

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, SEPTEMBER 27, 2021 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, Maday, Mutch

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

APPROVAL OF AGENDA:

CM 21-09-128 Moved by Crawford, seconded by Casey; CARRIED UNANIMOUSLY

To approve the Agenda as presented.

Roll call vote on CM 21-09-128 **Yeas: Staudt, Casey, Crawford, Fischer, Maday, Mutch, Gatt**
Nays: None

PUBLIC HEARINGS: None

PRESENTATIONS:

1. Commission for Accreditation of Park and Recreation Agencies (CAPRA) re-accreditation recognition - Clay Summers, Executive Director of the Michigan Recreation and Parks Association (mParks)

Clay Summers, Executive Director of the Michigan Recreation and Parks Association said it has been a bit since he has been able to get out and do an in-person presentation. He said it is always good to get in front of our memberships and Councils to talk about the good work that your staff and leadership is doing. He said the Michigan Recreation and Park Association is the statewide voice of Parks and Recreation across the great state of Michigan. He said they have about 195 agency members across the state that are made up of cities and townships, counties, basically municipal governments as well as the state DNR. He stated that within those member agencies, they have approximately 3000 individual members of which obviously Novi is a leading force in their organization. He wanted to say on behalf of Novi is that you again are one of three individual communities in the entire state of Michigan that have received this accreditation and to go through the reaccreditation process for the Commission for Accreditation of Park and Recreation Agencies (CAPRA) is no small feat. He thanked PRCS Director Muck for his leadership and guidance of bringing this great honor to the City of Novi. He said the Commission for Accreditation, and Parks and Recreation Agencies provides quality assurance and quality improvement of accredited Park and Recreation agencies throughout the United States by providing agencies with a management system of best practices. He explained that this is setting you up in a

situation where you know that your Parks and Recreation and Cultural Services organization is operating with the best of the best. He said there are currently only 183 accredited agencies in the entire country. He said it is rare to be put in this place. He said he was there that evening to present a proclamation to PRCS Director Muck. He said he was proud to be there with his friend and his staff. He said they work their tails off and they are leaders in this association. He said PRCS Director Muck is the president of their association. He said that Novi has a real Parks, Recreation and Cultural Services professional and someone that you should feel very proud of his friend and his staff is made up of people that are amazing. He said it was great to be there to present this Proclamation to PRCS Director Muck and the City of Novi and know that Novi is part of the best of the best.

PRCS Director Muck said that this proclamation is not just for the Parks and Recreation Department, this is for everybody at this table. He said this is for all the City staff, it takes the whole community to help make this happen. He said not only our initial accreditation, but our reaccreditation. He said it takes everyone to do this and to have your support. He said the ongoing support for Parks and Recreation is just amazing and one of the reasons why we are looked at as one of the top agencies in the state. He said he would be remiss if he did not point out that our staff that is in the audience tonight, every single one of them has a hand in this and works diligently, and it is not just through the reaccreditation process. He said every day we must prove what we are doing and document what we are doing to get reaccredited. He asked the staff to stand up and be acknowledged, and he introduced Deputy Director, Tracie Ringle, Recreation Supervisor, Greg Morris, Recreation Supervisor, Alyssa Golles, Social Services Coordinator, Sandy Fisher, and Recreation Supervisor, Christin Spiller.

Mayor Gatt thanked PRCS Director Muck again. He said you know, as the Mayor, he gets to go around and brag about our city a lot. He said he always talks about the different jewels in the City of Novi. He said the first thing he mentions is our beautiful parks, our great park system. He said on behalf of the whole City Council and all our administrative staff, thank you and your excellent team out there for making Novi shine, Novi is the greatest city in the state of Michigan, maybe the USA. He said a lot of it has to do with our great park system. He thanked Clay for coming out that evening.

2. Parks Recreation & Cultural Services and Novi Parks Foundation Funding Proposal

PRCS Director Muck said they wanted to bring forward to you a proposal from a special family and he is going to give the family a chance to talk here in just a minute. He said he was recently reached out to by the family of Jessica Starr, and they are very interested in spearheading a fundraising effort to bring a splash pad to a Novi City park. He said some of you may recognize that name, Jessica Starr, as a Fox 2 News personality, but he could not do her justice. He said that is why he is going to turn it over to her mom, Carol to talk a little bit about who Jessica was, and why they have such passion to bring this project to the community. He said then they will have David Landry speak.

Carol Starr thanked Council for inviting us to speak and for giving us this opportunity to present this to you as a Board. She said in our audience, we have Jessica's father, Bob Starr, her stepmom, and her husband, Mark Nash. He said they were there to present a gift to the City that they would like to fundraise for, to memorialize their daughter in a fun and an enjoyable place in the City of Novi, which is where her family now resides. Her son Noah is eight, he is in the third grade, and her daughter, Riley is in the first grade. She said they live in the Bella Terra subdivision on Nine Mile and Napier so they thought it would be a perfect opportunity to bring this to the City. She said Jessica passed away in 2018 after having a LASIK surgery that went awry. It left her debilitated and eventually she became very depressed and took her own life. She said it was very devastating to their family. She said up until this point, they were not ready to do anything, they were pretty much in shock. They are just trying to get their lives back in order. She said they tried to think of a way to remember her and a place where her family could go, somewhere where she would be remembered in a very positive, happy, fun environment. She mentioned one of the things her son and daughter said was what about a splash park. They thought well, what a better place to be done with laughing fun children in the sunshine. She said Jessica loved weather her whole life and we would like to incorporate some weather things. She said when Jessica was five years old, she watched the Wizard of Oz and she became terrified of tornadoes, so every day she would turn on the weather channel and she would watch the weather channel. She stated one day, she came to her and said, Mom, I am going to be on TV, I am going to be a weather person. She said she told her daughter okay, because who was she to deny a child that right. She said her daughter followed and pursued that dream all the way through Michigan State University with a degree in climatology, and the Mississippi State with her meteorology degree, then through a succession of jobs, she eventually came back to the City of Detroit and became a meteorologist on Fox 2 News for nine years. She said when she looks at her professional picture, people always think, well, she was just a pretty blonde, but actually she was a fun, loving, happy-go-lucky, wonderful daughter, and a person and people would meet her at Target or at Costco and they would say, wow, you are just as down to earth as you are on TV. She said she was just an all-natural, all-around American girl, she was wonderful. She said what happened to her was very devastating to her family, her husband, and children. She said they wanted to do something to turn that around and make it something positive, give something back to the community that we can give. She said they would like to host fundraisers, and take the money and help fund this park, which would be something to remember her by, and her children have designed some of it. They thought that it would be a positive way to memorialize her in the City that she lived. She said she would turn it over to Mr. Muck right now and thanked everyone for giving her this opportunity.

PRCS Director Muck hoped that everyone could see the passion that he first heard when he got a phone call from Carol and wanting to bring this to Novi, and he was sure there would be a lot of questions throughout this whole process. He explained that he was just giving everyone a basic overview of what we are thinking and where to bring this. He said they are looking at installing this at the Bosco Fields property on City property that we own which is the former site of the Bosco home. He said you heard Carol mentioned Jessica's children live and attend school nearby. He said they can ride the ITC trail to the

splash pad and remember their mother and how many community members would be able to take the ITC trail to the splash pad as well. He stated that some of the basic details are that it would be approximately 3200 square feet, and about a total of 4500 square foot total. He said initially we were talking about operating it Memorial Day to Labor Day, just like the beach, with the same hours. He said some of the features that it is going to have would be that it can be operated remotely, and it uses sensors to activate the water, so it is going to save us on water costs. He pointed out that Council had made it clear with the SOS program how important it is for accessibility in all our park projects. He said this is 100% accessible splashpad for all ages and abilities. He said in some of the pictures he was highlighting which were small, you can see some of the children are in wheelchairs using some of these features. He stated there will be a lot to consider as we move forward in this process. He said they are looking at doing a recirculating system. He explained that it reuses the water, it treats the water, instead of a pass through, it will continue to recirculate which helps save us on costs. He said they have a lot to consider as far as our utilities, restroom and changing areas, and just the overall site plan of how this would blend in. He said we just have the splash pad itself design that they have worked out, and again, this has evolved quickly. He said he knew there are going to be a lot more details that Council will want and need. He is estimating the cost to be around \$400,000 to \$600,000 which is typically what a splashpad of this size would cost for initial construction. He said the next steps would be a community funding initiative that you have already heard from the Starr family. He said they feel that they can raise upwards of \$400,000 for this splashpad and Novi Parks Foundation has offered to act as the fiscal agency. He said he is going to let David Landry explain that and their support. He said they will have a lot more cost estimates that we need to bring to you, a site plan and operation details, and he asked David Landry to say a few words.

David Landry said the Novi Parks Foundation is absolutely delighted to be part of this project. He said this is exactly why they exist. This is exactly why you created the Foundation. He said the generosity of the Starr family is amazing and we are very happy to play our role to assist in the fundraising and bringing this project to fruition. He said he wanted to personally say thank you very much to the family. He said the Novi Parks Foundation was there to do anything they could as a foundation to assist them. He said they are so happy this is going to be beneficial to not only to Novi children, but children in the entire areas are welcome in this project. He thanked them very much and we will be talking to you about the program. He said he would turn it over for any comments.

Mayor Gatt thanked PRCS Director Muck and David Landry. He said they were not going to ask any questions that evening, this is just the beginning of a process. He did say on behalf of the City Council and City Administration, and all of the 65,000 people that live in the City what a touching tribute that you just gave to your daughter. He said he could think of no better avenue to express her joy and her zeal for life than to create something like this where kids will come and laugh and enjoy themselves for years and years into the future. He assumed we are going to have some sort of memorial plaque or something to Jessica so it is something that will live on forever. He applauded the family for that and said they were in good hands with David Landry who runs the Novi Parks Foundation and

PRCS Director Muck. He said we are here to help in any way that we can, please stay in touch with us, and we will do the same for you. He thanked them very much.

3. Proclamation for the 2021 Fire Prevention Week

Mayor Gatt said before he got into the Proclamation, he wanted to thank the brave men and women for all the work that they do keeping our city so safe and secure, we all appreciate it. He said he knew Administration appreciates it and everyone in the audience and the residents watching from home appreciate it also. Thank you very much. He read the Proclamation Recognizing Fire Prevention Week, October 3 through October 9, 2021. He presented the Proclamation to Chief Johnson and said he hoped that he would place it where everybody can see it and thanked him.

Chief Johnson thanked City Council for supporting the Novi Fire Department, the men, and women that work so hard each and everyday to deliver quality service, and very efficient service. He wanted to remind everyone, as the Mayor had stated earlier, we want you to make sure that you have a working smoke alarm. He said that is so important to them. He stated the Fire Department will provide those smoke alarms to anyone free of charge. He reminded everyone to make sure that you test the alarm and make sure you change that battery, we have daylight savings coming up, that is a good time to change your battery and make sure it is working. He said in this theme, this year, we are talking about a carbon monoxide alarm as well. He explained there are some differences in the way that those alarms sound. He said typically a make alarm will sound maybe three beeps, and a carbon monoxide alarm will beep maybe four beeps, so he wanted everyone to know the difference, but make sure they are both working and test them monthly. He reminded everyone not to forget about all the other quality programs that we do, we got CPR free to the residents, we do that once a month, the first Wednesday of every month in the evening, you just have to sign up through our Parks and Recreation Department, we have car safety seat checks, and we will also do a free inspection of your home if you waned us to come into your home there is no charge. He said they will not cite you for any violations, but we want you to be safe. He wanted to make sure that everyone was taking advantage of all our programming. He thanked everyone very much and he appreciated their time.

Mayor Gatt said he just bought some new fire alarms for his home and they say that the battery is good for 10 years, he asked Chief Johnson if that was correct. Chief Johnson said yes, that is correct. He said just like our electric vehicles, everything is going to these lithium type batteries, and it is good to look for that. He said 10 years is the type of system that we put into your home if you call us out. He said that is about the same life expectancy that you can get out of a smoke alarm or carbon monoxide alarm. Mayor Gatt said then in 10 years you replace the whole alarm. Chief Johnson said that was correct.

MANAGER/STAFF REPORT:

City Manager Auger said he had a couple things he wanted to address and keeping in tune with the weather you might think this is a weather report instead of a manager report with a couple of the items he wanted to bring Council up to speed on with the recent rain events that have slowed a few of the road projects and he wanted to thank the residents on Cranbrook and Orchard Ridge Subdivision for their patience, as the rain has slightly delayed these projects, but our contractor should be finishing up soon. He also wanted to thank the residents along the Nine Mile infrastructure project. He said we are hoping for some rain earlier this year for some of the ponds that may have been affected by this project, he was glad the water levels are back up. He said we know this project has taken twice as long as we projected, but the project will help the entire system for the next 70 years. He stated we are closer to the final push between the last manholes and the connection to the existing line. He said he hoped to have better specifics on the date within the next month. He said State Representative Breen posed on social media that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) believes a sewer line is an important infrastructure upgrade that will help protect human health and environment long term. He said she also posted that EGLE believes the City's response to date has been appropriate. He noted that we received our newest Parks and Recreation Grant back from the State of Michigan. He said we can now resubmit with any additional information to see if we can increase our scores prior to the State deciding on the grant distributions across the state. He mentioned the Winter Wine and Whimsy Holiday Market, which is a City Council driven request for another outdoor event will be held at Fountain Walk on November 19, 20, and 21. We still have a few craft booths available and everyone else mark it on your calendar for a few fun evenings with live entertainment, holiday crafts, great food and beverages that will be supplied there. He stated the age and ability accessible equipment should start being installed next week in Wildlife Woods Park. He said this too was part the City Council's drive for the SOS program. He said that was all that he had to report on that evening.

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Remko Atteveld, 21975 Garfield, Northville, MI said he came before Council that evening exhausted, tired, and disillusioned. He said for the better part of 24 months we have been bringing to light the issues regarding the Nine Mile sewer project and associated dewatering at Garfield Lake. He stated after two community meetings, bi-weekly updates, and promises to have more transparent communications from the City he was there again to get answers to our questions. He said City leaders committed to creating an environment where communications are transparent, consistent and without judgement. He said however, the truth continues to be far from that. He said after the last community meeting, numerous people asked him when the next meeting would be, so he reached out to Ms. Molloy, and she indicated nothing was scheduled at this time. He said when asked if that means nothing is scheduled, or are there no more meetings planned, all communication stopped. He stated that City leaders told residents to just get a hold of us, by email, or call us if you have any damages because of the project. He said Mayor Gatt stated that City Councils provide a clear direction to write any

wrongdoings incurred by residents because of the Nine Mile sewer project. He said on August 9, 2021, six residents mailed a letter to City Manager Auger and all of you requesting reparations for damages done to the lake. He said it included a very detailed and specific statements from a certified geologist and estimates by the residents of additional damages to the lake, the lake banks, the canal, and the pond. He said the total estimated damage came out to \$259,000 or alternatively, we suggested that the City make repairs themselves. He stated the residents requested a response by September 15. He said to ensure our request was received we followed up with an email to City Manager Auger requesting a received confirmation. He said when no response was received, they reached out the Mayor Pro Tem Staudt and only then did they receive a confirmation response. He stated the response read, I received your letter, and it has been filed. He asked what that meant. He said is this how we communicate. He stated September 15 has long come and gone and no other communication has been received. He said therefore residents do not believe your communication about the project restoration and reparations are transparent, clear and in good father. He stated the bi-weekly updates to email to residents no longer have an estimated completion date for the project. He said the communication states things such as pipe casing installation for manhole 3 to 2-C was completed and crews will begin installation from 2-C to 2. He said he bet nobody in this room knows what that means, let alone the residents. He said it is not clear and transparent communication, so we asked you again. He said what is the long-term restoration plan for Garfield Lake. He said they asked if residents will be made whole for damages. Will there be another community meeting? When will we start getting transparent communications? He said he had a couple of words on behalf of Mr. Gerlach, another resident who could not be there that evening. He said his yard has been flooded for some time. He said after he spoke with Greg from OHM about the high-water levels, Greg made an inappropriate comment.

Gary Allison, 22001 Garfield, Northville, MI said he is right next to Remko's property on the lake. He said he has been there for about 50 years this coming November. He said he move there in 1971. He stated that sometimes when you try to solve a problem, you add other problems. He said the City because we almost lost the lake in the spring, put in a six inch pipe and they were pumping water up Garfield into the lake and apparently that was not enough, so they changed the pipe over to a 12 inch pipe. He said the 12-inch pipe has a lot of force; it is putting in a lot of water. He said it is raising the water levels and it is also moving sediment toward where the canal comes into the lake. He stated the canal goes across his property; it connects Garfield Lake with the pond behind the Bullock's home. He said the pressure from the pipe is putting sediment over toward where the opening is where the canal comes into the light. He wondered if this would close off access for him and the Bullock's to Garfield Lake and what will the City do about it and wondered if anything is planned about it. He wondered what is going to happen as far as real rehabilitation of that site and the banks of the canal. He said he has not heard anything about what is going to be done. He said when he talked to City Engineer, Ben Croy, he has not said anything about what is going to be done. He mentioned another problem that came up because of the 12-inch pipe is periodically they see red, orange material coming through the water, and he was told that it was iron oxide. In August, when it was very hot, you have a lot of evaporation that iron oxide was evaporated, and

it became powder and it spread over his backyard. He said he had a family occasion, and their grandchildren were running all over the backyard and their feet were reddish orange. He said his lawn mowers are covered with reddish orange powder. He said nobody has told him anything about this iron oxide, whether it is harmful or not, but he was concerned about that. He said he had city water, but some of his neighbors have well water, he wondered what happens if this gets into the well water and how is it going to affect them. He thought that they should have some communication about that. He stated there is also a problem with noise which is a continual problem. He said that algae forms on the lake and it is thick and heavy. He said he is 80 years old, and he is out there trying to shovel the stuff out of the lake. He said thankfully, the City has the lake treated with copper sulfide and that does help to reduce it. He said the guy who treated it said that it needs to be done again. He said it has been a trying two years to say the least. He said he will be very happy when we put all of this behind us. Thank you very much.

Ani Bullock, 22015 Garfield, Northville, MI said she was another disappointed and frustrated resident of Garfield Lake and she said she speaks for the trees. She said the City of Novi set up these community update meetings to be transparent with residents and communicate the progress of both meetings. She stated they were told repeatedly if they had any issues to contact City Engineer, Ben Croy and City Manager, Pete Auger with their concerns and they would be heard. She said most importantly Mayor Gatt stated any issue would be remediated and the residents would be made whole. She said they have been lied to and they have been shut down and they have not been heard, but you are hearing us today. She stated that most recent communication with the City was regarding the water quality of what is being pumped into Garfield Lake, the residents have communicated their frustrations over the legality of pumping without a sediment bag or retention pond in place. She said they have received no response as of today regarding whether the City is legally allowed to pump in this manner. She said they have reason to believe the lack of response is due in part and the answer being no. She stated outside of the law and permitting roles. She stated there is a thick layer of sediment that is now on the bottom of the lake, and it is not only sticking to plants and wildlife that gets stirred up into red slop upon any disturbance. She said they have photos to document the devastation that has already occurred to the fish and the plants, the City has repeatedly shown results of testing not at the output into our ponds, but at the input of groundwater into the pipes. She said PFAS and many other dangerous chemicals have not been included in this testing to her knowledge. She is a metallurgist by trade and iron bacteria that builds up in our tanks must be disposed of and cannot even go down the drain. She said this is not acceptable and would never be accepted as any sort of confirmation of safety of the water. She said City Engineer Croy's response on September 23 to her email was and she quoted, this is water being used as drinking water for some folks, this is a viable source to recharge the lake. She wanted to bring a sample of this water directly from the pipe to show you and everyone what our City leaders think is viable drinking water. She said she was not asking to be able to drink from our pond, she said she is asking the City to turn the water to its original state as promised, which was clear and safe for swimming, and home to many species of wildlife. She stated one of the contractors made an inappropriate comment, as you heard before. She stated that this is not the only worker that has shown disdain for us, and she was willing to guess that

the City has allowed their own frustrations to be communicated all the way down, which now comes out as disrespect from workers directly on the site. She said they are not the bad guys; we are not the enemy. She said we are the people who voted for you to protect us and to hire city managers and city engineers that do the right thing that have respect and are not here just to further their political careers. She said you have failed us, and the residents of the City of Novi deserve better than this. Thank you.

Jim Bullock, 22015 Garfield, Northville, MI asked if we could stop pretending this administration deserves any benefit of doubt, stop pretending this dewatering project is a tough situation beyond their control. He said the fact is, this is a tough situation because the City did not properly plan for the necessary research to uncover what potential issues could arise. He said the dewatering project started over 24 months ago and still has no end date in sight. He said in our first community meeting, we were given a timeframe of end of summer or end of September, today is September 27. He stated they do not have an anticipated completion date yet and he wondered if it was because no one really has a clue what they are doing. He thought we should go back to where we were originally. He said they were told it would take three to six months and that they would be provided with bi-weekly updates. He asked if anyone could tell him how many manholes there are for this project and what it means when they go from 2-B to 2-C to manhole one. He said residents shouldn't know that we shouldn't have to figure that out, it means nothing to anyone, and it is not acceptable from our city engineer or city manager. He said we have not been able to use our lake, canal, or pond for over two years and our waterfront taxes have gone up again this year. He asked if we could stop pretending that this Administration has any real intention of solving this crisis. He believed that everything that has happened with the Terra project was intentional. He said there is nearly 90 acres of what was protected wetlands just across the street from his house. He said those wetlands are not just a memory, with nearly all the ponds that once supported wildlife are now empty, stinking mud pits, who stands to benefit from this? It is not the City, and not the residents at least. He said he was sure it is just a matter of time before that conservation area will be brushed aside for the sake of more building. He said we should stop pretending this was not done on purpose because he thought it was, he said it seems to him that every decision with respect to this project was made to benefit a builder, not the current residents who were told the sewers on Nine Mile were failing or could fail. He said they never heard of a failure. He thought it seemed to him that this expensive project, we would have at least known of one or two instances where there have been some failures. He said every idea that you throw at us is just something to cover yourself. He said it stands to reason that no one is going to believe the City has any intention to solve their problems. He said he walked around the model at Terra not too long ago, it was told that the water behind the project was being pumped out. He said we need to stop pretending that the pumping is for Garfield Lake, and what it is really for, the Terra project. He said they have a big swamp problem now and who is going to want to buy a house that is covered in mosquitoes. He said let's not pretend that this is not getting exceedingly more difficult to correct with each passing day either. He said the City is still refusing any to admit any wrong. He believed this is a dangerous precedent that you have started, and he promised as a resident to get you voted out or for you to do the right thing.

CONSENT AGENDA REMOVALS AND APPROVALS:

Mayor Gatt removed Consent Agenda Item E for further discussion.

CM 21-09-129 Moved by Casey, seconded by Maday; CARRIED UNANIMOUSLY

To approve the Consent Agenda as amended.

- A. Approve Minutes of:
September 13, 2021 - Regular Meeting
- B. Enter Executive Session immediately following the regular meeting of September 27, 2021 in the Council Annex for the purpose of discussing property acquisition.
- C. Final Approval of the request of A.C.R. Investments, LLC, for Morgan Place, JZ19-17, with Zoning Map Amendment 18.731 to rezone property in Section 36, located on the east side of Haggerty Road, north of Eight Mile Road, from Freeway Service (FS) to General Business (B-3) with a Planned Rezoning Overlay (PRO), and corresponding PRO Concept Plan and PRO Agreement. The property consists of approximately 0.48 acres and is currently vacant land. The applicant is proposing to develop an approximately 2,420 square foot single-story building.
- D. Approval to award a contract for Salt Dome Repair to Grove Construction Services LLC, the lone bidder, in the amount of \$72,000, and amend the budget.
- E. Approval to amend the resolution temporarily authorizing outdoor gatherings to extend the termination date from October 31, 2021 to April 15, 2022

REMOVED/LATER APPROVED

- F. Approval of claims and warrants – Warrant 1092

Roll call vote on CM 21-09-129

**Yeas: Casey, Crawford, Fischer, Maday,
Mutch, Gatt, Staudt
Nays: None**

MATTERS FOR COUNCIL ACTION

- 1. **Approval to purchase five (5) 2022 Ford Police Hybrid Explorer vehicles for the Novi Police Department from Signature Ford through the Macomb County cooperative purchasing contract, in the amount of \$181,015.**

CM 21-09-130 Moved by Fischer, seconded by Staudt; CARRIED UNANIMOUSLY

Approval to purchase five (5) 2022 Ford Police Hybrid Explorer vehicles for the Novi Police Department from Signature Ford through

the Macomb County cooperative purchasing contract, in the amount of \$181,015.

Roll call vote on CM 21-09-130 **Yeas: Crawford, Fischer, Maday, Mutch, Gatt, Staudt, Casey**
Nays: None

- 2. Consideration of approval to award a unit price contract for snow removal services of major pathways to B&B Landscaping, Inc., the low bidder, for an estimated annual amount of \$114,158.64, and amend the budget. The contract term is one year with two one-year renewal options.**

CM 21-09-131 **Moved by Casey, seconded by Maday; CARRIED UNANIMOUSLY**

Approval to award a unit price contract for major pathways snow removal services to B&B Landscaping, Inc, the low bidder, for an estimated annual amount of \$114,158.64, and amend the budget. The contract term is one year with two one-year renewal options.

Roll call vote on CM 21-09-131 **Yeas: Fischer, Maday, Mutch, Gatt, Staudt, Casey, Crawford**
Nays: None

- 3. Consideration of approval to award a unit price contract to Crimboli Nursery, Inc., the low bidder, for the Fall and Spring Tree and Landscape Planting Projects in an estimated annual amount of \$193,460. The contract term is one year with three one-year renewal options.**

Mayor Pro Tem Staudt asked City Manager Auger if this is our current vendor or is it a new vendor. City Manager Auger believed it was the current vendor. Mayor Pro Tem Staudt asked if we are going to be able to expect more of our trees to live in the future. He stated because this vendor, whether it is them or whatever the result is we have a lot of trees that die. He mentioned Lake Shore Park was a perfect example where he thought we have been through two or three plantings there. He said he did not know it is them, the environment, the trees, but whatever it is moving forward he hoped we have a lot better results with this vendor. Thank you.

CM 21-09-132 **Moved by Maday, seconded by Fischer; CARRIED UNANIMOUSLY**

Approval to award a unit price contract to Crimboli Nursery, Inc., the low bidder, for the Fall and Spring Tree and Landscape Planting Projects in an estimated annual amount of \$193,460. The contract term is one year with three oneyear renewal options.

Roll call vote on CM 21-09-132 **Yeas: Maday, Mutch, Gatt, Staudt, Casey, Crawford, Fischer**
Nays: None

- 4. Consideration of approval to award engineering design services to Spalding DeDecker for the 2022 and 2023 Neighborhood Road Program (NRP) in the amount of \$275,000.**

CM 21-09-133 Moved by Crawford, seconded by Casey; CARRIED UNANIMOUSLY

Consideration of approval to award engineering design services to Spalding DeDecker for the 2022 and 2023 Neighborhood Road Program (NRP) in the amount of \$275,000.

**Roll call vote on CM 21-09-133 Yeas: Mutch, Gatt, Staudt, Casey, Crawford, Fischer, Maday,
Nays: None**

- 5. Approval of the assignment of fund balance for the General Fund for the balance of the ARPA grant funds remaining on June 30, 2021 and authorize the Finance Director to adjust the assignment annually based on the remaining balance of the funds.**

Member Fischer said he had a question regarding the fact that we have used \$504,000 of these funds for the SOS. He thought that the changes to the Powers Park was also falling under these funds, he wondered if he was incorrect or is it part of the \$504,000, City Manager Auger said that is the \$500,000 for Powers Park. City Manager Auger asked Finance Director Johnson is he was correct. Finance Director Johnson said it was the three-part projects. City Manager Auger said it would include the one he brought up in the Manager's Report today, buying that equipment, they are all the SOS projects. Member Fischer asked if we are billing any of the personnel costs to that as well is that including the \$500,000. Finance Director Johnson replied yes. Member Fischer said he wanted to make sure that we are including all the different things that we have talked about. He said he would move for approval.

CM 21-09-134 Moved by Fischer, seconded by Maday; MOTION CARRIED: 6-0

Approval of the assignment of fund balance for the General Fund for the balance of the ARPA grant funds remaining on June 30, 2021 and authorize the Finance Director to adjust the assignment annually based on the remaining balance of the funds.

Member Casey directed her question to City Manager Auger. She said the last time we talked about this issue we were still waiting to understand from the federal government what the rules were, do we have those rules now and has that been officially rolled out and it is clear. City Manager Auger said it is the same status, the federal government still has not laid out exactly what they want. He said this allows us by doing this, to give the City Council the freedom and still stay within our accounting standards when we get audited, because that will come several years down the line. He said it is an interesting

process. Normally there are a set of rules set before they hand out money and with this one, they gave us the money and we are still awaiting on the official final rules. Member Casey asked if they have given us any ETA for when that might be. City Manager Auger relied no; he said every conference they say we will give you more information next time. Member Casey said her next question was for when we are going to talk about it as the Council, you know, what our plans are for the money. She said she will ask that question next time once they have shared the rules.

Mayor Pro Tem Staudt left Open Session and did not return.

Roll call vote on CM 21-09-134

**Yeas: Gatt, Casey, Crawford, Fischer, Maday,
Mutch
Nays: None
Absent: Staudt**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

MAYOR AND COUNCIL ISSUES:

- E. Approval to amend the resolution temporarily authorizing outdoor gatherings to extend the termination date from October 31, 2021 to April 15, 2022.

Mayor Gatt said he removed Consent Agenda Item E for further discussion. He read the original motion which said, "Approval to amend the resolution temporarily authorizing outdoor gatherings to extend the termination date from October 31, 2021 to April 15, 2022." He said he thought it was wonderful, but he did not think that it goes far enough. He stated the virus is still here, businesses are still hurting, there is a lot of trepidation out there. He said he would like to amend that statement to include not only outdoor gatherings, but our sign ordinance and everything that we relaxed when we first passed this. Including signage for people who are landlords that own buildings for lease, for rent.

CM 21-09-135 Moved by Gatt, seconded by Fischer; MOTION CARRIED: 6-0

Approval to amend the resolution temporarily authorizing outdoor gatherings, and the resolution temporarily authorizing temporary signage, to extend the termination date from October 31, 2021 to April 15, 2022.

Roll call vote on CM 21-09-135

**Yeas: Casey, Crawford, Fischer, Maday,
Mutch, Gatt
Nays: None
Absent: Staudt**

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:48 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: October 11, 2021