

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 22, 2011 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 Fischer, Margolis, Mutch, Staudt, Wrobel

APPROVAL OF AGENDA

CM-11-08-117 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the Agenda as presented

Roll call vote on CM-11-08-117	Yeas:	Gatt, Fischer, Margolis, Mutch, Staudt, Wrobel, Landry
	Nays:	None

PUBLIC HEARING – None

PRESENTATIONS – None

REPORTS:

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

AUDIENCE COMMENT – None

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

CM-11-08-118 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented

Roll call vote on CM-11-08-118	Yeas:	Fischer, Margolis, Mutch, Staudt, Wrobel, Landry, Gatt
	Nays:	None

- A. Approve Minutes of:
 1. August 8, 2011 – Regular meeting
- B. Approval of the transfer of ownership of 2011 Class C Licensed Business with Dance-Entertainment permit, located at 43155 Main, Suite 502, Novi, MI 48375, Oakland County, from Novi Cocktail Lounge, LLC to Breault Doyle Entertainment, Inc.

- C. Approval to award a contract for design engineering services for the Meadowbrook Road and Nine Mile Road Signal Modernization and Reconstruction project to Orchard, Hiltz & McCliment for a design fee of \$11,602.
- D. Approval of Request to Purchase three months of Prior Service Credit by employee Larry Lemerand.
- E. Approval to award a contract for Automatic Vehicle Locator (AVL) equipment and services to PreCise MRM, LLC for \$40,486 to cover all acquisition and operations costs in FY 2011-12.
- F. Approval to award a professional services contract for the design of Landings Property to Hamilton Anderson in the amount of \$66,970.
- G. Approval of Decorative Street Name Sign Support Agreement as requested by Meadowbrook Glens Homeowners Association for the installation of decorative sign supports within the public right-of-way.
- H. Approval of Traffic Control Orders 11-21 through 11-28 for traffic control signage within Lochmoor Village subdivision.
- I. Approval to award an amendment to the engineering services contract for construction engineering services related to the Nine Mile Pathway (Meadowbrook to Haggerty) project to Orchard, Hiltz & McCliment, Inc. in the amount of \$30,200.
- J. Approval of appointment of Judy Reedy (Employee Delegate) and Marina Neumaier (Officer Delegate) as the 2011 City of Novi representatives to attend the annual Municipal Employees Retirement System (MERS) Conference to be held September 27 – September 29, 2011.
- K. Approval to purchase an unmarked vehicle from Varsity Lincoln Mercury, Novi, MI for the Novi Police Department in the amount of \$18,086, based on the lowest quotes received.
- L. Approval of Claims and Accounts – Warrant No. 850

MATTERS FOR COUNCIL ACTION – Part I

- 1. Approval of recommendation by the Planning Commission for the City Council to cease making an annual appointment of a dual Planning Commission/ZBA member.**

Mr. Pearson said it was a policy matter for Council to decide on. He said it would create a vacancy on the ZBA.

Member Fischer asked Mr. Pearson what the course of action would be to fill the vacancy quickly. He said it was a concern of Chairman Ghannam.

Mr. Pearson said they could bring in the names they had, schedule interviews or appoint an alternate.

Clerk Cornelius said there wasn't a listing of anyone else interested in a seat on the ZBA. An option was to appoint the alternate, James Gerblick, to be a full time member and then seek an alternate position or to advertise. She said the next interviews would be held in October with appointments in November.

Member Fischer said he could support it given that it was recommended by the Planning Commission.

CM-11-08-119 Moved by Fischer, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the recommendation by the Planning Commission for the City Council to cease making an annual appointment of a dual Planning Commission/ZBA member and to appoint the current alternate, James Gerblick, to the full time position until the next appointments

Mayor Landry asked Mr. Schultz how many full time members were currently on the ZBA.

Mr. Schultz said there were seven positions.

Mayor Landry said one of those was a Planning Commissioner. He asked if the current alternate could sit on the ZBA until another appointment was made or if they had to appoint a full time member in the motion.

Clerk Cornelius said when she spoke with Mr. Boulard the conversation was that the alternate could sit in if someone was absent but this was considered a vacancy so an appointment had to be made.

Member Fischer asked why the alternate couldn't sit in on a regular basis.

Mr. Schultz said it was the way the statute was written. It stated the alternate was to sit in for a member that was absent or otherwise unavailable.

Mayor Landry said one option was to make the alternate a fulltime member in this motion. He asked when that position would expire.

Clerk Cornelius said typically the representative from the Planning Commission that was appointed to the ZBA served from June 30th of every year.

Mayor Landry asked Member Fischer to consider a friendly amendment to the motion that the alternate be appointed to the full time position until the next appointments.

Member Fischer and Member Margolis both accepted the friendly amendment.

Clerk Cornelius said the interviews would be held in October for appointment in November and the terms would begin in January 2012.

Member Fischer said at that point the alternate could then apply for the permanent position that they had been filling if they were interested.

Member Mutch said the language in the packet stated that the alternate position was an option for the City, an alternate wasn't necessary. He asked if they need to have an alternate position with seven full time members. He said the alternates usually attended every meeting but they didn't get to vote on a regular basis. He said he would like to see advice on eliminating the alternate position and just having seven full time members like the other boards and commissions.

Mr. Schultz said not having an alternate was permitted under the statute and ordinance.

Member Mutch suggested just appointing the alternate to the vacancy and asked how long the vacancy would last.

Clerk Cornelius said previously the vacancy always renewed itself annually on June 30th.

Member Mutch asked if they could appoint him to the remainder of the term, then he would go through the interview process as normal and eliminate the alternate position.

Mayor Landry asked if Council would have to appoint that member every year.

Mr. Schultz said he thought the one year came because that was how the Planning Commission did their appointments. He said they could choose to do it that way or not.

Mayor Landry said he would like to see something in an off week packet from the attorney about suggestions for staggered terms. He said he would like to go with the motion as it stood currently.

Roll call vote on CM-11-08-119

**Yeas: Margolis, Mutch, Staudt, Wrobel,
Landry, Gatt, Fischer**

Nays: None

2. Consideration of the 2012 City Council Meeting Calendar.

Mr. Pearson said once Council selected their dates then the other boards and commissions would select their dates. He said a schedule was sent out a couple of weeks ago and an alternate schedule was sent out earlier that day regarding dates in April dealing with the budget. He said there was more flexibility this year in April

because there was a third Monday. He said they liked to have extra time for budget preparation.

Mayor Pro Tem Gatt said as presented they would receive their budget packets on April 13th, the first meeting would be April 28th and the second meeting would be three days later on May 1st. He said that was a deviation from the past six or seven years where they had at least ten days between the first and second meetings to discuss items and give the staff time to ascertain figures and facts that they requested at the first meeting. He said in the alternative they would receive their budgets on April 5th, the first meeting would be April 14th and the second meeting would be April 28th. He said that was more in line with how they had done it in the past and would make for a smoother budget discussion.

CM-11-08-120 Moved by Gatt, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve the 2012 City Council Meeting Calendar as proposed with the alternate budget dates

Member Margolis asked Mr. Pearson to walk through the dates and the days of the week in the alternate proposal.

Mr. Pearson said their target date to deliver the budget document would be Thursday, April 5th. The first meeting would be 11 days later, Saturday, April 14th. There would be a 2 week break before the second meeting on Saturday, April 28th. A third meeting date, in necessary, would be Wednesday, May 2nd. He said they had done the public hearing on the same day as the adoption in the past; there would be three to four weeks before the budget was adopted from that point so there was a lot of extra time.

Roll call vote on CM-11-08-120 **Yeas: Mutch, Staudt, Wrobel, Landry, Gatt, Fischer, Margolis**
Nays: None

3. Approval to award a construction contract for the Nine Mile Pathway (Meadowbrook to Haggerty) project to Italia Construction Inc., the low bidder, in the amount of \$167,857.

Mr. Pearson said this was the bid they were asked to redesign. They received very positive and competitive bidding.

CM-11-08-121 Moved by Margolis, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the award of a construction contract for the Nine Mile Pathway (Meadowbrook to Haggerty) project to Italia Construction Inc., the low bidder, in the amount of \$167,857

Roll call vote on CM-11-08-121 **Yeas: Staudt, Wrobel, Landry, Gatt, Fischer, Margolis, Mutch**

To approve the purchase a 2012 Tymco 600 Comdex Regenerative
Air Street Sweeper from Fredrickson Supply, LLC, in the amount of
\$206,540

Roll call vote on CM-11-08-124

Yeas: Gatt, Fischer, Margolis, Mutch, Staudt,
Wrobel, Landry

Nays: None

AUDIENCE COMMENT – None

MATTERS FOR COUNCIL ACTION – Part II – None

COMMITTEE REPORTS – None

MAYOR AND COUNCIL ISSUES – None

AUDIENCE COMMENT – None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at
7:19 P.M.

David Landry, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Natalie Laitinen

Date approved: September 12, 2011