

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 25, 2014 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

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, Fischer (absent, excused), Markham, Mutch, Wrobel

ALSO PRESENT: Victor Cardenas, Interim City Manager
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 14-08-134 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY:

To approve the Agenda as amended, with the addition to item B, to discuss confidential communication from legal counsel.

Roll call vote on CM 14-08-134 **Yeas: Staudt, Casey, Markham, Mutch, Wrobel, Gatt**
Nays: None
Absent: Fischer

PUBLIC HEARING

1. Establishment of an Industrial Development District – Northeast corner of M-5 and 13 Mile Road

Public hearing opened at 7:02 p.m. No audience comment, closed at 7:03 p.m.

PRESENTATIONS – None

REPORTS:

1. MANAGER/STAFF – None
2. ATTORNEY – None

AUDIENCE COMMENT – None

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 14-08-135 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as amended, with the addition to item B, to discuss confidential communication from legal counsel.

- A. Approve Minutes of:
 - 1. August 11, 2014 – Regular meeting
- B. Enter into Executive Session in the Council Annex for purpose of reviewing and considering the contents of applications for the employment of a City Manager **and to discuss confidential communication from legal counsel.**
- C. Approval to award engineering design services to Spalding DeDecker Associates for the design of the Eight Mile Road Pathway (Beck to west of Garfield Road) in the amount of \$42,119.
- D. Approval of Zoning Ordinance Text Amendment 18.269 to amend the City of Novi Zoning Ordinance at Article 12, "OSC, Office Service Commercial District", Section 1203, "Required Conditions" in order to permit Outdoor Display Areas in conjunction with a permitted General Hospital Use. **SECOND READING**
- E. Approval of an Appointment to Youth Council for a vacant position.
- F. Approval of the final payment to Fonson, Inc. for the Novi Road Pathway project (Nine Mile Road to Ten Mile Road) and 2013 ADA Compliance Program in the amount of \$17,620.49.
- G. Approval to award engineering design services to Spalding DeDecker Associates for the design of the West Road Rehabilitation Project in the amount of \$12,348.
- H. Approval of resolution to designate the Oakland County Emergency Management Coordinator as the Municipal Emergency Management Coordinator for the City of Novi and assign the Director of Public Safety/Chief of Police as the liaison to the Oakland County Emergency Management Coordinator.
- I. Approval to authorize the Interim City Manager to appoint a Director for the Parks, Recreation and Cultural Services Department.
- J. Approval of resolution authorizing the issuance of Limited Tax General Obligation Refunding Bonds, Series 2014.
- K. Approval of Claims and Accounts – Warrant No. 922

Roll call vote on CM 14-08-135

**Yeas: Casey, Markham, Mutch, Wrobel, Gatt,
Staudt**
Nays: None
Absent: Fischer

MATTERS FOR COUNCIL ACTION:

1. Approval of Resolution to establish Industrial Development District for Harman Becker Automotive Systems, Inc. at the northwest corner of M-5 and 13 Mile Road.

CM 14-08-136 Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:

Move to postpone a Resolution to establish Industrial Development District for Harman Becker Automotive Systems, Inc. at the northwest corner of M-5 and 13 Mile Road.

Roll call vote on CM 14-08-136

Yeas: Markham, Mutch, Wrobel, Gatt, Staudt, Casey

Nays: None

Absent: Fischer

2. Approval of Ordinance Amendment 14-97.03 to amend the City of Novi Code of Ordinances, at Chapter 4, "Amusements and Entertainments," Article III, "Pinball Arcades and Machines," in order to remove the requirement for an Arcade License (Division 2) and Machine License (Division 3) and to amend the remaining Division 1 (Generally) to delete references to "License" and "Licensee."

FIRST READING

City Manager Cardenas said the Ordinance Review Committee has presented this after there were some questions raised about our current licensing for Arcade Games. The ordinance needed to be updated. The Committee decided to modify the ordinance by nullifying the Arcade portion, but still includes references to utilize the Police Department to govern conduct and the age of patrons on the premises during specific hours of the day.

Member Mutch commented, as one of the members of the Ordinance Review Committee, they took the opportunity to modify the ordinance as a positive step for the City. They had discussed eliminating all three sections but after some feedback from the Police Department, they wanted to keep the first section in place. He also commented he would like City Administration to discuss with the Police Department about a couple of the provisions. For instance, section 4-64 talks about having a certified adult operator at the facility at all times. Member Mutch wasn't sure if that is currently and actively enforced. If it is not, maybe we can take it out of the ordinance. At the Committee level, they recognize that it may be a future discussion item, essentially, to decide what to do with minors when they should be in school. The Committee didn't want to discuss those provisions and hold up progress on the other two sections.

CM 14-08-137 Moved by Mutch, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve an Ordinance Amendment 14-97.03 to amend the City of Novi Code of Ordinances, at Chapter 4, "Amusements and Entertainments," Article III, "Pinball Arcades and Machines," in order to remove the requirement for an Arcade License (Division 2) and Machine License (Division 3) and to amend the remaining Division 1 (Generally) to delete references to "License" and "Licensee." FIRST READING

Roll call vote on CM 14-08-137

Yeas: Mutch, Wrobel, Gatt, Staudt, Casey, Markham

Nays: None

Absent: Fischer

3. Approval of budget amendment to recognize the increase in payroll, social security and workers compensation expenditures, for the Mayor and City Council associated with the charter amendment approved by the voters on August 5, 2014. The increase in Mayor and City Council costs will be offset by actual property tax revenue received in excess of budget estimates.

City Manager Cardenas noted that as the motion reads there were a lot of questions regarding how this Charter Amendment was going to be funded. This is completely revenue and expenditure neutral. We realized an increase in revenue that we didn't anticipate for this year's budget. Moving forward, budget amendments will now include a budget resolution.

CM 14-08-138 Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve a budget amendment to recognize the increase in payroll, social security and workers compensation expenditures, for the Mayor and City Council associated with the charter amendment approved by the voters on August 5, 2014. The increase in Mayor and City Council costs will be offset by actual property tax revenue received in excess of budget estimates.

Roll call vote on CM 14-08-138

Yeas: Wrobel, Gatt, Staudt, Casey, Markham, Mutch

Nays: None

Absent: Fischer

AUDIENCE COMMENT – None

COMMITTEE REPORTS – None

MAYOR AND COUNCIL ISSUES – None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – None

Approval to enter into Executive Session in the Council Annex for purpose of reviewing and considering the contents of applications for the employment of a City Manager and to discuss confidential communication from legal counsel.

CM-14-08-139 Moved by Gatt, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve entering into Executive Session in the Council Annex for purpose of reviewing and considering the contents of applications for the employment of a City Manager and to discuss confidential communication from legal counsel.

It was noted that Council was expected to return to open session.

Roll call vote on CM 14-08-139 **Yeas: Gatt, Staudt, Casey, Markham, Mutch, Wrobel**
Nays: None
Absent: Fischer

Council entered Executive Session at 7:10 p.m. and reconvened at 7:58 p.m.

4. Approval to interview candidates numbers 1, 2, 6, and 13 on September 9, 2014 beginning at 5:00 p.m. for the office of City Manager.

CM 14-08-140 Moved by Staudt, seconded by Casey; CARRIED UNANIMOUSLY:

To approve interviewing candidates numbers 1, 2, 6, and 13 on September 9, 2014 beginning at 5:00 p.m. for the office of City Manager.

Roll call vote on CM 14-08-140 **Yeas: Staudt, Casey, Markham, Mutch, Wrobel, Gatt**
Nays: None
Absent: Fischer

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:59 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: September 15, 2014