was one of Andrews best qualities. She stated her emails continued and on, and March 26, 2021, she sent an email. She asked if he could look at a problem existing in Island Lake and listen to her issue about the City's conservation areas, she said they walked on the trails. She stated April 21 she found out that Andrew was retiring, and her first reaction was oh, no, she was so sad, but she understood. She said he started out as a citizen activist, and he was sure she was not going to stop hearing his voice for the right things.

Rob Mutch, 21552 Chase Drive mentioned his mom did a great job covering Andrew's participation. He said when he looked back, his first commissioner board was as a freshman in college. He wanted to thank him for all the years of dedication and support for his wife and three kids. He said it has made Novi such a great place to raise his family.

Rachel Sines, 2219 Austin Drive wanted to recognize and personally thank Andrew for his service to the City of Novi for the last 16 years. She stated his preparedness, attention to detail and genuine concern did not go unnoticed. She said she has sat in this room and

watched in awe as Andrew advocated for the residents. She watched as he took the time to listen to each person and made their issues your own. She said she watched as he fought for matters that were important to the City and the environment and saw his dedication to making Novi the great place it is today. She said this is a day she hoped would never come as a city, losing such an asset. She said he will be missed. She thanked him again for all that he has done.

A resident from Farmington Hills, MI thanked City Council for giving him the opportunity to speak here. He said he was a volunteer with the Hindu Swayamsevak Sangh (HSS) or Hindu Service Society, a tax-exempt charitable organization which promotes self-discipline, self-confidence, and spirit of selfless service for humanity through its structured value-based education program for children and adults. He stated the HSS operates in about 220 chapters in 32 states nationwide and includes three branches here in Michigan, one in Novi, and two others in Canton and Troy. He said they say hard times reveal true friends and we have seen hard times since March of last year and our entire world, including the United States has faced unprecedented challenge of COVID-19 with locally declared emergencies and business activities all grounded. He said immediately after the pandemic hit, they did this along with other likeminded organizations during this time while observing social distance and other CDC suggested guidelines and practices. He said when the pandemic hit, masks were not easily available, our volunteers got all their sewing machines out from storage and they did 3,000 masks and distributed to Beaumont Medical, St. Joseph Mercy, including many other needy families and Gleaners. He said they served 1,200 food care packages; each package consists of \$30.00 worth of items. He said they donated to Sterling Heights low-income families, Flint downtown homeless, Detroit downtown homeless, and Wayne County seniors. He said they served 1,000 meal boxes: each meal box cost around \$10.00. He stated they donated those to frontline workers, hospitals, and clinic. He said they are humbled and grateful that we could help our neighborhood and the needy people in the community, they are ready to help our community if any future need arises. God bless.

Vijay Venugopal, 43364 Ashbury Dr., Novi said he has lived in Michigan for mor than 20 years, and in Novi for more than five years now. He thanked Andrew for all his work, and all his services. He stood there that evening, first, to express his heartfelt gratitude for proclaiming October as Hindu Heritage Month. He thanked Dr. Sanghvi for the efforts, he appreciated it from the bottom of his heart. He expressed that he was standing there also with great concern regarding how some elements today in the society are bent on demeaning this culture and would like to bring to your attention that there had been a concerted effort to tarnish this heritage with the planned-out approach by falsely spreading the Hindu phobia and Hindu hatred in various public and social platforms. He said recently, in our very neighborhood, some of these elements stood on some city council podiums like this, to realize some baseless allegations and spew hatred by linking many of the pristine Hindu organizations like one for example that the previous speaker was talking about earlier, and Indian Government to Malays and even went on to link them to the Nazi regime. He said whereas, these Hindu based organizations are talking about the mantra, Sarve Bhavantu Sukhinah, which means everybody should be happy. He said as you all very well know, India has a very vibrant and largest democracy in this

world as well. He gave him deep pain to say the least while we celebrate our Hindu Heritage Month here, as the Hindu minorities in Bangladesh are being killed and temples destroyed just a week ago, during the auspicious year celebrations of one of the greatest festivals thus era. He asked that people be aware of any statements or propoganda that these groups make and try to fact check and not let them spread hatred and phobia, that they are so bent on spreading. He stated that clearly, these people have the financial backing, and are quite organized. He said they have the capacity to travel all over the country, spreading the hatred, and frightening people. He said it has become very apparent by their statements that they do not provide any facts, but rather make false claims and propoganda, just to get some points in social media and get the attention in the social media. He asked that people research the mantra, Sarve Bhavantu Sukhinah and verify what it means, and you can find the fact if Indian Government was indeed selected with the two thirds majority, and make sure that you know the facts about killings in Bangladesh. He said he was not speaking without the facts. He thanked Council for giving him the time to speak and left with one thought, which is very predominately used in our heritage and culture which is Shanti Shanti Shanti, which is peace, peace for everyone.

Brian Smith, 41516 Fawn Trail, wanted to give Andrew some accolades. He said he has known Andrew for 20 years. He said they first met a bunch of mountain bikers and Andrew tried to save part of a park. He said since then, he has watched Andrew's career as he proceeded on to various Boards and Commission in Novi and then 16 years of service on City Council. He said Andrew was going to be a hard act to follow for anyone who sits in that chair. He said he would be missed. He noted that Andrew set a very high bar for standard of service to the City.

Mark Alafita, 42844 Cardinal Way, Novi said he wanted to jump on the Andrew Mutch celebration train. He stated that over the last six months, he has knocked on hundreds of doors here in Novi, no reason, just something he liked to do and talk with people who are living here about what is going on in Novi. He said one name came out more than any other name, and that was Andrew Mutch, and it was usually followed by things such as he was an individual with integrity. He asked what we are going to do? Why is he retiring? He recalled that Andrew helped him in the past and it became evident to him very quickly of the impact that you have had in the 16 years that you have been here, and legacies are not made overnight. He said they are not made by accident, there are no flukes or aberrations, they are deliberate. He said they are based upon the actions and what we say, what we do, and certainly more of what we do. He said what became very evident to him was, you are leaving a legacy. He thought the great legacies are the ones that hold on to the common good, they try to help people instead of the individual. He said hearing from the people here in Novi it is very evident to me what you are leaving is a great legacy.

Ajay Raman, 50749 Chesapeake Dr., Novi said he wanted to take a few minutes to recognize Member Mutch. He asked Andrew a rhetorical question on what he was going to do with all his free time on Monday nights. He said as you have already heard form everyone there that evening, he thanked him for his 26 plus years of service to our

community, but for being the quintessential professional by always demonstrating grace and civility. He thanked him for being a good listener and getting around the noise and focusing on what is most important to the people in Novi. He thanked him for advocating on behalf of our residents and always doing what he believed was right. He stated that as far back as he could remember he had been an information pipeline to all things Novi. He said whether it is your response to a resident concern next door educating the public about a city initiative, or just being the friendly voice of reason on social media, he is always there to communicate and be a community liaison, which is what he came to appreciate more and more over time. He personally has been down the road of campaigning for office, he understood on an entirely different level, just how much time and energy and commitment are involved in being a part of city government. He stated that 26 years of service to Andrew's credit is a true testament to his dedication to the City. He personally had a whole new level of respect and appreciation for what you have given of yourself to the City of Novi. He said on behalf of himself, his family and those there that to celebrate you, thank you for all that you have done and hopefully we will continue to do from Novi moving forward. He hoped that if given the opportunity next week, he will be able to continue leading by Andrew's dedicated example. Thank you again for your service and all the best in your next chapter.

Gwen Markham, Oakland County Commissioner for this district. She said she was there that evening to present a Proclamation from the Oakland County Commissioners Board of Commissioners honoring Andrew Mutch. She read the Proclamation for Council and the audience. She said she first met Andrew in 1996 while she was serving on the Planning Commission, and as an interested young citizen of about 23 years old he would show up to the committee meetings with maps and historical information and stuff about the environment. She stated we could credit Andrew with the original idea for the ITC trail that runs from the Sports Park at 8 Mile Road and Napier up to 11 Mile Road. She said he had a vision about the year 2000 and it was his vision and work that brought other along to help the City make it happen. She said she has attended countless outdoor service projects here in Novi and Andrew is always there whether it is the Rouge rescue, pulling garlic mustard out of Lakeshore Park, tending the monarch waystation at the Novi Library. She said his mark has been left across Novi in the parks and green spaces, wildlife habitats, and within our ordinances that created the sidewalks and the woodland protections. She said Andrew is a good friend, one of her mentors, and someone she was grateful to have met right after she came to Novi. She thanked Andrew for their friendship and his service to everyone.

Kelly Breen, State Representative, 242 Linhart, Novi said we can all agree that Andrew is still going to be constantly driving around the City noting things that could be fixed or done better, or things that are really awesome that people should take notice of. She said she was sure the City staff can still expect requests for information and helpful suggestions on how things could be improved. She said there is little she could say that has not been said already, especially by his mother Kathy, who has obviously done an incredible job as a parent. She wanted to personally thank Councilmember Mutch for not only being one of her close friends, but an incredible mentor. She said it was not just her, but so many people here in Novi that want to learn more about how to be a good

public servants and stewards of our incredible community. She said she had a tribute signed by Governor Whitmer, and Lieutenant Governor Gilchrist, Senator Runstead, Senator Polehanki, and State Representative Matt Koleszar which are the latter two who represent Northville in Northville schools which are part of our community as well. She summarized that Andrew followed in the footsteps of his mother who previously served on City Council, but he was appointed at the ripe age of 22 years old in 1995, to the Housing and Community Development Committee, and then went to the Library Board, the Planning Commission and made his debut on City Council in 2005. She said he served on too many committees to count to include acting as Chair for the Finance Committee at SEMCOG, and always an advocate for parks sidewalks and trails. She stated that Andrew has left his footprint on so many nearby landmarks to include the ITC Trail, Pavilion Shore Park, Lake Shore Park, Villa Barr Art Park, and he has left the effort to preserve permanently over 50 acres of parkland. She said serving local government is a glorious burden. It is an honorable endeavor, and she had the pleasure of serving with many of you before and she thanked them all for their work on behalf of the City. She said many good things have come from the work that you do and the willingness to come together for the better of the community. She stated that Novi has been fortunate to have Andrew since even before 1995 and his work with all his colleagues and of his own volition will leave an incredible community for generations to come. She said she was going to hang on to this tribute for Andrew, which details even more of his accomplishments until after the meeting. She did not want him to get distracted by the many words of praise on it that he rightfully deserves. She said from the thousands of people that he served, thank you, Andrew.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 21-10-139 Moved by Fischer, seconded by Staudt; CARRIED UNANIMOUSLY

To approve the Consent Agenda as amended.

- A. Approve Minutes of:
October 11, 2021 - Regular Meeting
- B. Approval to purchase one (1) unmarked vehicle for the Novi Police Department from Signature Ford through the State of Michigan purchasing contract, in the amount of \$34,231.00.
- C. Approval of an annual maintenance contract with ICS Integration Services LLC for assistance with the operation and maintenance of the City's water and sewer SCADA system, in the estimated annual amount of \$43,650. The contract term is three years.
- D. Approval to purchase one 2022 Ford Transit 350 and retrofits from Signature Ford through the Macomb County Cooperative Purchasing Contract, in the amount of \$57,244.

- E. Approval to accept the residential streets as part of Tollgate Woods Phase III and adoption of Act 51 New Street Resolution accepting Wilder Court, and a portion of the following roads – Holmes Road, Steinbeck Glen, and Wolfe Pass as public, adding 0.58 miles of roadway to the City's public street system.
- F. Acceptance of a Tree Preservation Easement from Cambridge of Novi, LLC for preservation of woodland trees being offered as a part of JSP21-12 Terra Phase 2, for property located north of Nine Mile Road and east of Napier Road, in Section 29 and 30 of the City.
- G. Acceptance of a Wetland Conservation Easement from West Park Investors, LLC, on behalf of BC Novaplex LLC, for preservation of a proposed wetland mitigation area being offered as a part of JSP19-24 Innova Apartments (Novaplex PRO). The off-site mitigation area is located on property south of Grand River Avenue and west of Providence Parkway, in Section 17 of the City.
- H. Approval of recommendation from the Consultant Review Committee to exercise the renewal option for 2022 for General Legal services to Rosati, Schultz, Joppich, and Amtsbuechler P.C. and on January 1, 2022, increase the hourly rate to partner from \$145 to \$160 and Associates from \$135 to \$150
- I. Approval of recommendation from the Consultant Review Committee to award an extended contract to the Baker Legal Group for a one-year contract for Prosecutorial Legal services with adoption of the associated fees and charges, effective January 1, 2022, subject to final review of the form of agreement by the City Manager's office and City Attorney.
- J. Approval of recommendation from the Consultant Review Committee to award an extended contract to Shifman Fournier for a three-year contract for Labor Relations and Employment Law with the adoption of the associated fees and charges, effective January 1, 2022., subject to final review of the form of agreement by the City Manager's office and City Attorney.
- K. Approval of claims and warrants – Warrant 1094

Roll call vote on CM 21-10-139

**Yeas: Casey, Crawford, Fischer, Maday,
Mutch, Gatt, Staudt
Nays: None**

MATTERS FOR COUNCIL ACTION:

- 1. Approval of resolution to authorize Budget Amendment #2022-2**

CM 21-10-140 Moved by Staudt, seconded by Casey; CARRIED UNANIMOUSLY

Approval of resolution to authorize Budget Amendment #2022-2.

Roll call vote on CM 21-10-140

**Yeas: Crawford, Fischer, Maday, Mutch, Gatt,
Staudt, Casey
Nays: None**

- 2. Consideration of approval to award a service contract to Ferguson Waterworks, through the Oakland County Cooperative Purchasing Contract, for the replacement of residential water meters (Phase 3 and 4) as part of the City's initiative to implement an Advanced Metering Infrastructure network, in the amount of \$1,891,380.67.**

CM 21-10-141 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY

Approval to award a service contract to Ferguson Waterworks, through the Oakland County Cooperative Purchasing Contract, for the replacement of residential water meters (Phase 3 and 4) as part of the City's initiative to implement an Advanced Metering Infrastructure network, in the amount of \$1,891,380.67.

Member Mutch wondered what the timeline that residents would expect to see that these meters would be replaced. DPW Director Herczeg replied that we are currently in Phase 2, Phase 3 and Phase 4 are currently being approved. He said with the COVID pandemic we were interrupted. He explained the timeline is appointment based, but we are confident in the next 6 to 8 months we should have it all wrapped up. He said it depends on appointments and hopefully not a regression with any of the COVID situation.

Roll call vote on CM 21-10-141

**Yeas: Fischer, Maday, Mutch, Gatt, Staudt,
Casey, Crawford
Nays: None**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

MAYOR AND COUNCIL ISSUES: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:35 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: November 8, 2021