

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MARCH 28, 2016 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 Burke, Casey, Markham, Mutch, Wrobel

ALSO PRESENT: Peter Auger, City Manager
Victor Cardenas, Assistant City Manager
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 16-03-035 Moved by Casey, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve the Agenda as presented.

Roll call vote on CM 16-03-035 **Yeas: Staudt, Burke, Casey, Markham, Mutch,
Wrobel, Gatt**
Nays: None

PUBLIC HEARING - None

PRESENTATIONS - None

REPORTS:

1. **MANAGER/STAFF:**

Assistant City Manager Cardenas noted the Consultant Review Committee recommended the City enter into contract negotiations with Waste Management. It was expected to be presented in April, but there was a lack of information on residents who currently have contracts for trash hauling. The City is currently in the process of requesting the information from residents. He anticipates this item will be on the agenda for the second meeting in May.

2. **ATTORNEY - None**

AUDIENCE COMMENT:

Deborah Ross, 1911 W. Lake Dr., and Michael Condon, 1411 W. Lake Dr., spoke about the Walled Lake Civic Fund that was established 6 years ago. It is a non-profit organization that funds the cost for fireworks on Walled Lake. Walled Lake is mostly in Novi. Many of the residents on the Lake are Novi residents. She noted the many assets the surrounding parks offer to the Community. Fireworks in the Novi waters would be an

additional asset. The Great Campout at Lakeshore Park takes place the same day the Walled Lake Civic Fund has their fireworks display. The Parks and Recreation catalog advertises the fireworks as one of the attractions. Unfortunately, those fireworks take place at the northern end of the Lake and are not part of the City identity. They would like Novi to support the fireworks both financially and any other way possible. She believed there were solutions to any problems. Mr. Condon is Vice President of Lakes Area Homeowners Association and noted he's heard many requests for fireworks on the Novi waters. He stated that in the early 1970's, residents said Walled Lake and Novi used to put on the fireworks together. While Bayside Grill is one of the founding sponsors and he also asked the Lakeview Bar & Grill owner for support. They asked Council to look at three proposals from a fireworks company for a barge in the south waters of Walled Lake. He was willing to work with local businesses and do some fundraising to return the fireworks to the Novi waters.

Carolyn Upton, 42806 Brookstone, spoke about the rezoning of the 22 acres on the east side of Dixon Road, north of 12 Mile. She lives there and walks the natural setting. She read Council was approving a development with lot sizes smaller than the Master Plan allowed. She was concerned the plan includes removing over 600 trees that is 83% of regulated woodlands. She felt that the Master Plan should be followed. She thought the City shouldn't remove that volume of trees. The Master Plan is a huge part of what makes the City appealing. In her subdivision, they encourage citizens to respect the woodlands. She felt the City should set an example for what the citizens should be doing and this wasn't the example that she wants to see followed.

Andrew Sarpolis, 31036 Beachwalk Dr., shared concerns about an article regarding the direction City Council is taking for the City. He read about a proposal for a tax abatement for a company seeking to relocate to Novi. He noted an undisclosed amount would be provided by the City of Novi. He said the residents have not heard much about it. The company from Ohio will bring 70 people and will get \$3 million from the State but will be providing only \$2 million on their own. He felt the State and taxpayers will be paying a majority of the expenses for the company to relocate. The company had already expressed interest in coming to this area. He asked what the undisclosed costs to the community were. In addition to tax revenue, he questioned if there will be extra wear and tear on car costs, lack of walkability, and other costs to our community. He felt people didn't move to the City of Novi for big companies to be here. He felt this wouldn't be a good deal for the City. He felt in the future, other things citizens want should be considered.

Colleen Crossey, 22279 Brockshire, echoed comments about preserving the natural environment in Novi. She was concerned about the tax abatements. She also read about Hunter Pasteur Homes could take down trees, not pay into the tree fund, and the City was paying for a sidewalk. She felt there was a certain amount of responsibility when developing in Novi. Everyone should have to follow the same laws. She noted taxpayers bear the cost of environmental cleanup. She felt it was disconcerting that members of Council were not notified about the plan early on in the process.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 16-03-036 Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 - 1. March 14, 2016 – Regular meeting

- B. Approval of Ordinance 16-173.05 to amend the City of Novi Code of Ordinances Chapter 26.5, "Financial Guarantees", Ordinance 16-96.03 to amend Chapter 7, "Buildings and Building Regulations" Article V, Site Restoration, and Ordinance 16-157.05 to amend Chapter 31, "Streets, Sidewalk and other Public Places", Section 31-1, "Construction within City Street, etc." and a resolution to set a fee and financial guarantee for a Final Grade/Site Restoration inspection for new Single Family Homes. **SECOND READING**

- C. Approval to award a unit price contract to R.C. Tuttle Refinishing CO., the low bidder, for the 2016 Spring Tree and Landscape Planting project in the estimated amount of \$66,243, and to amend the budget in the amount of \$3,910.

- D. Approval to award a contract to Penchura, L.L.C. for the provision and installation of Dugout Covers at Ella Mae Power Park in the amount of \$79,977.

- E. Approval of the following recommendations pertaining to the City's Prosecutorial Legal Services:
 - 1. Approval of termination, effective immediately, of the 12/17/12 Agreement for Prosecutorial Legal Services between the City of Novi and Seglund Gabe Pawlak Groth and Kelley, and authorization for the City Clerk to issue to Seglund Gabe Pawlak Groth and Kelley a Notice of Termination of said contract;
 - 2. Approve resolution to authorize the City Manager to provide the law firm of Seglund Gabe Pawlak Groth and Kelley with a written authorization and direction to deliver all files and data regarding legal matters involving the City of Novi to the law firm of Baker & Elowsky, PLLC in order that further Prosecutorial Legal Services for the City of Novi be provided by the law firm Baker & Elowsky, PLLC; and
 - 3. Approve resolution to authorize the Mayor and City Clerk to execute an Agreement for Prosecutorial Legal Services with Baker & Elowsky, PLLC under the same terms and conditions as the prior Agreement with Seglund Gabe Pawlak Groth and Kelley.

- F. Approval to award the Electrical Services Contract to Great Lakes Power & Lighting Inc., for an estimated annual expenditure of \$70,000. The term of the contract is one year with two one-year renewal options.
- G. Approval to award a Generator Preventive Maintenance and Repair Services contract to American Generators Sales and Services, LLC, for an estimated annual amount of \$25,500.
- H. Approval to award the Police Station Waterproofing project to RAM Construction for the amount of \$28,763.
- I. Approval of a Resolution of Support and an Agreement for Traffic Control Device with the Road Commission for Oakland County for the ongoing operation costs of the existing traffic signal at Novi Road and 13 Mile Road.
- J. Approval to award engineering design services to URS Corporation (AECOM) for the Power Park Pathway Rehabilitation project in the amount of \$9,609.
- K. Approval of Claims and Accounts – Warrant No. 960

Roll call vote on CM 16-03-036

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

MATTERS FOR COUNCIL ACTION:

- 1. Approval to award a contract for construction services to Cross Renovation for construction of the new Pavilion Shore Park restroom/shelter building in the amount of \$427,777, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

Member Wrobel said he liked the design of the building. He was concerned about the lake view being blocked by the building. Jeff Muck, Director of Parks, Recreation and Cultural Services said they considered it in all phases of the planning. The place they plan to build seems to be the least obtrusive to the residents surrounding the park. The structure does block some of the views from the parking area but because of the design of the shelter, it will allow a view through the shelter.

CM 16-03-037

Moved by Wrobel, seconded by Casey; MOTION CARRIED: 6-1

To approve an award of a contract for construction services to Cross Renovation for construction of the new Pavilion Shore Park restroom/shelter building in the amount of \$427,777, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

Member Markham thought it was a very nice design. It is not a standard pavilion and echoed the historic dancehall and was also very modern. She was concerned about mobility issues. She wanted those at the shore to be able to get to the restroom. She felt it was good that it was centrally located. Mr. Muck said the picture of the structure was shown to the Commissions with full support. The picture is on the City of Novi website if residents would like to look at it.

Member Burke asked if there was any potential for picnic tables outside the shelter. Mr. Muck the four tops are more functional. They designed it so the tables can be moved to hold events.

Roll call vote on CM 16-03-037

**Yeas: Casey, Markham, Mutch, Wrobel, Gatt,
Burke**

Nays: Staudt

2. Approval to purchase four (4) Monroe dual auger V-box combination salt spreaders with pre-wet systems and self-storing leg kits from Truck and Trailer Specialties, Inc., using the State of Michigan MiDeal cooperative purchasing contract, in the amount of \$102,973.

CM 16-03-038

Moved by Casey, seconded by Wrobel; UNANIMOUSLY CARRIED:

To approve the purchase of four (4) Monroe dual auger V-box combination salt spreaders with pre-wet systems and self-storing leg kits from Truck and Trailer Specialties, Inc., using the State of Michigan MiDeal cooperative purchasing contract, in the amount of \$102,973.

Roll call vote on CM 16-03-038

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

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 7:22 P.M.

Maryanne Cornelius, City Clerk

Robert J. Gatt, Mayor

Transcribed by Jane Keller

Date approved April 4, 2016