

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JANUARY 25, 2010 AT 7:00 P.M.  
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 W. TEN MILE ROAD**

Mayor Landry called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Landry, Mayor Pro Tem Gatt, Council Members Crawford, Fischer-absent/excused, Margolis, Mutch, Staudt

**ALSO PRESENT:** Clay Pearson, City Manager  
Pamela Antil, Assistant City Manager  
Tom Schultz, City Attorney  
Laura Liddicoat, Library Communications Specialist

**APPROVAL OF AGENDA**

**CM-10-01-006** Moved by Margolis, seconded by Staudt; **CARRIED UNANIMOUSLY:**  
To approve the Agenda as presented.

**Roll call vote on CM-10-01-006** Yeas: Gatt, Crawford, Margolis, Mutch, Staudt,  
Landry  
Nays: None  
Absent: Fischer

**PUBLIC HEARING - None**

**PRESENTATIONS**

**1. 2009 Gold Promoting Active Communities Award - Governor's Council on Physical Fitness Board Member Joan Lowenstein**

Ms. Lowenstein, Board Member on the Governor's Council on Physical Fitness, presented Mayor Landry the Gold Level Promoting Active Communities Award for the City of Novi. She said the Michigan Fitness Foundation addressed physical inactivity through a diversity of programs. Some of the programs were to help individuals move around and some to help promote building within communities, which was what they were awarding to Mayor Landry this evening. She said they were promoting communities that were building the infrastructure to promote walking and biking to get rid of inactivity. She said Novi had won the top award for striving to enhance the quality of lives of its community members by constructing new bike paths, new senior programs and encouraging youth citizen engagement.

**2. IVON Running Club - National Champions**

Mayor Landry recognized team IVON, which was Novi spelled backwards, and presented them with certificates. He said everyone knew how successful the Novi Cross Country team was but they weren't satisfied with success on the State level; so they formed their own AAU team and competed nationally. Mayor Landry said winning the championship was an incredible feat.

Coach Egner said they really appreciated the award. He said team IVON was successful for two reasons, the commitment of a group of boys to run not only during the season but also post season and to stay together. This resulted in not only the championship but a very strong high school team. The second reason was Coach Bob Smith who had 28 years of experience and was the heart and soul of this running team through what he had taught them in school.

### **3. Catholic Central Hockey State Champions 2009**

Mayor Landry said it was his honor to present the 2008-2009 Michigan State Varsity Hockey Champions, Novi Catholic Central. He said Catholic Central also won the Cross Country and Football State Championships. This kind of achievement spoke not only to the athletes but to their parents, friends, school and the entire community. Mayor Landry said they really gave all of those people and groups a good name. Mayor Landry presented them with certificates. Mike Giordano, General Manager of the Hockey team, and President Elect of Novi Catholic Central Fr. Richard Ranalletti thanked Council for taking the time to honor the young men they were so proud of.

## **REPORTS**

### **1. MANAGER/STAFF**

#### **Novi Public Library Program, Volunteer Opportunity and Construction Update - Laura Liddicoat, Communications Specialist**

Ms. Liddicoat, Library Communications Specialist, announced that the Library's new project was on time and on budget and they were forecasting a June opening of the new Library building. She said a lot of the projects had been completed such as the foyer, fireplace tiles, carpeting, etc., and work continued on the display platform for the Novi Special Race Car in the youth area. She said they were on schedule to close the current Library facility during April and May, which would allow them to arrange new and existing collections of books, DVD's, etc., and train staff on new services and technology for the community. Ms. Liddicoat mentioned there would be limited programming still involved with the Novi Public Library but it would be at alternative sites like the Civic Center and the MSU Tollgate Educational Center. This would include things like the summer reading programs, book discussion groups, Library Board meetings, Friends Board meetings and the Novi Historical Commission meetings. She said there would be two special programs over the month of April that would be held offsite. They were a Creature Feature youth program featuring live animals for the children at the MSU Tollgate Educational Center on April 7th and an adult program focusing on the Ford Motor Company Yesterday, Today and Tomorrow on April 12 at the Novi Civic Center. She said all the program changes would be on the Novi Public Library website and in the Engage Magazine. Ms. Liddicoat said surrounding Libraries had been notified of their closure so they could expect an influx of Novi patrons to visit and utilize their facilities. She said the website would be up and active during the months they were closed as they wanted the public to be aware of how to handle holds and returns of their Library materials, the contact information of other local libraries and important dates.

Ms. Liddicoat advised there was still time to donate a personalized brick paver or a tree to the Novi Public Library. All donations received by February 28th would be placed on site for the

Library's grand openings and the forms were in the lobby, on the website and at the Library. She said in the lobby of the Library there was a document on all the green initiatives used at the Novi Public Library and there were green architectural, mechanical, electrical and civil measures incorporated into the new Library's design and construction. She said anyone in the City of Novi could come by and check out a kilowatt electric usage meter, free of charge, which could help determine the energy usage in their home as well as the green features. Ms. Liddicoat said they needed volunteers to help tag new and existing Library materials in preparation for the big move to the new building. There were over 140,000 Library materials that needed to be pulled from shelves, marked with new RFID tags and re-shelved again ready for the big move. If anyone was interested, she asked that they come by or call 248-349-0720 and Marsha Dominic would be the contact person.

## **2. ATTORNEY - None**

### **AUDIENCE COMMENT**

Yash Sathe and Raj Raina, both eighth grade students at Novi Middle School, were present and gave a presentation in response to the City's going green. Their presentation was about idling cars and the volatile compounds they emitted, which would save money, reduce pollution and improve the quality of the community. They suggested that idling went nowhere, frequently restarting a vehicle would not harm the engine, and driving was the best way to warm up an engine. Raj Raina stated they had counted the number of idling cars at their school and promoted their idea of no idling at school. They had collected 620 pledges, and 36 percent had stopped idling their engines. They suggested that Novi have idle-free zones to help the community become idle free.

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

**CM-10-01-007      Moved by Crawford, seconded by Margolis; CARRIED  
UNANIMOUSLY: To approve the Consent Agenda as presented.**

**Roll call vote on CM-10-01-007      Yeas: Crawford, Margolis, Mutch, Staudt, Landry,  
Gatt  
Nays: None  
Absent: Fischer**

- A. Approve Minutes of:
  - 1. January 4, 2010 – Regular meeting
  - 2. January 9, 2010 – Special meeting
- B. Enter Executive Session immediately following the regular meeting of January 25, 2010 in the Council Annex for the purpose of discussing labor negotiations and privileged correspondence from legal counsel.
- C. Approval of Agreement regarding Woodlands Ordinance/Tree Replacement Financial Guarantee for SP-98-62b Regency Centre.

- D. Approval to award the Electric Services Contract to Great Lakes Power & Lighting, Inc., the lowest qualified bidder, based on hourly rates for an estimated annual cost of \$50,000-\$70,000.
- E. Approval of a resolution of support for the City of Novi's Great Lakes Restoration Initiative Grant Application for improvements to the C & O and Cedarspring Regional Detention Basins in the amount of \$310,000, including a City match of \$62,000.
- F. Approval of a resolution of support for the City of Novi's Great Lakes Restoration Initiative Grant Application for a streambank stabilization project along Ingersol Creek, adjacent to Brookfarm Park in the amount of \$130,000, including a City match of \$30,000.
- G. Approval of the request of Thompson-Brown Realtors for a two-year extension to the termination date provided in the PRO Agreement for Oberlin Single Family Condominium, until January 26, 2012. The development is a 58-unit residential condominium, proposed to be located on a 38.86 acre parcel of land located on the south side of Eleven Mile Road, west of Beck Road.
- H. Approval to award a contract for design engineering services for the Grand River and Ten Mile Road Pressure Reducing Valve Replacement Project to Orchard, Hiltz & McCliment, Inc. (OHM) for a not-to-exceed design fee of \$19,903.
- I. Approval of Claims and Accounts – Warrant No. 811

#### **MATTERS FOR COUNCIL ACTION – Part I**

- 1. Consideration to approve Second Amendment to SDO Agreement for Hummer of Novi, N/K/A Cadillac of Novi, located at the northeast corner of Grand River Avenue and Meadowbrook Road, to authorize the replacement of the existing Hummer dealership with a Cadillac dealership.**

Matt Quinn presented on behalf of Gary Wood, owner of Hummer of Novi, which was now Cadillac of Novi. He said the reason for the change was that the Hummer of Novi dealership had gained recognition throughout the United States both in sales awards and customer service awards. Mr. Quinn said because of the reputation they had developed with General Motors, they were the ones that General Motors chose to award a Cadillac dealership for this area. He said that brought it to the same location where they had existed since 2004 at Grand River and Meadowbrook Road. Mr. Quinn said the second amendment to the SDO agreement for the Gateway Ordinance was given to Council and those changes had been reviewed and proposed by the City Attorney's office, himself and Mr. Wood. They were in agreement with the contents of the SDO agreement that basically said the dealership was going to change from Hummer to Cadillac. It would allow them to maintain the new and used cars that were on site that were allowed by the first amendment to the SDO agreement and when the Cadillacs came in they would see them on site. He said the exhibits to the second amendment dealt with the signage and he showed them to Council. Mr. Quinn said the first page demonstrated that the existing Hummer sign on the corner of Grand River and Meadowbrook Roads would become a Cadillac sign with the insignia of the same square footage. The other Cadillac sign, the Grand River sign to the east, would be the same size with the Cadillac symbol with the words. The

only real change was on the Meadowbrook Road side as they were asking that two insignias be placed between the windows and that was the only new signage that would be there. He said the signs were very small with a 31 ½ inch width and 30 inches high. He said that was exhibit B to the agreement and they would be happy to answer questions, otherwise they concurred with the staff seeking approval of this amendment.

Mr. Pearson said Mr. Wood and his team had been very helpful and good to work with in this process. He thought it was a testament and tribute to everyone involved that there would be no time when the dealership was dark as a lot were a round the Country.

Member Margolis stated she was very glad to see this and appreciated the business staying in Novi.

**CM-10-01-008      Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY:  
To approve Second Amendment to SDO Agreement for Hummer of  
Novi, N/K/A Cadillac of Novi, located at the northeast corner of Grand  
River Avenue and Meadowbrook Road, to authorize the replacement  
of the existing Hummer dealership with a Cadillac dealership.**

## **DISCUSSION**

Mayor Pro Tem Gatt thanked Mr. Woods for choosing Novi and staying in Novi. He said he was certain they would be more than successful at that location.

**Roll call vote on CM-10-01-008      Yeas: Margolis, Mutch, Staudt, Landry, Gatt,  
Crawford  
Nays: None  
Absent: Fischer**

- 2. Approve amendments to the current Community Emergency Medical Service, Inc. (CEMS) contract and implement provisions of the enhanced coverage plan to: 1) Allow CEMS access to "old" Fire Station No. 4 daily - 24 hours; 2) Allow CEMS access to designated areas at Fire Station No. 3 daily from 6 p.m. to 6 a.m. and for 24 hours on Saturday and Sunday; 3) To extend the current agreement one additional year through January 22, 2013.**

Mr. Pearson said this came as a result of their regular discussions with CEMS who had been Novi's ambulance provider for a couple of decades. He said they saw this as an opportunity to improve service and as a win win situation. Mr. Pearson said this amendment had been vetted through with the Consultant Review Committee and had their endorsement and was a way to increase the likelihood of coverage for this critical service. It would not hurt the City's operations in terms of fire or basic life support, which Novi provided and they had been looking forward to this. Mr. Pearson said there was a provision that allowed them to go back and take a look at the response times and right now they were obligated to provide 8 minute responses once dispatched 90% of the time. He said time was needed to digest this and make sure it worked but definitely the goal was to reduce response times whenever possible.

Mayor Pro Tem Gatt said this was a perfect example of government working to better the service to citizens and to keep them safe, which was a core reason governments existed. He said there had been a lot of talk recently about Fire Station #3 and whether it would close or not. He stated this was an opportunity for the citizens in that area to get medical coverage from 6 PM to 6 AM Monday through Friday and 24 hours a day on Saturday and Sunday. He noted that Station #4 had coverage 24 hours a day and seven days a week. In addition it would bring revenue into the City of \$600 a month and the old Station #4 would be used. Mr. Pearson had commented that the Consultant Review Committee had taken a look at this along with Chief Smith, Deputy Chief Johnson and the Consultant Review Committee unanimously supported this.

**CM-10-01-009      Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:  
To approve amendments to the current Community Emergency  
Medical Service, Inc. (CEMS) contract and implement provisions of  
the enhanced coverage plan to: 1) Allow CEMS access to "old" Fire  
Station No. 4 daily - 24 hours; 2) Allow CEMS access to designated  
areas at Fire Station No. 3 daily from 6 p.m. to 6 a.m. and for 24 hours  
on Saturday and Sunday; 3) To extend the current agreement one  
additional year through January 22, 2013.**

## **DISCUSSION**

Member Staudt echoed Mayor Pro Tem Gatt's comments and said part of the proposal was that if this worked well, perhaps it would be extended to the day hours at that station from 6 AM to 6 PM. He hoped that determination could be made quickly as it was an excellent opportunity to provide coverage in that part of the City. He would support the motion.

Member Margolis said her understanding was that there was a six month clause in the contract, once Council saw how it worked they could look at the contract and decrease the required response time, correct. Mr. Pearson said yes, it would be a reopener for that response time and would give them time to look at the data between now and then. He said all indications were that they would be able to lock in a faster contracted response time. Member Margolis said then, six months from now, they would be able to look at the data. Mr. Pearson said Council would receive information through that time so they would have flavor for it and if not before, then they would push to get them to lock in as soon as possible.

Member Mutch said one of the items in the contract was that CEMS was required to always have two ambulances within the City of Novi providing coverage. However, his understanding was that by contract they were not required to locate those in any particular portion of the City but were merely required to respond in a set amount of time. He said in terms of Fire Station #3, when he first read this he looked positively at the prospect of having a unit operating out of that location because of the density of that area of town and having that coverage would be good. However, when he read through the proposal from CEMS it sounded like the coverage zoned for the unit out of that area would include the southern portion of Novi as well as the City of Northville and a portion of Northville Township. He asked if that was how the unit would be operated. Mr. Pearson said that was consistent with how it had always been. Member Mutch said there would also be a unit stationed in Northville Township at Six Mile and Winchester that would provide supplemental coverage to the southern portion of Novi. Mr. Pearson said that

was also the way it had been. Member Mutch said regarding the unit at Station #3 if a call came in from the Northville area and that unit was dispatched to Northville, then a second call came into that end of town what would be the response pattern to meet the need within Novi's boundaries. Mr. Pearson thought it was important to note that this was a performance contract and they were obligated to provide the responses and it was important to let them figure out how to do that. He said if Member Mutch had been to their center on Eight Mile, the advantage of working with CEMS was that they had a large area and large number of resources to draw on. So, they were always looking at where the demands were and moving people around to best meet those situations. Mr. Pearson said Council was given maps that showed the wider area to give them a flavor for their depth and how they move people around; he noted there was a station just west of Haggerty in Farmington Hills. He said while an ambulance was in motion and moving to a call in one place, they were already looking ahead and shuffling around other spots and with this configuration he thought they would be able to give better coverage on the north side as well. However, that unit might be posted just north of Fourteen Mile in Walled Lake.

Larry Ragnone, Logistics Manager at CEMS, was present and said the whole key to this was location. He said the Fire Department had done a wonderful job in strategically placing the stations. He said CEMS had challenges trying to get ordinances to allow 24 hour ambulance coverage in certain parts of the City of Novi. Mr. Ragnone said by moving ambulances into these stations it would increase the coverage to the City as well as decrease the service time. He said when an ambulance left a station another ambulance from the area was then moved into the strategic location. He said there were ambulances continually in motion around the City of Novi whether from Station #3, Northville, Huron Valley Hospital or Providence Park.

Member Mutch asked if they anticipated having more than one ambulance at Station #3 or was it only going to be a single unit. Mr. Ragnone stated there might be two at certain times. Member Mutch said that was consistent with Station #4 where they also anticipated having one or two units and Mr. Ragnone said absolutely. Mr. Ragnone said they gave Mr. Pearson and Chief Smith reports every month that showed each address they responded to, the volume of calls and calls per hour. He said these things were measured every month and turned into the City of Novi. Member Mutch said, in terms of the fact that Station #4 was being leased out, would that create any kind of tax liability for the City in terms of allowing a private entity to lease public property for use. Mr. Schultz said they were careful and didn't use the word lease and indicated allowing access. He said they did work with Mr. Lemmon to be sure they were covered on the concept. The language talked about if for some reason they were assessed, they would be assessed rather than the City per statute, that they would get an off set on the \$6,000 payment amount. However, he didn't expect that to happen. Member Mutch mentioned the language regarding CEMS being reimbursed for any taxes they might owe, which would reduce the amount of money the City was getting. He asked if that was typical that they would be assessed, if Mr. Lemmon decided that it was an issue. Mr. Schultz said from his perspective this was a public purpose all the way around. He said they did have a conversation with Mr. Lemmon but that was how the statute would work and from the perspective of CEMS they didn't expect to be taxed as they were a non-profit entity.

Member Mutch said regarding the statement that they would likely station two vehicles at Station #3, one of the issues raised by Administration was the impact. He said it was a small station and asked if there would be any likelihood that any of the vehicles currently there would

have to be displaced. Mr. Pearson said they had one bay that would be available. If, they wanted or needed to have two it might be in the up front of it but they would work with them to make it work for everybody. He said some of the ancillary equipment would be moved around. Member Mutch said he was comfortable with the language in the contract and that it gave the opportunity to revisit this and he fully expected this would result in a better level of service. He said he would be looking forward to their reports so they could revisit this, if necessary.

Mayor Landry said the indemnity language, page 4, talked about indemnifying the City from any cause of action arising out of the use of their personnel or crews but he didn't see them reimbursing the City if they damaged the building. Mr. Schultz said the overall contract that they were amending covered that. He said the only reason there was any language in the contract was to put to rest the issue of an argument that because they weren't using the buildings at first it wasn't covered. He thought the language in the main contract was broad enough but they would take another look at it. He said they indemnify the City from any kind of harm caused by their occupation of the building and he thought that would cover it.

Mayor Landry stated he thought this was a great idea because as he read the statistics 73% of the calls out of Fire Station #3 were from 6 PM to 6 AM. He said the ambulances were already in the City but the fact that they were being dedicated to this area of the City made it more efficient. Mayor Landry said he would echo the comments of Member Margolis and certainly expected this to reduce response times.

**Roll call vote on CM-10-01-009**                      **Yeas: Mutch, Staudt, Landry, Gatt, Crawford, Margolis**  
**Nays: None**  
**Absent: Fischer**

3. **Approval to extend the gasoline bid contracts to Mansfield Oil for truck transport deliveries (over 5,000 gallons) and RKA Petroleum for tank wagon deliveries (under 5,000 gallons) for a two-year period at unit prices competitively bid through the Michigan Intergovernmental Trade Network (MITN) for an estimated annual amount of \$287,000.**

**CM-10-01-010**                      **Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY:**  
**To approve extension of the gasoline bid contracts to Mansfield Oil for truck transport deliveries (over 5,000 gallons) and RKA Petroleum for tank wagon deliveries (under 5,000 gallons) for a two-year period at unit prices competitively bid through the Michigan Intergovernmental Trade Network (MITN) for an estimated annual amount of \$287,000.**

Mr. Pearson said this was a good example of shared purchasing.

**Roll call vote on CM-10-01-010**                      **Yeas: Staudt, Landry, Gatt, Crawford, Margolis, Mutch**  
**Nays: None**  
**Absent: Fischer**



**AUDIENCE COMMENT - None**

**MATTERS FOR COUNCIL ACTION – Part II - None**

**COMMITTEE REPORTS**

**1. Ad Hoc Employee Health Care Committee's Status Report**

Tia Gronlund-Fox reported that the committee, consisting of Ms. Cornelius, Chief Molloy, Mayor Pro Tem Gatt, Members Margolis and Staudt, Mr. Pearson and herself, met five times to plan the strategy on how to proceed. The committee met with representatives from Blue Cross, Marsh Mercer and HAP. She said they had discussed what the City's goal was as far as self funding to see if it was appropriate for the City, given finances and level of benefit. She said they met with two representatives from Marsh Mercer who gave them good information on what to look for such as numbers of employees and claims and they indicated they would take on the task of looking at the current health care arrangement to decide whether or not, in their opinion, it was feasible to move forward with self funding. She said there was one other representative from Towers Watson the group wanted to meet with and she had received an e-mail from them late this evening; so they needed to decide if they wanted to set up that meeting. Ms. Gronlund-Fox said it was the committee's recommendation to hire a consultant with a not to exceed amount for the purpose of reviewing the claims history and to gather information from Blue Cross and HAP to determine the feasibility of self-funding for employee health care.

Mayor Pro Tem Gatt said the committee decided to come before Council with a proposal to hire the Marsh Mercer Consulting firm with a not to exceed price of \$8,000, which he thought was reasonable given the City's insurance bill was about \$3 million a year. The firm represented themselves very well to the committee and the committee thought they would give them an honest answer as to what the best next move should be.

Member Margolis thought the most significant fact was that with the size of the City's covered population, the idea that they were right in between whether or not it made sense to self insure. She thought that was the reason they had struggled with this and a company like that would give Council some pretty clear numbers as to what the possible risks and benefits were so Council could make an informed decision. She said this would be from a firm that had no vested interest in who Council chose to deal with. She agreed with the committee's recommendation.

Member Staudt agreed the consultant idea was a good idea. However, both Blue Cross and HAP had impressed him with their commitment to bringing in executive level people to speak with the committee. He said he didn't feel like they were denying any information they had available to them and was very impressed with how forthcoming they were and with the level of detail HAP provided. Member Staudt said HAP provided very thorough information on their website, although not 100%, of what they needed and that was a good start. Member Staudt said he would support the consultant and looked forward to more discussion with the committee.



Date approved: February 8, 2010

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Transcribed by Charlene McLean