

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI**  
**MONDAY, March 24, 2014 AT 7:00 P.M.**  
**COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. 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, Markham, Mutch, Wrobel

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

**APPROVAL OF AGENDA:**

**CM 14-03-050 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:**

**To approve the Agenda as amended with Member Mutch's addition of item 1. Ten Mile and Napier Road intersection under Mayor and Council Issues**

**Roll call vote on CM 14-03-050**

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

**PUBLIC HEARING:**

1. Michigan Natural Resources Trust Fund (MNRTF) land acquisition grant application of 10 acres of property parcel 50-22-18-100-004 located on 12 Mile Road east of Napier Road

Public hearing opened at 7:01 p.m. No audience comment, closed at 7:02 p.m.

**PRESENTATIONS:**

1. Updates on the Older Adults Advisory Board, Cultural Arts Advisory Board, and Parks, Recreation and Cultural Services Grant Committee – Parks, Recreation & Cultural Services (PRCS) Staff

Jeff Muck, Deputy PRCS Director, said volunteers are a key function of his Department. He talked about the two new advisory boards. In April, 2013 the boards were created to assist with specialized areas within the PRCS department. Their first meetings were in September, 2013. He introduced Karen Kapchonick, Older Adult Services Manager and she explained they chose five individuals for the Older Adults Advisory Board, Michael Meyer, Keith Angelocci, John Fountain, Joslen Letscher, Cheryl McNamara, and Mary

Storch. She noted they discuss innovative ideas that come from the Board Members. They have started a list of businesses that they could work together with, a volunteer recognition program, seeking additional grants, and to provide a transition program for those retiring. Their immediate goals are to establish by-laws and to highlight each Board Member in the Enhance PRCS brochure.

Rochelle Pernak, Cultural Arts Coordinator, reported on the Cultural Arts Advisory Board. Their first few meetings were to go over the scheduled meeting dates for the first year, discuss the purpose and objectives, and the concentration was on building the foundation for the public art in Novi. They are working on creating guidelines for the decommissioning of art work that will be utilized to direct the path of possible retirement for any art pieces that have been acquired by the City. Once they have finished creating a foundation to work from, they are looking forward to focusing on creating new and exciting programs, exploring innovative ideas, and growing cultural arts in the City of Novi. They are a hard working and dedicated group of people and we appreciate them, value their time, expertise and opinions. Current members are Brian Ferriby, Mary Kondraciuk, Karen MacKenzie, Aaron Martinez, Stephanie Sarris, and Mary Robinson.

Mr. Muck summarized by thanking Rochelle and Karen for their work and to the citizens who are participating on the advisory boards.

Member Casey noted that a year ago, Council approved and directed the Parks and Recreation department to form these two commissions. It has been six months since the formation of the commission. She asked if they have a clear enough vision for the two commissions in the future. The goal of Council was to get citizen engagement. Mr. Muck wasn't able to talk about future goals and believed they are on a strong path. She asked if they could get quarterly updates on the commissions in the weekly packet.

Member Wrobel thanked the volunteers. He asked how closely the Cultural Arts Advisory Board will be involved with the Barr Art Park. Ms. Pernak said she will give them an update on it and, in general, they are working on thoughts and ideas relating to a Master Plan.

Member Markham said she is so happy to see citizens getting engaged in the activities. A Michigan Municipal League session she attended discussed that it is an organized approach to look holistically at how they might drive community interest in art and think about how they can use art strategically. There will be a training session with a workshop for the region in Novi. Hopefully, it will be a plan for place making in the community. She thought it was a way to strategically think about art as it drives quality of life in the community and helps drive our economic growth.

Member Mutch said one of the things he wanted the Boards to focus on was the opportunity at the Villa Barr Art Park. He thinks it is such a unique resource that the City has acquired. He understands that Boards need the preliminary work but he is interested in the Boards being actively involved in the Villa Barr Art Park. He suggested they take advantage of the resources available and move along.

Mayor Gatt noted Ms. Pernak mentioned they have a purpose and objective of the Board and asked what it was. She said the responsibility of the Cultural Arts Advisory Board is to identify and serve the Cultural needs of the residents, assist with the criteria and promotion of public art, acquisition of art, and curating at First Park, Villa Barr Art Park and other locations, develop criteria for public art and jury art submissions to be displayed at all potential locations throughout the City and make those recommendations to the Parks, Recreation and Cultural Services department. Their meeting and objectives are to meet six times a year to set priorities and identify future art opportunities. The Cultural Arts Advisory functions are to discuss potential projects, develop criteria for juried art shows, placement of art in public places, and determine location of future public art work in Novi and identify ways to broaden cultural art opportunities in Novi.

Mayor Gatt said they are tasked with a comprehensive mission. He said the members of the board are volunteers that desire to become engaged and he hoped that going forward the chair would encourage and act on the ideas of the members.

**REPORTS:**

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

**AUDIENCE COMMENT:**

Pam Sordyl, Clarkston resident, founder of Puppy Mill Awareness Southeast Michigan, spoke about tracking the shipments of puppies to the two pet stores in Novi since 2008. The store at Fountain Walk received almost 250 puppies in 2011 from a breeder in Indiana. They had many violations. Petland received deliveries from 4 of the breeders they list as being the horrible one hundred. She cited breeder's names who have delivered puppies to the stores. The puppies have been very ill and costly to those purchasing them. She asked community leaders not to promote these stores in any way but to promote humane pet acquisitions and teach families how to find pets at local shelters and reputable rescue organizations.

Michael Meyer, noted this Older Adult Services committee will be very helpful to the community and we are truly fortunate to have Karen Kapchonick taking over as Older Adult Services Manager.

Tara Ashley, Walled Lake resident, stated she bought two puppies at Petland seven and eight years ago and since then, the dogs have had surgeries and incurred high veterinary bills. She thought the puppies would be healthy and didn't know they would come home with kennel cough, ear mites, etc. One of their dogs also had to have surgery for intestinal parasites. Both pets are on costly medications or food and she

expected a better result from the store. She didn't feel Petland was being responsible. She had hoped something could be done.

**CONSENT AGENDA REMOVALS AND APPROVALS (See items A-I)**

**CM 14-03-051 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:**

**To approve the Consent Agenda as presented.**

- A. Approve Minutes of:
  - 1. March 10, 2014 – Regular meeting
- B. Approval to award an engineering services agreement to Spalding DeDecker for engineering services related to the 2014 Sanitary Lift Station Upgrade project, in the amount of \$25,600.
- C. Approval of cost participation agreement with the Road Commission for Oakland County for the Haggerty Road Lane Gap Construction project (south of Ten Mile Road) allocating \$40,000 of the total project cost to Novi (of which \$18,500 is to be paid by the City of Farmington Hills).
- D. Approval of a request from IAC Novi, LLC, applicant for the Berkshire Pointe development for a variance from Section 11-68(a)(1) of the Design and Construction Standards requiring water main extensions longer than 800 feet to include a secondary connection point to the water distribution network (868 feet proposed).
- E. Approval of a Storm Drainage Facility Maintenance Easement Agreement from HEFCO Meadowbrook Office Building, LLC for the South University Parking Lot Addition project located at the southwest corner of Meadowbrook Road and 12 Mile Road (parcel 22-14-200-045).
- F. Acceptance of a pathway easement as a donation from Jeffrey and Jennifer Van Nortwick for the property located at 46300 Eleven Mile Road for a new pathway to be constructed by the property owner in conjunction with a new residential home (parcel 22-15-451-012).
- G. Approval of the request of Erickson Living for JSP 13-64 Fox Run Revised Preliminary Site Plan with PD-1 Option (and associated Third Amendment to the Development Agreement) and Revised Phasing Plan. The property is located in Section 1 of the City north of Thirteen Mile Road and west of M-5 in the RM-1, Low Density Low-Rise Multiple-Family Residential District and totals 102.8 acres. The applicant is proposing to slightly revise the approved landscaping and phasing of the remaining buildings in Phase II from what was approved by the City Council on January 11, 2014.

H. Approval of a contract for electronic payment processing with Point & Pay, for a three year period ending March 31, 2017 with two one-year renewal options, at an estimated annual cost of \$3,000.

I. Approval of Claims and Accounts – Warrant No. 912

**Roll call vote on CM 14-03-051**                      **Yeas: Casey, Fischer, Markham, Mutch, Wrobel, Gatt, Staudt**  
**Nays: None**

**MATTERS FOR COUNCIL ACTION:**

1. Select City Manager professional recruitment firm and authorize City Administration and City Attorney to prepare appropriate professional services agreement for Council approval.

Interim city Manager Cardenas said nothing is budgeted currently for the professional services. There is an under run in the City Manager’s current salary which will be used to finance the contract costs for the firm Council selects.

Mayor Gatt explained that firms were interviewed by Council on Saturday, March 22, 2014.

**CM 14-03-052**                      **Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:**

**To approve the City Manager professional recruitment firm of Waters Executive Recruitment and authorize City Administration and City Attorney to prepare appropriate professional services agreement for Council approval.**

**Roll call vote on CM 14-03-052**                      **Yeas: Fischer, Markham, Mutch, Wrobel, Gatt, Staudt, Casey**  
**Nays: None**

2. Approval of Resolution authorizing submission of a Michigan Natural Resources Trust Fund Grant (MNRTF) grant application for land acquisition of 10 acres of property parcel 50-22-18-100-004 located on 12 Mile Road east of Napier Road. Total estimated project cost including grant is \$550,000 with the 30% City match of \$165,000.

Interim City Manager Cardenas said this is the second step of the process for this grant procedure and this is the resolution that will allow us to make an application for it. No expenditures will be made at this time. Once they get the feedback from the DNR, they will determine which fiscal year it will apply to and then it will return to Council for financing considerations.

Mayor Pro Tem Staudt said this is a much underserved part of the City. This is consistent with the Council's goals with acquiring additional parkland. In this case it is a primarily a passive use but an excellent location that will serve the residents well if the grant is achieved.

**CM 14-03-053 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY:**

**To approve a resolution authorizing submission of a Michigan Natural Resources Trust Fund Grant (MNRTF) grant application for land acquisition of 10 acres of property parcel 50-22-18-100-004 located on 12 Mile Road east of Napier Road. Total estimated project cost including grant is \$550,000 with the 30% City match of \$165,000.**

**Roll call vote on CM 14-03-053**

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

**Nays: None**

3. Adoption of Resolution authorizing cost participation under a Federal Transportation Alternatives Program grant, and approval of a cost share agreement with the Michigan Department of Transportation (with an estimated allocation of \$1,028,458 paid by Federal grant funds and \$260,342 to be paid by the City of Novi), for the Metro Connector-Phase 1 pathway project.

Interim City Manager Cardenas said this begins the process for providing a much needed non-motorized link between north and south portions of the City. This will allow the cost share participation with the Federal Transportation Alternatives Program.

Member Markham commended the department for going after these transportation alternative funds. The City is giving about 20% for leveraging to get over a million dollars for this pathway. It is a pathway that will allow the City to link to regional pathways. She asked if phase two has been scheduled. Mr. Cardenas said it will not be for quite some time.

Member Fischer said he understood that it was about a \$1.3 million dollar project but the City's share is \$260,000. This is a very important link to continue because all southeast Michigan area will benefit.

**CM 14-03-054 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:**

**To approve a resolution authorizing cost participation under a Federal Transportation Alternatives Program grant, and approval of a cost share agreement with the Michigan Department of Transportation (with an estimated allocation of \$1,028,458 paid by Federal grant funds and \$260,342 to be paid by the City of Novi), for the Metro Connector-Phase 1 pathway project.**

**Roll call vote on CM 14-03-054**

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

**Nays: None**

**AUDIENCE COMMENT – None**

**COMMITTEE REPORTS - None**

**MAYOR AND COUNCIL ISSUES**

1. Ten Mile and Napier Road intersection

Member Mutch noted the concerns of the additional traffic at the intersection due to new developments. Some improvements are not scheduled for a few years because of limited funding. Knowing we won't have a traffic signal in the next 6 months, he requested Council support having traffic consultants look at the location to identify the areas of concern at the intersection and identify possible short term improvements in and around the area that might help to address some of the safety concerns. Look at speed limits, clearing of scrub trees, lighting, etc. Member Mutch requested the professionals to look at possible improvements to work with Road Commission for Oakland County and Lyon Township to address what is needed. Member Fischer agreed with Member Mutch. Mayor Gatt agreed, but not for the City to bear the burden entirely as Lyon Township has two new developments being built on the west side of Napier. It should be a cooperative effort.

**CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – None**

**COMMUNICATIONS – None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 7:41 P.M.

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Robert J. Gatt, Mayor

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Maryanne Cornelius, City Clerk

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Transcribed by Jane Keller

Date approved: April 7, 2014