

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
TUESDAY, NOVEMBER 12, 2024, AT 7:00 P.M.**

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

Mayor Fischer took this time to reflect on the unexpected loss of former City Council member Terry Margolis. She was a 30-year resident of Novi who discovered her passion for public service after successfully opposing the City's efforts to place a pool near the entrance of her subdivision. She served as a library board of trustees from 2002 – 2005 including a term as library board president and played a crucial part in hiring the current director and in raising funds for the construction of the new library facility. Terry went on to serve two terms on City Council from 2005 to 2013. She was an advocate for parks and public safety. Terry's legacy is one of service integrity and deep love of the community. One role she cherished above all was being Nana to her grandchildren. She would organize Nana Camp for them each year, tailoring each day for each grandchild's interest. We extend our condolences to her husband David, her children Brianne & Jason and her many grandchildren. Her service to the City of Novi will never be forgotten.

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Mayor Pro Tem Casey, Council Members Gurumurthy, Heintz, Smith (excused/absent), Staudt, Thomas

ALSO PRESENT: Victor Cardenas, City Manager
Danielle Mahoney, Assistant City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 24-11-149 Moved by Casey, seconded by Thomas; MOTION CARRIED: 6-0

To approve the agenda as presented.

Roll call vote on CM 24-11-149 **Yeas: Casey, Gurumurthy, Heintz, Staudt, Thomas, Fischer**
Nays: None
Absent: Smith

PUBLIC HEARINGS: None

PRESENTATIONS: None

CITY MANAGER REPORT: None

ATTORNEY REPORT: None

MAYOR REPORT:

Mayor Fischer offered congratulations to City Manager Cardenas who received the 2024 Alumni Service Award from his alma mater, Grand Valley State University. Mr. Cardenas

has dedicated nearly two decade of service to Grand Valley. He served on the alumni board of directors from 2007 to 2015 when he was appointed to the Grand Valley Board of Trustees by Governor Rick Snyder. The Board tackled many important issues during his tenure. We know the positive impact and value of quality education opportunities in the community and are lucky to have many exceptional colleges and universities and that's why we must celebrate those who work to keep them operating at their high caliber. On behalf of the City, congratulations to Mr. Cardenas on this well-deserved achievement.

AUDIENCE COMMENTS 1:

Khurram Abbas was here to represent the Homeowners Association of Asbury Park. He was here when Council approved the rezoning of the north side of City West and it kind of made sense to him that Council would want to do the north side first with the presumption that they could go back and revisit the south side but was surprised that Council is coming back to that a couple of months after the north side. He was under the impression that the City, City Council, and City staff would see how the north side materialize and then make the decision as to whether rezoning the south side will complement the north or not. There's a lot of concerns on their side. Just a few days ago he heard there was a child pedestrian that was hit by a car on Grand River and Wixom. There's this high-speed road in the middle of the south side and north side and we're trying to do something that is probably going to cause more accidents. He heard from the grapevine that the developer, who has property on both sides, is not happy that the south side got left out. He feels that this is a hasty decision and is not sure why the Mayor has requested City staff to look at the south side so quickly. He wants to see how the north side turns out and if it's a success story, then consider the rezoning of the south side. He said that if the City Council decides that the south side is a benefit to Novi, then at least consider the residents that live on the north side by increasing the building setback from 100' to 200'. He feels that by increasing the setback, it would be a good compromise that will satisfy both parties.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 24-11-150 Moved by Thomas, seconded by Casey; MOTION CARRIED: 6-0

To approve the consent agenda as presented.

- A. Approve Minutes of:
October 28, 2024 - Regular Meeting
- B. Approval to accept the residential street as part of the Montebello Estates and adoption of Act 51 New Street Resolution accepting Montebello Court as public, adding 0.36 miles of roadway to the City's public street system.
- C. Approval of a Storm Drainage Facility Maintenance Easement Agreement for Pure Wash located on the west side of Meadowbrook Road and north of 10 Mile Road (parcel 50-22-23-426-017).

D. Approval of claims and warrants – Warrant 1167

Roll call vote on CM 24-11-150

**Yeas: Gurumurthy, Heintz, Staudt, Thomas,
Fischer, Casey**

Nays: None

Absent: Smith

MATTERS FOR COUNCIL ACTION:

- 1. Consideration to adopt resolution authorizing entry into a contract with the Michigan Department of Transportation (MDOT) for the rehabilitation of 9 Mile Road between Meadowbrook Road and Haggerty Road, and Meadowbrook Road between 10 Mile Road and 11 Mile Road, with an estimated City contribution of \$2,874,406, and to amend the budget.**

City Manager Cardenas stated this was before Council previously in the summer. This was supposed to be on this year's road construction program. It was moved to next year with everything else going on. This will be the program we got some money from so in total, we are paying \$2.8 million. There is some movement between different road funds because the figure in the motion sheet is with the \$300,000 transfer. We have 3.4 in there and need 3.7 so that's where the \$300,000 is being moved over from the municipal street fund. There's been a lot of discussion regarding the trees. Those need to be removed for safety reasons and that will be done prior to March.

Mayor Pro Tem Casey noted that the packet talked about an aggressive tree planting recommendation and asked for a quick summary. Mr. Cardenas replied that the trees that are planted there are not safe as they are too close to the right-of-way. The replacement trees will be sufficient and safe. They won't have big trunks or roots that will cause disruption and damage to the road itself. There will be plenty of trees planted along a stretch of Nine Mile and they will flourish in the future. The Mayor Pro Tem said there was concern from residents on Nine Mile about the number of trees that were going to be taken down, so she is pleased to see and appreciates the work staff have done to think ahead and come up with a strong recommendation. From a safety perspective, it's a tough decision but she thinks it's the right decision.

CM 24-11-151 Moved by Casey, seconded by Gurumurthy; MOTION CARRIED: 5-1

Adoption of a resolution authorizing approval of a contract with the Michigan Department of Transportation to agree to the rights and obligations associated with the rehabilitation of 9 Mile Road between Meadowbrook Road and Haggerty Road and the rehabilitation of Meadowbrook Road between 10 Mile Road and 11 Mile Road, with the City of Novi's estimated responsibility for construction in the amount of \$2,874,406 and amend the budget.

Roll call vote on CM 24-11-151 **Yeas: Heintz, Thomas, Fischer, Casey, Gurumurthy**
Nays: Staudt
Absent: Smith

- 2. Consideration of approval to award the Janitorial Services contract to GDI Integrated Facility Services in the amount of \$255,024 for one (1) year with the option of two (2) one-year renewals.**

City Manager Cardenas stated that the current janitorial contractor is not meeting their end of the bargain for the current contract. GDI is the current contractor at the library, and they are happy with them. Background checks and security protocols for the police department will need to be done.

CM 24-11-152 Moved by Casey, seconded by Thomas; MOTION CARRIED: 6-0

Consideration of approval to award the Janitorial Services contract to GDI Integrated Facility Services in the amount of \$255,024 for one (1) year with the option of two (2) one-year renewals.

Roll call vote on CM 24-11-152 **Yeas: Staudt, Thomas, Fischer, Casey, Gurumurthy, Heintz**
Nays: None
Absent: Smith

- 3. Consideration of Approval of Change Order No. 6 to LGC Global, Inc. for the Novi Road/13 Mile Road PCCP Water Main Repair project, in the amount of \$309,717.**

CM 24-11-153 Moved by Thomas, seconded by Casey; MOTION CARRIED: 6-0

Approval of Change Order No. 6 to LGC Global, Inc. for the Novi Road/13 Mile Road PCCP Water Main Repair project, in the amount of \$309,717.

Roll call vote on CM 24-11-153 **Yeas: Thomas, Fischer, Casey, Gurumurthy, Heintz, Staudt**
Nays: None
Absent: Smith

- 4. Consideration of approval to award the DPW Salt Dome Reconstruction contract to Brencl Contractors, Inc., the low bidder, in the amount of \$1,283,556.**

City Manager Cardenas said this is a long time coming and we intend to start construction early spring 2025.

CM 24-11-154 Moved by Thomas, seconded by Casey; MOTION CARRIED: 6-0

Approval to award the DPW Salt Dome Reconstruction contract to Brencl Contractors, Inc., the low bidder, in the amount of \$1,283,556.

Roll call vote on CM 24-11-154

Yeas: Fischer, Casey, Gurumurthy, Heintz, Staudt, Thomas

Nays: None

Absent: Smith

5. Consideration of Zoning Map Amendment 18.747 to rezone approximately 107 acres of property located south of Grand River Avenue, east of Beck Road and west of Taff Road, from Light Industrial, Residential Acreage, and Office Service to the new City West District. FIRST READING

City Manager Cardenas said the north side was previously rezoned. There is one corner of Beck and Grand River, zoned B-3, that is not included in what is being proposed. Everything on the north side has already been taken care of. In terms of the different heights of the buildings, south side only, the minimum is two-story with a three-story maximum on a 200' setback. There can be a four-story maximum under bonus conditions south of Grand River. One thing that has been discussed is the mixed unit development (MDO) option. That will go back to Council when those are proposed. Those are similar to a PUD or PRO. It would still have to come to Council for consideration. The City has already had rezoning modifications that have been asked for by businesses currently there.

Member Gurumurthy mentioned that she appreciates that time and effort put safeguarding measures in place. The other thing she wanted to highlight is the wetland and woodland in the City West text and that there is a lot of emphasis on protecting the natural features. It is important if they start thinking about the district and want to create that as a walkable community, it's important to look at the traffic. They need to continue to put a focus on discussions with RCOC, which they have already initiated, in terms of understanding their plan and coinciding with what we want to do because it is important to put safety measures there with the crosswalks and sidewalks. The Active Mobility Plan is something that she wants to emphasize, as they have this plan, and they are thinking about the future and it's important to make sure those are integrated. She is glad that the MDO will need Council approval so they can review and make sure they ask the right questions.

Member Thomas likes the idea of changing that areas and making that into a more usable place where the community can come together. She understands the concerns from citizens who live in neighboring areas. This proposal has a 100' setback and it seems to her that it would be possible to give more distance and buffering between those residential communities. It's difficult when you live in a home that all of a sudden there's something built around you that makes the home less pleasant to be in. She would be in favor of larger setbacks from residential neighborhoods. She felt that they talked about

the larger the building, the farther from the communities it is. She doesn't know if that's accurate or she misread that, but it seems like a disconnect and it's not a cohesive neighborhood that she would expect to see. She loves the support for preserving the environment.

Member Heintz said it's important to acknowledge the feedback from residents in the area. He saw in the meeting minutes from the Planning Commission that one of the members recommended it for staff and the Council to consider making a 100' conservation. He wanted to know if something like that was to be proposed, how would that impact or be related to any additional setback. Barb McBeth said they were thinking more likely it would be assumed that the 100' would not have any parking or building on it. Member Heintz asked if that would be in addition to a setback if something like that were to exist. Barb McBeth responded that she can't imagine that existing and if it did, then it probably would've been written into the ordinance when it was drafted. Member Heintz asked if it could be shared in the future the percentage of potential wetlands in the area. Ms. McBeth said that they could potentially come up with a figure for that. She does caution that the city maps that reflect the woodlands and wetlands haven't been determined out in the field yet. The applicants do a wetland delineation as the project is coming in so they will get up-to-date information at that point. Member Heintz said he understands the importance of thoughtful development and there's a benefit of having additional development but with the balance of neighboring communities and with the environment, he thinks those are all considerations that'll be helpful to have.

Member Staudt stated that the only people who have addressed the Council about moving forward are City staff and he's never been approached by anybody else to consider this. He said this should have been considered at the time they did the north side. The nice thing about this is the ability to control what's developed in this property. Under the current zoning, somebody can slap up a big ugly building, 100' from the property line at a height that is not acceptable. He's looking for a walkable green area that has got mixed use and is an improvement over what's currently there. In addition, I-1 industrial in not good zoning. As a member of the Corridor Improvement Authority, one of the things that can be looked at is building a walkway over the road which would be an improvement over the current situation. This is building an area of our community where people can walk and do different things and he's hoping that the type of people that come and bring their projects are the kind of projects they want. If not, they have the ability to stop them.

CM 24-11-155 Moved by Staudt, seconded by Casey; MOTION CARRIED: 5-1

Approval of Zoning Map Amendment 18.747 to rezone approximately 107 acres of property located south of Grand River Avenue, east of Beck Road and west of Taff Road, from I-1 Light Industrial, RA Residential Acreage, and OS-1 Office Service (excluding the B-3, General Business zoned area at the southeast corner of Beck and Grand River Avenue), to CW City West District for the reasons provided below. FIRST READING

- 1. The 2016 Master Plan for Land Use recommended the creation and adoption of a new zoning district for this area of the City in order to foster redevelopment of underutilized parcels, and to create a vibrant, walkable, mixed-use district,**
- 2. The Master Plan for Land Use objective to foster a favorable business climate is fulfilled by allowing more flexible development standards for a unique area of the City,**
- 3. The Master Plan for Land Use objective to support and strengthen existing businesses and attract new businesses is fulfilled by allowing existing businesses to expand and creating new development opportunities in a mixed-use setting,**
- 4. The Master Plan for Land Use objective to provide a wide range of housing options is supported as the new district allows residential use in a mixed-use setting,**
- 5. The Master Plan for Land Use objective to develop the City West/Grand River and Beck area in a manner that supports and complements neighboring areas through the use of setback and height restrictions to provide buffers to single family districts, and**
- 6. It provides an opportunity for long-standing businesses to remain at their current location.**

Mayor Pro Tem Casey confirmed with Barb McBeth that under I-1 and I-2 industrial zoning, building height is limited to 25' when the property abuts residential, regardless of where the building is placed on the property. When work started on this ordinance, one thing they asked to take into account was looking at a building height, against a single family residential, starting at 20' which is smaller than what is already zoned for. Any building within 100', 200' of the single-family properties is going to max out at 20'. Ms. McBeth stated that there would be no buildings allowed in the first 100'. The Mayor Pro Tem then confirmed that the farther away that they are allowing development to be placed, the taller the building itself can be up to a maximum of four-stories. Lindsey Bell then commented that if there is an MDO project, it could be proposed up to 35'. The traffic on Grand River has been talked about and wanting it to be a walkable district. She echoes the comments of the first speaker who called attention to the fact that they need to be forward thinking on working with RCOC and encouraging traffic safety measures that can be put in place in that stretch of road. She appreciates the work staff has done with the ordinance but what is in front of the Council is not the ordinance, it's applying the ordinance through a zoning map change.

The Mayor said he echoes a lot of the same sentiments and wants to thank staff's efforts in putting all of this together. He asked staff to bring this back and put it back through the process after they had designated the actual ordinance so it could be discussed. They are elected to make decisions and to punt them down the road is not acceptable. As mayor, he decided that Council needed to step up and go on record as whether they supported an innovative new zoning district for this area or stick with I-1. They've had conversations through prior Councils, this Council, through the first and second reading of all of this on the south side. That's why they've put all of the different setback requirements to protect those residential. That feedback has been given through many councils and discussions and staff have put those protections in place. He thinks that this would be a better use of land and more protective. The packet talks about how natural features will be more protected under this ordinance than the I-1 district. We want to just hope that maybe our obsolete zoning ordinance will result in no one ever developing this land in hopes that it remains this desolate area. He doesn't subscribe to that theory and methodology. He thinks it's incumbent upon them as policy makers to put in good policies, good ordinances and encourage the right kind of development in this area. There's talk about sustainability and attainable, affordable housing and protecting green space. This is one ordinance that probably does it more than anything. We talk about these bonus heights, but we haven't touched upon the fact the only reason you get bonus height is for putting parking underground or in some structure to preserve open space, dedicating open space in excess of 25% of the total site, provide 15% of the residential units as workforce housing, for energy & water efficiencies and qualified LEED purposes. Those are the things encouraged through this ordinance he thinks is the only ordinance in the books that encourages those types of sustainable activities through an incentive like bonus height. After two years of discussion, he is encouraged that this is the right move forward. It's visionary in what it does on the north side and transitions to the south side.

Member Gurumurthy asked Ms. McBeth, in terms of the landscape and berms, what are things that they can do to protect that. Ms. McBeth said there are a couple of different provisions that relate to the landscaping in that area. If it is a standard kind of development, then our standard types of landscaping requirement would need to be met.

Member Heintz wanted to make sure he understood that if there was a multi-use development it would come before Council for a vote. City Manager Cardenas confirmed that it would first go through the Planning Commission and then it would go before the Council.

Roll call vote on CM 24-11-155

**Yeas: Casey, Gurumurthy, Heintz, Staudt,
Fischer**
Nays: Thomas
Absent: Smith

AUDIENCE COMMENTS:

Khurram Abbas appeared again to say that he believed that there were additional protections added in regard to City West and that parking setbacks were increased from 50' to 75'. He did not see that in the Planning Commission docket. He reached out to City staff, and they clarified that was a mistake and they were intending to make sure that the parking setback was 75'. He just wants to make sure that is something that is account for. He also commented that it's pretty sad to lose the tunnel of trees on Nine Mile. He feels the decision has already been made and it will never look the same and hopes the City will do whatever it can to preserve or replant trees that create that same nice kind of feeling in that area.

COMMITTEE REPORTS:

1. Environmental Sustainability Committee

Member Gurumurthy said the Committee is working to put together a report for the Council. The Committee met with the Northville sustainability team in order to understand what they were doing, and they walked through their process.

MAYOR AND COUNCIL ISSUES: None

COMMUNICATIONS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:50 P.M.

Cortney Hanson, City Clerk

Justin Fischer, Mayor

Transcribed by Becky Dockery,
Account Clerk

Date approved: November 25, 2024