

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, OCTOBER 8, 2018 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 Breen, Casey, Markham, Mutch, Wrobel (absent, excused)

ALSO PRESENT: Pete Auger, City Manager
Victor Cardenas, Assistant City Manager
Thomas Schultz, City Attorney
Jeff Muck, Director PRCS
Charles Boulard, Director Community Development
Rob Petty, Chief Information Officer

APPROVAL OF AGENDA:

CM 18-10-144 Moved by Casey, seconded by Markham; MOTION CARRIED: 6-0

Roll call vote on CM 18-10-144 **Yeas: Staudt, Breen, Casey, Markham, Mutch, Gatt**
Nays: None
Absent: Wrobel

INTERVIEWS FOR PLANNING COMMISSION

PUBLIC HEARING:

1. Grand River Avenue Corridor Improvement Authority Development and Tax Incremental Financing (TIF) Plan

Public Hearing opened at 7:01 PM

Michel Duchesneau, 1191 South Lake Dr., Novi stated that he reviewed minutes from the three or four meetings that were held so far with the Committee regarding the Grand River Corridor Improvement Authority. It appears the establishment will allow leveraging the funds from Oakland County as well as others to help Novi pay for the Ring Road. That seems to be the priority, traffic is the biggest concern. The Ring Road can't be built quick enough. Currently the City ordinances allow a maximum of 5 stories and maximum of a building height of 65 feet. We are in the process of approving a 7 story building, 84 1/2 feet next to the freeway within the corridor. We should not allow 10 story buildings to be built along the Grand River Corridor. He felt we should limit to 7 story building, 85 feet. He said he was in support.

Public Hearing closed at 7:03 PM

PRESENTATIONS:

1. Villa Barr Art Park – David Landry, Novi Parks Foundation President

David Landry, President of Novi Parks Foundation reported on the development of Villa Barr and to invite everyone to the official opening on Friday, October 12 from 6:00 PM to 7:00 PM there is a V.I.P. beginning at 4:30 PM. He gave a brief history on Villa Barr and said it was the former home of world renowned sculptor, David Barr and his wife, Beth Dwaihy-Barr. The City purchased the home and 4 acres of property in 2012. At that time there were 29 large sculptures on the property. Mr. Barr donated 6 pieces of art to the City. It was our hope to develop this into an art park. They did a Life Estate through Mr. Barr and his wife. When they passed away in 2015 the City took sole possession of the property and began to develop it. The Novi Parks Foundation has donated \$70,000 for the development of the interior of the home which required updating. It was built in the 1970's and it needed egress windows, electricity and things of that nature to bring it up to code. The City of Novi has very generously been developing the grounds. The City obtained a grant from the Michigan Council for Arts and Cultural Affairs. The City has just completed developing accessible pathways throughout the 4 acres so it is handicap accessible. They installed a parking lot, bus loop, tables, benches, and interpretive signage. He couldn't express how pleased he was with the collaborative nature with this project. The City of Novi really has been wonderful. They have collaborated with the Novi Parks Foundation, The Michigan Legacy Art Park, Eastern Michigan University, Dennon Art Museum, and Marshall Fredericks Art Museum who all expressed interest and spent considerable time to develop the Artist in Residency Program. He explained that the interior of the home is one-half studio and one-half residence. The interior will be used for the Artist in Residency Program with three such programs per year in fall, winter, and summer. It would be approximately three month programs where we invite an artist to live on the property and pursue their art. At the end of their residency, they either donate or grant to the City of Novi on loan, a piece of art. He was happy to report they just started the second artist in residence. The first artist was in June which was Mr. Kaz McCue from the Michigan Legacy Art Park and he donated his time to organize the studio of David Barr to get it ready. He said just this week, their first official artist in residence, Ms. Patty Smith, from Interlochen; a sculptor is taking up residence. She will create a piece and leave it on loan. Mr. Kaz McCue has already left a piece of art on loan that he developed. This has generated so much interest that a local Novi artist, Ju Won Park contacted them. He is a music composer and he wants to work alongside with Patty Smith to create musical pieces that we can hopefully use with the interpretive. Mr. Park has volunteered to do this. The exterior is a public, passive park. The family of David and Beth Barr donated the remainder of all the art, an additional 23 pieces. The City of Novi was now the owner of 29 pieces of sculpture. This park has generated such interest, the Dennon Art Museum, which David worked with for many years, asked if they could acquire two pieces. The Barr family was very encouraging of this, and we donated two pieces. They are proudly displayed in Grand Rapids. It states they are donated by the City of Novi. He stated that Crystal Mountain, where Michigan Legacy Art Park is, created its own small David Barr respite park, a pocket park near the new condos. They were there for the dedication with the Parks and Recreation folks. They indicated it was donated by

City of Novi. We were contacted six months ago by the City of Farmington and they wanted us to loan them a couple pieces of art. We allowed them to acquire, on loan for one year, three pieces of art. They had to pay to move it there and back, and also insure it. This was at no cost of the City. He stated the point was that this is generating interest. This Friday is the formal public opening and he hoped everyone comes. Now the park, with pathways, will be accessible to everyone. The Novi Parks Foundation is continuing to brainstorm to solicit other funds so they can act on other ideas. He hopes that it will really take off.

Mayor Gatt said he was fortunate to be on City Council when this occurred. He wanted everyone to know that without Mayor Landry's hand in this, it would not have happened. Mayor Landry took control of this and met with City Officials and Council. Without his involvement, it would not have happened. It will generate interest all over the world eventually. He thanked him on behalf of Council and all of the residents. This makes Novi unique. He thanked him again for everything he has done. Mayor Landry said Jeff Muck and everyone in Parks, Recreation, and Cultural Services have been wonderful.

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT:

Dorothy Duchesneau, 125 Henning, Novi said a safer "Walkable Novi" means sidewalks and bike paths. The City requires developers/homeowners to install sidewalks for safety when new developments are in play. When South Lake Drive was rebuilt and realigned back in the early 2000's, many homes with tight front yards and limited lakefront depths ended up with only a one way bike path along the south side of South Lake Drive. No one wanted to give up their lakefront lawns. It was thought something was better than nothing. Wherever a wider sidewalk could be put, it was added in addition to the narrow bike path. Today, South Lake Drive is a highly used walking and biking path, especially with its connection from West Park Drive all the way east, to the recently added Pavilion Shore Park. She felt the current Lakeshore Park renovation is similar to doing a remodeling of an existing property that you are trying to bring up to code. Following that line of thought, doesn't it make sense to require that the Park also install a safe sidewalk on its own property for the same safety of its residents, especially in this area on that road. The road directly in front of Lakeshore Parks sits on a curve and a crest of a hill. Part of that is the underground tunnel that gives access to the beach. Part is the curve of the road that follows the bluff along the lake and with the location of the guard rail there is just nowhere to go. Anything that can be added to making an actual sidewalk, or even just making the bike path itself wider, at least along the city's own property, would reduce the dangers of the combined curve and cresting---bikers don't see cars until the last second, cars don't see joggers until the last second. Light poles may present an issue, but even if moving the light poles is a cost factor, it can't be that hard to move parts of the park fencing to where it should have been moved to allow a normal sidewalk in the first place along this stretch. Between the cresting and the curve of the road, a real sidewalk should have been installed when South Lake

Drive was redesigned. After all it is City property and the City should meet its own codes. When renovating Lakeshore Park, please find the dollars to add this item to the requirements, even if you have to make the new building simpler and smaller than the proposed 6200 square feet or if you have to leave some of that concrete parking lot unpaved as gravel.

Shelly Thomopoulos, 425 South Lake Dr. Novi mentioned the Villa Barr Art Park, she said she was excited about Friday, she will be there. She thanked the City and Mayor Landry, Parks and Recreation, and Cultural Services, it looks great and she was excited to see it. She also wanted to talk about Lakeshore Park and congratulate on a job well done. This proposal is an improvement. It does retain more of the upfront picnic area and park like feel when you enter. However, at the last meeting in June consistent with citizen input, they directed staff to look at a small building in the back. This does not meet this request. As to location, a location in the back where they propose a new shed would have the following advantage. A distance of 250 feet from nearest property line versus only 75 feet for Concept 3, it would be closer to sports field where many kid's camp activities do occur. An all season restroom associated with the building would be located closer to the all season biking and hiking trails as well as the downhill winter sledding and cross country skiing. It could leave existing beach bathrooms as summer season only facility at its current location. As to its size, the 6200 square foot building proposed exceeds the needs of a building that is focused on kids' camp and park activities. The parks director stated that a 15 square foot per camper is a requirement for licensing requirements, and with 100 campers this equates to 1500 square feet. The additional space for storage and restrooms suggest 3500 square feet. Her request is to reject Concept 3 and reiterate the request for a small building in back or if the location associated with Concept 3 has been approved, give approval to proceed with bid only if the building square footage does not exceed a size limited to kid's camp and public park activities. That also maintains park hours and all windows and doors face into the park away from its closest neighbors. The plan also must include heavy screening to protect neighboring houses both visually and for noise.

Rachel Sines, 2219 Austin, Novi said she was there to talk about Pavilion Shore Village. Back in July of 2017 the City Council approved changes to the Master Plan which increased density of their area from 3.3 units per acres to 7.3 units per acre without informing or including the residents. However Robertson Brothers was informed and involved of that process. She said the development is comprised of three separate parcels A, B and C. She wanted everyone to pay close attention to parcels A and C. The plan is for 21 single family homes. She said 21 homes are correct for each parcel if treated as individuals which they are. They are separated by streets. Parcel A is 1.3 acres, only 9 homes should be permitted. Robertson Brothers is proposing 8.5 homes per acre on parcel A and placing 11 homes instead of 9. The reason behind this is that it is less expensive to build an above ground detention pond, than the underground water system originally discussed. To do this they are moving 2 houses from Parcel C to Parcel A. She and her neighbors should not take on the extra burden of extra houses because it is less expensive for the developer. The City held workshop asking the residents for their vision on Pavilion Shore Village. The vision was country cottage concept would

blend in and enhance the existing neighborhoods. The same Master Plan that granted the increased density also mentioned preserving the feel of the area. Since Parcel A backs up to existing homes, hers included, it would be less invasive to the homes impacted by the development to have 1 - 1.5 story houses. Robertson Brothers has those types of homes. This would satisfy a number of issues in the Master Plan such on pages on 8 and 10 on the aging population and young professionals seeking smaller homes and smaller lots. Pages 40, 55 and 114 mentioned the preservation of existing neighborhoods and the way of life. The residents want to see as part of the results from Pavilion Shore Village workshop. At nearly \$500,000 the developer cannot say that this is a burden on them, but quite frankly each one sitting on Council that evening were put there to be the voice of the residents, not the developers. She can't imagine the City spending more than \$16,000 to consultants to get feedback from the residents and not use it. Please be our voice. Some neighbors support this plan and for that she is happy, they have come a long way from the 3 story monstrosities, but from someone that this directly affects she does not support the plan.

Gary Zack, 359 South Lake Dr., Novi said the current proposal for Lakeshore Park is better located because it preserves green space. This proposal is too large and expensive for a kid's camp. He would like to see it centrally in the park and the existing building used for the seasonal restroom and changing area for the beach. He had the following concerns with the way it's designed. He wondered what the intended use was for this building. The consulting firm suggested 4200 square foot for needs. What is justification to building a building that is four times the size of the existing building and 50 percent larger than the consultant recommended? The next is construction cost. The cost of the 6200 square foot building is to \$2.77 million or \$447.00 per square foot. He said research shows that a daycare center in Detroit cost \$191.00 per square foot to build on average. The consultant retained by the City said the cost to build a 4200 square foot building is \$672,000 or \$160.00 square foot. Why is the square foot construction cost over twice these amounts? The plan lacks the detail to approve it. Assuming the floor plan in the building and patio will be at the level of the existing building and parking lot there is a 10 foot drop between the volleyball court and the back patio. Would a retaining wall and fencing be needed to support this? He doesn't think there is enough detail to support this. Is it truly designed for kid's camp? The last design had a reception area which is not needed for a kid's camp. What we need is transparency and due diligence. The Mayor stated the Options A and B where too big and elaborate and the focus should be on park use and the children. This is what the residents also wanted, the Mayor and Councilmembers requested more information on the original proposals as well as additional proposals for building smaller than 6200 square feet. Why haven't they seen smaller building proposals as requested? Why are the new proposals not being presented to the public as they became available? He felt that posting the plan within the Agenda only three days before the approval meeting is not being transparent to it citizens. They have not seen justification at the building configuration, large size, and premium construction cost is needed for kid's camp use. He didn't believe some of the construction costs listed was needed in a kid's camp. He hopes that Council requests that Administration scale this project back to something more reasonable which meets the kid's camp needs and preserves the

Grand Ole Lady as the Mayor and residents requested. Please consider the issues faced by the local residents such as excessive traffic, noise, light pollution as well as the wishes of the residents to keep this park the beautiful natural place that it is.

Ginger Barrons, 24777 Glenda, Novi said she was there to talk about the park. Her biggest concern that evening was on the agenda after multiple meeting with residents and a lot of people coming out; you knew there was resident concern. To have it be found by residents as they are reviewing, rather than have it posted or noted somewhere she felt was sneaky. To anyone going for election or election of a higher office she felt they should keep that in mind. She didn't want to police them. They knew the residents were concerned. She asked them to postpone voting on the park that evening. The ones who are concerned don't even know it's on the agenda that evening. She was concerned about the size of the building. She expressed concern that the kid's camp that only serves a small percentage of the privileged few children who live in Novi who can afford to attend it seems excessive. When you think about how many will go to camp and how many live here in Novi it doesn't make sense. She was not buying if the 6200 square foot building was build, that we can't use it as a voting precinct. She has voted in churches smaller than this. She saw no reason that it couldn't still be used for voting. She had some concerns about it, she wanted them to postpone it and let the residents know it was on the Agenda.

Danielle Fasseel, 1185 South Lake Dr., Novi. She said that she came to address new plans for Lakeshore Park. She goes there multiple times per week with her daughter. She was also concerned about size of the building. For a children's camp for 8 weeks in the summer, she didn't see why building needs to be so large. She would like to see a smaller building. She was also interested in the fact that it would be possible to widen walking path in front of park. It's dangerous over the hill. She has friends that have two kids, with a double stroller, they take up the whole path and you can't get past them. She didn't feel safe. The most dangerous part is going over hill. She requested they widen the path to increase safety.

Maureen Zack, 359 South Lake Dr., Novi She said she came to talk about Lakeshore Park. She thanked them for moving the building away from the nice picnic hill. Either the new location or toward middle of park is better than on hill. Secondly the 6200 square foot building is the same size building as was presented in June 18 City Council meeting, Option A. This remains too large. She asked that they please size the building for park purposes only, kid's camp, restrooms, and changing rooms. She didn't want to see a community building. She was asking for smaller sized building to maintain the up north feel and to minimize traffic on South Lake Drive which already has a dangerous mix of cars, bikes and pedestrians especially in summer. In tonight's packet there was no breakdown of what the 6200 square feet contained. The June 18 Agenda Packet, the 6200 square foot included a 1260 square foot for vestibule, lobby and corridors for a kids camp. It also included 650 square feet for a multi-purpose room. Unless they have programmed for disabled children at the same time, an extra room is not needed. She felt that this should be modest building. It did not need to resemble a national park building. The construction estimate of \$2.8 million for a 6200 square foot is \$447.00 per

square foot. This is extremely expensive. If you have a 1500 square foot home, the construction cost at \$447.00 per square foot would be \$671,000, who would pay that? Her final concern was having restrooms open year round would be a plus for those that are sledding and also bicyclist's we use the park all year round.

Michel Duchesneau, 1191 S. Lake Dr., Novi stated that the building is still larger than the recommendation of 4,500 to 4,800 square feet from the previous meeting. He mentioned the bike path along the front of the park has not been widened. He said fiber optic cables are being installed, but there is no mention of adding WI-FI. His main concern that day was that the proposal did not include information and costs for adding a second entrance away from South Lake Dr. Parking is currently allowed along the 12 ½ Mile to Dixon Road curve. This is the south entrance to the park. He had two pictures to share with Council. One had been taken on June 19th around 2:00 PM. This was the day after the council meeting discussing the Lakeshore Park Proposal. People are currently using this area as a back entrance to the park. What is interesting is that the motorcycle has a bicycle rack on it as does one of the other cars in the picture. The second picture was taken the day before the council meeting around 2:00 PM and it likewise shows cars using this area as a second entrance. He had other slides that show the park from the perspective of the trails. People are using this area to get to the bike trails and to the park while they walk along the trails. The trails dwarf the rest of the park. According to Money Magazine "Weather permitting, residents gather weekly for a group bike ride at a park that borders Walled Lake, a favored destination in its own right." Please consider adding a gravel parking area for about 30 cars along 12 1/2 Mile Road to create a real second entrance.

John Tomopoulos, 425 S. Lake Dr., Novi said that his family will be the most impacted by the building. He appreciated that it was moved back. He considered what the risks to peacefully enjoying his house with the new building that might go in. The volleyball courts were put right next to his property without any consultation with them. It is what it is, it is a park. The proposal shows a patio that would face their deck, which is also where there kitchen table, is, so he had some concerns. As leaves drop, he has concerns about noise pollution and privacy issues. If you move forward, he would like consideration for screening and having congregation areas facing their house. If possible, move the patio to another part of building.

John Duneske. 357 S. Lake Dr. He wanted to address a few issues that we had discussed at the June 18 Council meeting. A lot has been said by the previous speakers. His comment was about the size since they requested it to be less than 6200 square feet. It was noted in the Agenda Packet that the background to locate building on same site as existing building. When you look at current location, the new building would not be there, but east and closer to fence line. He thought it would be a greater infringement on the resident's privacy, both viably and audibly. The residents understand that the building wasn't supposed to be leased or used for gathering ceremonies or celebrations, serve drinks, food as otherwise be interpreted as a banquet facility. Council should have this ordinance approved before voting on this that evening to

protect our City Charter and residents of this matter. He requested that Council would not vote on this item that evening.

CONSENT AGENDA REMOVALS AND APPROVALS:

- A. Approve Minutes of:
 - 1. September 24, 2018 – Regular meeting
- B. Approval of Resolution regarding Temporary Holiday Promotional Signage allowing temporary relief from Sign Ordinance from November 23 through December 26, 2018.
- C. Approval of the proposed City of Novi Emergency Operations Support Plan, supporting the Oakland County Emergency Operations Plan.
- D. Approval of the 2019 Suburban Mobility Authority for Regional Transportation (SMART) Municipal Credit Fund Contract and Resolution for the Older Adult Transportation Program in the amount of \$54,454.
- E. Approval of the final payment to JB Contractors, Inc., for the 2017 Pathways and ADA Improvements project in the amount of \$76,614.64, plus interest earned on retainage.
- F. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation cost of one (1) street light with two (2) light fixtures attached to one post at the entrance of Westminster Village on Haggerty Road, and approval of an agreement with the Westminster Village Homeowner's Association for the sharing of installation and ongoing operation costs per the City's Street Lighting Policy.
- G. Approval of a Non-Interference Permit with DTE Electric Company to construct a pathway within their easement, which is located on International Transmission Company (ITC) property as part of the ITC Corridor Regional Trail Phase 2.
- H. Approval of a Storm Drainage Facility Maintenance Easement Agreement (SDFMEA) from Pulte Homes of Michigan, LLC, for the Emerson Park project located on Novi Road to include parcels 22-22-400-019, 22-22-400-006, 22-22-400-007 and 22-22-400-020.
- I. Approval of the Aquasight Subscription Agreement between the City of Novi and Aquasight, LLC, for use of AURA, a water quality management and monitoring service.
- J. Approval of the City of Novi of Novi Sewer System Operation and Maintenance Agreement between the City of Novi and the Oakland County.

- K. Approval of the Walled Lake – Novi Wastewater Treatment Plant Wastewater Disposal Services Agreement between the City of Novi, Oakland County, and the City of Walled Lake.
- L. Approval to purchase a replacement Civic Center Campus 9mm LED Message Board, including refurbishing of existing sign faces, in the amount of \$27,806 from Veres Environmental Graphics and Signs.
- M. Approval to purchase a Southeast Michigan Financial Crimes Task Force vehicle from Berger Chevrolet Inc. in the amount of \$32,984 through the Oakland Country cooperative purchasing contract.
- N. Enter Executive Session immediately following the regular meeting of October 8, 2018 in the Council Annex for the purpose of discussing privileged correspondence from legal counsel.
- O. Approval of Claims and Accounts – Warrant No. 1021

CM 18-10-145 Moved by Mutch, seconded by Markham; MOTION CARRIED: 6-0

To approve the Agenda as presented.

Roll call vote on CM 18-10-145 **Yeas: Breen, Casey, Markham, Mutch, Gatt, Staudt**
Nays: None
Absent: Wrobel

MATTERS FOR COUNCIL ACTION

1. Consideration of a contract for as-needed Supplemental Building and Trade Inspection Services and Plan Review Services with SAFEBuilt Michigan LLC for three years with option for two additional years.

Member Pro Tem Staudt said this is something they have heard from the Community Development Department that this is extremely necessary and it's important that Council have a better idea. He hoped it would come through Consultant Review Committee so it would give them an opportunity to ask questions amongst people that proposed this. He expressed that this is an issue that affects a lot of people, especially a lot of employees with the workload that they have. He asked how much we expect to use them because this is the number one complaint that he hears from Community Development that we can't move work through the department. City Manager Auger said that we use SAFEBuilt quite a bit right now. He stated that Community Development Director Boulard was there to answer questions. City Manager Auger said that due to staffing concerns, the growth, and projects in the City, we have to augment our existing staff even if we are looking at future full time staff. Mayor Pro Tem Staudt asked Community Development Director Boulard about the feedback he has

been getting that we aren't getting projects through on a timely basis. He said they are pointing fingers at the Director and Planner that we are bogged down and aren't moving them through at the pace that is expected. Mr. Boulard said inspections are typically on a next day basis as long as they are called in by 3:30 PM. He said that sometimes they are a day or two behind. One advantage of having help is when we only have one inspector. We don't always have enough work to keep 2 people busy, but we can supplement that. We also have various reasons, such as medical, vacations, etc. Mayor Pro Tem Staudt asked if it will help planning process. Mr. Boulard replied no, it will not. Mayor Pro Tem Staudt thought that the planning process was one of the big roadblocks. He wondered if we are looking at something to help the planning process. Mr. Boulard said they have looked at a variety and will continue to look for ways to help the planning process. Mayor Pro Tem Staudt wondered what they need to do to help facilitate that to occur. The planning really needs to be shored up in terms of scope and speed of things getting done. He said for a while we had gotten to where we were proactive, but in 6 months, he was getting information back that its taking a long time. He felt it was good taking this action and he would make a motion. We need to move forward with planning assistance, we have to improve. Mr. Boulard said he understood that.

CM 18-10-146 Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Consideration of a contract for as-needed Supplemental Building and Trade Inspection Services and Plan Review Services with SAFEBuilt Michigan LLC for three years with option for two additional years.

Member Mutch said he was willing to support moving this forward, but he wanted to go on record with a few concerns. When this was brought forward to Council a few years ago it was budgeted and it was justified along the lines on what they heard that evening such as; we have shortages in staffing and they will supplement. That budget blew up in terms of the amount that was being spent. He felt that most of these costs are covered through developer fees so it doesn't directly impact City's bottom line. It did highlight to him that we didn't have a good handle on the level of activity that would be generated and we would be using services to cover. In the past we have justified that we didn't want to bring on more people internally because of legacy costs involved with that. He said that is not true anymore. He was not critiquing SAFEBuilt, but at a certain point we hit a volume of work and we need to re-examine if it makes sense to have some of those folks in house. He would like to see our City administration track this better. He stated that if you need to hire more folks to do work, whether it is in this area or the planning process then that needs to happen. Council sees this once a year or so, and it is up to the City Manager and City administration to manage these things. He said he is watching and this has been ongoing concern.

Roll call vote on CM 18-10-146

**Yeas: Casey, Markham, Mutch, Gatt, Staudt,
Breen**

Nays: None

Absent: Wrobel

2. Approval to enter into final design and bid of the construction contract for Lakeshore Park renovations to include a community building, approximately 6,200 square feet, to be located on the approximate location of the existing building.

City Manager Auger noted that Council has had this for a while now. City staff has revisited this and they think that they came up with a great location for it being a compromise between four different ideas. The reason the building is listed as 6200 square feet is because that is what is needed for recreation programming per staff. It includes the outside restrooms and changing areas for the beach area. It doesn't take into consideration other amenities such as a library machine that they wanted to put up there, but that could be added on during the process. If Council wants that designed in, it would be great as well. The building has not been designed to fit there yet due to fact that we have visited this a few different times. He said they are coming to Council so that we can put the architects on the path to design the building. The aesthetics of the building, last time we came up with the more up north feel, we didn't have any negative push back against that so it will probably be similar to that. A lot of the challenges in designing and moving a building around are that it's not as easy as picking up a block and moving it. It has to do with the topography; we wanted to improve the drainage in the park both for Shawood Lake and the run off that we are getting on the beachfront. A lot of the engineering and designing where it goes will have to do with three or four other items. Another issue is parking. To get the parking lot right we have to move the building so the parking flow works. That is all geometry and it offers challenges sometimes not always understood. He said they are requesting to move forward on this building. If we start and get moving now, we could see ground breaking in spring. What is important for the PRCS folks is they are planning for next summer right now. If this is a go for next spring we will have to find a place for the 60 children and programming for next year's summer camps because they will have to be moved. They will also be signing up pavilions on January 2 for the park. We will probably close down the park for the summer and allow the contractors to fly through there and get it done as fast as possible.

Mayor Gatt had a question regarding the library. The way he understood it was that Library Director Farkas wanted them to add a kiosk. City Manager Auger explained that it would be like a super vending machine. He said as far as the mechanical items on it and the access needed for it, he didn't know. He said he will task the architects to design as so. He said they have also talked about putting it closer to road. Those are details that have to be worked out if Council wants it. Mayor Gatt understood that there is only one other kiosk in the country. It is so new and innovative; the Novi residents will enjoy and take advantage of. He has been the biggest naysayer in this project because it was so big. He told Mr. Auger when he first showed it to him a year or so ago that he wanted something smaller. He stuck to 5000 square feet. In the political world, after meeting with staff, there is something called compromise. He said that Mr. Muck and Ms. Ringle have done a great job along with their staff. They don't do a lot of that elsewhere and they are trying to come together to move a project together that works

for 60,000 people. He thought 6500 square feet that includes the library kiosk is something he can live with. He knows the building there is dilapidated and run down. He said he will support this.

Member Casey thanked staff and residents for providing feedback and listening. She asked staff how far away the building was from the road. She also wondered how much greenery was going to be put in between the patio and road. Chief Information Officer Petty said it would be south of the volleyball court which is good marker, he wasn't sure how many feet. Mr. Petty said they have heard that the residents do not want to see the building from the road. They want to maintain the up north feel. He said they are looking to do adequate screening to accomplish that, but that area up there is being used for picnickers and we wouldn't want to impede on that. City Manager Auger said the other thing that wasn't on the drawing is what we heard loud and clear from the residents is that they think they can move the pathway off the road and more into the park and away from the roadway. He said they haven't done all the drawings on those amenities because we want to get down where the building is going first before we dispatch our crews out there to finalize all the details. Member Casey said from the drawing it looked like the playground was close to the road, she wondered how close it is to where the parking would start. Mr. Muck said that we have a lot of options when we start talking about the playground design. There are a lot of different barriers and buffers that can be placed between the parking lot and the structure they decide on. Member Casey said the last time they talked about this in June she signaled that she was close to being comfortable to the 6200 square foot building. She liked the location of the building and how it is positioned, she expressed that it was so much better. She will give approval, but wants to encourage that we are widening sidewalk. She would like to see what will be suggested for a barrier. The residents are concerned about that. She also wanted to ensure where we adjoin or abut residential, that we are screened at the same level as new construction. She wants evergreens to protect privacy of residents. She stated that she would like the library kiosk. She mentioned from past experience and past conversation with the Library Director that getting services to the north side are critical. She looked forward to that being designed into the building.

Member Mutch stated that we have been having conversations about the pathway along South Lake Drive. He thanked Ms. Duchesneau for bringing the issue up. He said going forward and putting the pen to paper to really start to flush out the details will be an element that will be important for him to see addressed. Residents have indicated the current set up with the hill needs to be addressed. He didn't say it wasn't safe, but the users don't feel safe. It is important that we address that. Another element he would like to see addressed in the plan would be the bike lane element into the park, it is an important feature. He said he would like to see something more protected in terms of using some of the break-away markers that we see in other communities. They have created more of a buffered bike lane effect. He is aware that there is limited space there so we cannot do a fully protected bike lane. It needs to be something more than paint. There are too many folks driving distracted, even driving through the park that we need to give a little bit more protection. It is important that year round

landscaping be in place. It has to be a mix of evergreens and deciduous trees and shrubs. It will need something that will fully screen the property line area. He said clearly the building location is better than where it was previously, but it does put it visually more into their backyards. It does have a different impact. He wanted clarity on the 6200 square feet that we are talking about in terms of the public uses. He went back and looked up previous detailing that broke down what the square footage included. He assumed the interior layout may be largely the same. Mr. Petty said they will revisit the interior because of the size of the library kiosk. The kiosk would need 20 feet x 10 feet x 7 feet, it's a large item to bake into the design. Keeping in mind the desire for internal and external restrooms, storage space for camp items, tables, chairs, janitorial closet that all go into the design. It will be revisited to ensure the flow is right. Member Mutch asked Mr. Muck what his expectations were on camp attendees for this in the future with the larger building. Mr. Muck replied that we max out at 60 kids and have 40 kids on a wait list. They want to expand those offerings and go up to 100 kids in the camp per day. Member Mutch asked if the room would be based on accommodating up to 100 kids. Mr. Muck said yes, day camp licensing requires a square footage per child. That is only looking at one room, that doesn't include bathrooms. They want an additional room in case you have someone with special needs, or having behavioral issues so that they can be separated. When you are running camp and it is a rainy day, you're putting 100 kids in one room, you need that second space. Member Mutch mentioned that a portion of space is indoor bathrooms and outdoor accessible bathrooms and a changing area for those people using the beach. Mr. Muck said those would be open year round. This would be for senior programs; we are maxed out at the Civic Center with the programs for the seniors. Many programs are running out of room. Member Mutch asked about the utility technology and storage space for Camp Lakeshore. Mr. Petty said they have already reached out to the local providers for the fiber optics. We want to be able to put cameras on the facility for the protection of the building itself, as well as the residents. We want to offer WI-FI free of charge to the citizens in and around the building, not the whole park. Member Mutch said the issue per square footage was raised and indicating that it was significantly higher than comparison costs. He wondered where this fell in perspective to some of the other City building projects, and if the number was high. Mr. Petty said the numbers are high, but they are high across the board. Our DPW building numbers are high, and so is the ITC building project. He explained that the market is currently saturated. We are trying to get the bids out early. One advantage to bidding in the winter is you can get on their schedules and you can lock in prices. Prices change, it is almost like a commodity, they change on a daily basis. Member Mutch said when you look at the numbers it does feel high to him, but he does realize with a small building you are not spreading the cost out across a large footprint. Member Mutch asked about the exterior design of the building and wondered if we are we looking at the theme and colors based on the national park design. Mr. Petty replied yes, that was correct. Member Mutch said that someone said it looked like a dentist office, but we've moved to something you would see in a state or national park. Member Mutch said in terms of questions and comments that he had he thought they covered it. He said he would support this going forward. He echoed the Mayor on the point that he made earlier on trying to find a design that works and satisfies as many

people as possible. He stated that he was in support of this project. He looked at all of the iterations and where building could go. They really responded to citizen feedback. The size of building has been scaled back significantly. He always said it wasn't about a specific number as long as we fit in what we want to do there at that site. Based on what was said, without going overboard in terms of size. He was comfortable with other uses, but this is the compromise that addresses most of the concerns that we have heard. Other changes were the pathway along South Lake Drive. Protecting the front of the park and preserving open space is a big change that we've made in responding to the residents and Council feedback. When he first saw it, he thought he could live with it. As he spent time there, he believed it was taking away a significant element of that park. The design of building has changed and he felt it looked less institutional. They shifted the parking lot impact away from residents to the west. He did mention a previous speaker who was concerned about the patio placement and the privacy in his yard. Member Mutch thought that we can look at shifting the location. Previously they were going to have giant retaining wall and parking cars practically coming up on their property. That is an improvement over the previous plan. Council really got staff to focus on public uses. When it was first talked about, things were mentioned that residents got very concerned about. They've tried to make it clear that this is for public uses in the park and focused on parks and recreation for people of all ages. Not just the Camp Lakeshore usage, but year round use where residents could benefit. The people who will use this the most are people who live in area. This will benefit and serve residents of north Novi and they will be users of it. He said many of them should be able to get there without driving which will reduce some of the road impact. He said that one of his concerns was how it would impact the natural resources. He thought this location relative to some of the other locations would have disrupted existing uses. He said it wasn't a perfect plan and wasn't exactly what he would have preferred, but it addressed as many concerns as possible. It was raised and has been an issue, the question of banquet facility language. The way it's designed, we need to resolve that issue. Our City Charter talks about it and we don't have anything that defines it. We need to fix it. Before opening the building, they will have to address the concerns.

**CM 18-10-147
(MAIN MOTION)**

Moved by Mutch, seconded by Staudt; NO VOTE TAKEN

Approval to enter into final design and bid of the construction contract for Lakeshore Park renovations to be located on the approximate location of the existing building as presented in Concept Plan 3; to include addressing the pedestrian pathway along South Lake Drive and improvements to creating a protected bike lane into the park and addressing the landscaping along the east side of the park adjacent to the existing residential homes.

Member Breen thanked City staff for being so responsive. She thanked the residents who spoke. Her concern was safety and traffic. She said she could not emphasize enough that it is not safe. You have to walk on the neighbor's lawn; their backs are to the speeding traffic. She wanted to make sure they take all measures they can to make it wider and ensure everyone is safe. One thing we haven't talked about is getting

something small on the beach such as a small changing area/rest room so that they don't have to hike back through the tunnel, she would like that considered. This isn't part of the park construction itself, but she suggested pickle ball because the Korean population likes to play that. Also the Rouge River itself gets a lot of muck and debris. She wanted to make sure as we go through the construction that we don't neglect other areas of the park that need to be maintained. When she looked at the plan for the playground, there was a tot park right in between a pond and a parking lot and she was very concerned. She said whatever happens with playground, it's a bad idea to have a tot park between a pond and parking lot. She wondered if they are talking to neighbors on both sides of the park about the vegetation for screening and privacy screening. Mr. Petty said they have not had any input from the neighbors on the west side. They have beefed up that area; they are not changing the entryway on the west side. Member Breen said she has spoken with some of them on the west side and they had some vegetation cleared out and they said the City came by to cut down some trees. She said if we further delay the decision we are going to delay fixing some of the problems that the folks are experiencing on both sides. She thought whether it has something to do with putting additional screening in there, or fixing some of the problems that we may have caused. She encouraged City staff to talk to them on west side to see what is happening with their yards. She thought as part of this, we could improve the runoff into Shawood. She said Shawood gets worse every year. We cannot ignore it. Nothing has happened there for years. We need to account for that. If we are shutting the park down while this is happening, she asked what options exist for north end programming. She said she would support this.

Mayor Pro Tem Staudt said it's been over a year and we've got the most public feedback on anything we've ever done. More importantly we've incorporated more of it than ever before. He addressed the comments made about day camp being for only wealthy elite children of Novi. He asked Mr. Muck to respond to that statement. He said that's not how he remembers day camp in Novi. We've also provided opportunity for children from less advantaged families to have access to it for little or no cost. Mr. Muck said that was correct. The Parks Foundation provides scholarships to attend our summer camps and other programs. For those who don't have the means, those are available and they do have people that take advantage of it. Mayor Pro Tem Staudt wondered if the day camp was one of the activities that has a higher cost or is it average. Mr. Muck thought it was average, compared to surrounding communities as well. They look at their market analysis on all of the programs so we are right in line with average costs on that. Mayor Pro Tem Staudt wondered if the children attend from throughout the City or the north end. Mr. Muck said it is kids of all ages, races, and the amount of diversity is amazing. Mayor Pro Tem Staudt said he was the person who created the foundation and program for children to get grants for attending different programs. Novi is an inclusive City, not just for ethnic reasons, but families that have challenges. He didn't know about any programs that preclude children who want to participate because of economic reasons. He thought that was an unfortunate comment. He moved on to what the necessity was of having a sitting area, deck, on this property. He didn't see why we have to have anything behind building. He felt all activities should be facing the parking as opposed to residents. Mr.

Petty said they wanted to include a seating area for parents who are walking kids to restrooms, for bikers, and for people to sit and picnic. The current conceptual drawing has it on north side of building. He could envision the patio moving to the south side overlooking Shawood or the front of building. Mayor Pro Tem Staudt said that would be his suggestion to incorporate in the plans. He asked if we have precluded using this facility as voting precinct in the future. He wasn't sure if that was necessarily something we wouldn't do. City Manager Auger said that this isn't being designed for precincts, but it is not precluding it though. We are looking for other locations closer to where residents live; there are a couple of large apartment complexes we are looking at also. We are not designing it to be a precinct, but it could fit a precinct if needed. Mayor Pro Tem Staudt said there were comments about creating an ordinance to define the use of the building and definition of banquet facility and things like that. His understanding of the ordinance is that they are at the discretion of City Council. The only thing not under their digression would be the Charter which is interpreted by different groups in their own way. He asked what an ordinance would do other than help define it. That ordinance would not be held for future generations of City Councils. City Attorney Schultz said we had preliminary discussions on what an ordinance might include and brought the questions to the Ordinance Review Committee to see if they wanted us to do an ordinance and they weren't given that direction. He said he was right, any ordinance can be revoked, amended or changed. Mayor Pro Tem Staudt said no one proposed we do that and live within requirements and restrictions of that. Mayor Pro Tem Staudt said he would like to add to the motion that we include wireless connectivity throughout the site and also at the pavilion on other end. We are building this park now; this is time to do it.

**CM 18-10-148 Moved by Mutch, seconded by Staudt; MOTION CARRIED: 6-0
(AMENDED MOTION)**

Approval to enter into final design and bid of the construction contract for Lakeshore Park renovations to be located on the approximate location of the existing building as presented in Concept Plan 3; to include addressing the pedestrian pathway along South Lake Drive and improvements to creating a protected bike lane into the park, addressing the landscaping along the east side of the park adjacent to the existing residential homes, and the addition of wireless connectivity throughout the site and at the pavilion.

Mayor Pro Tem Staudt said he thought that we had bent over backwards to accommodate folks with this project. They have come a long way. He said that some of the comments made he was empathetic to. There is always somebody affected more than another and all we can do is work with them to minimize the effect on property and their lives. He said he is ready to move forward. He appreciated the support the Mayor expressed earlier. He was adamant about a small building and reminded him of it and he appreciated that he compromised. He said he would be supporting this.

Member Markham thanked staff, residents, and colleagues for the spirit of compromise. We have a design better than what we started with. We didn't all agree on the size. One point that she wanted to talk about was a point that a resident spoke about regarding an entrance at 12 1/2 Mile Road. She said she would not be in support of any motorized entrance to park there. She didn't want to see a gravel or asphalt road there. She said if people are already parking outside that gate and taking bikes into park that way, maybe it makes sense to build a parking lot there so that people can access it that way. City Manager Auger stated that separate from this, DPW is already working with PRCS to define that parking area which isn't a parking lot, but people are parking in two spaces, so they want to designate where those parking spaces are. He said maybe signage on usage to help the park use in that area. That is separate from this project. Member Markham said that was exactly what she is looking for. People have told us they need a parking place there so that they can access the bike paths without coming in South Lake Drive entrance and that is reasonable as long as there is no motorized entrance or road.

Member Mutch wanted to confirm that if they approve this tonight, then the consultant will create a specific design that will be bid out. At some future date a bid proposal will come back for their consideration. Mr. Auger said that was correct. Member Mutch said between now and then, and concerns about cost or any specific design issues will be brought back to Council. Mr. Auger said yes, that was correct, if there is any major deviation, they will bring back. Member Mutch said great. The reason he brought up the banquet definition was at some point if we are before a judge who has to define banquet facility for us, it would behoove us to define it ourselves so everybody is clear on what our intent is with that Charter amendment. He said at least we have a position to stand on. At some point, we need to fill in the blank.

Roll call vote on CM 18-10-148

**Yeas: Markham, Mutch, Gatt, Staudt, Breen,
Casey**

Nays: None

Absent: Wrobel

3. Consideration to approve First Amendment to the previously-approved Conditional Agreement of Purchase and Sale on North Grand River City Property, located north of Grand River Avenue, east of Town Center Drive.

Mr. Auger said this is just some housekeeping with the development on the Anglin property. They do not need the extra acre so the attorneys removed it from the contract.

CM 18-10-149

Moved by Staudt, seconded by Mutch; MOTION CARRIED: 6-0

**To approve First Amendment to the previously- approved
Conditional Agreement of Purchase and Sale on North Grand River
City Property, located north of Grand River Avenue, east of Town
Center Drive, and to authorize the Mayor and Clerk to sign the**

same, subject to final review and approval of the terms and conditions of the Purchase Agreement by the City Manager and City Attorney's office, including minor amendments thereto.

Roll call vote on CM 18-10-149

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

Nays: None

Absent: Wrobel

4. Consideration to approve a Purchase Agreement for the former Bosco home site, approximately 3.47 acres at 25805 Beck Road, south of Eleven Mile, west of Beck, Parcel No. 22-20-200-022.

Mayor Pro Tem Staudt stated this property is currently at site where the Griffin Funeral home will be built. They don't need the full amount and this is directly adjacent to one of the entrances proposed for the Bosco Fields. This piece of property gives the opportunity to erect some facilities on City owned property; perhaps a bathroom, or other buildings. It will also allow us to do some things such as drill a well which will allow us to save a tremendous amount of money in watering the fields as we build up the property. The bad news is that the house is probably going to be gone prior to purchase. Residents may or may not envision why the City would want this. The property was being offered on the open market place for an office building, to anything else within zoning. This keeps it clean and allows the City to further expand on its vision of the new sports fields at the currently called Bosco Fields.

CM 18-10-150

Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0

To approve of a Purchase Agreement for the former Bosco home site, approximately 3.47 acres at 25805 Beck Road, south of Eleven Mile, west of Beck, Parcel No. 22-20-200-022, and to authorize the Mayor and Clerk to sign the same, subject to final and approval of the terms and conditions of the Purchase Agreement by the City Manager and City Attorney's office, including minor amendments thereto.

Mayor Gatt wanted to add to the motion that the City make commitment to erecting some sort of a sign that we will call that field Bosco Field and memorialize Paul Bosco and his contributions to the City. Mayor Gatt said the Paul Bosco donated the land and his child and many other children used that property for little league baseball. He would like something permanent. City Attorney Schultz explained that the language was in the motion sheet.

Member Casey said she would be remiss if she didn't ask the question on behalf of the 50th Anniversary Committee. They are trying to find artifacts that relate to the history of Novi. She wanted to put the comment out there that if during the walk-through, if there

was anything they thought could be pulled in, she would seek to talk to property owner about that. City Manager Auger said the house was vacated when the Bosco's moved out. Everything was gone except the walls and the doors.

Member Mutch noted when Council discussed this before he was on the fence. He said the biggest issue was the price. It was significantly higher per acre and it was a relatively small size and the location on Beck Road. He wasn't sure. It would have been one thing if we as a City had been actively seeking other park properties. We have purchased some park properties using some grant funding, but not this level of expenditure. He thought to spend this much money on a small piece of property was giving him a challenge. He thought that Mayor Pro Tem made some good points and echoed his point that he made previously in regards to the potential future use of this property if it is sold to a private developer. No one will purchase the property for the house. The zoning in place would allow things they wouldn't want near the entrance to the park. It does give some property that is not encumbered with school district lease that we can utilize without having to jump hoops. Overall he thought the price was more than we should pay, but the intangibles justify it. He said there is still additional property in area that is not for sale, but the property owners have considered for development. We should consider looking at that property to see if they are interested in selling to the City. It behooves us as a City to secure additional property adjacent to the Bosco fields to allow us to do improvements that are not subject to the lease limitations. He thought that the Bosco field had a lot of potential. Relative to the concerns that residents have had about the development of that corner with the funeral home, the assurance we can give them that the property will be park property for long term he hope will go a long ways to addressing those concerns. He still felt there are additional steps we can take. He will support the item as presented.

Mayor Pro Tem commented that the property was purchased for \$2 million and this is half that property. The Griffin family who has a vested interest in not seeing something built there that isn't suitable for their own uses are making a substantial reduction in property cost compared to what they would get on the retail market. He thanked the Griffin family for accommodating us with that, they didn't need to. It will cost them a lot of money to tear the house down. He wanted to express his appreciation for it.

Roll call vote on CM 18-10-150

**Yeas: Gatt, Staudt, Breen, Casey, Markham,
Mutch**

Nays: None

Absent: Wrobel

5. Consideration of tentative approval of the request of McBride Dale Clarion for Speedway at 14 Mile and Haggerty, JSP 17-63, with Zoning Map Amendment 18.720, to rezone property in Section 1, located at the southwest corner of Fourteen Mile Road and Haggerty Road from OST (Planned Office Service Technology) and B-3 (General Business) to B-3 (General Business) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property totals 2.03 acres and the applicant is proposing to update and rebuild the whole site.

CM 18-10-151

Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Tentative indication that Council may approve the request of McBride Dale Clarion for Speedway at 14 Mile and Haggerty, JSP 17-63, with Zoning Map Amendment 18.720, to rezone property in Section 1, located at the southwest corner of Fourteen Mile Road and Haggerty Road from OST (Office Service Technology) and B-3 (General Business) to B-3 (General Business) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan as reviewed by the Planning Commission on September 12, 2018, and direction to the City Attorney to prepare a proposed PRO Agreement with the following ordinance deviations:

- a. Planning deviation from Section 4.29 to forgo the required noise impact statement for this project because the proposed use is the same as the existing use and no additional noise impacts are anticipated;
- b. Planning Deviation from Sec. 5.4.2 of the Zoning Ordinance for loading space size and location:
 - i. 570 square foot loading zone proposed, 940 square feet required.
 - ii. Loading zone is located in the front yard where the ordinance indicates it should be located in the interior side yard of a double-frontage lot.
- c. Section 9 Façade Waiver for the overage of Asphalt Shingles (maximum allowed 25 percent; proposed 50 percent on east, 35 percent on south, 40 percent on north) on the building.
- d. Section 9 Façade Waiver for the exceeding the percentage of flat metal panels on the fuel canopy, because the canopy consists of the maximum percentage of brick feasible due to relative proportions of the columns to fascia;
- e. Landscape deviation from Sec. 5.5.3.C of Zoning Ordinance for deficiency in parking lot landscape area (2,456 square feet required, 1,916 square feet proposed) because the applicant has agreed to widen landscape islands near the detention pond, which will lessen the deviation;
- f. Landscape deviation from Sec. 5.5.3.D for a portion of the building foundation landscaping being located away from the building;
- g. Engineering deviation to reduce the required buffer width from 25 feet to 10 feet around the proposed detention basin because modifying the location would cause the slope of the detention basin to exceed the City's requirements;

- h. Traffic deviation from opposite side driveway spacing requirement on Haggerty Road because the new driveway location has optimized site conditions and will improve safety along Haggerty Road from the existing location;
- i. Traffic deviation to allow the driveway on 14 Mile Road to be located approximately 121 feet from the neighboring driveway to the west to allow the proposed driveway to align with the opposing driveway on the north side of 14 Mile Road, which will improve safety and site distance at the intersection; and
- j. Traffic deviation for the width of the driveways. The applicant is proposing 35 foot wide driveways rather than the City's standard of 30 feet to ensure the fuel delivery truck can access the site and maneuver without running over internal or external curbing or landscaping.

The following conditions shall be requirements of the Planned Rezoning Overlay Agreement:

- a. Acceptance of applicant's offer of public benefits as proposed:
 - i. Installation of a "Welcome to Novi" sign along the Haggerty Road property line.
 - ii. Dedication of 10 feet of ROW along 14 Mile Road to the Road Commission of Oakland County.
 - iii. Construct an approximately 18 foot section of missing off-site sidewalk west of the development.
 - iv. Redevelop the site with a building and canopy that is architecturally consistent with current zoning regulations.
 - v. Pedestrian access is improved: (a) sidewalks will be extended the length of the expanded property and will close gaps in the sidewalk system and (b) sidewalk connections from the convenience store to 14 Mile Road and Haggerty Road are provided.
 - vi. Safety improvements: (a) relocation of driveway away from 14 Mile and Haggerty intersection and to align with opposing driveway and (b) on-site circulation and visibility with new canopy.
- b. Applicant complying with the conditions listed in the staff and consultant review letters.

This motion is made because:

- a. The proposed plan meets several objectives of the Master Plan, as noted in the review letter, including:

- i. The City, working with the development community and partners, should continue to foster a favorable business climate (by allowing an existing business to grow, provide an update to the visual aesthetic at an entryway to the City, and provide addition jobs, sales volume, sales tax and investment).
 - ii. Support and strengthen existing businesses, as it is easier to keep a business in the City than attract a new one to fill a vacant facility (by allowing an existing business to expand and develop an available parcel).
- b. The concept plan improves existing non-conformities (minimum site size from 0.7 acres to 2.03 acres, location of driveways away from intersection, and upgraded stormwater management).
 - c. The rebuild and expansion of this site provides an update to the visual aesthetic at an entryway to the City, modern fuel dispensers and convenience store, and replacement of underground storage tanks.
 - d. There is a negligible impact on the utilities due to expected utility demand reduced from 4 residential equivalent units to 3, minimal impact on available water capacity, pressure, and flow, and no apparent impact of the downstream sanitary sewer.
 - e. Submittal of a Concept Plan and any resulting PRO Agreement, provides assurance to the Planning Commission and to the City Council of the manner in which the property will be developed, and offers benefits that would not be likely to be offered under standard development options.

Member Mutch said we have seen some PRO proposals come forward recently but this was noteworthy due to the public benefits. This includes a "Welcome to Novi" sign and a dedication of right-of-way on 14 Mile Road if there is a need for future road improvements. He thought that the construction of the sidewalk off site to complete a gap was important. The total rebuild of the site that will move the driveways further away from the intersection improving traffic safety in that area. He appreciated the applicants' willingness to makes improvement happen on such a small site.

Roll call vote on CM 18-10-151

**Yeas: Staudt, Breen, Casey, Markham, Mutch,
Gatt**

Nays: None

Absent: Wrobel

6. Approval of resolution to authorize Budget Amendment #2018-19.

CM 18-10-152

Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Approval of resolution to authorize Budget Amendment #2018-19.

Roll call vote on CM 18-10-152 **Yeas: Breen, Casey, Markham, Mutch,
Gatt, Staudt**
Nays: None
Absent: Wrobel

7. Appointment to Planning Commission.

Mayor Gatt requested approval to appoint Patrick Hornung to the Planning Commission.

CM 18-10-153 **Moved by Mutch, seconded by Staudt; MOTION CARRIED: 6-0**

Roll call vote on CM 18-10-153 **Yeas: Casey, Markham, Mutch, Gatt, Staudt,
Breen**
Nays: None
Absent: Wrobel

AUDIENCE COMMENT:

Danielle Fasseel, 1185 S. Lake Dr., Novi thanked Council for addressing the placement of the building. She liked the change of location. She also thanked them for addressing the sidewalk change hopefully to make it larger. She was really concerned about the play area and size. She liked the structure now, and knows it needs updating. It is good for tots and larger kids. She is concerned about how big they will be, and if the area will be regulated. She didn't feel like there was a lot of space and of course she was very concerned about the safety. The small children start playing and they go running down the hill. It is only a few steps into the street. She wondered if there will be space for seating, as there are moms with strollers. Now there are benches and picnic tables. It feels like compressing the play area is taking away from main use of park. She also thought there should be a foot washing station at the tunnel. It is really nice to leave the beach without sandy feet. It would be wonderful if there was a story time extension. That would be wonderful as an option. During the remodel, she didn't realize the park was shut down. It would be really nice if there was additional play area at Pavilion Shore Park with picnic tables. She hoped that would be addressed in the future.

Ginger Barrons, 24777 Glenda, Novi stated there are two ordinances she wants the City to consider reviewing and possibly revise. One is regarding recreational fires. If a resident has an approved container and is having a fire there is an ordinance that says if it is bothering another resident then they have to put it out. Part of that ordinance says it must be dry seasoned firewood. In other words it can't be wet yard waste. She said a lot of residents use approved containers to burn yard waste. She said they have had an issue with this for 18 years on her street. It's been greatly improved, but a few weekends ago they had their five grandchildren with them, all under the age of 10 with them on a

rainy day. When it finally cleared and dried up they went outside and the neighbor was burning wet wood in an approved apparatus and it smelled horrible. They had to go back in, she and a couple of her grandchildren have asthma. They went in, had dinner and went back out and it was still burning after dinner. She said she called and asked the City to put the fire out. She said 15 minutes after the fire truck left, the fire began again. There is nothing within ordinance that allows the firemen to issue a ticket and the Fire Marshal isn't there on weekend or evenings. The most frustrating thing is she would have to continue to call every 15 minutes and the City will incur the cost. There is nothing in the ordinance that prevents them from re-starting fire.

Michelle Werner, 135 Henning, Novi thanked staff for working so hard on renovating the park; she was excited to move forward. She emailed her concerns about the sidewalk. She was also concerned about size of play area and how close it appears to be to the parking and access to trail. She said she has a 2 and 4 year old. They play at the park twice a week and they are fast. She doesn't go to playgrounds that aren't fenced or away from parking. She loves the way the park is now where there is a lot of space between surrounding area. She asked that they be mindful with landscape and keeping safe space between cars and kids. She was concerned about the size because the accessible play structure takes up more space. If we have an accessible playground you may need to try to find more space or be creative with the design. She felt it was an important commitment from the City that everyone can have access. She hoped they are mindful of time table and the fact that families use this park daily, year round. She thought that working with contractors to keep the inaccessible time down to a minimum was important. If possible, keep certain portions of the park available, and to try not to block off the park for the whole season. She felt it would be a burden for the families that love to enjoy that park.

COMMITTEE REPORTS:

Member Markham wanted to talk to Council about SEMCOG for which she is the City's representative. She attended a meeting last week at SEMCOG. Her colleague, Member Mutch was also there. She stated that SEMCOG has started a program this fall called Walk, Bike, and Drive Safe for Southeast Michigan. They are trying to improve traffic safety all over the region. She asked all the delegates to SEMCOG to spread the word. They have videos going on television and our communications department they will be incorporating that into our local City communication. They sent her home with a couple of bags full of swag. They have lighted bracelets that someone riding a bike can wear. They had other lighted items, shoulder patches, etc. She turned them over to the City and she hoped they will get them passed out in the community in the next few weeks to promote that. Hopefully we will have safer bikers and walkers. She also pointed out that Member Mutch was appointed to be Chairperson of the Budget and Finance Committee for SEMCOG, and that's a big job. She wanted to recognize him for taking it on for all of us across the region. This is not a paying gig; it is out of the goodness of his heart. It is an important job. She appreciates that he represents our community. Mayor Gatt said Member Mutch was an invaluable part of this body and now he has expanded to even greater things. Thank you.

MAYOR AND COUNCIL ISSUES:

Member Mutch wanted to take a second to congratulate Mayor Pro Tem Staudt on his eldest daughter who was wed this weekend. It was a very nice ceremony and wanted to congratulate him and Jean on that accomplishment.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 9:30 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: October 22, 2018