

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MARCH 3, 2008 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

Mayor Landry called the meeting to order at 6:58 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry, Mayor Pro Tem Capello, Council Members Crawford, Gatt, Margolis, Mutch, Staudt

ALSO PRESENT: Clay Pearson, City Manager
Pamela Antil, Assistant City Manager
Tom Schultz, City Attorney
Chief Molloy, Police Chief
Chief Smith, Fire Chief
Mike Evans, Fire Marshall

APPROVAL OF AGENDA

**CM-08-03-031 Moved by Mutch, seconded by Staudt; CARRIED UNANIMOUSLY:
To approve the agenda as presented.**

**Roll call vote on CM-08-03-031 Yeas: Landry, Capello, Crawford, Gatt, Margolis,
Mutch, Staudt
Nays: None**

PRESENTATIONS

1. Police Dispatch Cost Allocation Report – Rehmann Robson

Mr. Pearson stated the presentation was an update of the results from the Shared Services Inventory. He said they wanted to maintain the shared services programs they currently had and possibly expand them. However, the rational first step was to make sure that what they had was at least paying for itself and if not, they recognize that and have a plan to move forward. The City retained Rehmann Robson to look at the existing shared dispatch agreements with the City of South Lyon and Lyon Township. The report offered tonight was the overview and introduction; the remainder of the report would be available and brought before Council in a week or two. He thought it was important to provide Council with the findings to date because the neighboring communities were in the process of budgeting and he wanted to give them a sense of the increases for the years ahead.

Chief Molloy introduced John Kaczor, representing the Rehmann Robson Group, who had been the principal assigned to this project and had met with Police, IT and the Finance staff to get a complete picture of the direct cost, and the direct cost of providing the dispatch services to the City of South Lyon.

Mr. Kaczor said dispatch was imbedded in the Police Department with 17 employees, and the services were provided to the City of Novi, South Lyon and Lyon Township. He said South Lyon received police and fire dispatch services, and Lyon Township received fire dispatch services, which meant there was a large difference in the cost those communities currently

paid. Mr. Kaczor said there was also the issued of whether or not the City wanted to extend that service to Walled Lake and Wolverine Lake, and they had also looked at that.

Mr. Kaczor said one measure of the amount of effort that was dedicated to each of the communities was the calls for service. He said the analysis he had done showed that the City of Novi required about 90% of the calls for service. He explained that a call for service was an emergency call to 911 for which there was a service dispatched. South Lyon accounted for about 9% of those calls and Lyon Township about 1%. He said if Walled Lake were to join, their calls were similar to Lyon Township's for fire, 850 in 2007, and Walled Lake's were 807 fire calls in 2006, which was the most recent information available for Walled Lake. Mr. Kaczor said the police calls for Walled Lake were about two to two and a half times as many as South Lyon. He said if the service was expanded to Walled Lake, there would be an additional cost to the City to employ the necessary number of dispatchers to meet the increased call volume.

Mr. Kaczor explained they tried to look at the total cost. First of all, the operating costs and what the cost within the Police Department budget for dispatch was, which included 17 employees, their usage of the building, utilities, insurance, etc. He said the 2007 actual numbers were \$1.3 million out of a \$10.6 million budget. Mr. Kaczor said the central service costs that supported the Police Department and dispatch, including Finance, Human Resources, IT, insurance, legal, etc., accounted for about \$166,000 that could be allocated to dispatch in a full cross allocation. He said indirect Police Department costs were supervision from the Chief and the Deputy, some of the administrative support and some of the building and equipment use that was shared throughout the building. Mr. Kaczor said it cost \$1.55 million to run the dispatch center for the City of Novi. The net cost that Novi was actually paying after they took out the \$69,000 that came in from South Lyon and Lyon Township was \$1.48 million. He said the two communities that contract comprised about 10% of the calls and were paying about 4 ½% of the cost for dispatch. He said that disparity was a reasonable justification to go to those communities and talk about the cost structure.

Mr. Kaczor said if the City wanted to look at expanding this to Walled Lake, they had worked with the dispatch manager and decided it would take about four new dispatchers to meet the volume requirements and could cost up to \$364,000. He said that would include the personnel, equipment, central service costs, the building, etc. Mr. Kaczor said it would be a significant cost increase and they would expect Walled Lake would pay a significant portion of that, if not all of it. He said currently Walled Lake was paying about \$316,000 for their own dispatch, which serviced Walled Lake and Wolverine Lake with police and fire. They had talked with Oakland County about going to the County for dispatch but they would pay \$130,000 for that service and still have to retain several employees for records and answering the phone, etc. Therefore, their true cost would be more than the \$130,000.

Mr. Kaczor said they had used calls for service as the basis of this presentation, and probably ran 200 scenarios on costs and how they could be allocated based on calls for service, population, service area, number of employees, etc. He said in the end calls for service seemed to be the simplest and the most reasonable for the other communities. They also looked at how other communities in the area, with a joint agreement for dispatch, charged. He said no one charged full cost allocation, and every case had been negotiated or based on a formula from some years ago when the community decided to merge their dispatch. He said the one community that maintained the dispatch had to hire another dispatcher and the party

to that would pay for that one dispatcher. It was the most common approach he could find and it was almost always for the personnel costs, which were salary and benefits for that employee.

Mr. Kaczor said the dispatch service for the County of Oakland had figured out a formula and applied it consistently to any community that wanted to use their dispatch service. He said it was \$20.65 per fire call, which was an average for the previous three years, or \$4,702 for each full time officer on the Police Department.

Mr. Kaczor said South Lyon was paying about 50 to 60 percent of what their costs would be under a cost allocation based on calls for service. Lyon Township was much closer to what their true costs were because they were paying close to \$12,000 and their calls for service calculation would come out about \$14,000. If the full cost allocation were applied, the City of South Lyon would pay \$137,000, which was \$80,000 more than what they paid now. Lyon Township would pay an extra \$2,000, which would be \$14,740. He said they could sign a contract with the County for dispatch services and pay their fees but those fees go up 2, 3, or 4% each year. The difference would be that primarily for South Lyon, the City of Novi provided dispatch, answered non-emergency calls and provided jail space for South Lyon prisoners overnight, so South Lyon didn't need another officer on staff so another could drive to Pontiac. He said there was a significant cost saving to the city for being able to use the City of Novi's jail.

Mr. Kaczor showed a chart of the net cost to the City of Novi based on several different scenarios, and currently the City was picking up about \$1.48 million of the costs. If they were to assume that the City charged the same rate as the County, Novi's costs would drop by about \$35,000 to \$36,000. If they went with the allocation for full costs, based on calls for service, that would be an additional savings, and if they brought in Walled Lake, the costs would go back up because they were basing this on calls for service. He said Novi's volumes would outweigh some of the costs that would be incurred by the addition of Walled Lake's calls.

Mr. Kaczor said it would cost about \$365,000 to hire the four new dispatchers, but in this case Walled Lake would pick up \$323,000 of the cost, and it could be allocated in many different ways so they would pick up more. Just applying it on calls for service, they would pick up almost the full cost but then the remainder would be shared by the other communities, including Novi.

Mr. Kaczor said, as far as going forward, it seemed that the City had a strong foundation for going to these other communities, primarily South Lyon, and negotiating higher fees. If the City insisted they pay an unreasonable amount, Lyon Township or South Lyon could easily go to Oakland County, and Novi would lose their current \$69,000 in revenue. He said the conclusion on Walled Lake seemed to be that including them in the dispatch service of Novi would be a net increase in costs to everybody. So, it was probably not a good idea at this point unless those costs could be brought down by only hiring three dispatchers, or working out some other arrangement.

Member Gatt said, having inside knowledge, he believed the Novi Police Dispatch Center was truly the best dispatch center in the area, region and maybe the State. He said it started many years ago when Chief BeGole put a big emphasis on the dispatchers, who they were, training,

etc. He said to have the Novi dispatchers work for them would truly be a luxury. Member Gatt said the City of South Lyon had been with Novi for about 20 years, and if their fees were increased to a point where they opted out, and Novi lost the \$69,000 in revenue, how would that affect Novi's dispatch center. He asked if they would have to lay someone off.

Mr. Kaczor said no, they were staffed at a level now where if they were to lose a staff person, they would have to change the whole scheduling process. He said it would be very difficult to meet the call volume with one less dispatcher, at the level of service currently provided. Member Gatt asked if Walled Lake had approached the City for dispatch services. Mr. Kaczor said he didn't know. Chief Molloy said through the Manager's office, they had received a request from previous City Manager Jerry Walker to look at what the cost would be, if Novi provided that service to them. Member Gatt asked if the \$365,000 cost to hire four new dispatchers included legacy costs. Mr. Kaczor responded it was the year to year cost and was the total cost including the central services, the building, etc., but no legacy costs. Member Gatt said they would then have to multiply that by ten fold or more. Member Gatt said he would be very much in favor of negotiating a contract with South Lyon and Lyon Township because they had been with Novi for 20 years, and were good partners and neighbors. However, he would not be in favor of increased services to Walled Lake or Wolverine or both.

Member Staudt asked if there was an existing contract with the City of South Lyon and Lyon Township. Mr. Kaczor said there was, and an annual letter was mailed out from Novi to those communities and it was signed by both communities. Member Staudt said so there wasn't a contract with terms and conditions relative to escalator clauses as their community grew in terms of dispatch services needed. Mr. Kaczor said no. Member Staudt asked if he knew what the fee was 10 years ago. Chief Molloy said he didn't know but typically they brought the contract to Council about this time every year, and in the past they paid a certain percentage of the Dispatch Manager's fee, not to exceed 10 percent. He said for example, the dispatcher's association was receiving a 3.5% raise this year, and that would be what they typically paid. He said last year because of infrastructure improvements made in communications with the backup 911 system, uninterruptible power supply, and a lot of the new hardware put in there, they charged South Lyon just over 7% and Lyon Township was increased just over 6%. He said they had taken advantage of some of those additional costs that the City incurred and tried to recoup them as part of the contracts. Member Staudt said relative to the Walled Lake situation one of his concerns would be whether or not Novi had a termed contract that had some kind of a provision for opting out. He said if Novi was going to hire four employees, that wouldn't be a situation where they could easily absorb them into the existing workforce. He could see where \$69,000 wasn't going to make that big of a difference one way or the other. However, four employees would be a huge undertaking and he wanted to see a lot more on that. Member Staudt commented that if they were going to go forward with South Lyon, he'd like to see an agreement with some kind of a term and regular escalator clauses, and at very least to be reimbursed at a rate that was at least equivalent to the County.

Mayor Pro Tem Capello said the \$323,000 that it would cost the City to take on Walled Lake, beyond the four additional dispatchers, what other costs were included in that. Mr. Kaczor said that was the total cost; he took the total cost and divided that by the 17 dispatch employees and based on the full cost, building, supplies, utilities, personnel costs, etc., it came out to \$91,000 per employee. He said to hire four dispatchers it would be about four times that figure. Mayor Pro Tem Capello asked what the actual increase in cost would be, if they provided service to Walled Lake. Mr. Kaczor said it would probably be less than \$364,000

because the consoles were already there but they would have to purchase more technology, deal with staffing, schedules, etc. The center service costs were based on employee costs, so those would go up proportionate to the number of employees in the department. The cost that would be realized that was not in his presentation was the hiring and training, and those could be significant costs for a dispatch unit. He said there was a lot of turnover in some dispatch units and thought the approach of the City should be to hire, train and keep their employees longer. He said to lose one of them and have to go through six months of training was very costly. Mayor Pro Tem Capello asked what dispatchers made annually with benefits but not legacy costs. Chief Molloy thought about \$45,000 to \$46,000 but that was a guess. Mayor Pro Tem Capello said then the \$91,000 could be paired to \$45,000 actual increase in cost. Mr. Kaczor said if they wanted to look at just personnel costs, they could get that figure and include it in the report.

Mayor Pro Tem Capello said he was concerned with legacy costs, and wondered if there was a way to work around that. He said if they wanted to look at this, any actual costs in regard to the facility and the equipment, they could have them pay all that up front along with training cost, to negotiate the contract. He said he was still trying to look at the upside to Novi. He said if the actual costs were only about \$180,000, and they're paying the County \$250,000, perhaps there was some revenue there the City could generate. He asked if in their analysis, they just allocated four new people across the board or did they look at peak times when calls from Walled Lake would more likely be coming in, which would cause an increased burden on the existing staff. He thought there were certain periods of the day or night when not as many calls came in and they wouldn't have to hire someone else. Mr. Kaczor said, after talking with the Dispatch Manager, that there was a 12 hour shift schedule and to make the existing scheduling system work, they would have to hire four dispatchers. Mayor Pro Tem Capello asked if dispatchers could be brought in on peak hours, if needed. Mr. Kaczor said he didn't study the staffing requirements because this was a discussion with the manager and what he thought his needs would be to meet the volume of calls that would come in. Chief Molloy said the collective bargaining agreement governed the shift hours they worked, 7 P.M. to 7 A.M. and then 7 A.M. to 7 P.M. He said they could go two hours either way and sometimes utilized that based upon calls for service. He said they start to see the increase in calls for service in Novi, and probably Walled Lake, around 3 to 3:30 P.M. and that maintained pretty high until about 9:30 P.M. to 10:00 P.M., when it dropped down slightly. Then after 1 or 2 o'clock in the morning it dropped way down. He said they would like to have that flexibility but it would have to be negotiated in future contracts with the bargaining unit. Mayor Pro Tem Capello asked if part time dispatchers could be hired, and Chief Molloy said no.

Member Crawford asked what the advantage to Novi would be to offer service to Walled Lake. Chief Molloy said he didn't see any real advantage to spreading services to Walled Lake because he didn't think they could recover the full cost, full legacy, health care, retirement, pension, etc. He said they had discussions with Walled Lake and they had not indicated they would be interested in providing Novi with any personnel because they still wanted to maintain an open 24/7 police station. He said personally, he didn't see any advantage to moving forward with this because their current budget of \$316,000 and what the Oakland County Sheriff's Office had offered to provide them at about \$130,000.

Member Margolis said how was the dispatch work load determined when adding four dispatchers. Chief Molloy said he reviewed an analysis and looked at the number and type of calls coming in, and dispatch staffing was a very complex process. He said there was actually a national association that had tried to develop a tool to aid departments and even with that it was still something that was kind of touch and go, as they tried to figure it out. Member Margolis said she assumed there were formulas. Chief Molloy said there were certain duties and responsibilities, one dispatcher was assigned strictly to do the police radio, one who did the fire radio and optimally they would like to have four in the center at all times. However, with combined time off, leave schedule and training they have two to three for the most part, and never less than two. He said to bring on an additional 20,000 plus calls for service a year, they would have to get into the minimum mandatory staffing discussions as far as how many they would have. He said if they were to take on Walled Lake, he couldn't see them having less than three dispatchers on at any given time, and that would be the absolute bare minimum. He commented there were certain duties and responsibilities with the three communities; because of the .8% of calls for service from Lyon Township they were able to handle the call volume at this point in time. He said they would never get to the scenario where they could say there were too many dispatchers in the 911 center. Member Margolis said it sounded like he was comfortable that the four person estimate was a decent estimate. Chief Molloy agreed and said he was confident in that. Member Margolis said activity based costing and total cost allocations made a ton of sense, and she would fully support moving in this direction with the places they were looking at. She said if the South Lyon contract was lost, would the costs be reduced to Novi since the indirect costs were pretty standard and they wouldn't get rid of a person in Finance, and she assumed they wouldn't get rid of a dispatcher for that small drop in volume. Chief Molloy replied he didn't anticipate that. She thought they should move to total cost allocation but the reality was it would not be a reduction in costs to Novi; it would be a drop in revenue. Member Margolis said on the graphs it looked like the fixed costs didn't actually increase with new dispatchers coming in and more call volume. She said the idea of shared services was that they were spreading fixed costs and when looking at the graphs the fixed costs seemed to go up, and she thought it was because of the way it was calculated. Mr. Kaczor agreed and said a different scenario could be to run with lower costs. He said if they were to hire four new dispatchers, it would be very unlikely they would cost \$91,000 each, as that was the top cost. Member Margolis thought, if they were looking for direction going towards the cost allocation with South Lyon, and she thought there was still room to move that up but keep it lower than they could get it somewhere else. She said it would help Novi allocate, it yet not lose the South Lyon contract. She agreed that it didn't make sense to stretch to Walled Lake.

Member Mutch asked when calls came into the center, whether from Lyon Township, South Lyon or Novi, other than the division of police and fire, there wasn't a dispatcher assigned to a specific community answering calls, it was whoever got the call from whatever community was answering. Chief Molloy said correct, from their consoles they knew by what was lit up whether it was Novi Police, Novi Fire, South Lyon, Lyon Township, etc. Member Mutch said he had touched on the funding for the contract with Lyon Township and South Lyon was based on them funding a percentage of the Dispatch Manager's position. He assumed that if they no longer had those contracts with those communities, the City had to absorb the entire cost because that position wouldn't go away because of the loss of those contracts. Chief Molloy said that was one of the key administrative positions in the organization. He said the Dispatch Manager was the division commander of communications and did a great job in keeping relations with the Fire Department and other communities. Chief Molloy said the Dispatch

Manager received phone calls from Chief Smith, the South Lyon Chief, Lyon Township Chief as well as the South Lyon Police Chief providing them with needed data, recordings, and information they would need on a periodic basis. The position was also the overall administrative oversight of the communications center. Member Mutch said currently the estimate of Novi's cost was \$1.478 million, and under the Walled Lake scenario the total cost to the City would be \$1.432 million. He said Novi's costs would go up in terms of cost per call but in terms of the actual overall cost, it looked like there would be a slight reduction. Mr. Kaczor said the net cost to Novi, in this scenario, would be less but it was more than the other two options, such as going to the County level or doing full cost. Member Mutch agreed with Member Margolis that the direction they wanted to move was to look at finding a number that was more equitable, but also recognizing the fact that there were alternatives for the other communities. He said they had to be mindful of what that number was, and the fact that if Novi lost those contracts, there was no net savings for the City, and in fact there would be a cost the City would have to absorb completely because of the loss of that revenue. He said he would support moving forward and looking at calculations that were a little more equitable but he felt they would never fully recover costs from this. He thought, operationally, there probably was some benefit in having these communities on board even if it was not seen in dollars and cents. He said the fact that Novi had a unified dispatch system for multiple communities meant that if there was a serious situation in one of those communities there were a lot more resources to bring to bear quickly, and they didn't have problems with communities not being able to talk with each other. Member Mutch felt the more staff in the dispatch center the more flexibility they had in covering the need, and if there was an increase in demand it could be covered. As far as the Walled Lake situation, it didn't sound like it was a scenario they wanted to pursue now, but thought they always had to be looking at these opportunities and recognized that they were all facing challenges with finances at the City level. He said down the road there might be an arrangement that would work for everyone, but it might not make sense in the short term for Novi right now.

Mayor Landry said when he first looked at this it seemed clear that if South Lyon and Lyon Township accounted for 10% of the calls, they should pay 10% of the cost, period. However, as he understood this, the marginal cost for Novi to handle that extra 10% was not really an extra 10% of Novi's cost because of the fixed cost that Novi already had. He said in light of that, he would agree with previous speakers that they should try to negotiate an increase in what was received from Lyon Township and South Lyon. He said it didn't look feasible for Walled Lake from either side. Mayor Landry said it didn't appear to him that after the study was done, it would be prudent to pursue that. He said he would be in favor of trying to negotiate a higher deal with Lyon Township and South Lyon and indicate to Walled Lake that if they wanted to pay this, fine, but he didn't think they would want to pay it. Mayor Landry said he didn't think they needed to be hiring three or four more dispatchers with the legacy costs, etc., because it didn't make economic sense.

Member Staudt said earlier it was mentioned there was a significant difference between the services provided by the City of Novi and the County. He asked for an overview of what the differences were. Chief Molloy said an unwritten agreement Novi had with South Lyon was that providing their communications and emergency dispatch services, they had also allowed them to lodge their prisoners in Novi's lock up facility. He said it was quicker to lodge the prisoner in Novi than to drive the prisoner all the way to Pontiac and lodge them at the Oakland County Jail, which was their only other alternative, unless they negotiated something with

Wixom or Walled Lake. In addition to that, Novi took well over 12,500 non-emergency calls for the City of South Lyon in 2007. Chief Molloy said by non-emergency he meant calls coming in after 5:00 P.M. until 8:00 in the morning and all day on the weekends. He said if someone was looking for a burn permit or the curfew hours in South Lyon on the weekend, those calls came to the City of Novi Dispatch Center and the dispatchers were answering them for their community members. So, those were two of the obvious ones, in addition to the fact that Novi's dispatchers train in all the communities that the City worked in. He said there were dispatchers in training right now and they would probably spend two or three 12 hour shifts in the City of South Lyon and Lyon Township. These dispatchers would be taking their maps home at night to study them because in addition to the streets in Novi's 32 ½ sq. miles, they were also learning what they were in South Lyon and Lyon Township so they could recall those in an emergency. Chief Molloy said although he respected the County and their services, he didn't think they would get that from the County, and believed a higher level of service was provided in Novi for the City of South Lyon and Lyon Township. Member Staudt said it was fair to say that Novi provided a very good value for what they were paying and some additional compensation would be in line. Chief Molloy said in line and in order.

Mr. Pearson said they would go to these agencies and share this information formally. He thought the flip side was if they couldn't get a better cost recovery, then Novi would not provide that service, and it would be all the better to provide Novi service.

REPORTS

1. MANAGER/STAFF – Update on in-car digital video implementation completion – Chief Molloy

Mr. Pearson said he wanted to share information about the in-car digital video implementation. He said it was a very big success story thanks to a lot of work from the Police and IT Departments. He said this was very exciting and important technology in terms of records management, officer safety and liability training.

Chief Molloy said during the 2007-2008 budget deliberations Council approved \$304,000 in Federal Forfeiture Funds to provide this system for the City of Novi. They had been working since August 2001 with a VHS style system that was at the end of its shelf life and they couldn't find parts for anymore. Chief Molloy said if a car went down and out of service, they would lose that vehicle from the fleet because it didn't have the ability to go on patrol. He said in September of 2007, Council authorized this purchase for \$256,000 for the hardware and the software for the International Police Technology Vision Hawk System, which was one of the state of the art systems. He said they budget \$67,000 for the hardware through a municipal contract as well as \$189,000 for cameras for the police cars. The system went live January 15th with a few cars, and the entire system was installed on February 15th of this year. He said they were able to put together a good diverse team of IT, police staff, and dispatch who looked at what they actually needed to function properly and that was on the cutting edge of technology. He said they had met with over eight companies, negotiated several deals with them as far as a two year warranty, 24/7 tech support, as well as a system that was big enough to add onto, if they wanted to add more vehicles or service space. He said it was now in operation in 19 of the patrol vehicles, and was a totally downloaded wireless type system rather than the officers taking two eight hour video tapes out and switching them half way

through their shift. They can now get in their vehicles, program their digital in-car camera system, and when they come back to the station there are four access points at the rear of Police Headquarters and two on the front. He said as soon as they pull in and hit a button it starts grabbing the data and pulling it down to a central server, which would not be attached to any type of City service system. Also, the transmitters on the officer's belts were totally wireless. He said when they got dressed a few months ago, they had to snake a wire up through their shirt with a microphone. Chief Molloy said they were now linked in the back from a wireless internet connection in the event they had to download a great deal of video, and they had the capability of plugging the vehicle into a wired internet cable that was connected directly to the server. He said the server was 19 ½ tera bytes, and they were currently operating at 12% capacity and their current video retention schedule was calling for 100 days of video that they would be able to keep. He said some had to be held longer for evidentiary purposes as well as for courts and prosecutors. Chief Molloy said it recorded in two different modes. It would record in a background mode, which was an officer driving down the street on routine patrol and then it would record in active mode so that when that officer activated his/her overhead lights or they were in a significant situation, it would automatically kick in if the vehicle went over 80 miles per hour. He said it would allow them to capture that video and would actually capture it at 30 frames per second in the active mode as opposed to 5 frames per second in the background mode. Chief Molloy said this system was able to gage and show the speeds of the officer on the screen as well as when the brakes were applied, the GPS, and that for an accountability standpoint was huge and would assist in litigating any lawsuits as a result of alleged recklessness, use of force or mistreatment of prisoners on part of our staff. He said this system would also save his staff about 8 hours every week that they wouldn't have to catalogue, mark and rewind videos from 25 or 30 vehicles that worked the last 24 hours. These could also be replicated on a DVD in about a third of the time it used to take for prosecutors and defense attorneys. He said they were looking at upgrading the VHS system used to monitor their lock up, interview and interrogation rooms, to this digital technology as well.

Mr. Pearson said during in service training the Chief offered a ride along opportunity for Council members.

2. ATTORNEY - None

AUDIENCE COMMENT - None

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

**CM-08-03-032 Moved by Gatt, seconded by Crawford; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as amended.**

Mayor Pro Tem Capello removed Item E.

**Roll call vote on CM-08-03-032 Yeas: Capello, Crawford, Gatt, Margolis, Mutch,
Staudt, Landry
Nays: None**

- A. Approve Minutes of:
1. February 25, 2008 – Regular meeting

- B. Enter Executive Session immediately following the regular meeting of March 3, 2008 in the Council Annex for the purpose of discussing pending litigation, to consider the purchase of real property and privileged correspondence from legal counsel.
- C. Approval of contract Change Order No. 1 for the Hudson Sanitary Lift Station Improvement project in the amount of \$11,258.
- D. Consideration of request from Lucky Strike Novi, LLC to transfer ownership of 2007 Class C licensed business with dance-entertainment permit, at 44325 Twelve Mile, Novi, MI 48377, Oakland County from Lucky Strike Novi, Inc. to Lucky Strike, LLC (a Delaware limited liability company).
- F. Approval of award to University Lithoprinters for design and printing of the Annual Report Calendar in the amount of \$29,265.
- G. Approval to award a contract for design and construction engineering services for the 2008 Sanitary Lift Station Upgrades - Bellagio and Napier project to Orchard Hiltz & McCliment for a not-to-exceed design fee of \$14,400 and a construction engineering fee equal to a fixed 8.8% of the estimated construction cost (estimated to be \$15,496.80) for a total of \$29,896.80.
- H. Approval to award bid for the purchase of Taser Equipment for the Uniform Division at the Novi Police Department to Michigan Taser Distributing, sole source provider, in the amount of \$46,915 and to VS visual Statement, Inc. in the amount of \$11,840 for the purchase of Laser Car Crash and Crime Scene Mapping Technology.
- I. Approval of Claims and Accounts – Warrant No. 764

MATTERS FOR COUNCIL ACTION – Part I

- 1. **Consideration of Ordinance No. 08-99.14, an amendment to Chapter 15, Fire Prevention, of the City’s Code of Ordinances to adopt the 2006 International Fire Code, as amended, as the City’s Fire Prevention Code. First Reading**

**CM-08-03-033 Moved by Capello, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve Ordinance No. 08-99.14, an amendment to Chapter 15,
Fire Prevention, of the City’s Code of Ordinances to adopt the 2006
International Fire Code, as amended, as the City’s Fire Prevention
Code. First Reading**

DISCUSSION

Member Margolis asked what the affect of this ordinance change would be on the outdoor recreational fires such as the fire pits that can now be bought. Fire Marshall Mike Evans said there was no change on how it would affect outdoor burning. He said outdoor burning was allowed in a store purchased fire pit or outdoor fireplace. He said the separation from the building was still 50 feet, seasonal dried firewood, and no trash or yard debris.

Roll call vote on CM-08-03-033

Yeas: Crawford, Gatt, Margolis, Mutch, Staudt,
Landry, Capello
Nays: None

2. **Consideration of Ordinance No. 08-173.03, an amendment to the Novi Code of Ordinances Chapter 26.5, to allow an applicant who has posted performance guarantees and suspends work on a project or development to request a waiver of the requirements of Section 26.5-5. First Reading**

Mr. Pearson said Council had a request for a waiver and saw fit to look at codifying those kinds of circumstances so it would be applicable and available for others in similar situations. He said this was a recommendation from the Ordinance Review Committee and was Administration's recommendation as well.

**CM-08-03-034 Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY:
To approve Ordinance No. 08-173.03, an amendment to the Novi Code of Ordinances Chapter 26.5, to allow an applicant who has posted performance guarantees and suspends work on a project or development to request a waiver of the requirements of Section 26.5-5. First Reading**

Roll call vote on CM-08-03-034

Yeas: Gatt, Margolis, Mutch, Staudt, Landry,
Capello, Crawford
Nays: None

AUDIENCE COMMENT - None

MATTERS FOR COUNCIL ACTION – Part II

3. **Appointment to Boards and Commissions**

Mayor Landry brought forth the name of Willy Mena for the Library Board.

**CM-08-03-035 Moved by Landry, seconded by Staudt; CARRIED UNANIMOUSLY:
To appoint Willy Mena to the Library Board.**

Roll call vote on CM-08-03-035

Yeas: Margolis, Mutch, Staudt, Landry,
Capello, Crawford, Gatt
Nays: None

Mayor Landry brought forth the name of Laura Casey for the Library Board.

**CM-08-03-036 Moved by Landry, seconded by Capello; CARRIED UNANIMOUSLY:
To appoint Laura Casey to the Library Board.**

Roll call vote on CM-08-03-036

Yeas: Mutch, Staudt, Landry, Capello, Crawford,
Gatt, Margolis
Nays: None

Mayor Landry said there was one other matter he wanted to raise for Council with respect to Mayoral appointments and that was the Economic Development Corporation. He said they had decided as a Council to adopt a different direction for the EDC, and the direction they proposed included two members of staff on the EDC. Mayor Landry said there was one opening for a staff member on EDC and he would like to recommend Cindy Uglow.

**CM-08-03-037 Moved by Landry, seconded by Crawford; CARRIED UNANIMOUSLY:
To appoint Cindy Uglow to the Economic Development Corporation.**

**Roll call vote on CM-08-03-037 Yeas: Staudt, Landry, Capello, Crawford, Gatt,
Margolis, Mutch
Nays: None**

Deputy Clerk Debra Blashfield read the results of the remaining appointments.

BEAUTIFICATION COMMITTEE

Celia Todd – reappointed
Lynn Paul

CONSTRUCTION BOARD OF APPEALS

Lee Mamola – reappointed

HOUSING AND COMMUNITY DEVELOPMENT

Ron Boron - reappointed

ZONING BOARD OF APPEALS

Rickie Ibe
David Ghannam - Alternate

4. Approval of resolution to authorize Budget Amendment #2008-03

**CM-08-03-038 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve resolution to authorize Budget Amendment #2008-03.**

**Roll call vote on CM-08-03-038 Yeas: Landry, Capello, Crawford, Gatt, Margolis,
Mutch, Staudt
Nays: None**

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION

- E. Approval of a request from ADCO, Group, LLC for a one year extension of Preliminary Site approval for SP05-24, Brooktown, a mixed use condominium project located on the south side of Grand River Avenue between Market Street and Meadowbrook Road in Section 23 in the Gateway East District and approved with a Special Development Option – Removed by Mayor Pro Tem Capello**

Mayor Pro Tem Capello requested to be recused because he represented one of the members of the LLC that had a third interest in the commercial.

CM-08-03-039 Moved by Mutch, seconded by Staudt; CARRIED UNANIMOUSLY: To recuse Mayor Pro Tem Capello from the vote on Item E of the Consent Agenda.

Voice vote

Mayor Pro Tem Capello left Council Chambers.

CM-08-03-040 Moved by Staudt, seconded by Margolis; CARRIED UNANIMOUSLY: To approve request from ADCO, Group, LLC for a one year extension of Preliminary Site approval for SP05-24, Brooktown, a mixed use condominium project located on the south side of Grand River Avenue between Market Street and Meadowbrook Road in Section 23 in the Gateway East District and approved with a Special Development Option.

**Roll call vote on CM-08-03-040 Yeas: Crawford, Gatt, Margolis, Mutch, Staudt, Landry
Nays: None
Recused: Capello**

AUDIENCE COMMENT - None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:58 P.M.

David Landry, Mayor

Debra Blashfield, Deputy Clerk

Transcribed by Charlene Mc Lean

Date approved: March 17, 2008