

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MAY 9, 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, (absent, excused)

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

APPROVAL OF AGENDA:

CM 16-05-051 Moved by Casey, seconded by Burke; UNANIMOUSLY CARRIED:

To approve the Agenda as presented.

Roll call vote on CM 16-05-051 **Yeas: Staudt, Burke, Casey, Markham, Mutch, Gatt**
Nays: None
Absent: Wrobel

PUBLIC HEARING - None

PRESENTATIONS:

1. Proclamation in recognition of National Letter Carriers' Food Drive Day, May 14th – Sherri McIntosh

Mayor Gatt presented the proclamation to Sherri McIntosh. Ms. McIntosh thanked Mayor Gatt and City Council. It is the 24th year of the food drive. Letter Carriers' nationwide have collected over 1.4 billion pounds of food. All the food stays in Novi and goes to the food pantries at Faith Community Church and St. James Catholic Church. The Carriers are happy to be able to give back to the community in which they work every day. They want to thank the residents of Novi for their extreme generosity.

2. Proclamation in recognition of National Police Week, May 15 – 21, 2016 and Peace Officers' Memorial Day, May 15, 2016 – David Molloy, Director of Public Safety/Chief of Police.

Mayor Gatt presented the proclamation to David Molloy, Director of Public Safety/Chief of Police. He thanked the Mayor and City Council on behalf of the men and women of the Police Department and will display it in a prominent place.

3. Proclamation in recognition of National Public Works Week, May 15-21, 2016 – Rob Hayes, Director of Public Services/City Engineer

Mayor Gatt presented the proclamation to Rob Hayes, Director of Public Services/City Engineer. He thanked the Mayor and Council on behalf of the employees of the Public Services Department for the proclamation. They will post it by the time clock to show the employees how much their work is appreciated.

REPORTS:

1. MANAGER/STAFF – None
2. ATTORNEY – None

AUDIENCE COMMENT:

Stephen Genyk, 20934 E. Glenhaven Cir., spoke about the Water Department's access road to the lift station between Normandy Hills and Country Place. He noted the access is through a parking lot since 1973. The access road is flanked by a retaining wall and an in ground transformer. The distance between the building structures is 20 feet. His concern was most of the vehicles are too large to get under the utility wires. He noted there is another access to the east. He suggested going near the Normandy Ct. route since there wasn't any obstructions rather than Country Place.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 16-05-051 Moved by Casey, seconded by Burke; UNANIMOUSLY CARRIED:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 1. April 18, 2016 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of May 9, 2016 in the Council Annex for the purpose of discussing labor negotiations, property acquisition, privileged correspondence from legal counsel, and the contents of applications for the City Assessor position.
- C. Approval of Pawnbroker License renewal requested by Gary Weinstein, owner of Weinstein Jewelers, 41990 Grand River Avenue.
- D. Approval to award a construction contract for Library Entrance Widening Alternative Bid to Nagle Paving Company, the low bidder, in the amount of \$78,760, subject to final review and approval of form of agreement by City Manager's office and the City Attorney.

- E. Approval of Resolution for Law Enforcement Services Agreement for the Novi Police Department.
- F. Approval to award an amendment to the engineering services agreement with OHM Advisors for construction engineering services for the Library Entrance Widening in the amount of \$15,261.
- G. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of a decorative street light at the intersection of Casa Loma Court and Beck Road; and approval of an agreement with Interphase Land Development, LLC, for the sharing of installation costs per the City's Street Lighting Policy.
- H. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of a street light at the intersection of West Park Drive and Summerlin; and approval of an agreement with Summerlin of Novi Homeowners Association for the sharing of installation costs per the City's Street Lighting Policy.
- I. Approval of Traffic Control Order 16-17 to prohibit parking along the west side of West Glen Haven between Eight Mile Road and a point 60 feet north of Eight Mile Road.
- J. Approval of Traffic Control Order 16-18 and 16-19 to revise the parking prohibition along the east side of Ennishore between Nine Mile Road and Balcombe.
- K. Approval of Traffic Control Order 16-20 requiring eastbound Woodglen to yield to Quince in Orchard Hills Subdivision.
- L. Approval of the final payment to Nagle Paving Company for the 2014 Neighborhood Road Program-Contract 1A project in the amount of \$32,443.25, plus interest earned on retainage.
- M. Approval of the First Amendment to the Storm Drainage Facility Maintenance Easement Agreement with Novi Real Estate, LLC for the Wellbridge of Novi (f/k/a Medilodge) Additional Parking project located at 48300 11 Mile Road on the north side of Eleven Mile Road, west of Beck Road (parcel 22-17-400-002).
- N. Approval of amendments to the Michigan Mutual Aid Box Alarm System (MI-MABAS) Agreement for cost recovery regarding Special Operations Teams.
- O. Approval of Claims and Accounts – Warrant No. 963

Roll call vote on CM 16-05-051

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

MATTERS FOR COUNCIL ACTION

1. Consideration of requests from JD Racing Indoor Karting, LLC:
 - A) Consideration of a request for Special Land Use approval for service of alcoholic beverages.
 - B) Consideration of request to transfer ownership of escrowed 2015 Class C License with New Entertainment Permit and Sunday Sales Permit (AM & PM) from Fresco Foods, Inc., 145 S. Milford Road, Milford, MI 48381 to JD Racing Indoor Karting, LLC, an existing business located at 44225 W. Twelve Mile Road, Novi, MI 48377.

Member Mutch asked how the liquor license would be utilized. Linda Mayer and Mark Dick, representing JD Racing Indoor Karting, LLC replied that they had been using a catering service when large groups would come in for their food and beverage services and that the catering service had carried the license. Mark Dick said the liquor license would be used predominantly for social and business events. He mentioned they have been operating for three and one half years without incident. Mark Dick said the only change that would take place would be that the license will be carried under their name instead of the catering service from Ferndale. The patrons will not notice any change.

Mayor Pro Tem Staudt commented that he had a corporate event there in the past and they were very careful on whom they served alcohol to. He remembers the difficulties working with the caterer as opposed to working directly with JD Racing and gave them full support.

CM 16-05-052 Moved by Staudt, seconded by Burke; UNANIMOUSLY CARRIED:

To approve request from JD Racing Indoor Karting, LLC for:

- A) Special Land Use approval for service of alcoholic beverages.**
- B) Transfer ownership of escrowed 2015 Class C License with New Entertainment Permit and Sunday Sales Permit (AM & PM) from Fresco Foods, Inc., 145 S. Milford Road, Milford, MI 48381 to JD Racing Indoor Karting, LLC, an existing business located at 44225 W. Twelve Mile Road, Novi, MI 48377.**

Roll call vote on CM 16-05-052

Yeas: Staudt, Burke, Casey, Markham, Mutch,

Gatt

Nays: None

Absent: Wrobel

2. Approval of resolution to authorize Budget Amendment #2016-3.

Member Mutch questioned City Engineer Rob Hayes on what the urgency was with the Water and Sewer Item in the budget amendment regarding the Nine Mile Road Gravity Relief Sewer Project along Nine Mile Road from Beck Road west towards Napier Road. He wondered why it wasn't part of the normal budgeting process. Mr. Hayes explained that we are facing a capacity issue and we are unable to approve any new developments that would be in that service area. He said it is feasible for us to add a handful of individual grinder pumps for individual residential units, but that would be the extent of it. He mentioned if allowed to go forward with the project, it would give us a gravity sewer that would be reliable. It would be relatively maintenance free and also would function for many decades to come. Member Mutch commented that in the packet a few weeks ago, it mentioned a capacity issue and it noted that Wayne County wouldn't let us do two parallel lines if it is a forced main, because they viewed this as doubling the capacity. Member Mutch wondered if this would replace the other line or will the other line still stand? Mr. Hayes explained we would use a portion of the forced line because we need a portion of the forced main to discharge out of Park Place, but then from that point east, would be abandoned and will go gravity. Member Mutch confirmed with City Engineer Hayes that there would be no redundancy, just lower maintenance costs. Member Mutch asked who would be responsible for the cost if certain users change the connection from the line. City Engineer Hayes said that it would be the responsibility of the individual owners who would hire a plumber to handle the disconnection and the City would assist with the actual connections to the gravity main. Member Mutch mentioned individuals would not have a choice and that this would have a big impact and wondered what the cost would be to change the connections. City Engineer Hayes said he did not have the numbers, but he would look into it. Member Mutch wondered if the alternate service area for this line would include all or part of the Links of Novi. City Engineer Hayes said that the Links of Novi was a potential depending on how that side was designed. Member Mutch confirmed with City Engineer Hayes that the rest of the line would be along the Nine Mile Road Corridor. Member Mutch said he understood when the users connect, they pay a standard tap fee that would be separate and that it did not cover the cost of this particular line. Member Mutch asked if \$3.8 million dollars would come from the existing Water and Sewer Funds. City Engineer Hayes said that was correct and that \$750,000 came from two abandoned projects that aren't necessary at this time. Member Mutch wondered if the current users of the fund were paying for that. City Engineer Hayes said that was correct with the understanding, over time, that amount would be essentially reimbursed with the quarterly fixed charges that would accumulate over the years. Member Mutch said that this is a huge project in terms of cost which ultimately will serve a larger area which currently serves less than 200 homes and to put almost \$4 million investment in that area seemed significant with this parallel forced main. He wondered if there were any other alternative routes that the sewer line could go that would reduce the cost. City Engineer Hayes said that there was

nothing economically feasible and mentioned that we would have to go with possibly one or two huge pump stations to overcome the terrain to get it to flow to gravity to the nearest discharge point and that these were the only two options that seemed feasible. City Engineer Hayes added that when Council approved the City to survey this project, it opened our eyes to see how difficult it would be with either of the alternates, either the forced main or a gravity line. He said once a gravity line is in place, it will be reliable, be maintenance free, but it will be a deep sewer, out of sight and serve all the users who connect to it. Member Mutch said that he sees long term benefits, but he felt that it was a huge upfront cost for the City to bear to encourage additional development in the area and thought it was not a wise use of City resources in that area at this time. He said that most of Nine Mile Road is not paved and we do not have full range of city services in that area.

Member Mutch mentioned this particular Budget Amendment was also taking money from the Tree Fund. He said he previously raised his objections to utilizing the Tree Fund money outside of the Tree Fund. He said, having approved it for the next budget year, currently in this budget amendment, we actually are taking more money out of the Tree Fund with \$120,000 going towards maintenance activities. Member Mutch said that was money that developers paid to the City to replant trees that were removed during the development process. He commented that \$120,000 would be a lot of trees not being planted.

CM 16-05-053 Moved by Burke, seconded by Staudt; MOTION FAILED:

To approve a resolution to authorize Budget Amendment #2016-3.

Roll call vote on CM 16-05-053

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

AUDIENCE COMMENT – In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit. This is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council. Speakers wishing to display visual materials through the City's audiovisual system must provide the materials to the City Clerk's Office no later than 5 p.m. five days before the meeting and the materials cannot be changed before the meeting.

COMMITTEE REPORTS

MAYOR AND COUNCIL ISSUES

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

COMMUNICATIONS:

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:25 P.M.

Maryanne Cornelius, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved May 23, 2016