

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JUNE 17, 2013 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

APPROVAL OF AGENDA:

CM-13-06-086 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as presented.

Roll call vote on CM-13-06-086 **Yeas: Staudt, Casey, Fischer, Margolis, Mutch,
Wrobel, Gatt**
Nays: None

PUBLIC HEARING - None

PRESENTATIONS:

1. Proclamation in recognition of Parks and Recreation Month, July 2013 – Scott Pratt, Superintendent of Recreation Services

Mayor Gatt presented the proclamation to Superintendent of Recreation Services Scott Pratt. Mr. Pratt spoke about the activities planned for this summer. This year the theme is “My Parks and Recreation is...” He said that parks and recreation improves our Community. They will get personnel stories from residents. He thanked the staff.

REPORTS:

1. MANAGER/STAFF – City Manager Pearson commented how proud everyone is of the Parks and Recreation Department. He noted Parks and Recreation is starting the Farmer’s Market at Fuerst Park, Tuesday. Everyone is excited about Pavilion Shores opening up in late July or early August. Parks and Recreation provides additional services and programs that are very important to the livelihood and to the building of the Novi Community.

2. ATTORNEY - None

AUDIENCE COMMENT – None

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-R):

CM-13-06-087 Moved by Casey, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented.

CONSENT AGENDA: Background information for Consent Agenda items is available for review at the City Clerk's Office.

- A. Approve Minutes of:
 - 1. June 3, 2013 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of June 17, 2013 in the Council Annex for the purpose of discussing property acquisition and privileged correspondence from legal counsel.
- C. Approval of the Theatre contract for Novi Parks, Recreation and Cultural Services to Sky's The Limit Productions LLC, a Michigan Limited Liability Company, whose address is 29424 Regents Point Farmington Hills, MI 48331.
- D. Approval of Proposed Water & Sewer Rate Resolutions for 2013-2014.
- E. Approval of a three year Personal Property Assessment Contract with Oakland County Equalization, at a cost of \$13.80 per parcel, for an estimated annual cost of \$35,000 per year.
- F. Approval to purchase Courts and Law Enforcement Management Information System (CLEMIS) and Fire Records Management System (FRMS) fees and services from Oakland County for the 2013-14 fiscal year in the amount of \$59,570.
- G. Approval to purchase Taser equipment for the Uniform Division of the Novi Police Department from Michigan Taser Distributing, sole source provider, in the amount of \$79,692.40.
- H. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Sri Venkateswara Temple and Cultural Center, Inc. for the Sri Venkateswara Temple and Cultural Center project located at 26233 Taft Road, south of Grand River Avenue and north of Eleven Mile Road. (parcel 22-16-451-032).
- I. Approval of a Storm Drainage Facility Maintenance Easement Agreement from J. S. Evangelista Development, LLC, for the Maple Manor Rehabilitation Center project located at 31215 Novi Road, southwest corner of Novi Road and Fourteen Mile Road. (parcel 22-02-201-001).
- J. Approval to award an amendment to the engineering services agreement with URS Corporation for construction engineering services related to the Novi

Road/Old Novi Road Traffic Signal Modernization Project, in the amount of \$18,317.

- K. Approval to award a construction contract for the Civic Center Parking Lot and Sidewalk Ramp Improvement project to Anglin Civil, LLC, the low bidder, in the amount of \$94,059.
- L. Approval to award an amendment to the engineering services contract with Spalding DeDecker Associates, Inc. for construction engineering services related to the additional parking on the north side of the Novi Civic Center and Civic Center sidewalk ramp improvements, in the amount of \$12,410.
- M. Approval to award an engineering services agreement to Spalding DeDecker Associates, Inc. for engineering services related to the Storm Water Master Plan Update, in the amount of \$39,644.
- N. Approval of Resolutions Concerning Acquisition and Approving Declarations of Necessity and Taking and authorization of Offers to Purchase in the total amount of \$52,595 for permanent pathway easement and temporary grading permits on nine parcels owned by Mercy Health Services (parcels 22-13-100-005 through 22-13-100-010, 22-13-100-020, 22-13-100-021, and 22-13-100-024) subject to negotiation of final easement language by the City Attorney's Office and the property owner's attorney, for the purpose of constructing the Metro Connector regional pathway along the east side of Meadowbrook Road between I-96 and 12 Mile Road.
- O. Approval to award a contract for Community Development backup inspection services for building and trade inspections on an as needed/as requested basis to McKenna Associates, Inc. for an estimated annual cost of \$8,000.
- P. Approval of a first amended Completion Agreement with Bank of Ann Arbor for SP05-0034, the Taft Knolls II Condominium residential development located north of Ten Mile Road and east of Taft Road, in accordance with the requirements of Chapter 26.5.
- Q. Approval of request for a Fireworks Display Permit by the Walled Lake Civic Fund, to be operated by Gen-X Pyrotechnics, on Saturday, June 22, 2013 (with a rain date of Sunday, June 23, 2013) from three barges located on Walled Lake.
- R. Approval of Claims and Accounts – Warrant No. 894

Roll call vote on CM-13-06-087

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

Nays: None

MATTERS FOR COUNCIL ACTION:

1. Consideration of a Resolution of support for and a Memorandum of Understanding between the City of Novi and the Michigan Economic Development Corporation (MEDC) for participation in the Redevelopment Ready Communities Program (RRC).

Jennifer Rigterink, MEDC, spoke about the Redevelopment Ready Communities Program. She explained it is a State wide certification program that the MEDC purchased from the Michigan Suburbs Alliance at the end of 2011. The program is about setting up a community for success by establishing a solid framework or foundation with which to operate from when it comes to enticing investment in the community, particularly, real estate development. The program provides a defining set of redevelopment readiness standards that was established from the public and private sector. All communities have to achieve the same standards in order to get certified. It is a mark from a third party for the private sector and other agencies to look at. Council action is the first step in the process with a signed Memorandum of Understanding. It requires an authorizing resolution of support to proceed with the formal evaluation. The MEDC wants to make sure the staff and the governing body supports the program. They have an Advisory Council of Local, County and State public officials and large organizations so that recommendations are from real world situations. There may be resources or samples these professionals can provide to help accomplish the necessary requirements. They are working with eight other communities. The program makes sure the communities have all the systems in place to be the most successful community possible moving forward. She explained the redevelopment challenges. The most noticeable challenge for the private development sector is that communities lack vision. Communities have outdated Master Plans or don't have the developer's desired zoning. The community's perception of the private developer is a challenge. She noted the new debate is where people want to live. They are finding, through their research, that people want to be located close to places where there is activity of all types. She discussed the six best practices of the program. Redevelopment ready sites are number five. The first practice is community plans and public outreach with the review of the Master Plan. They will look for a redevelopment strategy and whether it is in the Master Plan or if it is in a separate document. They will look for a Capital Improvement Plan and how thoughtfully the public and stakeholders are engaged. They will review zoning and regulations. They will check to see if we are flexible with our standards. They look at how our standards of non-motorized safety ordinances and policies are incorporated in the development. They will review the development review process and the community should walk away with a flow chart of the site plan review process. Customer service role is very important and the intact professional should be engaged and empowered to answer questions or find the answer. The internal process should be well defined for staff. They will look for sharing of training and education.

The RRC method is for communities to proactively tell the private sector what they accept. The homework will be done for the private sector. Individual sites should be identified for redevelopment opportunities and prioritize them. Identifying possible

funding sources available is helpful for the private sector. Community prosperity has to do with Novi having an economic develop strategy. Community strengths and opportunities should be listed and promoted. We should have a user friendly website. She discussed the resources they have that are designed to help communities. Technical assistance is available. After certification, we will be a part of network where we are learning from the communities. They will market up to three sites. The certification is good for three years.

Member Wrobel asked what the cost would be to participate. Ms. Rigterink said there is no fee to participate and it is just the time spent by a contact person at the City.

Member Fischer asked about reporting the implementation and benchmarks. Ms. Rigterink explained when she comes back to present their findings, there will be quarterly progress reports. The reports required from the City will be of the elements missing for certification. Once certified there may be a bi-annual progress report. There will be a re-certification process as long as the criteria are met. Their "Best Practices" is listed on their website, redevelopmentready.org.

CM-13-06-088 Moved by Fischer, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve a Resolution of support for and a Memorandum of Understanding between the City of Novi and the Michigan Economic Development Corporation (MEDC) for participation in the Redevelopment Ready Communities Program (RRC).

Mayor Pro Tem Staudt said he spent ten years in Ferndale and redevelopment for them was different. They have old industrial sites. We have apple orchards. He asked how she saw this program working in a city like Novi versus communities such as Southfield and Ferndale. Ms. Rigterink explained that the program was originally designed to balance that Brownfield Redevelopment versus the greenfield development that was going on outside of Detroit. What they have done through the Best Practices has given a good frame work in which to operate from. We can decide what kind of community we want to be and what kind of development. We will have solid practices and steps in place to get us to a desired vision. There will be a simple and efficient transparent type of mentality that will be the same and will help each community. Mayor Pro Tem Staudt said Novi will be a benchmark community. Looking through the presentation, he saw that Novi is already doing some of the requirements. Ms. Rigterink said that is one of the reasons that they chose Novi because we do well and are ready.

Member Margolis said that there has been discussion over the last eight years about our reputation as a difficult place for development. There have been a lot of changes done by staff that was similar to the presentation. She commended the staff for taking another step in looking at their practices.

Member Wrobel concurred with Member Margolis and Mayor Pro Tem Staudt. He feels the Community Development Department in Novi has become very responsive and proactive in the past decade. He thinks our Master Plan is very current and applicable because of all the time they spend working on it. He will support it because we still want to be better.

Roll call vote on CM-13-06-088

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

Nays: None

2. Approval of an agreement with Braun Construction Group and Novi Real Estate, LLC for construction of the Medilodge/ITC Regional Pathway project, and approval to award a construction contract with Braun Construction Group in the amount of \$83,109 (to be offset completely with deposited escrow funds from Novi Real Estate, LLC, the developer of Medilodge).

City Manager Pearson said the Council has approved Medilodge Plan Rezoning Overlay project. One of the benefits is the pathway connections that are not just on their property but also in the ITC power line corridor. A lot of work has gone into this project to bring it to this point. Medilodge is paying for it completely for this offsite improvement. It goes up to Eleven Mile and connects with what they are doing on their property. They are also working on getting an easement from Providence Hospital for the path to go to Beck Road. He hopes it is one of many. The Pathways Committee has identified these projects and this is another piece to form a pathway along the ITC corridor.

CM-13-06-089

Moved by Mutch, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve an agreement with Braun Construction Group and Novi Real Estate, LLC for construction of the Medilodge/ITC Regional Pathway project, and approval to award a construction contract with Braun Construction Group in the amount of \$83,109 (to be offset completely with deposited escrow funds from Novi Real Estate, LLC, the developer of Medilodge).

Roll call vote on CM-13-06-089

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

Nays: None

3. Approval to award a construction contract for the Novi Road/Old Novi Road Traffic Signal Modernization Project to Dan's Excavating, Inc., the lowest responsive bidder, in the amount of \$209,858.

City Manager Pearson said this signal was damaged New Year's Day. We have had a temporary signal in place. The signal has to be brought up to current standards. Insurance from the driver who damaged the signal is paying for the majority of it. They will not pay for some of the upgrades but we would have had to upgrade it in the future anyway.

CM-13-06-090 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve a construction contract for the Novi Road/Old Novi Road Traffic Signal Modernization Project to Dan's Excavating, Inc., the lowest responsive bidder, in the amount of \$209,858.

**Roll call vote on CM-13-06-090 Yeas: Mutch, Wrobel, Gatt, Staudt, Casey, Fischer, Margolis
Nays: None**

4. Approval to renew the City's 2013-14 Property and Liability Insurance coverage with the Stevenson Company in the annual amount of \$285,688.

CM-13-06-091 Moved by Mutch, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve to renew the City's 2013-14 Property and Liability Insurance coverage with the Stevenson Company in the annual amount of \$285,688.

**Roll call vote on CM-13-06-091 Yeas: Wrobel, Gatt, Staudt, Casey, Fischer, Margolis, Mutch
Nays: None**

5. Approval of resolution to authorize Budget Amendment 2013-6.

City Manager Pearson said this is the final amendment for 2012-13 as presented in the mid-year estimates to close out the last fiscal year.

CM-13-06-092 Moved by Margolis, seconded by Casey; CARRIED UNANIMOUSLY:

To approve a resolution to authorize Budget Amendment 2013-6.

**Roll call vote on CM-13-06-092 Yeas: Gatt, Staudt, Casey, Fischer, Margolis, Mutch, Wrobel
Nays: None**

6. Appointments to Boards and Commissions.

Deputy City Clerk Hanson tallied the ballots. She announced Marianne LaDuke was appointed to the Beautification Commission. Lauren Royston was appointed to the Housing & Community Development Advisory Committee (partial term vacancy). Douglas Bauss, Charles A. Staab, and Harold "Butch" Wingfield were appointed to the Parks, Recreation & Cultural Services Commission. Brent Farrell was appointed to the Zoning Board of Appeals (partial term vacancy).

Mayor Gatt submitted David Baratta for nomination to the Planning Commission.

CM-13-06-93 Moved by Staudt, seconded by Mutch; CARRIED UNANIMOUSLY:

To approve David Baratta for appointment to the Planning Commission.

**Roll call vote on CM-13-06-093 Yeas: Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt
Nays: None**

Mayor Gatt submitted Robert J. Giacopetti for nomination to the Planning Commission.

CM-13-06-94 Moved by Casey, seconded by Fischer; CARRIED UNANIMOUSLY:

To approve Robert J. Giacopetti for appointment to the Planning Commission.

**Roll call vote on CM-13-06-094 Yeas: Casey, Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt
Nays: None**

Mayor Gatt submitted David Greco for nomination to the Planning Commission.

CM-13-06-95 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:

To approve David Greco for appointment to the Planning Commission.

**Roll call vote on CM-13-06-095 Yeas: Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt, Casey
Nays: None**

Member Fischer recommended an alternate for the Zoning Board of Appeals because the petitioner is entitled to due process. There was one other candidate for Zoning Board of Appeals. Member Fischer submitted Cynthia Gronachan for nomination to the Zoning Board Appeals (alternate).

CM-13-06-96 Moved by Fischer, seconded by Margolis; MOTION FAILED: 3-4

To approve Cynthia Gronachan for appointment to the Zoning Board of Appeals (alternate).

Member Margolis supported the motion because it is her goal to increase the number of women that are on our Boards and Commissions. She was pleased to support this motion and said Ms. Gronachan was a very well qualified candidate having served previously.

Mayor Gatt said he will not support it because it was a deviation from our normal standard operating procedures. He would like to see a larger pool of candidates.

Roll call vote on CM-13-06-096

Yeas: Margolis, Casey, Fischer

Nays: Mutch, Wrobel, Gatt, Staudt

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 7:46 P.M.

Robert J. Gatt, Mayor

Cortney Hanson, Deputy City Clerk

Transcribed by Jane Keller

Date approved: July 8, 2013