

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, APRIL 3, 2023 AT 7:00 P.M.**

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, Crawford, Fischer, Smith, Thomas

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

APPROVAL OF AGENDA:

Mayor Gatt added to Mayor and Council Issues "Moe's on Ten".

CM 23-04-038 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY

To approve the Agenda as amended.

Roll call vote on CM 23-04-038 **Yeas: Staudt, Casey, Crawford, Fischer, Smith,
Thomas, Gatt**
Nays: None

PUBLIC HEARINGS: None

PRESENTATIONS:

Mayor Gatt was proud to announce that they had a presentation that evening. He said our future leaders, we are looking at people who could be president of the United States or mayor of Novi, or anything in-between. These are leaders of Novi, and they are in our Novi Middle School. He stated they were going to present that evening something that they made on their Robotics Team. He turned it over to the Novi Middle School Robotics Team Rapid Robots.

1. Novi Middle School Robotics Team Rapid Robots

Team Member Sohan of the Rapid Robots thanked everyone for giving them this amazing opportunity to present in front of you that evening. He said they are a robotics team from Novi Middle School, and they participate in a program called FIRST. He said FIRST is the world's leading nonprofit for youth advancing STEM education. He stated FIRST combines the rigor of STEM learning with the fun and excitement of traditional sports. He explained the benefits of joining FIRST is learning the core values, discovery, innovation, impact, inclusion, teamwork, and most importantly, fun. He added you also learn gracious professionalism and cooperation. He said FIRST robotics programs are in three different levels. He mentioned elementary school being FIRST LEGO League, middle school being, FIRST Tech Challenge, and high school being FIRST Robotic Competition. He said they are the FIRST Tech Challenge Team.

Team Member Ayansh talked about the Novi teams and their performance 2022. He said there are three teams in 2012, and since then the number of participating teams are increasing almost every year. He said there were a total of 11 teams representing Novi schools to multiple events for Power Play season. He said there are three new teams added and participated last year. He explained there are multiple award categories; Inspire, Think, Connect, Motivate, Control, Innovate, and more. He said each award is based on the performance based on specific criteria. One specific award he wanted to talk about was the Inspire Award. He said this award is the most coveted award during any FIRST competition. He said this judged award is given to the team that best embodies the challenge of the FTC program and role model FIRST team. He stated overall Novi teams received more than 17 plus awards during multiple events for Power Play season. He stated they and Robot Hands received the Inspire Award during the regionals. He said Robot Hands again received this award during Michigan State's competition held out in Warren. He said they were the first runner up during Michigan State's competition held in Grand Rapids, and both teams went to the Worlds this year. He said that four Novi teams received the Inspire Award and this is a testament to the education and support they receive in the Novi Schools District, and community.

Team Member Aarush presented the key highlights of the past year starting with outreach. He said outreach is where they reach out to other people in the community, and other companies in the community. He said it is also where they get most of their sponsors. He stated one big outreach that they did was an international outreach in India, where they started a FLL team there, and they message them if they needed any help. He said audience visibility is also a big part of FIRST, because it is the amount of people you are reaching out to during all your outreaches. He said they had over 1000 people watch them during all our outreaches, most of that coming from their Heritage Walk or we had over 400 people. He said they were very lucky this year to get so many mentors. He said they had seven mentors inside their team. He stated they had two from the Novi High School, and they had multiple industry experts from different outreaches help us throughout the year.

Lastly, he talked about coopertition. He stated coopertition is where you help other teams throughout the year, either in the competition or outside the competition. He listed some things they did related to cooperation; helping people in their judging session, helping people for programming, helping in robot build challenges and sharing parts. He said they raised almost \$24,000 this year, most of that coming from all their sponsors. He said some of the innovative parts in their robot are dual clamp design. He explained that is the laterally mounted slides, they have a robot, the way we built our chassis, and the way they picked their motors for a robot. He said they use a lot of technology throughout the year, mostly in our code, starting with TensorFlow. He said TensorFlow is where they detect an object on the field and they do something based off the object that they detect. He said it is also connected o the AI and the ML in their robot. He stated they also use multi-threading and multitasking, which as you can see in the name, it is multiple is doing multiple things in the code. He said that is the multitasking is the outcome ion the robot. He mentioned they go an Inspire Award as one of their awards. He said they received many awards throughout the year.

Team Member Debakshi said they named their robot the Energizer because this year's theme for FTC was Energy. She said they added the "N" for Novi and the "R" for Rapid Robots. She said our robot has evolved a lot throughout the season, ultimately adding up to 14 different iterations, each innovative and beneficial to the robot. She explained this involves changing and prototyping new designs, such as, they went from a bulkier cups or claw to a thinner finger like design and they added supporting parts to original design concepts to improve them. She said an example of this was that we went from one vertically mounted linear slide using to make our whole up and down motion faster and more stable. We made sure that the bulk of our way in our robot was in the center. She said this was a suggestion from an outreach they did with the startup robotics company called Peer Robotics where design meets gameplay. She said our robot has been shaped over time to do its best in this use game powerplay with many elements of our robot have been changed to complete tasks more efficiently and precisely. She gave an example and said they programmed their controllers to have specialized buttons for various full heights. She said another example mentioned earlier was that they added a second vertically mounted linear slide to lift their claws faster. They also changed elements of their robot because they interfered with tasks or did not work that well which was previously mentioned on one version of their claw, it was a bulky cup shaped design which interfered with their beacon during end game. She stated this was changed to better accommodate the beacon and the other uses of the claw. She mentioned the overall design also included many innovative and unique components. She mentioned this greatly improved their gameplay by making it faster and easier to lift in place codes. She said this also set them apart in front of the judges during competitions.

Team Member Karthikeya said his peers explained about all the components of FIRST Robotics, this is by far the best program to experience real world STEM techniques. He said STEM stands for Science, Technology, Engineering and Mathematics. The program also helps them to improve their various skill sets, such as public speaking, community service, etc. He stated some of us have been doing robotics for six to seven years, but others have rookie members that have become experts in various fields. He wanted to talk more about the powerplay season impressions. It's been a rough ride throughout the season, but we made it to the end. He said when you started off their season by going to Lakeview qualifier 10 minutes before our very first match, our string gets stopped. The string was used to carry out some very critical missions to score points in the game, but we still had to go to the match. He said when we came out of the match, they were very shocked and surprised since they had won the match. He said as the day went on, it came down to the award ceremony we won first place Connect Award, third place Inspire Award and a ticket to the state championships in Grand Rapids, Michigan. He said we used all our luck; we implemented all our lessons learnt for our next qualifiers and the states. He said our third and final qualifier, they had scored 212 points in their first match. He said that was the most points any team had scored that day. He stated when it came down to the award ceremony, we had one we did not want a single Award, and it was a tense moment, and the Inspire Award, which is the most prestigious award was going to be announced. He said the MC gave this team the Inspire Award a compliment. He said this team works at a rapid pace, and they stretch their arms out not

only to local communities, but to international communities as well. He said when the MC had announced this, we knew that our team had won the Inspire Award. He acknowledged as a team, they were proud. They also knew that they would be ready for the State Championships.

Team Member Ishaan said at the State Championships they had various ups and downs, but they made it to the end. He said at the award ceremony they had won first place, the Connected Award, and won second place, the Fire Award. He said they knew if they had worked a little more, they would have taken first place in Fire, which would have been an automatic ticket to the World Championships. He said all our the work had paid off and they received an email invitation from the FIRST organization to come join them in the Houston, Texas World Championships 2023. He mentioned this is just a taste of all the emotions that every single FTC or FIRST team goes through. He thanked their sponsors, their parents, mentors, and coaches. He also wanted to thank the Novi School District, the City Council, and the Mayor for providing them with this platform and opportunity.

Mayor Gatt let the Rapid Robots Team know that he was impressed on so many levels, he could not even talk about it. He was impressed with the presentation, and noted they were speaking from memory, not from notes. He said whenever he hears or reads anything bad about our youth and our future, he thought people like you, and it just makes him very comfortable knowing that you are going to oversee this whole country one day in the not-too-distant future because you are the leaders of the future. He spoke on behalf of his colleagues and thanked them for coming and said keep up the good work as you head into the next phase of robotics in high school. He asked them to keep making them proud and keep listening to your teachers, your parents and come on back here the next time you do something like this and show us how you have progressed.

MANAGER/STAFF REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Catherine Pomaville thanked our City Council and Mayor for listening to the public and our community. She said what she was proposing or asking from the City of Novi is that they increase education in community about the use of poisons, toxins for roadsides and pesticides. She recently had a situation where a company was hired and they used a misuse of chemical and an improper way and killed quite a bit of wildlife in her areas. She said her dog was also exposed to the poison. She stated it is an ongoing investigation, it brought a lot up into her awareness and the fact that many other communities spread awareness about the potential harm of using these toxic substances. She said she loved the city of Novi, she moved here from the east side, they love the trees, and they love the wildlife. She thought a potential mishap could have a devastating effect on our ecosystem, and our animals, and on this area that we love to live in. In doing so, she did not feel that it would be much of an economic impact, because you already do such a great job with your magazines, your outreach, and so forth, but just making an awareness

to the public of the potential harms to a small animal, it could impact a hawk, an owl, or vulture, or other wildlife. She was pleading with Council to make that decision or at least address it. She did not think economically it would not make a big impact, but it could make a huge impact on our ecology.

Rachel Sines, 2219 Austin Drive, Novi said she had a couple of pictures she had with her, and she was once again there to talk about Robertson's Lakeview Development. She mentioned that prior to the project beginning she expressed concerns about flooding and that was before she knew the elevation was going to be raised six feet behind her. She said throughout the approval process for the development we, herself and the City, were reassured that the development would only help any flooding issues, and they now know that is not the case. She stated it has created more issues for the neighbors. She said designed into the development as a swale is seen here in her pictures. She said she spoke to the site manager at the beginning of the project and he informed her that the swale would not be installed until the project was completed. Then in June of 2021 her yard and shed which sits a few inches off the ground flooded for the first time. She mentioned this to Robertson's, and they said they would have someone come out to look, but they never did. She said the City engineer came out as well, and she mentioned there was nothing that could be done yet because the swale would not go in until the end of the project. She said here we are now, all the homes have been built, and this is the swale. Clearly this is not as what is on the site plan, but according to the City Ordinance Department, the grading was approved so there is nothing they can do about it. She said the Ordinance Department also claims there is a lift to hold back the water which is quite laughable. She said for years now her backyard has seen a swamp, she even has moss growing because it is always wet and nothing else will grow there. She has patiently waited for the flooding issue to be resolved, but apparently this is as good as it gets. She will get all the run off from the development and she just had to replace her relatively new sump pump because of it. She said this expense should not be hers to bear, this problem is the fault of Robertson's for not properly installing a swale and the City's for not catching it and improving it as it is. She said she would like the proper swale to be installed and she would like reimbursement for the replacement of her sump pump.

Joe Peddiboyina said he has lived in Novi for over 20 years. He appreciated a couple of things. First, he appreciated the City picking up the limbs and debris after the strong storm that we had. He spoke with others, and they were happy too. Second, he appreciated the Robotics Team, thank you so much for the kids on behalf of that.

Joseph Betera, 130 Rexton, Novi said he was there to talk about the Lakewall Subdivision again. He said he was not able to show his slide the last time he was there when we talked about the Lakefront Protection Act. He said what he was highlighting on the screen was an ad from 1919 regarding their subdivision. He said it was a little difficult to read. They ran this ad in two separate Sunday papers in 1920 and it says here, every lot has lakefront privileges and that is how the subdivision was advertised back then. He wanted everybody on Council to be able to see that advertisement and the history behind it, he wanted to show you that this was real. Secondly, he wanted to go over some documentation created when the key ordinance was being discussed, he

highlighted the public hearings from 1986. He stated at one point that Walled Lake was involved in this, both cities were looking at keyholing, but for some reason while they did not proceed with this ordinance, they backed out, he did not know why at this point, he is still researching, but it is something to think about. He said the proposed ordinance said no parcel of land contiguous to the lake shall be subdivided. He said what you are trying to apply this 1986 ordinance to a subdivision that was built in 1920, it is very clear that this ordinance says it shall be subdivided. He said moving forward, here is more of the ordinance, a multiple residential cluster housing or mobile home park development, again talking about development, we were already fully developed, his sub has been there since 1920, over 100 years ago. He pointed out that it is glaring that this ordinance was not meant for their subdivision. He wanted to bring these facts to the forefront and make sure all the Councilmembers know it because there is extensive litigation going on regrading this and the City is spending he was sure hundreds of thousands of dollars in attorney fees for something that was not meant for their subdivision. He said in 1986 this ordinance was written, and in 1987 a variance was given to a condo complex, which was exactly what this ordinance was supposed to prevent, in 1990 another condo complex got a variance for a dock and in 1991 another condo complex got a variance for a dock. He said they do not understand why this is trying to be applied to a 1920 subdivision when there were variances provided after the ordinance.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 23-04-039 Moved by Crawford, seconded by Thomas; CARRIED UNANIMOUSLY

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 March 20, 2023 - Regular Meeting

- B. Approval to award a contract for the administration of the 2022 Program Year for the Community Development Block Grant (CDBG) Minor Home Repair Program to McKenna & Associates in the amount of \$19,393.60.

- C. Approval to amend the Water Service Connections contract with D&D Water & Sewer, Inc. to adjust select unit costs to reflect the increase in certain material costs.

- D. Acceptance of a sidewalk easement associated with the Innova Apartments project, JSP 19-0024, in the amount of \$12,855.12.

- E. Approval to award engineering design services to Spalding DeDecker for the design of walking trails and play structure clearing and grading at Northwest Park in the amount of \$26,019.00.

- F. Approval of a resolution regarding Temporary Promotional Signage for businesses throughout the City of Novi during the 2023 Road Construction Season to allow temporary relief from the Sign Ordinance from April 3, through October 31, 2023
- G. Approval of the Beautification Commission's recommendation on the Neighborhood Entryway Enhancement Matching Grant Program to award the requested grant amount for the following neighborhoods upon successful completion of the entryway work depicted in the applications: Ashbury Park (\$5,000), Camden Court (\$4,306.50) with the condition that the proposed invasive burning bush is changed for a non-invasive shrub, and Knightsbridge Gate (\$4,700).
- H. Approval to provide accounts payable and light accounting services to Michigan High Intensity Drug Trafficking Areas (HIDTA) and authorize the Mayor to sign a Memorandum of Understanding after review and final approval of the City Attorney and Interim City Manager.
- I. Approval of a one-year contract extension for employee benefit broker services between the City of Novi and Gallagher Benefit Services, Inc.
- J. Approval to change the June 19, 2023 Council meeting to Monday, June 26, 2023.
- K. Enter Executive Session immediately following the regular meeting of April 3, 2023 in the Council Annex to discuss privileged correspondence from legal counsel and labor negotiations.
- L. Approve revised land exchange agreement between the City of Novi and Novi Community School District, subject to approval of final form by the City Manager and City Attorney's Office
- M. Approval of claims and warrants – Warrant 1129

Roll call vote on CM 23-04-039

Yeas: Casey, Crawford, Fischer, Smith, Thomas, Gatt, Staudt

Nays: None

MATTERS FOR COUNCIL ACTION:

1. Appointments to Boards and Commissions

City Clerk Hanson said we still have openings on the Construction Board of Review and the Zoning Board of Appeals. She stated we did not have any applicants, and nobody was appointed.

Mayor Gatt said the next appointment is to the Library Board and per the City Charter that appointment is through the Mayor with the approval of the City Council. He

mentioned those of us who were here last time recognize that we had some very strong candidates, it was a very difficult decision. He contemplated this for the last eight or nine days. He finally went to who has been in Novi the very longest and he submitted Ajeeta Gawalapu for nomination to the Library Board.

CM 23-04-040 Moved by Gatt, seconded by Staudt; CARRIED UNANIMOUSLY

To approve Ajeeta Gawalapu for the appointment to the Library Board.

Roll call vote on CM 23-04-040

**Yeas: Crawford, Fischer Smith, Thomas, Gatt,
Staudt, Casey
Nays: None**

Mayor Gatt congratulated Ajeeta Gawalapu and to the others, thank you very much. He asked that they stay involved.

- 2. Consideration of approval to award the construction contract to DeAngelis Diamond Construction, the low bidder, for the construction of Jessica's Splash Pad, in the amount of \$1,931,416.28, and amend the budget.**

CM 23-04-041 Moved by Casey, seconded by Thomas; CARRIED UNANIMOUSLY

Approval to award the construction contract to DeAngelis Diamond Construction, the low bidder, for the construction of Jessica's Splash Pad, in the amount of \$1,931,416.28 and amend the budget.

Roll call vote on CM 23-04-041

**Yeas: Fischer, Smith, Thomas, Gatt, Staudt,
Casey, Crawford
Nays: None**

- 3. Consideration of approval to award a unit price pavement marking services contract to P.K. Contracting LLC., the sole bidder, in the estimated annual amount of \$325,750. The contract term is one year with three one-year renewal options.**

CM 23-04-042 Moved by Crawford, seconded by Fischer; CARRIED UNANIMOUSLY

Approval to award a unit price pavement marking services contract to P.K. Contracting LLC., the sole bidder, in the estimated annual amount of \$325,750. The contract term is one year with three one-year renewal options.

Roll call vote on CM 23-04-042

**Yeas: Smith, Thomas, Gatt, Staudt, Casey,
Crawford, Fischer
Nays: None**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

AUDIENCE COMMENT:

John Prior, 116 N. Haven, Novi said he hadn't planned on speaking on, but since the previous speaker brought it up regarding the flooding on her street. He did not know if this might not be a City Council Agenda topic and might be a Planning Commission Agenda topic. He mentioned Scenic Pines Estates and said there is another development scheduled to go in over there behind Bernstadt and some other streets on the south side of the lake. He said he knew they were doing the same thing where they are filling in wetlands to provide for that subdivision and it currently has a flooding problem on that end of the lake as well. He said he was curious as to what the City Council can do to help the citizens because the citizens do not have a voice here, it gets pushed through the Planning Department. He believed if the developers meet those certain codes that the City is asking for, and they purchase wetland whatever mitigation points here they are allowed to proceed and fill these plots and build their houses. He said sure, a little bit of drainage and stuff is taken into consideration with pumps, runoff, and things like that, but what can the City Council do. He wondered if they need to talk to the Planning Commission to put in more provisions to help stop this type of thing. He said once it starts, they cannot stop it and then ruins their backyards, their garages, or their whatever it is. He said the citizens do not know what to do. He wondered if Council could speak to that and help them understand the process or something that they can do besides going in front of the Planning Commission. He read a letter from Darlene Noble who was born in his subdivision. He said this goes back to the dock consideration that others were talking about. He said she has been there since 1950 and she wrote a letter he wanted to read, he quoted from the letter "My name is Darlene Woodward Noble, my parents lived on West Lake Drive across from the access lot we called the beach. When I was born in 1950 we lived there through her first year of school, by first grade, her father had built a larger home at 149 N. Haven. We spent many days at the beach swimming, playing in the sand, eating lunches at the picnic tables, waiting in the water, and watching the fireworks on July 4th. Nobody had air so the lake was a way of cooling off. At night, we would go down to the boat dock and sit on the beach and on the benches and look at the lights from the Amusement Park and listen to the music. In the winters we would go to the beach to ice skate". He said the point was that this has been here for a very long time and he felt it was time for the City Council to step up and help the citizens of their city with flooding and other areas of concern.

Joseph Bertera, 130 Rexton, Novi said he wanted to continue on what he talked about earlier. He commented that he found it interesting is the selection of the Library Board Member was based on longevity of their residence in the City. He said their subdivision has been in this city a lot longer than the condo complexes, they got variances for docks. He said if longevity is a selection point for somebody on the Library Board, then they should be getting similar consideration that our property has been used the same way for the past 100 years. He stated if that is a requirement, then we more than fill that requirement as far as longevity. He said he wanted to add from this ordinance was back

when there were discussions about it. He said the city attorney at the time, David Fried if he said it correctly had some concerns about the concept of riparian rights. He it seems did not understand what riparian rights meant, but an ordinance was being passed based on those riparian rights. He commented that he only had three minutes and could no go into the details of what those are, but he will cover that in the next meeting. He said if a developer intends to permit a park, a multiple cluster mobile home park, or targeted at development, not existing subdivisions. He said the Planning Commission should be aware there has been no Michigan Appellate Court decisions determining whether regulation is within the authority of the city. He stated the City was not even sure they could pass this ordinance, but they did anyway. He said it says we know that the attorney general has issue, contrary opinion to this ordinance, but yet again, it was still passed, and then it goes further down in the discussions. It said this ordinance may be viewed as a direct conflict with and preempted by Act People vs Luellen 401 Michigan. He stated that back in 1986 even though all these things were being phased about, they did not understand period rights. He said they did not understand whether this could be an ordinance, it was still passed and then one year later, exactly what this was meant to control with future development. He stated somebody on the Council or whoever it may gave variances to these multi-cluster high density developments. He said all they are asking for is consideration from the City for their subdivision. He said they bought these houses for a certain lifestyle, they pay premium prices for lake access, and they are just asking to continue that. We are just asking for the status quo.

COMMITTEE REPORTS:

Member Smith gave a quick report on SEMCOG, they had a General Assembly meeting on March 23. He said he and Mr. Boulard from Community Development attended. He stated they discussed all there was an election for the representation to SEMCOG for cities, Joe LaRussa, Mayor Pro Tem City of Farmington and Rock Abboud, Councilmember, Village of Beverly Hills, were elected. We received reports and the regional development forecast for 2050 Water Resources and the operating budget. He said he had those documents if anybody wanted to take a look at them, just let him know. He said it is also available on the SEMCOG website. He said their next General Assembly meeting is June 22.

MAYOR AND COUNCIL ISSUES:

Mayor Gatt added Moe's on Ten for discussion. He mentioned Moe's on Ten has been one of Novi's businesses and has been part of Novi's landscape for nearly 45 years. He said they almost went under during the COVID years. He thought a lot of us up here supported them with takeout orders daily. He said just when they were bouncing back, the Road Commission closed the road and made it very difficult for patrons to get into Moe's on Ten. He commented that the Leon family, those of us who know them know that they workday and night, diligently seven days a week trying to serve Novi and keep their business afloat. He knew that our commissioner has worked with them a little bit and had some of the signs moved back a little bit, but it is not working, or business is down by 50 to 60 percent. He was very much afraid that a place that has been in business for

almost half a century in Novi will soon cease operations. He brought this to the City Council and anybody listening attention for two reasons. Number one, he hoped that anybody who has an interest in keeping that business open would find a way to get there. He said the problem is you cannot get to Moe's on Ten from Ten Mile Road anywhere in Novi. He explained you must go to Grand River Avenue, so if you come from the east, you can certainly get there. He said getting there from Novi is difficult, it is challenging, and people are finding other places to eat, and that is good for them, for the new places, but Moe's on Ten is suffering. He asked anybody in Novi who has an interest in keeping Moe's operational to try and use this establishment as much as possible. Second, unless the majority of the City Council objects, he would ask our City government officials to at least work with Oakland County officials and see if there is anything we can do or if there is anything that they can do. He knew for a fact that Oakland County has a ton of funds available for things like this. He did not know the criteria for help, that was not his interest in the County, but he knew that there were funds available. He suggested if our City Management got involved, that might be something that would help. He said unless there was an objection from City Council, he would ask the City staff to at least look into it and let us do everything we can to keep that business afloat.

Mayor Gatt said they would adjourn into Executive Session. He stated they did not plan on returning.

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:37 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: April 17, 2023