

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

Mayor Fischer called the meeting to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE

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

ALSO PRESENT: Victor Cardenas, City Manager (Absent/Excused)
Danielle Mahoney, Assistant City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 24-08-110 Moved by Casey, seconded by Smith; MOTION CARRIED: 6-0

To approve the agenda as presented.

Roll call vote on CM 24-08-110 **Yeas: Casey, Heintz, Smith, Staudt, Thomas, Fischer**
Nays: None
Absent: Gurumurthy

PUBLIC HEARINGS: None

PRESENTATIONS: None

CITY MANAGER REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Ahana Ashok, 28352 Wolcott Drive, is a high school student in Novi. She is here to express her concerns about the developer's plan to expand the community of Society Hill to over 463 homes in a densely wooded area that is home to three endangered turtle species. She hopes Council will listen to her arguments and reconsider the proposal of the expansion of this project. First, turtles are important to the ecosystem. They are ancient creatures that have been around for millions of years. They play a vital role in maintaining the balance of nature by dispersing seeds, controlling pests and cycling nutrients. They also provide food and shelter to other animals. Turtles are indicators of environmental health and quality. If they're in trouble that means something's wrong with our habitat. Second, she wanted to talk about the three endangered species that are the box turtle, the spotted turtle and the wood turtle. According to the Michigan Department of Natural Resources, these turtles are threatened by habitat loss, fragmentation, degradation, and human disturbance. They need large areas of wetlands, forests and grasslands to survive and reproduce. They migrate in fall and spring in order to find suitable nesting and hibernation sites. Some have been around for a hundred years. Third, she wanted to talk

about the negative impacts of the developer's housing plan on the turtles and their habitat. The developer's plan will destroy and fragment the natural habitat of these turtles and reduce their chances of survival and reproduction. The construction activities will also expose them to predators, diseases and injuries. The increased human presence and traffic will also pose a threat especially during their migration periods, as they cross the roads. She has seen a lot of turtles that have been crushed by cars and has also moved & saved a lot of turtles by moving them to the side of the road. The developer's plan will also affect the biodiversity and beauty of the area. In conclusion, she urges Council to reconsider the approval of the plan to expand Society Hill and protect the ecosystem. She requests that there be a dedicated review, a site inspection and a release of the findings to the public through a content authority such as the Michigan Department of Natural Resources to ensure the environmental impacts of the plan are properly assessed and addressed. She also requests that the assessment be made public.

Keertana Venkatesh, 22340 Barclay Drive, is 16 years old and has lived in Novi since she was five years old. Growing up she lived on Carlton Way, one of the many neighborhoods along 12 ½ Mile Road. She spent a lot of time near the forest there. It was where her father taught her to ride a bike and where she formed friendships on the bus ride to school. This forest has been the setting for many of her important memories and now it is under threat. She stands before Council as a concerned resident and urges them to reconsider the expansion project that threatens our community's natural resources and sustainability. This project which aims to develop a forested area near 12½ Mile road into apartment complexes represents more than just trees. It's a blow to the ecosystem that protects Novi from flooding and environmental degradation. Our forests play a crucial role in flood prevention, absorbing rainwater and reducing runoff. Removing this natural buffer not only increase the risk of flooding but could also lead to costly infrastructure damage. In areas where similar developments have occurred flood damages have costs have risen significantly. Novi's existing infrastructure is already strained by recent developments and might not withstand this additional burden. Furthermore, sustainability should be the forefront of any development plan in today's climate conscious world. By paving over green spaces, we aren't just removing trees, we are destroying habitats, reducing biodiversity and contributing to the urban heat effect which has shown to increase energy costs by up to 20% in affected areas. The community's health and wellbeing depend on maintaining these natural areas. Furthermore, the traffic study associated with Society Hill has indicated a potentially substantial increase in commute times, adding to the already congested roads along 12½ Mile Road and Novi Road. The increase in traffic will not only inconvenience residents but also endanger children who walk to work or bike to nearby schools. In conclusion, she urges Council to vote against the Society Hill plan. The true cost of this project isn't financial, it's about safeguarding the future of Novi for generations to come.

Zara Rehman, 45253 Bartlett Drive, has lived in Novi for her entire life and would hate to see its beautiful wetlands become home to yet another housing complex. The addition of 942 parking spots and two access points to the new 463 housing units on Novi Road will increase the frustrating amount of traffic she and others encounter daily. 463 housing units accompanied by 942 parking spaces could mean anywhere from 500 to possibly

over a thousand new citizens. The traffic on I-96 is terrible enough with backups lasting for at least an hour and a half in the morning and two hours from 3:00 to 5:00 pm. Although the ongoing construction has worsened the amount of traffic, the backups might become worse when construction is over due to the influx of new citizens. Furthermore, 12 Mile Road, notably at its intersection with Novi Road near the entrance of Liberty Park where the two lanes merge into one, the adjacent road such as 12 Mile Road will become busier with more housing on Novi Road. The additional two access points on Novi Road will add two more intersections into the already short stretch of road between two major intersections. These intersections see variable amounts of traffic at different times of the day. The Novi Road and 12 Mile Road is one of the busiest intersections in Novi as it is located just half a mile from the entrance to I-96. This intersection of Novi Road and Old Novi Road is located half a mile from Pavilion Shore Park. This intersection is dangerous because of Novi Road's curvature which creates a blind spot with turning from 12½ Miles to Novi Road or left from Novi Road onto 12½ Mile Road. A recent crash in that area created some level of concern for the possibility of increased traffic causing more crashes. That possibility needs to be considered when deciding to implement the proposed plan. Lastly, Society Hill claimed that the proposed plan will create 1.6% more trip generation than the 1999 approved plan. Trip generation estimates the number of trips from given origins to a destination. The proposed plan allows for traffic flow within the housing complex itself however more people traveling to Society Hill from various origins will increase the already heavy traffic on nearby roads which could mean traffic on roads further away such as Grand River Avenue. The 1999 Society Hill project offers a smaller housing complex that allows for a smaller increase in traffic while simultaneously preserving more of Novi's treasured wetlands.

Natricha K, 48832 Pebble Lane, came to express her concerns regarding the Society Hill development and its impact on forests and wetlands. She read through several documents and knows this project has attempted to minimize wetland impact and stated that the impact will be less than an acre however even a small loss of wetlands can have significant consequences. Wetlands are vital for controlling floods, filtering water and supporting wildlife. Once destroyed, the damages are often irreversible. She used to live in a crowded city that would face many floods. Climate change and loss of wetlands creates a higher risk of flooding. She would like to add that this development and construction also add to climate change. Examples of consequences that come with flooding are power outages, problems with water and the sewer system. She has seen firsthand how devastating floods can be and would hate to see that happen to Novi. She is also concerned about how this development will impact the old growth forests, as the trees that will be cut down are part of a complex ecosystem that has been thriving for decades. While the impact may be reduced by compensatory mitigation or planting trees elsewhere, it won't fully replace the old intricate habitat that is about to be lost. The destruction of these habitats will have severe consequences on the local wildlife. Animals that rely on specific plants or conditions in these environments may struggle to find suitable alternatives elsewhere. Heavy machinery and other activities will generate air and noise pollution which can disrupt both wildlife and nearby residents. Soil erosion caused by clearing the land can degrade water quality and further harm wetlands. Increased runoff from the construction site may carry pollutants into local

waterways and waste generated during construction could contribute to environmental degradation. She understands that the project has committed to following environmental regulations but is it enough to protect our natural heritage. We should be going above and beyond to protect these valuable ecosystems, and this development will have a long-lasting impact on our environment.

Iris Cao, 49576 Harrier Place, is a student at Novi High School and for the past eight years has called Novi home. She loves the beautiful environment and community which is why she was alarmed to learn about the Society Hill project. The project was originally approved in 1999 when Novi had around 45,000 people and the project called for 312 housing units. In 2022 alone, the Novi population has grown to 66,372 people which is a 46% increase and the project added 151 units to the original plan. While she understands the intention for economic growth, building these homes would cause severe overpopulation and decrease overall welfare. One aspect that would be impacted would be the schools. Novi High School prides themselves on being one of the top school districts in the nation but this could change with the Society Hill project. As of the 2022 to 2023 school year, Novi High School has a total student population of 2,101 students and only around 118 classroom teachers, creating a student teacher ratio of 18:1 which is already higher than the US average. The high school years are critical to every Novi child. She has personally witnessed crowded classrooms, constantly flooded hallways and jam-packed lunchrooms yet adding more lunch groups would cause further delays in the school day. To go through with this current plan would either mean renovation for the high school or absolute pandemonium. Additionally, the bus routes are another cause for concern. Ever since the covid-19 pandemic, the number of bus drivers have depleted, causing disruptions in bus changes even throughout last year. It's not the fault of the drivers, they are doing an amazing job. There are many times when we would have to squeeze three to a seat with big bags and miss a great chunk of class. We simply do not have enough space for another group of students. She understands the goal of the project are good, but its drastic size and unrealistic ambitions cause uncertainty and risk for the community and Novi High School.

Atasi Bagchi, 45113 Bartlett, is a 22-year resident of Novi and a 16-year resident of the neighborhood adjacent to the planned Society Hill development. There are several sitting members of City Council that she actively supported. She knocked on doors, talked to her neighbors and encouraged them to consider these candidates because they represented themselves as pro-preservation of green spaces in Novi and advocates of sustainable development. She is disappointed to say that it appears they are willing to rubber stamp a 25-year-old plan to build another neighborhood in a densely populated area. She is not a legal expert and doesn't know how to interpret a consent judgement. She does understand the traffic on 12 Mile Road between Dixon and Beck is atrocious and dangerous and the City has done nothing to address that. She is under the impression that the City has a jurisdiction to issue permits and construction cannot happen without a permit and that permit cannot happen without a final site plan approval. How does a 25-year-old site plan contemplate the current traffic? Where is the transparency in the process? Why are the July 22nd meeting minutes not published? What was approved in that meeting? Is the City requiring the developer to add any traffic lights

to the existing neighborhoods where her neighbors have difficulty turning out of? Should anyone who accepted a contribution from the developer or owners of the development company recuse themselves from voting on this project? Shouldn't the City Engineer and the City Attorney be closely reviewing the documents to ensure that the rights of the tax paying citizens are being protected instead of working hand in hand with the developer that sat on a plan for 25 years? Most of the people that are going to be impacted most by this development feel like they are in the dark and that this project had not been carefully vetted and reviewed that this is a sad example of the City allowing the interest of the developer to overshadow those of their constituents.

Farahnaz Ashtiani, resident of the Saratoga Circle neighborhood, who has been a Novi resident since 2004, recently downsized her home but stayed in Novi and moved to this area because of the reasons which this development is going to have an impact on, the wildlife and the traffic. She has been before Council and spoke about the trees along Nine Mile Road being cut down because of traffic and what's going to happen next to that region. Are we going to extend the street? Are we going to start cutting down more trees? Are we going to do other things to the City of Novi to accommodate this development plan which was from 1999? Again, it's a little bit of a disappointment and more than a little bit on the City Council members that were selected to protect us as a community of Novi to consider all these things like the wildlife, the traffic, the schools and the community. We all feel that this has not been fully considered and not fully transparent.

Ashok Madhuranath who lives on Wolcott Drive, has been a resident since 2010. He works in corporate where data is used every day to make decisions. He believes it is something that has to be done for the City as well, use the current data to make decisions based on today, not 1999. He would recommend that we review the plan from 1999 based on today's data and then look at the expansion if we can even approve the 1999 plan as well, some of the data points in our growth of population and adequate services. We need to consider the student to teacher ratio which he believes to be more like 1:21. Traffic incident rates also need to be looked at. He works on 13 Mile Road, so he passes through the 12½ Mile and Novi Road intersection all the time and every month there's an accident. He suggested Council look at the data from the police and it will show what the accident rate is there at the curvature of the road. His daughter, who is a new driver, can't turn out of the subdivision, Liberty Park, on 12 Mile because of the back up traffic. They try to use 12½ Mile which is dangerous because of curvature and traffic. He believes that the developer stated that they will provide a second entrance into the subdivision on 12½ Mile. He understands that Novi Road is a two-lane road on both sides but 12½ is not even a single lane road. He wanted to know if there are plans for expansion of that before an approval is given before providing an entrance to that subdivision. He also wanted to know if there had been a study done on the impact on the current homes if there's going to be a backup of water, drainage and whatnot. He was also wanting to know what the extra tax revenue that could potentially come from this large development will be used for. Will it be used for expansion of the High School or expansion of the roads? He inquired if the City thought of creating a fund, probably funded by the

developer or extra taxes, that could take care of extra accidents due to the traffic increase or for home renovations needed for water backups.

Sandeep Vadera, Paine Dr in Liberty Park, purchased his home in 2004. He said Pulte Homes stated there would be a traffic light installed at the intersection of 12 Mile and Declaration Drive. This traffic light was never installed and 19 years later, they still struggle trying to make a left turn coming out of Declaration onto 12 Mile. He has approached the Oakland Road Commission and written to the City several times. He was told that area doesn't belong to the City, it belongs to the Oakland Road Commission. There is clearly a traffic problem there and on top of that, there was a time about two or three years ago that the City Police was giving a lot of tickets there. People aren't supposed to stop in the median lane while making a left turn and there's no way someone can make a left. People can sit there for two – three minutes and if you stand in the middle lane, they give you a ticket. That made it even worse. From reading the newspaper it seems to him that Council has to either approve the old plan or the new plan and that there is no choice to stop the construction but at least Council can help people understand what if the motivating Council to go with the new plan. People don't know all the details and the public should be made aware of what the motivation is. People want the old plan with less homes, less trees moved. Please give people the pros and cons and them to understand as they are the residents of the City, and they care about it.

Sanjay Singh, of Clymer Drive, wants to oppose the newly proposed Society Hill, especially the expansion. He first wanted to talk about the impact of 12½ Mile Road. Another name for that road is Natural Beauty Road. It is the pride of his community. He has heard from friends and neighbors coming from other cities to that space that they enjoy all that the area has, biking and other recreational activities. If there is another society which has 460 plus houses and they start coming out on that road, what would be the situation of that road? There are many elderly people, even sick people that take walks throughout the year and if there are many new cars and they start roaming on that road, it'll be impacted. Everybody talked about the impact on the traffic. So many new houses coming to that area which is already congested and then you think about what they're going to do for shopping or grocery. They are going to cross I-96. There is nothing on the other side. Grand River is already so crowded, and it takes so much time to cross it in the morning and evening. If you add many new houses, it is going to make things worse. Then there is the impact on the school and the buses. There is only one high school, and he doesn't know what the impact would be or what the plan is. Will the high school be expanded or will it stay that way. There is no clarity on that. What has caused the plan to change and increase the density of that location which is already crowded and so many accidents are going on. There are many teenagers there and they're learning to drive. Where is the scariest place for them to drive? They say it's that area on 12 Mile and Novi Road.

Viswanathan Parameshwaran, 28387 Clymer Drive, wants to know the fundamental steps of what it takes to decide and approve this kind of project or venture. Multiple questions come for any citizen who live there. There is a natural bike trail. There are future scientists,

future doctors who have to be taught by action on how we preserve the nature around us. Some of them are marked as nature beauty by the City itself. It was a mud road before and now it is converted into a tar road where traffic is flowing around. When it was just a mud road, there was one accident in six months. He and his son used to work for the Wildlife Sanctuary. Once the tar road started, there's 20 plus animals that are killed in a month. He is requesting a deep presentation from all the decision makers on what it took, pros and cons, to make this decision. He is a firm believer some decision taken in 1990 or 1950, if someone says that can't be overruled, I don't have to say anymore. If we follow all the decisions which we took on 1950s, he doesn't think we'll be here serving what is asked of us. This is one of his few council meetings and wondered where a few of the council members were and wanted to know if there was a reason for their absence and if that was published at the beginning of the meeting.

Julian, Island Lake, used to live in a new neighborhood in Ohio next to a ravine where he would go every day and spend countless hours in the creek, the trees and all round the place. In his freshman year, developers started cutting down trees all over to build more housing even though there was plenty of space in other spots to build houses. Even though the construction was meant to stay on the other side of the ravine, the effects cascaded down and prevented the waterways of where to go and destroyed the ravine. It wasn't as enjoyable or beautiful as it once was, and he doesn't want to see another forest succumb to realtors destroying it.

Resident, from Sedgwick Boulevard, is concerned about the traffic. There are 463 apartments and what if it will bring on average 1.5 vehicles per apartment which is around 700 vehicles and some of their relative visit them and that a thousand vehicles. It needs to be considered what is brought be this apartment.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 24-08-111 Moved by Casey, seconded by Thomas; MOTION CARRIED: 6-0

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 July 22, 2024 - Regular Meeting
- B. Approval of a Resolution Authorizing "2024 Michigan State Fair" to occur on the Suburban Collection Showplace property at 46100 Grand River Avenue on August 28 – September 2, 2024.
- C. Consideration of request to transfer ownership of an existing Class B-Hotel license from WPS Novi, LLC (A Delaware Limited Liability Company) to Best Stay Novi, Inc, located at 42100 Crescent Blvd, Novi, MI 48375.
- D. Approval of the final payment to CSM Mechanical, Inc. for the Garfield Sanitary Pump Station project, in the amount of \$41,843,33 plus interest earned on retainage.

- E. Approval of the final payment to Fer-Pal Construction USA, LLC for the Westminster Subdivision Water Main Lining project, in the amount of \$43,129.88, plus interest earned on retainage.
- F. Enter Executive Session immediately following the regular meeting of August 12, 2024, in the Council Annex for the purpose of discussion the acquisition of real estate property and confidential written communication from the City Attorney.
- G. Approval of claims and warrants – Warrant 1161

Roll call vote on CM 24-08-111

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

Nays: None

Absent: Gurumurthy

MATTERS FOR COUNCIL ACTION:

1. Consideration of approval of Change Order No. 4 to Ajax Paving Industries, Inc. for construction of an 11 Mile Road Pavement Preservation Overlay, Beck Road to Taft Road, in the amount of \$367,354.01.

Danielle Mahoney, Assistant City Manager, stated that this added a segment of 11 Mile Road between Beck and Taft Roads to the change order that Council approved on May 20, 2024, with Ajax Paving Industries to conduct a pavement preservation overlay on Beck Road between 9 Mile and 11 Mile roads due to its deteriorating condition. Similarly, 11 Mile Road between Beck and Taft is also in poor condition and actively deteriorating. This proactive approach will not only address immediate maintenance concerns, but also reallocates funds to future projects such as the 12 Mile Road widening without impacting this fiscal year's capital road program fund balance. This project is slated for completion before or shortly after the start of the Novi school year and traffic will be flag controlled and open both ways.

CM 24-08-112

Moved by Smith, seconded by Casey: MOTION CARRIED: 6-0

Approval of Change Order No. 4 to Ajax Paving Industries, Inc. for construction of an 11 Mile Road Pavement Preservation Overlay, Beck Road to Taft Road, in the amount of \$367,354.01.

Roll call vote on CM 24-08-112

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

Nays: None

Absent: Gurumurthy

CONSENT AGENDA REMOVALS: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS:

1. Public Utilities and Technology Committee

Member Thomas stated that the Committee had their first meeting and discussed some of the things that that can be focused on and what the Committee wants to accomplish. Mainly they want to focus on increasing the broadband and the availability of high-quality broadband for all residents of Novi. They are working with DTE for any other ways they can increase electrical reliability. The Committee will start having biweekly meetings and would love the public to come and join them. Next meeting will be August 20th.

2. Finance and Administration Committee

Mayor Fischer stated that Committee met tonight and first and foremost got an update on the RFP for the retirement benefit analysis. They are having consultants come in and take a view of. that should be out in the public later this week. The Committee had a 1-on-1 primer on the pension system and MERS.

MAYOR AND COUNCIL ISSUES: None

COMMUNICATIONS: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:40 P.M.

Melissa Morris, Deputy City Clerk

Justin Fischer, Mayor

Transcribed by Becky Dockery,
Account Clerk

Date approved: August 26, 2024