

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JANUARY 9, 2012 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

**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, Fischer, Margolis, Mutch, Wrobel

**ALSO PRESENT:** Clay Pearson, City Manager  
Victor Cardenas, Assistant City Manager  
Tom Schultz, City Attorney

**APPROVAL OF AGENDA**

**CM-12-01-01 Moved by Margolis, seconded by Mutch; CARRIED UNANIMOUSLY:**

**To approve the Agenda as presented**

**Roll call vote on CM-12-01-01**                      **Yeas: Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt**  
**Nays: None**

**PUBLIC HEARING - None**

**PRESENTATIONS - None**

**REPORTS:**

1. MANAGER/STAFF - None
2. ATTORNEY - None

**AUDIENCE COMMENT:**

Don Fleming, 24296 Hampton Hill, Novi, noted he was worried about his health due to Smart Meters installed by DTE. He was told by DTE to get a note from his doctor exempting him. He submitted that to DTE and was told that this meter wasn't causing interference. Once they installed the meter, his wife has headaches, he has begun to experience headaches and dizziness, had TIA's, fatigue, etc. He wants his meter removed and DTE won't remove it. He noted DTE is using outdated information to state that it is safe. There are some other communities that have been able to get DTE to stop installing the meters. He noted he has a pacemaker and is concerned about being affected by the electromagnetic waves. He's had all the indicators in the list of reactions. He wants the meter removed. His research noted digital signals are more irritating to our systems than analog signals.

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

**CM-12-01-02 Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY:**

**To approve the Consent Agenda as presented**

**Roll call vote on CM-12-01-02**                      **Yeas: Casey, Fischer, Margolis, Mutch,  
Wrobel, Gatt, Staudt**  
**Nays: None**

- A. Approve Minutes of:
  - 1. December 19, 2011 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of January 9, 2012 in the Council Annex for the purpose of discussing pending litigation, labor negotiations, property acquisition and privileged correspondence from legal counsel.
- C. Acceptance of a sidewalk easement from Cabot North Technology Centre, LLC as part of the Cabot North Technology Centre development located at 28970 Cabot Drive, located at the northeast corner of Cabot Drive and Lewis Drive (parcel 22-12-200-047).
- D. Approval of Amendment to Easement from Heslop Properties, Inc. for an existing utility easement granted to the City and recorded in L. 10602, P. 574 through 576, Oakland County Records, to revise the location of the easement description to reflect the actual location of the water main on the property located at 22790 Heslip Drive (parcel 22-26-327-011).
- E. Approval of payment to Pacitto & Forest Construction Company for emergency sanitary sewer repair work performed in the amount of \$22,735.03 for a City-owned sanitary sewer adjacent to the USA-2-Go site located at 27400 Beck Road.
- F. Approval to award the purchase of a John Deere 85D Hydraulic Excavator to JDE Equipment Company in the amount of \$83,866.
- G. Approval to award a one-year renewal option on a unit price contract for banking services with an estimated annual cost of \$23,700.
- H. Approval to award a contract for tree clearing in preparation for the second phase of the Crescent Boulevard extension project to Asplundh Tree Expert Company, under the existing forestry services contract, in the amount of \$32,288.
- I. Approval of Claims and Accounts – Warrant No. 859A & 859

**MATTERS FOR COUNCIL ACTION – Part I**

1. Acceptance of proceeding with items approved and deferred in the 2011-12 budget (Civic Center roof, Single axle dump truck, Customer Relations Management software, Gasboy Fuel Management System, and Senior van).

City Manager Pearson was introduced to speak on this matter. He explained that this package of items was asked to be deferred as part of the approval of the FY 2011-12 budget to bring to the third quarter after we received the audit. We have received the audit and are on track with projections of going forward on these items.

**CM-12-01-03 Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:**

**To approve acceptance of proceeding with items approved and deferred in the 2011-12 budget (Civic Center roof, Single axle dump truck, Customer Relations Management software, Gasboy Fuel Management System, and Senior van).**

**Roll call vote on CM-12-01-03**

**Yeas: Fischer, Margolis, Mutch, Wrobel,  
Gatt, Staudt, Casey  
Nays: None**

2. Approval of Fox Run Village, Inc. (A Maryland Corporation) for a New Continuing Care Retirement Center License issued under MCL 436.1545 with Dance-Entertainment Permit to be located at 41100 Fox Run, Novi, MI 48377, Oakland County.

City Manager Pearson said that the City Council did grant Fox Run a quota liquor license a couple of years ago. After it was granted Fox Run - Erickson took a look at their operations and chose to let it go back to the State and was added to the City's quota. In the interim, the State approved a new class of liquor license that is specific for these kinds of retirement communities and does not count against the City quota. He said that we have done our review and have no objections to granting the license.

**CM-12-01-04 Moved by Margolis, seconded by Fisher; CARRIED UNANIMOUSLY:**

**To approve Fox Run Village, Inc. (A Maryland Corporation) for a New Continuing Care Retirement Center License issued under MCL 436.1545 with Dance-Entertainment Permit to be located at 41100 Fox Run, Novi, MI 48377, Oakland County.**

**Roll call vote on CM-12-01-04**

**Yeas: Margolis, Mutch, Wrobel, Gatt  
Staudt, Casey, Fischer  
Nays: None**

3. Consideration of request to waive Liquor License Application fee for the New Continuing Care Retirement Center License to be held at Fox Run Village, Inc. at 41100 Fox Run, Novi, MI 48377.

City Manager Pearson began by saying that because this is a unique case, a new class of license and our review was done previously at the exact same property for the first liquor license, Fox Run is asking Council to waive the second payment for a reapplication.

**CM-12-01-05 Moved by Wrobel, seconded by Staudt; CARRIED UNANIMOUSLY:**

**To approve the request to waive Liquor License Application fee for the New Continuing Care Retirement Center License to be held at Fox Run Village, Inc. at 41100 Fox Run, Novi, MI 48377.**

**Roll call vote on CM-12-01-05**                      **Yeas: Mutch, Wrobel, Gatt, Staudt,  
Casey, Fischer, Margolis**  
**Nays: None**

4. Approval of process to name parkland located at 13 Mile Road and Old Novi Road (Landings Property).

City Manager Pearson said that we are underway with the process to develop plans to name the parkland. We have a grant from State and would like to re-energize this property the City owns and designated as parkland. Council, as part of that and in parallel, asked that the process be evolved for a new name for the property. What has been put together by Mr. Mangum, Director of Parks, Recreation & Cultural Services, is simply a starting point. The recommendation was presented to Council for approval.

Member Wrobel suggested that we have input from several members of the Parks and Recreation Commission, several students and with at least one senior citizen representative.

Member Margolis said they did a good job of coming up with a process and suggested a consensus.

**Consensus to approve process as presented.**

**AUDIENCE COMMENT:**

Don Fleming, 24296 Hampton Hill, noted he would like to be able to carry arms and would like to receive something from someone at City Hall as to the process. He would also like something related to signs to enable him to place a sign in his yard for the

upcoming elections; he wanted to know how he would obtain a deviation from the standard sign. He wished to know the size and time frame allowed for placing signs.

**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 7:15 P.M.

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Robert J. Gatt, Mayor

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Maryanne Cornelius, City Clerk

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Transcribed by Jane Keller

Date approved: January 23, 2012