

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, SEPTEMBER 28, 2015 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 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, Markham, Mutch, Poupard, Wrobel

ALSO PRESENT: Charles Boulard, Community Development Director
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 15-10-138 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as amended by Mayor Gatt to add item 1. Meadowbrook Commons Refinancing under Mayor and Council Issues.

Roll call vote on CM 15-10-138

**Yeas: Staudt, Casey, Markham, Mutch,
Poupard, Wrobel, Gatt**

Nays: None

PUBLIC HEARING – None

PRESENTATIONS:

1. Paint the Town Pink Community Partnership - Jennifer Valenti, Manager of Breast Imaging at Providence-Providence Park Hospital

Ms. Valenti spoke about a special partnership with the City of Novi called the "Pink Door Campaign". The campaign is to spread awareness about breast cancer throughout the Community. Business, churches, schools, and organizations will decorate their doors pink in honor of Breast Cancer Awareness Month. She stated that one out of eight women will have breast cancer. It affects so many people and we should remind women in our lives to get a mammogram. Screening mammography does save lives and the best way to stop this disease. Funds are being raised for those who need help with the cost of the screening. Also, they are going to do a t-shirt campaign to demonstrate the partnership.

REPORTS:

1. MANAGER/STAFF – None

2. ATTORNEY – None

AUDIENCE COMMENT:

John Kuenzel, 23819 Heartwood, President of Echo Valley Estates Homeowners' Association, spoke regarding Valencia South. He wanted to request fairness regarding the statement about providing visual materials when using the City's audiovisual system during audience comment at City Council meetings. He requested that the submission of documents should be reduced to 6 hours prior to a Council meeting. The change would allow residents to review the material over the weekend prior to submitting a presentation. The second issue was that they were happy with current services regarding garbage services. If the City decides to go to one hauler, they would need an exact date as soon as possible. It's included in their annual dues and was important to know for their budget.

Joe Firek, 43538 Serenity Dr., spoke regarding parcels of land in the shape of flag lots on 9 Mile. Those lots back up to Timber Ridge homes on Serenity Dr. This lot split was requested in 1992 and was denied by City Council. Subsequently, on May 12, 1992, Mr. Young was able to split the property going through the Assessor's office. There was a split with two flag lots, and no further action was taken. The issue was that the property was sold in December and residents recently found that a tree surveyor was on the property that backs up to their lots. They felt that what happened in 1992 was indicative of the Council's decision at the time.

David Galdes, 43554 Serenity Dr., noted he was one of the original homeowners of Timber Ridge. He opposed the flag lots in 1992. He was concerned with people sandwiching homes in between flag lots and their homes. They also had information on what occurred in 1992 and asked Council to review it.

Gary Minoff, 43530 Serenity Dr., was owner of a premium lot. Back in 1992, Selective Homes told them that the lots behind them were not developable and they paid extra \$20,000 for a premium lot. There's activity back there now with tree tagging and measuring the lot to see if they could build. They are concerned about the development of the property and wildlife.

Terry Diegel, 43546 Serenity, stated he was concerned about quality of life, home values, construction and wildlife. He was looking for Council's help and support so that the construction doesn't go forward on the lots behind them.

CONSENT AGENDA REMOVALS AND APPROVALS

CM 15-10-139 Moved by Casey, seconded by Poupard; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as amended to remove Item D. Item D was removed and later approved as amended in the amount of \$63,271.

- A. Approve Minutes of:
 - 1. September 14, 2015 – Regular meeting
- B. Approval of Zoning Ordinance Text Amendment 18.275 to amend the City of Novi Zoning Ordinance at Article 3, Zoning Districts, Section 3.14 I-1 District Required Conditions, in order to allow for accessory outside storage as a Special Land Use in the Light Industrial District. **SECOND READING**
- C. Approval to award a contract for architectural and engineering services with Fishbeck, Thompson, Carr & Huber, Inc. for the preliminary design, final design, bidding, and construction administration phases for the new Pavilion Shore Park restroom/shelter building in the amount of \$36,360.
- D. Approval to award an amendment to the engineering services agreement with Spalding DeDecker Associates for construction engineering services for the Eight Mile Road Pathway (between Beck and Garfield) in the amount of \$47,223. **REMOVED and APPROVED amended amount of \$63,271.**
- E. Approval of the final payment to Audia Concrete Construction, Inc. for the 2014 Pathway and ADA Compliance Program project in the amount of \$23,024.24, plus interest earned on retainage.
- F. Approval of Claims and Accounts – Warrant No. 948

Roll call vote on CM 15-10-139

**Yeas: Casey, Markham, Mutch, Poupard,
Wrobel, Gatt, Staudt**
Nays: None

MATTERS FOR COUNCIL ACTION:

- 1. Approval to award a construction contract for the Eight Mile Road Pathway (between Beck and Garfield) to Merlo Construction, the low bidder, in the amount of \$460,669, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

Member Mutch commented he was glad this project has come forward for consideration but he wanted to reflect funding for the entire segment in the motion. He would like to include alternative 2 segment for a couple of reasons. First, he would like to see this project completed and secondly, it would be a benefit for staff to manage this project continuously instead of breaking it up into two segments. Even though the

goal was to have a private developer to complete the alternative 2 segment, he suggested addressing reimbursement or an equitable arrangement when the development comes forward. He didn't want to see that consideration holding up the entire project.

CM 15-10-140 Moved by Mutch, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve the award of a construction contract for the Eight Mile Road Pathway (between Beck and Garfield) to Merlo Construction, the low bidder, in the amended amount of \$627,855, to include the base bid and alternatives 1 and 2 subject to final review and approval of form of agreement by City Manager's office and the City Attorney and to include a budget amendment of \$140,000 for the addition costs of the project.

Mayor Pro Tem Staudt commented there has been a lot of discussion about this project and has not lost the attention of the Department of Natural Resources and the Maybury Park organization. It will allow connectivity to Maybury Park and to Hines Drive Paths with the ITC corridor and across I-96 to the Rails-to-Trails. He mentioned it is one of the essential elements the City committed to do. The additional funds that will be approved will probably be subsidized in the future.

Member Markham asked about the major differences amongst the bidders. City Engineer Hayes said the bid was lower than the engineers' estimate and was between the 1st and 2nd lowest bidders. He said it could be that the contractor doesn't have as much work as the other contractors. He confirmed that they checked all the unit prices which are within the estimates they had. She asked if they have done other projects for the City and if he was comfortable with them getting the job. City Engineer Hayes said they have been sub-contractor on a few projects and did a fine job previously.

Roll call vote on CM 15-10-140

**Yeas: Markham, Mutch, Poupard, Wrobel,
Gatt, Staudt, Casey**

Nays: None

AUDIENCE COMMENT – None

COMMITTEE REPORTS – None

MAYOR AND COUNCIL ISSUES:

1. Meadowbrook Commons Refinancing

Mayor Gatt read that the debt on the facility had been refinanced. He asked for a report on the savings that the City will realize on the refinancing to see if anything can

be done regarding the rent amounts that the residents are paying as a result of the savings.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

- D. Approval to award an amendment to the engineering services agreement with Spalding DeDecker Associates for construction engineering services for the Eight Mile Road Pathway (between Beck and Garfield) in the amount of \$47,223.

CM 15-10-141 Moved by Mutch, seconded by Markham; CARRIED UNANIMOUSLY:

To approve the award of an amendment to the engineering services agreement with Spalding DeDecker Associates for construction engineering services for the Eight Mile Road Pathway (between Beck and Garfield) in the amended amount of \$63,271 for the additional work approved on the project.

Roll call vote on CM 15-10-141

**Yeas: Mutch, Poupard, Wrobel, Gatt, Staudt,
Casey, Markham**

Nays: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:26 P.M.

Maryanne Cornelius, City Clerk

Robert J. Gatt, Mayor

Transcribed by Jane Keller

Date approved October 12, 2015