

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, DECEMBER 3, 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
Thomas Schultz, City Attorney
Jason Mangum, Director of Park, Recreation & Cultural Services
Rachel Zagaroli, Older Adult Services Manager

APPROVAL OF AGENDA:

CM-12-12-195 Moved by Casey, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the Agenda as presented.

Roll call vote on CM-12-12-195	Yeas:	Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt
	Nays:	None

PUBLIC HEARING - None

PRESENTATIONS:

1. Proclamation of Commendation for Christopher Kohut and Eric Ballard for achieving Eagle Scout Rank with Boy Scouts of America, Troop 54 – The Mayor read the proclamations and presented it to them.
2. 2013-2015 Older Adult Services Strategic Plan – Jason Mangum and Rachel Zagaroli - Director of Park, Recreation & Cultural Services Mangum explained how the Older Adult Services staff works tirelessly to serve the older adult population. They are a dedicated group of individuals that provide the opportunities and benefits to the older adult population. He introduced Older Adult Services Manager Zagaroli to explain the report. She thanked Tracie Ringle, Communications Specialist, for her assistance with the Strategic Plan. After the survey in 2012, they were able to put together some ideas and suggestions for the Strategic Plan. She did a short overview of the Strategic Plan report. Some of the action items mentioned were plans to find out how to engage to a wider audience, include all the volunteer opportunities that are essential, program awareness through effective communication, use of Social Services and how to meet the needs of the community which is growing, use of transportation which is a life line for older adults, they have included a list of all their partners which is growing, information about the

Community Assessment Survey for Older Adults, (CASOA) and they did a lot of bench marking to the community so they know where they stand and what they need to do. It is a comprehensive plan.

Member Wrobel thanked them for the report. He noted senior transportation provided 10,000 rides a year and he asked if they expect the number to increase in the next two or three years. Ms. Zagaroli said she expects it to increase but it was hard to say by what percent. Member Wrobel said \$31,000 was reported in fare box revenue and \$20,000 from a grant from St. John's Park Hospital. He asked if it was an annual grant from St. John's. Ms. Zagaroli said she applies for it yearly. Member Wrobel said he didn't see the \$20,000 grant within the revenue pie chart in the report. Ms. Zagaroli said she didn't want to include it because the money was not guaranteed. Wayne Wrobel said the report showed our annual cost was \$154,000 plus but it appeared that the revenue is \$31,000. He asked if City Council decided to make it more affordable for seniors, would that be the balance to support the program. Ms. Zagaroli said they also received \$54,454 in Municipal Smart Grants which is a yearly amount. She explained they are going to embark on an advertising program for the Senior Transportation. It will bring in revenues. Member Wrobel clarified if the balance would be around \$31,000 to absorb the costs. Ms. Zagaroli said it would be that it would be around \$68,000 to reduce the rate. Member Wrobel said it would be an increase of \$31,000 to reduce the rate he projected. Ms. Zagaroli noted that they offer reduced rates to the library, senior center, and Civic Center for \$1.00 each way. We do try to eliminate those costs. Member Wrobel asked if she had a total amount of non- medical rides outside the City. Ms. Zagaroli said they just started it in April and said it wasn't a huge number but expected it to increase.

3. Comprehensive Annual Financial Report Audit ending June 30, 2012 – Andrews, Hooper, Pavlik, PLC – Randy Morse of Andrews Hooper Pavlik, PLC, presented the audit findings. They had no issues or significant matters. They had an unqualified opinion on the financial statements with no single audit findings. They did not find any internal control deficiencies with excellent results on an overall basis.

Member Margolis asked if our Debt Service is projected to drop about \$2 million in 2014. Mr. Morse said it is on page 42 of the Financial Statements. The Debt Service requirements are dropping pretty consistently for 2013. Member Margolis said it could theoretically be available for current expenses if we don't issue or refund more debt. She had a question on page 95-96. She noted that there was a redefinition of the Fund Balance. She asked if it was correct that it used to be called Unreserved Fund Balance and Reserved Fund Balance and in prior years from 2003 to 2010, the Unreserved included an Assigned Fund Balance. Mr. Morse answered a piece of the Unrestricted would be assigned. Member Margolis said that is the reason for the change in the large Unreserved balance from 2003-2010 which also includes what is designated in 2011-12 as Assigned. It is an impressive report. Also, congratulations to the staff for their attention to providing great service with fewer employees.

REPORTS:

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

AUDIENCE COMMENT:

Lee Mamola, 44700 9 Mile Road, said he has been an architect for over 60 site plans for buildings in the City. He spoke about the Bosco rezoning. He felt it was one of the more outstanding jobs the City had done in writing this ordinance. Once the development occurs under the ordinance, he felt it would benefit the community. It spells out specific criteria to be a physical transition between large and small scale developments without designing the project. One quirk was that it required a landowner to prepare a preliminary design plan that was costly to obtain rezoning. He felt that to prepare a costly plan with no assurance of rezoning might not entice anyone. He said it was an intense use but not likely that all the acreage would be devoted to medical office, since it would need many parking spaces. He would encourage them to pass the rezoning.

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

CM-12-12-196 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 1. November 26, 2012 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of December 3, 2012 in the Council Annex for the purpose of discussing pending litigation, labor negotiations, property acquisition and privileged correspondence from legal counsel.
- C. Approval of a one-year contract renewal with Municipal Web Services to host and maintain the City of Novi's two public websites and intranet website for the approximate annual amount of \$62,000.
- D. Approval of Claims and Accounts – Warrant No. 881

Roll call vote on CM-12-12-196

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

MATTERS FOR COUNCIL ACTION

1. Approval of a City-initiated rezoning for rezoning of property in Section 20, located at the southwest corner of Eleven Mile Road and Beck Road, from the RA, Residential Acreage to the PSLR, Planned Suburban Low-Rise Overlay District. The subject property is 7.4 acres.

Member Mutch reviewed the Planning Commission minutes which gave a lot of feedback from residents. A number of residents were frustrated by the planned rezoning for this parcel. He could see the frustration because for over 20 years the City has had a formal plan for the southwest portion of the City of Novi that was planned for low density residential use with a focus on preserving open space. Three quarters of the City is designated for commercial and higher density residential uses. In the past couple years, the Planning Commission decided they didn't have enough of those uses and would extend that type of development south of Eleven Mile Road through the Master Plan. He thought residents had an expectation and bought homes based on the fact it would be a residential area. He spoke about the rezoning process and explained the Planning Commission and Council duties and sometimes they come into conflict. He disagrees with the direction the Planning Commission took on this property. He didn't think rezoning to permit higher density residential or office uses are appropriate. He wants to keep it as it is. He wanted to maintain the character with residential and a more open nature. He could not support the proposal. He had other issues with this parcel. Specifically, he felt it would be spot zoning. Also, the buildable portion of the property is south of the intersection of Beck Road and Eleven Mile. The development would be directly across the street from the entrance and homes of Pioneer Meadows. The homes will be directly impacted by the development of the property. It sets a bad precedent to move south of Eleven Mile with that kind of development. He cannot support that. Nothing new has changed since Council voted to exclude the Bosco property from consideration. There is an absence of any specifics. The Boscos can sell the property and leave town. Once that property is rezoned, we are stuck with that designation and whatever development that comes forward with that designation.

Member Margolis read the entire packet and doesn't agree with the Planning Commission's recommendation. She thought it makes sense to be rezoned. The Planning Commission designated this property on the Master Plan as Suburban Low Rise. It was clear to her that any development that went in there would have to be dealt with in terms of infrastructure. We have plans to have the infrastructure in that area to support future development. The Master Plan speaks of this district of being transitional to keep the southwest corner residential. She is not sure why this piece of property was ever carved out when we rezoned the North part. This is keeping with what the Master Plan has suggested for this property. She is comfortable moving forward with this.

CM-12-12-197 Moved by Margolis, seconded by Wrobel; MOTION CARRIED: 6-1

Approval of request of Zoning Map Amendment 18.703 to rezone land located at the southwest corner of Eleven Mile Road and Beck Road in Section 20, from RA, Residential Acreage District and PSLR, Planned Suburban Low-Rise Overlay District.

This motion is made for the following reasons:

- **The requested zoning is consistent with the Future Land Use map in the 2010 Master Plan for Land Use as well as the recommended land use goals;**
- **The PSLR Overlay District's set of moderate-intensity permitted uses will be compatible with neighboring single family uses because the District's "form-based" standards will require developments be of a moderate scale and single family residential character;**
- **Adequate infrastructure exists or is planned to support the uses permitted in the PSLR Overlay District Twelve Mile Road is largely residential in character in this area and residential zoning is appropriate for this location; and**
- **The permitted moderate-density residential development could increase the demand for retail, office and industrial floor spaces in the City and provide additional housing options that could help attract more young families and seniors to the City.**

Mayor Gatt commented that he agreed with Member Margolis. The character of the land and area has changed and couldn't be residential anymore. What they are proposing is to create a transitional area. This Planned Suburban Low Rise Overlay District will be exactly what the area should be and what the Master Plan has designated. Notice was sent out to the surrounding residents. He didn't see anyone protesting the proposal. The Master Plan that the Planning Commission created, calls for the proposed rezoning for this property. He will support it.

Roll call vote on CM-12-12-197 **Yeas: Fischer, Margolis, Wrobel,
Gatt, Staudt Casey**
Nays: Mutch

2. Approval to purchase a water and sewer utility service truck from QT Equipment, Inc., the lowest responsive bidder, in the amount of \$154,910.94.

CM-12-12-198 **Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:**

To approve the purchase of a water and sewer utility service truck from QT Equipment, Inc., the lowest responsive bidder, in the amount of \$154,910.94.

Roll call vote on CM-12-12-198 **Yeas: Margolis, Mutch, Wrobel, Gatt,**

Staudt, Casey, Fischer

Nays: None

3. Appointments to Boards and Commissions

City Clerk Cornelius announced that Ernie Aruffo was reappointed to the Board of Review position for a term ending 01/01/2016. Lynne Boyle was reappointed and Kathy Crawford was appointed to the Historical Commission positions for terms ending 01/01/2016. David Schied was reappointed and Alexander Fera was appointed to the Public Access Promotion Committee positions for terms ending 01/01/2016. Rickie Ibe and Donna Skelcy were reappointed to the Zoning Board of Appeals positions for terms ending 01/01/2016.

4. Approval of transfer ownership escrowed 2012 Class C & SDM licensed business with Sunday Sales Permit (PM) & Specific Purpose Permit (food) from Godaiko Novi, Inc. to Fountain Square Restaurant Holdings Novi, Inc. (d/b/a Black Rock Bar & Grill) to be located at 44175 W. Twelve Mile Road, Suite F145, Novi, MI 48377.

CM-12-12-199 Moved by Margolis, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the Approval of transfer ownership escrowed 2012 Class C & SDM licensed business with Sunday Sales Permit (PM) & Specific Purpose Permit (food) from Godaiko Novi, Inc. to Fountain Square Restaurant Holdings Novi, Inc. (d/b/a Black Rock Bar & Grill) to be located at 44175 W. Twelve Mile Road, Suite F145, Novi, MI 48377.

City Manager Pearson said it is a nice reuse restaurant. The space just recently became available. It is a transfer per our local ordinances. The Staff had no objections with the transfer after reviews.

Roll call vote on CM-12-12-199

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

Nays: None

AUDIENCE COMMENT – None

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:55 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: December 17, 2012