

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, FEBRUARY 25, 2013 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, Margolis, Mutch, Wrobel

ALSO PRESENT: Clay Pearson, City Manager
Victor Cardenas, Assistant City Manager
Thomas Schultz, City Attorney
Rob Hayes, Director of Public Services/City Engineer

APPROVAL OF AGENDA:

CM-13-02-020 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as presented.

Roll call vote on CM-13-02-020	Yeas:	Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt
	Nays:	None

PUBLIC HEARING - None

PRESENTATIONS:

1. Proclamation in recognition of National Nutrition Month for March and March 13, 2013 as Registered Dietitian Day – Aarti Batavia, Providence Hospital

Mayor Gatt presented the proclamation to Aarti Batavia for recognition of March as National Nutrition Month and March 13, 2013 as Registered Dietitian Day. Ms. Batavia thanked Council members and City Clerk Cornelius for the recognition on behalf of Michigan Academy of Nutrition and Dietetics.

2. Proclamation in recognition of Traumatic Brain Injury Awareness Month for March 2013 – Dave Vaillencourt, Program Manager - Cassell and Associates

Mayor Gatt presented the proclamation to Mr. Vaillencourt for recognition of March as Traumatic Brain Injury Awareness Month. Mr. Vaillencourt thanked Council members for the recognition. He explained Cassell and Associates is located on Grand River in Novi. They are a sheltered work program for those that have traumatic brain injuries. He introduced two employees of Cassell and Associates.

REPORTS:

1. MANAGER/STAFF

A. Metro Connector Trail Phase I Grant Award – Rob Hayes

City Manager Pearson noted that staff is very diligent in pursuing grant opportunities. In particular, the Engineering Department does an outstanding job of identifying grant opportunities and processing the necessary paper work so that they are successful. Director Hayes and his staff received a particular large grant of \$750,000. It will complete an important pathway segment.

City Engineer Hayes said his staff put in an application for Phase 1 of the Metro Connector Trail. The overall project value is approximately \$926,000. We will be receiving Federal funding of approximately \$750,000 towards the project cost. Phase 1 will be a ten foot wide pathway on the east side of Meadowbrook going from the I-96 overpass to Twelve Mile Road. They are working closely with Michigan Department of Transportation and Oakland County Road Commission to work out the preliminary details of the design. They are looking to bid out the project later this year and complete it in 2014. It is the largest non-motorized grant and one of the largest overall transportation grants they have received for the City. Phase II is a construction project for 2015-2016 and would be the link from Twelve Mile Road to Thirteen Mile Road, then from Meadowbrook Road east to M-5 to complete the link. When it is completed, it will link I-275 trail with the M-5 trail. The Department was happy to have received the grant. They couldn't have done it without support from Council, as well as, key members of their staff.

2. ATTORNEY - None

AUDIENCE COMMENT – None

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-K):

CM-13-02-021 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 - 1. February 11, 2013 – Regular meeting
- B. Acceptance of a pathway easement as a donation from Orchard Hills Baptist Church for the property located at 23455 Novi Road in conjunction with the Novi Road Pathway Project (parcel 22-27-276-012).
- C. Approval to award a contract in the amount of \$41,850 to Envision Builders, Inc, the low bidder, for the construction of a mezzanine lift at the Field Services Complex.

- D. Approval of (1) a Resolution Concerning Acquisition and Approving Declaration of Necessity and Taking and authorization of Offer to Purchase; (2) a Declaration of Taking; and, (3) an Agreement of Sale and Offer to Purchase Easements over Real Property in the amount of \$769 for a permanent pathway easement and a temporary grading permit on the Herbel/Toler property (parcel 22-27-200-011) located at 23777 Novi Road for the purpose of constructing a pedestrian safety path on the west side of Novi Road between Nine Mile and Ten Mile.
- E. Approval to award an engineering services contract for design engineering services related to additional parking on the north side of the Novi Civic Center and Civic Center sidewalk ramp improvements to Spalding DeDecker Associates, Inc., in the amount of \$10,048.
- F. Approval of the final payment to Italia Construction, Inc. for the Nine Mile Road Pathway (Meadowbrook Road to Haggerty Road) project, in the amount of \$35,025.76.
- G. Approval of Storm Drainage Facility Maintenance Easement Agreement from Pulte Land Company, LLC for the Liberty Park – Pool & Pool House project located near Declaration Drive and Dixon Road within the Liberty Park Subdivision development (parcel 22-10-376-001).
- H. Approval of Storm Drainage Facility Maintenance Easement Agreements from MacKenzie North Technology Centre, LLC and HCP Land, LLC for the MacKenzie North Technology Centre project located at the northwest corner of Haggerty Road and MacKenzie Drive (parcels 22-01-400-022 & 22-01-200-041, respectively).
- I. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Novi Town Center Investors, LLC for the Novi Town Center – Building "I" project development located at Crescent Boulevard and Ingersol Drive (parcel 22-14-351-063).
- J. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Walmart Real Estate Business Trust for the Walmart project development located at the northwest corner of Town Center Drive and Eleven Mile Road (parcel 22-14-351-064).
- K. Approval of Claims and Accounts – Warrant No. 886

Roll call vote on CM-13-02-021

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

MATTERS FOR COUNCIL ACTION:

1. Approval of Resolution designating the Villa Barr Art Park & Cultural Education Center and a portion of Pavilion Shore Park located east of East Lake Drive as City parkland, correcting the designation of the full Pavilion Shore Park area, and directing the information to be provided to the Planning Commission and the Parks, Recreation & Cultural Services Commission for use in updating the Master Plan for Land Use and Community Recreation Plan.

City Manager Pearson said it is an important step by Council to recognize and designate these public properties as park land because it gives the City opportunities for different grants. Planning Commission will then take this for Master Plan Land Use designation as needed.

Member Mutch commented that some City Park properties being used as parkland may not have been designated by Council as parkland in the past. He didn't know, during his time on Council, whether the City has taken the step to formally designate properties the City has acquired as parkland. He thought it was an important step. It makes it clear to future City Councils and future decision makers what our intent was at the time. There was some discussion when the Master Plan updated that those designations could be applied. The Master Plan changes over time. He thought it is important, for those in the future, to reference back to what the City intended at the time the properties were acquired. The memo discussed that the Community Recreation Plan is going to be updated in the upcoming year. As part of that process, the City could potentially look at formally designating any properties that are used as parkland. He would like Administration to prepare the resolutions for all properties being used as parkland by the City to be formally designated as parkland.

CM-13-02-022 Moved by Mutch, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the Resolution designating the Villa Barr Art Park & Cultural Education Center and a portion of Pavilion Shore Park located east of East Lake Drive as City parkland, correcting the designation of the full Pavilion Shore Park area, and directing the information to be provided to the Planning Commission and the Parks, Recreation & Cultural Services Commission for use in updating the Master Plan for Land Use and Community Recreation Plan.

Mayor Pro Tem Staudt supported the comments of the previous speaker. As we move forward and look at the properties that have been called a park, he would like them properly designed as a park even beyond the Master Plan. He noted there are some properties the City owns that are not formally parks, but are more for preservation. The City may have to consider what to do with them long term.

Roll call vote on CM-13-02-022

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

2. Appointments to Boards and Commissions

Mayor Gatt submitted Mark Sturing for nomination to the Library Board.

CM-13-02-023 Moved by Staudt, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the appointment of Mark Sturing to the Library Board.

Voice vote on CM-13-02-023 Carried Unanimously

Mayor Gatt submitted Ramesh Verma for nomination to the Library Board.

CM-13-02-024 Moved by Staudt, seconded by Fischer; CARRIED UNANIMOUSLY:

To approve the appointment of Ramesh Verma to the Library Board.

Voice call vote on CM-13-02-024 Carried Unanimously

City Clerk Cornelius confirmed Barbara Greenberg was reappointed to the Beautification Commission. Larry Czekaj was reappointed to the Building Authority. Jeffrey Bowdell and John Enkemann, Jr. were reappointed to full terms to the Construction Board of Appeals. Kamran Qadeer was reappointed as the alternate for the Construction Board of Appeals. Cynthia Gronachan was appointed to the Historical Commission.

AUDIENCE COMMENT – Linda Krieger, 44920 Byrne Dr., noted the Cheesecake Factory would be opening soon in Novi. She complimented the Novi Police Department for their work solving a homicide case. She was interested in the case because she has attended the Citizens Academy multiple times and is a part of Citizen Emergency Response Team. She believes the United States has the best justice system in the world.

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES -None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:22 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: March 11, 2013