

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JUNE 27, 2016 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 Burke, Casey, Markham, (absent, excused) Mutch, Wrobel

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

APPROVAL OF AGENDA:

CM 16-06-071 Moved by Wrobel, seconded by Casey; UNANIMOUSLY CARRIED:

To approve the Agenda as presented.

Roll call vote on CM 16-06-071 **Yeas: Staudt, Burke, Casey, Mutch, Wrobel
Gatt**
Nays: None
Absent: Markham

PUBLIC HEARING - None

PRESENTATIONS:

1. Proclamation in recognition of Parks and Recreation for the month of July – Jeff Muck, Director of Parks, Recreation and Cultural Services

Director of Parks, Recreation and Cultural Services, Jeff Muck thanked everyone for their ongoing support of our parks, programs and facilities. He also thanked city administration and all other city staff that has helped them move forward to their national accreditation which they anticipate gaining in October.

Mayor Gatt said we truly have a great Parks and Recreation Department, and as May Sanghvi, on our ZBA has said that the Parks are the lungs of our community and he said we breathe well with our parks. He thanked PRCS Director Jeff Muck for everything he does.

REPORTS:

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

AUDIENCE COMMENT - None

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 16-06-072 Moved by Casey, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 - 1. June 6, 2016 – Regular meeting
- B. Approval of 2% wage increase for Michigan Association of Public Employees labor group.
- C. Approval of a request by Mirabella Estates Condominium Association to waive the Maintenance and Guarantee Bond required under Section 26.5-33(2)(c)(3) of the ordinance for streets installed in Mirabella Estates located west of Meadowbrook Road and north of Eight Mile Road in Section 35.
- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Mirabella Estates Condominium Association for the Mirabella Estates project located west of Meadowbrook Road, north of Eight Mile Road.
- E. Approval to purchase a Shortstop 2 Mini Concrete Mixer and Shortstop 3.5 Loading System from Ernest Industries Inc., the lowest responsive bidder, in the amount of \$67,500.
- F. Acceptance of the Amended and Restated pathway easement as a donation from Providence Hospital and Medical Centers, Inc., as part of the Rose Senior Living site located south of Grand River Avenue and west of Beck Road (parcel 22-17-400-042 and 22-17-400-043) to accommodate the future extension of the ITC Trail from the Medilodge property to Beck Road.
- G. Oakland County Law Enforcement Mutual Aid Agreement
- H. Approval to award bid for 55 refrigerators at Meadowbrook Commons to Best Buy in the amount of \$24,475.
- I. Approval to purchase new vehicles as follows: one (1) 2016 Ford F-150 pickup truck from Jorgensen Ford, the low bidder, in the amount of \$28,000 ; and one (1) 2016 Chevrolet Colorado pickup truck from Berger Chevrolet in the amount of \$26,674 using the Oakland County cooperative purchasing contract.
- J. Approval to award a contract for construction services to Cross Renovation, Inc. for construction of the new Lakeshore Park shelter in the amount of \$74,777, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

- K. Approval to award geotechnical services to Soil and Materials Engineers, Inc. for Beck Road Rehabilitation (8 Mile Road to 9 Mile Road) geotechnical engineering in the amount of \$17,500.
- L. Approval of employee contract between the City of Novi and Michael R. Lohmeier as the City Assessor of the City of Novi, Michigan.
- M. Approval of employee contract between the City of Novi and Cortney Hanson as the City Clerk of the City of Novi, Michigan.
- N. Approval of Claims and Accounts – Warrant No. 966

Roll call vote on CM 16-06-072

**Yeas: Burke, Casey, Mutch, Wrobel, Gatt
Staudt**

Nays: None

Absent: Markham

MATTERS FOR COUNCIL ACTION

- 1. Adoption of Resolution of Participation for a Federal Surface Transportation Program grant for the Novi Road (12 Mile to 13 Mile) Rehabilitation Project, approval of a cost share agreement with the Michigan Department of Transportation (with an estimated allocation of \$689,300 to be paid by Federal grant funds and \$1,032,900 to be paid by the City of Novi), and approval of City Fund allocation.

CM 16-06-073

Moved by Wrobel, seconded by Staudt; UNANIMOUSLY CARRIED:

To adopt a Resolution of Participation for a Federal Surface Transportation Program grant for the Novi Road (12 Mile to 13 Mile) Rehabilitation Project, approval of a cost share agreement with the Michigan Department of Transportation (with an estimated allocation of \$689,300 to be paid by Federal grant funds and \$1,032,900 to be paid by the City of Novi), and approval of City fund allocations subject to the following:

- a. City allocation to be \$406,930 from Major Street Fund and \$625,970 from Drain Fund.
- b. Confirmation of current design for the depth of swale as not to exceed 9 inches from road surface at its lowest point.
- c. City Administration to explore the feasibility of planting small ornamental trees in the swale as a future improvement.

Member Mutch noted that he raised some concerns at the previous meeting about this project and he did ask staff to find out if there was opportunity for the City to make any significant changes to the design to address those concerns. He said based on the information provided to Council it would not be possible to revisit the design in any significant way without jeopardizing the federal funding. He said in light of that he would support the motion, although he still had concerns. He said staff had indicated the design is both safe and green. He said he felt incorporating curbing could have made this a safer and more environmentally friendly design. He also said that the lack of curbing on this design resulted in a couple of things not happening that would have happened with an alternative design. One of which would have been less speeding in that area and also had we been able to fully landscape a median he felt it would help to reduce noise. He said other members of Council shared some of the same concerns, and he would reluctantly support this. He said he hopes that we learn from this process going forward with projects of this kind that are up for consideration that City Council will get more input on them earlier in the process.

Roll call vote on CM 16-06-073

**Yeas: Casey, Mutch, Wrobel, Gatt, Staudt,
Burke**

Nays: None

Absent: Markham

2. Approval to award a construction contract for Karim Boulevard Reconstruction project to Cadillac Asphalt, LLC, the low bidder, in the amount of \$741,419.80, subject to final review and approval of form of agreement by City Manager's office and the City Attorney, and approval of allocations from Major Road Fund and Drain Fund.

CM 16-06-074

Moved by Wrobel, seconded by Staudt; UNANIMOUSLY CARRIED:

To award a construction contract for Karim Boulevard Reconstruction project to Cadillac Asphalt, LLC, the low bidder, in the amount of \$741,419.80, subject to final review and approval of form of agreement by City Manager's office and the City Attorney, and approval of allocations from Major Road Fund and Drain Fund.

Roll call vote on CM 16-06-074

**Yeas: Mutch, Wrobel, Gatt, Staudt, Burke,
Casey**

Nays: None

Absent: Markham

3. Approval of the request of Biltmore Land, LLC for development of Covington Estates, JSP 15-02 for approval of a Residential Unit Development (RUD) Plan, as revised, and the associated RUD Agreement. The subject property is located on 48.83 acres in Section 31 north of Eight Mile Road and West of Garfield Road in

the RA, Residential Acreage District. The applicant is proposing a 38 unit single-family development. The proposed RUD Plan includes, in addition to the improvements previously considered by City Council, a temporary relocation of the emergency access drive to extend along the north property line as an alternate to the proposed emergency access drive connection from the neighboring property to the east, which is being proposed in the event easements are not acquired.

Kevin Kohls, 41200 Coventry said he was there representing Biltmore Land, LLC and he also had with him, David Stollman, President of Biltmore Land, LLC. Tavio Palazzolo, Civil Engineer was also present and was standing in for Carol Thurber of Fazal Khan Associates. He said they have a modification of the 38 Lot RUD that was approved last year. He said it addressed solely the situation where the Covington Estates RUD developed before the Ballantyne RUD to the east. Their emergency access and water main looping all went through Ballantyne. He said if Ballantyne doesn't develop they needed to provide an alternate route for the emergency access and the water main looping. He said they did that across the 115 foot strip that runs 1100 feet out to Garfield Road. He mentioned they have a temporary emergency access easement proposed to be abandoned when Ballantyne is improved. Mr. Kohls said the temporary emergency access road consisted of a 20 foot wide area in accordance to City Code, eight feet which will be a paved path in the middle with six feet of turf block on each side. He said in addition to that, they agreed during the Planning Commission process to plant an additional 170 six-foot arborvitae along the gaps in the landscaping of our neighbors to the north.

Member Mutch clarified with the City Attorney that they wanted two motions from Council on this item. He also thanked the applicant for the work they had done on this project. He said he appreciated that they took into consideration the concerns of the neighbors to the north and came forward with a win-win solution. He also thanked them for the lot sizes and said they had been adjusted to reflect his previous concerns so he personally appreciated that.

CM 16-06-075 Moved by Mutch, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve the Residential Unit Development Plan for the Covington as initially approved by the City Council on September 14, 2015, and as modified on the revised RUD Plan. This motion is based on the following findings, lot size modifications, building setback reductions and conditions:

Determinations (Zoning Ordinance Section 3.29 .8.A):

- a. The site is zoned for and appropriate for the proposed single-family residential use;**
- b. Council is satisfied that with the proposed pathway and sidewalk network and added open space, the development will**

not have detrimental effects on adjacent properties and the community;

c. Council is satisfied with the applicant's commitment and desire to proceed with construction of 38 new homes as demonstrating a need for the proposed use;

d. Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings through the preservation of 20.67 acres (or 42 percent) of the proposed development area as open space;

e. Council is satisfied that the applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;

f. Factors evaluated (Zoning Ordinance Section 3.29.8.B):

1. Subject to the lot size modifications and building setbacks reductions, all applicable provisions of the Zoning Ordinance, including those in Section 3.29.8.B and for special land uses, and other ordinances, codes, regulations and laws have been or will be met;

2. Council is satisfied with the adequacy of the areas that have been set aside in the proposed RUD development area for walkways, parks, recreation areas, and other open spaces and areas for use by residents of the development;

3. Council is satisfied that the traffic circulation, sidewalk and crosswalk features and improvements for within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;

4. Based on and subject to the recommendations in the traffic consultant's review letter, Council is satisfied that the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;

5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;

6. The RUD will provide for the preservation and creation of approximately 39 percent of the site as open space and result in minimal impacts to provided open space and the most significant natural features;

7. The RUD will be compatible with adjacent and neighboring land uses for the reasons already stated;

8. The desirability of conventional residential development on this site in strict conformity with the otherwise applicable minimum lot sizes and widths being modified by this motion

is outweighed by benefits occurring from the preservation and creation of the open space that will result from the RUD;

9. Any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space that will result from the RUD;

10. Council is satisfied that the proposed reductions in lot sizes are the minimum necessary to preserve and create open space and to ensure compatibility with adjacent and neighboring land uses;

11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost;

12. Council is satisfied that the applicant has made or will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;

13. Council is satisfied that the applicant has made or will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and

14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.

g. Modification of proposed lot sizes to a minimum of 21,766 square feet and modification of proposed lot widths to a minimum of 120 feet is hereby approved with this approval based on and limited to the lot configuration shown on the concept plan as last revised, as the requested modification will result in the preservation of open space for those purposes noted in Section 3.29.3.B of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;

h. Reduction of permitted building setbacks consistent with the proposed reduction in lot size and width;

i. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter;

j. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access; and

- k. This approval is subject to all plans and activities related to it being in compliance with all applicable provisions of the Zoning Ordinance, including Articles 3, 4 and 5, and all applicable City Zoning Ordinance approvals, decisions, conditions and permits.
l. This approval is subject to the finalization and execution by the City and Applicant of the RUD Agreement.

Roll call vote on CM 16-06-075 **Yeas: Wrobel, Gatt, Staudt, Burke, Casey, Mutch**
Nays: None
Absent: Markham

CM 16-06-076 **Moved by Mutch, seconded by Wrobel; UNANIMOUSLY CARRIED:**

To approve the Residential Unit Development Agreement for Covington, with any changes and/or conditions as discussed at the City Council meeting, and any final minor alterations required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office prior to the execution of the final agreement.

Roll call vote on CM 16-06-076 **Yeas: Gatt, Staudt, Burke, Casey, Mutch, Wrobel**
Nays: None
Absent: Markham

4. Approval of Proposed Water & Sewer Rate Resolutions for 2016-2017.

Member Wrobel mentioned the residents should know that the Water & Sewer rate will decrease for the average customer in the 2016-2107 fiscal-year approximately eight percent.

CM 16-06-077 **Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:**

To approve the Water & Sewer Rate Resolutions for 2016-2017.

Roll call vote on CM 16-06-077 **Yeas: Staudt, Burke, Casey, Mutch, Wrobel, Gatt**
Nays: None
Absent: Markham

5. Consideration of the request of Sue Nebe for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a

determination as to which zoning district or districts the proposed use of the existing historic Chapman House at 46690 West Road as a retreat facility for small groups to engage in crafting activities, with meals and sleeping rooms provided, should be permitted in.

Sue Nebe said over the last several years she has been doing crafting, quilting, and scrapbooking that have gone by the wayside for many people. Last year she opened a store and then looked for a place for people to have a retreat, where people can go and work on their projects without interruptions. She said they came upon the property on West Road which is a beautiful historic home and in keeping with the homes historic shape they would proceed to use the five bedrooms and add two bathrooms because there is currently only one now. Ms. Nebe said they will make it a crafting area and retreat for people to come and work on their projects.

CM 16-06-078 Moved by Burke, seconded by Casey; UNANIMOUSLY CARRIED:

To approve the request of Sue Nebe for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination as to which zoning district or districts the proposed use of the existing historic Chapman House at 46690 West Road as a retreat facility for small groups to engage in crafting activities, with meals and sleeping rooms provided, should be permitted in.

To approve the Determination under Section 4.87 of the Zoning Ordinance that the described use as a retreat facility for small groups to engage in crafting activities, with meals and sleeping rooms provided, be considered as a Special Land Use in all Zoning Districts, when the building is determined by the Planning Commission to be significant in the history, architecture, archaeology, engineering, or culture of the City of Novi, the State of Michigan or the United States. This Determination is based on the following:

- 1. such use does not appear to be expressly authorized in the zoning ordinance as a principal permitted use or a principal use permitted subject to special conditions;**
- 2. Such use does not appear to have been contemplated by this Ordinance as a principal permitted use or a principal permitted use subject to special conditions,**
or;
- 3. Such use involves features which do not appear to have been contemplated by the zoning ordinance as features of a principal permitted use or a principal permitted use subject to**

special conditions. The City Council shall specify what district or, districts, if any, in which the proposed use may be

Member Staudt said he had never heard of this concept and was interested in what this concept was and asked Sue Nebe to describe what would be included in the package. She said currently there are other retreat homes around the state of Michigan and they have anywhere from four to eight bedrooms. She said all bedding and linens would be provided. Ms. Nebe mentioned most of the retreat homes have facilities where they can cook so they can provide meals for the people that stay. People bring their own quilting projects, sewing machines, and their craft supplies. She said they take the weekend or up to seven days to work on their crafts. She said they will have a small staff that would take care of the needs of the folks, but they would not be able to accommodate them for longer than a week. Ms. Nebe said they will provide food if that is required, although some groups provide their own. She mentioned they will have a full kitchen with a stove, refrigerator and microwave for people to use and they also would have staff there to serve their meals. She said possibly they may have a massage therapist come in to give guests a massage after they are done working on their crafts. Ms. Nebe noted that currently the retreat homes within the Detroit Metro area have a two-year waiting list and she thought this would be a good opportunity for another retreat house in this area. Member Staudt wondered if they ever considered the Villa Barr Art Park for any of these activities. Ms. Nebe said she didn't believe there was an overnight possibility there. Member Staudt said it is nice to have entrepreneurs out there and who take advantage of it.

Roll call vote on CM 16-06-078

**Yeas: Burke, Casey, Mutch, Wrobel, Gatt,
Staudt**

Nays: None

Absent: Markham

Mayor Gatt welcomed Ms. Nebe to Novi. Ms. Nebe thanked the Mayor, Mayor Pro-Tem and City Council.

6. Approval of the request of Pulte Homes for Dixon Meadows, JSP 14-46, with Zoning Map Amendment 18.709, to rezone property in Section 10, located on the east side of Dixon Road, north of Twelve Mile Road from RA (Residential Acreage) to RT (Two-Family Residential) subject to the related Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Plan. The property totals 22.36 acres and the applicant is proposing to construct a 90-unit single family residential detached site condominium.

Bob Halso said he was representing Pulte Homes and he also had Bill Anderson from Atwell Civil Engineers along with him to answer any questions.

Member Mutch questioned Planning Director, Barb McBeth regarding the provision of a five foot sidewalk along the east side of Dixon Road. He said a couple years ago they updated the ordinance standards for sidewalks and pathways along the collector and

trail roads we would be providing six foot sidewalks and in some cases eight foot sidewalks, based on our Non-Motorized Master Plan. He said he looked at the plan to see what it proposed for this section of Dixon Road and it does show that this is going to be a connector between areas to the south and up to Lakeshore Park. Member Mutch wondered if it is consistent with the Non-Motorized Master Plan because the applicant and the PRO agreement is showing a five foot sidewalk along the frontage of Dixon Road and also the extension to the south. Ms. McBeth responded saying that she and City Engineer, Brian Coburn had a chance to take a look at that just before the meeting this evening which Mr. Coburn will address. Mr. Coburn said the ordinance states that the arterial and collectors would have a six foot pathway that is in the design construction standards that were recently changed. He said the issue is that the Zoning Map for the Master Plan for Land Use shows it as a scenic road, it doesn't designate it as a collector or an arterial, so it is a gray area as to whether Dixon Road is five or a six. He said we could treat it as a local street which would be the five or we could treat it as a collector road which would be a six. Member Mutch said that it is now connecting up Liberty Park which has approximately 1,000 to 1,500 units in it. He said this new development would function as a collector road; it will not be a local street any more. Mr. Coburn said that we may have to re-designate that road if it starts looking like a collector road. He said it will act like that because there will be more traffic on it than we had previously, but he also reiterated that it is a gray area and should be clarified in the ordinance in the future. Member Mutch said we need to clarify what we are approving this evening.

CM 16-06-079 Moved by Mutch, seconded by Staudt; UNANIMOUSLY CARRIED:

To approve the final request of Pulte Homes for Dixon Meadows, JSP 14-46, with Zoning Map Amendment 18.709, to rezone property in Section 10, located on the east side of Dixon Road, north of Twelve Mile Road from RA (Residential Acreage) to RT (Two-Family Residential) with a Planned Rezoning Overlay and subject to the related Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Plan, subject to the conditions listed in the staff and consultant review letters, and with any changes and/or conditions as discussed at the City Council meeting, and any final minor alterations required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office prior to the execution of the final agreement, for the following reasons:

- a. The applicant has presented a reasonable alternative to the proposed Master Plan designation of a maximum of 1.65 units/acre to an actual 4.2 units/acre, and which supports several objectives of the Master Plan for Land Use as noted in the planning review letter.**
- b. The proposed density of 4.2 units/acre provides a reasonable transitional use and density between the lower density Liberty Park - Single Family development to the west**

(approximately 3.5 units/acre), and the higher density Carlton Forest development to the east (approximately 5.6 units/acre), and given the PRO Conditions, as well as the required remediation, the integration of this development to the area results in an enhancement of the overall area that would not be required without the PRO.

c. The roadways and surrounding intersections are expected to maintain acceptable

levels of service with the addition of the site generated traffic, and the proposed paving of approximately 1,800 linear feet of Dixon Road from the existing terminus point at Twelve Mile Road to the northern entrance of the proposed development may be seen as a public benefit to the potential residents of the new development, as well the residents who currently use Dixon Road.

d. The site will be adequately served by public utilities.

e. The City's Traffic Engineering Consultant has reviewed the Rezoning Traffic Impact Study and notes a minimal impact on surrounding traffic as a result of the development as the current traffic volume on Dixon Road is relatively low.

f. Submittal of a concept plan, and any resulting PRO Agreement, provides assurances to the Planning Commission and to the City Council of the manner in which the property will be developed, and with the PRO Conditions as proposed, the overall development is more restrictive than would otherwise be required within the RT District.

g. Sidewalk along Dixon Road to be six feet wide.

Mayor Gatt clarified with Council that they were requesting the sidewalk would be six feet wide instead of the proposed five feet wide.

City Attorney, Tom Schultz said we should offer Mr. Halso time to respond to the change in the motion regarding the sidewalk being six feet wide instead of the proposed five feet wide. Mr. Halso responded saying they were happy with that.

Roll call vote on CM 16-06-079

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

Nays: None

Absent: Markham

7. Approval to award to the engineering design services agreement to Orchard, Hiltz & McCliment for the Nine Mile Gravity Sanitary Sewer project (Roberts Road to Beck Road) in the amount of \$216,264.

CM 16-06-080

Moved by Burke, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve an award to the engineering design services agreement to Orchard, Hiltz & McCliment for the Nine Mile Gravity Sanitary Sewer project (Roberts Road to Beck Road) in the amount of \$216,264.

Roll call vote on CM 16-06-080 **Yeas: Casey, Mutch, Wrobel, Gatt, Staudt, Burke,**
Nays: None
Absent: Markham

8. Approval to award a unit price contract to Signature Services Inc., the low bidder, for as-needed concrete pavement repairs in an estimated amount of \$206,000.

CM 16-06-081 **Moved by Wrobel, seconded by Casey; UNANIMOUSLY CARRIED:**

To approve an award of a unit price contract to Signature Services Inc., the low bidder, for as-needed concrete pavement repairs in an estimated amount of \$206,000.

Roll call vote on CM 16-06-081 **Yeas: Mutch, Wrobel, Gatt, Staudt, Burke, Casey**
Nays: None
Absent: Markham

9. Approval to award an amendment to the engineering services agreement with Spalding DeDecker for construction engineering services for the Novi Road (12 Mile to 13 Mile) Rehabilitation project in the amount of \$131,935.

CM 16-06-082 **Moved by Wrobel, seconded by Casey; UNANIMOUSLY CARRIED:**

To approve an amendment to the engineering services agreement with Spalding DeDecker for construction engineering services for the Novi Road (12 Mile to 13 Mile) Rehabilitation project in the amount of \$131,935.

Roll call vote on CM 16-06-082 **Yeas: Wrobel, Gatt, Staudt, Burke, Casey, Mutch**
Nays: None
Absent: Markham

10. Approval of Change Order No. 1 to Cadillac Asphalt, LLC, for the 2015 Neighborhood Road Program - Contract 2 (Asphalt) Drainage Improvements in the amount of \$211,247.

CM 16-06-083 Moved by Casey, seconded by Wrobel; UNANIMOUSLY CARRIED:

Roll call vote on CM 16-06-083

**Yeas: Gatt, Staudt, Burke, Casey, Mutch,
Wrobel**

Nays: None

Absent: Markham

11. Consideration to approve "Agreement for Improvement and Occupancy of Property," in connection with a parcel of land located on the south side of Grand River west of Taft Road to be used for temporary City recreation (soccer) fields and temporary parking facilities by the property owner, subject to final review and approval as to form by the City Manager and City Attorney's Office.

Mayor Gatt asked the property owner, Mr. Blair Bowman to stand by to answer any questions.

Member Wrobel thanked Mr. Bowman for allowing the City to do this project and said that it will work for both parties and they sure could use the fields.

CM 16-06-084 Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:

To approve the "Agreement for Improvement and Occupancy of Property," in connection with a parcel of land located on the south side of Grand River west of Taft Road to be used for temporary City recreation (soccer) fields and temporary parking facilities by the property owner, subject to final review and approval as to form by the City Manager and City Attorney's Office.

Member Mutch asked Mr. Bowman how he anticipated this land to be used during certain events and what type of parking will be there. Member Mutch said he understood that it would be used for parking, such as staff or overflow parking. Mr. Bowman said yes to the reasons mentioned within limits and reason, certainly with planning and discussion. He said the major interest on their part was a logistic situation with the State Fair and that was going to be for trailer and truck parking during the course of the actual fair itself. He said that was the primary purpose that they originally saw. He also mentioned with the Comic Con style of event they could organize and communicate with the vendors, their employees and volunteers to park there during the event. Mr. Bowman said he thought it would be a very good location for the community and charitable benefit program where the community organizations will get to run the parking areas and keep those funds for their fundraising efforts. Member Mutch raised one question regarding the need to get people from the south side of Grand River to the north side safely, especially during big events when there is a lot of traffic. He wondered if Mr. Bowman had any discussions with City Staff on how they are going to do that. Mr. Bowman said how it relates with the logistic standpoint of the

State Fair they have direct communication with them, even a shuttle program for the majority of times. He said that pedestrians will cross back and forth in the early morning. If it is used for parking it will have signage and will be manned so people will be directed to the main entrance. He also mentioned the lots will be a reasonable price, something less than their current normal parking charge is. The charities and community groups will direct people where to they need to go and he said it is his expectation that they will have reasonable success getting them to the signalized intersection where they have pedestrian crossing. Member Mutch said this would involve primarily the big events and he knows that Mr. Bowman already works with City Staff with the State Fair; he said if this becomes a regular activity, the pedestrian conflict will have to be something we are aware of. Mr. Bowman said this a little bit of a segue into one of the things when they come forth with the expansion plan package dovetailed into the major event traffic planning that will be along with mobility and accessibility issues, pedestrian accessibility, parking and major traffic flow. He said he could imagine they might have some crossing assistance if it will be used in full scale as an actual overflow lot. He said if they do see from experience that it will work, that could be something they could engage in and have temporary signalization for pedestrian crossing, so if they progress they can see if that may be warranted in the future.

Mayor Gatt thanked Mr. Bowman for all of his charitable work here and mentioned that he and City Manager, Pete Auger had met with Mr. Bowman several times over this project. He thanked him on behalf of Parks, Recreation and Cultural Services and all the kids that will use these soccer fields.

Roll call vote on CM 16-06-084

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

12. Appointments to Boards and Commissions

Mayor Gatt said he intended to appoint all three of the incumbents to the Planning Commission, Mr. David Baratta, Mr. Robert Giacobetti and Mr. David Greco. Mayor Gatt thanked them for all of their hard work.

CM 16-06-085 Moved by Gatt, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve appointments to Boards and Commissions

Roll call vote on CM 16-06-085

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

City Clerk, Cortney Hanson said the appointments to the Parks, Recreation and Cultural Services Commission are Douglas Bauss, Charles A. Staab and Shelley Thomopoulos.

City Clerk, Cortney Hanson said the appointment to the Partial Term to the Zoning Board of Appeals is Joe Peddiboyina.

13. Approval of resolution to authorize Budget Amendment #2016-4.

Mayor Pro Tem Staudt asked Finance Director, Carl Johnson to step down to talk about the funds that are generated as the result of closing all of the escrows. Member Staudt said in his unending effort to set aside dollars that have nothing to do with day to day operations he would like to have Council receive a complete accounting of all those funds. He said at some point he may ask his colleagues to set aside those funds to not be part of the General Fund. He said he thought it was extremely misleading that they get a one-time benefit from years of accumulation and it shows up on the fund balance like they did something recently. He said much like the Special Assessment Fund, he would much rather see those funds be something that they allocate for a specific purpose as opposed to being just part of the General Operations Fund. Mr. Johnson said Council has received an accounting for that every quarter in the Administrative Packet since this started nearly two-years ago. He said every quarter they track what was closed and which funds it will go in. He said there is an accounting for it and every quarter when they close that out goes into General Operations Fund. The fund balance that they have as of right now does include those entire close outs into the General Operations Fund. Mayor Pro Tem Staudt said what he would like to see was an accumulated summary of everything that was generated so that Council can make a decision on whether to withdrawal that from the fund balance and make it a segregated fund. Mr. Johnson said that was readily available and he would get that to Council.

CM 16-06-086 Moved by Staudt, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve a resolution to authorize Budget Amendment #2016-4.

Roll call vote on CM 16-06-086

**Yeas: Casey, Mutch, Wrobel, Gatt Staudt,
Burke,**

Nays: None

Absent: Markham

AUDIENCE COMMENT

Mr. Dave McAleer, 22514 Heatherwoode, lives in the Village Oaks Subdivision and he said he would like to voice his concerns over the fractured system used for our Fire Department. He said in a City Council meeting that took place a few months ago he noticed a resident speak about how his wife had had a heart attack and the response from the Fire Department was completely unacceptable. He said on June 6th, a

resident spoke about the Woodham Road fire which occurred near Fire Station 4. During that conversation, he mentioned that 12-15 full-time firefighters were in Novi compared to Sterling Heights having approximately 20 full-time firefighters. Since January, in addition to the Woodham Road fire, there have been fires on Village Wood, Mystic Forest, East Lake and Sullivan all occurring on nights and weekends. He has researched and found that there are no part-time police officers, yet the majority of firefighters are part-time and paid-on-call who respond from their homes. These part-time employees work full-time jobs elsewhere. Full-time firefighters only work 35% of the shifts. Nights and weekends are only covered by part-time firefighters and only staff 2, maybe 3, of the stations. He lives at 9 Mile and Meadowbrook, near Fire Station 3, which is not staffed the majority of the time. When it is staffed, it is by those that are part-time. Staffing stations at those times with part-time employees and those who respond from their homes makes for unsafe operations for residents and firefighters. He said Novi is no longer a small city and we have outgrown that system. He said it is outrageous that there are only fully trained staff from 6am-6pm. He said he keeps seeing signs recruiting more paid-on-call employees and felt that wasn't the answer. He questioned why a city of this size does not have a full time fire department 24 hours a day. He said he would follow up and looked forward to seeing a plan to fix this.

Mr. Auger mentioned it was Brian Coburn's last meeting. He is moving on to the Oakland County Water Resource Department after 14 years of service. Mayor Gatt thanked him for everything he had done and wished him luck.

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

COMMUNICATIONS - None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:45 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved July 11, 2016