

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 8, 2022 AT 7:00 P.M.**

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, Crawford, Fischer, Smith, Thomas, (absent, excused)

ALSO PRESENT: Pete Auger, City Manager
Victor Cardenas, Assistant City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

CM 22-08-096 Moved by Crawford, seconded by Staudt; MOTION CARRIED: 6-0

To approve the Agenda as presented.

Roll call vote on CM 22-08-096 **Yeas: Staudt, Casey, Crawford, Fischer, Smith, Gatt**
Nays: None
Absent: Thomas

PUBLIC HEARINGS: None

PRESENTATIONS: None

MANAGER/STAFF REPORT:

City Manager Auger noted he had one item this evening. He stated City Council wanted him to look at options as we pause our search for an Assessor, currently Deputy Assessor, Jan Ziozios is doing a great job of exercising leadership over the day-to-day operations of the Assessor's office. He said he has been working with the Oakland County Equalization Director on a short-term stopgap to ensure we maintain the level of expertise that we need until we can revisit this next spring. He explained the solution would have City Council appointing the Deputy Assessor as Acting Assessor so she could handle the day- to-day decisions such as working with our legal team, residents, businesses and continuing the supervision over staff and consultants. He said Oakland County would be considered the Assessor of record and sign our rolls as required by law. He stated Oakland County would provide for approximately \$75,000 such services as; co-inspecting sample of properties with existing commercial assessor, reviewing properties inspected and appraised by existing commercial assessor, developing commercial and industrial land values and land tables, developing commercial and industrial ECF, reviewing the residential work done by staff, and reviewing the uncapping, PRE, etc. He said they will also review the small claims appeal that the staff at Novi does internally, work through the Michigan Tax Tribunal appeals, and working with outside legal counsel as appraisers. He explained we are talking about a contract of \$75,000, and additionally, the contract would list the price per hour for testimony and added services beyond that. He stated if

we pursue the County option, we will also officially suspend the process for a new Assessor until a later to be determined date in May. He said it was unusual for us to have conversation or feedback during Managers Report, but if we could have a brief deviation so he could get some feedback from City Council and ascertain if he should work with our legal team and Oakland County to write up a contract for you to approve at a future meeting. He thought it was a very good opportunity for us, but he also understood and respected that the Assessor's position is a City Council appointed position.

Mayor Gatt commented that he was correct, Manager's Report's usually do not generate feedback from City Council, but tonight they were going to deviate from that. He asked City Manager Auger if we enter a contract with Oakland County, for \$75,000, would that satisfy all the legal and all our needs for the following "X" number of months. City Manager Auger replied, yes. Mayor Gatt asked where the \$75,000 will come from. City Manager Auger said they will take it out of the Assessor's office budget. Mayor Gatt wondered if the Acting Assessor, Jan Ziozios was being prepared, and if she had all the qualifications to take over the assessing job. City Manager Auger said she was, she can test this fall for her Level 4, which we need, and she is prepared to do that. He said that was her last step to get her Level 4, she has all the experiences that she needs to qualify for that, she was able to do that last year. He said they were all under the impression that Mr. Lohmeier would still be here for a couple more years, and that did not happen. He said she is ready to take the test, he believed in October, then the State would have to bless it, which is usually done between the fall and December, then we would have a Level 4 at that time. Mayor Gatt said so by the first of the year, she would be a Level 4 Assessor. He commented that when the time came that our contract with Oakland County expired, we would have another person to consider for City Council. City Manager Auger replied yes, that would be an option for City Council. Mayor Gatt asked before he opened this up to Council what they were looking for, do they need a motion? City Attorney Schultz shook his head no. City Manager Auger indicated if City Council agreed that you want to look at a contract with Oakland County that he could work with City Attorney Schultz and Oakland County to get a contract to City Council to vote on, that is where the motion would come in. Mayor Gatt thought they talked about this at the last meeting and City Council approved him to investigate some sort of a contract with Oakland County. Mayor Gatt said he would open it up to City Council for questions, suggestions, and comments.

Member Casey said she was in support of proceeding down this path. She asked City Manager Auger what the term of the contract would be, would it be \$75,000 for 12 months, for six months, or nine months. City Manager Auger said that would be determined in the contract. He envisioned it would probably be to the spring as we load back up, that will be determined and spelled out in the contract. Member Casey thanked him for his response.

Mayor Gatt asked City Manager Auger if they are talking mostly commercial assessment. He wondered if our team here would handle the residential with them overseeing a little bit or being able to answer questions. City Manager Auger replied as it was set up when

Mr. Lohmeier was here, Ms. Ziozios did most of the residential anyway, so that was her area of expertise. He said that will mean less oversight on that. He said we will be checking what our commercial field people are doing, but just making sure and doing random sample checks. He said that is what Mr. Lohmeier did when he was here, he was more on the commercial side, that was his area of expertise as well.

Mayor Gatt mentioned Mr. Lohmeier was sworn in the other day at Oakland County. He said City Council tacitly approves that, and they were looking forward to coming back to some sort of contract.

ATTORNEY REPORT: None

AUDIENCE COMMENTS: None

CONSENT AGENDA REMOVALS AND APPROVALS:

Member Smith said he would like to remove Consent Agenda Item B for further discussion.

CM 22-08-097 Moved by Casey, seconded by Fischer; MOTION CARRIED: 6-0

To approve the Consent Agenda as amended.

- A. Approve Minutes of:
July 25, 2022 - Regular Meeting
- B. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation cost of eight (8) standard streetlights at the intersection of Taft Road and 9 Mile Road. **REMOVED/LATER APPROVED**
- C. Approval of the request from Amar Saraiya at 2245 Old Novi Road (parcel no. 50-22-11-105-012) for a variance from the Design and Construction Standards in Section 11-256 (b) to dismiss the sidewalk requirement along Old Novi Road and pay into the City Sidewalk Fund.
- D. Approval of Resolution to Opt-Out of provisions set forth by Public Act 152 of 2011.
- E. Enter Executive Session immediately following the regular meeting of August 8, 2022, in the Council Annex to consider confidential written communication from the City Attorney.
- F. Approval of claims and warrants – Warrant 1113

Roll call vote on CM 22-08-097

**Yeas: Casey, Crawford, Fischer, Smith, Gatt,
Staudt
Nays: None
Absent: Thomas**

MATTERS FOR COUNCIL ACTION:

1. **Final approval at the request of Toll Brothers, LLC of Parc Vista (fka Covington Estates), JSP21-47, Residential Unit Development (RUD) Plan and Agreement. The subject property is located on 54.3 acres in Section 31, north of Eight Mile Road and west of Garfield Road in the RA, Residential Acreage District. The applicant is proposing a 44-unit single-family development.**

Mayor Pro Tem Staudt noted that this has been in Planning for a while and everything he could see looked like the Planning Commission did a good job. He said he would make a motion and that he understood it has two parts.

Motion 1-A

CM 22-08-098

Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

To grant approval of the Residential Unit Development Plan for the Parc Vista, JSP21-47, as initially approved by the City Council on May 9, 2022. This motion is based on the following findings, lot size modifications, building setback reductions and conditions:

Determinations (Zoning Ordinance Section 3.29.8.A):

- a. **The site is zoned for and appropriate for the proposed single-family residential use;**
- b. **Council is satisfied that with the proposed pathway and sidewalk network and added open space, the development will not have detrimental effects on adjacent properties and the community;**
- c. **Council is satisfied with the applicant's commitment and desire to proceed with construction of 44 new homes as demonstrating a need for the proposed use;**
- d. **Care has been taken to maintain the naturalness of the site and to blend the use within the site and its surroundings through the preservation of 24.3 acres (or about 44%) of the proposed development area as open space;**
- e. **Council is satisfied that the applicant has provided clear, explicit, substantial and ascertainable benefits to the City as a result of the RUD;**
- f. **Factors evaluated (Zoning Ordinance Section 3.29.8.B):**
 1. **Subject to the lot size modifications and building setbacks reductions, all applicable provisions of the Zoning Ordinance, including those in Section 3.29.8.B and for special land uses, and other ordinances, codes, regulations and laws have been or will be met;**
 2. **Council is satisfied with the adequacy of the areas that have been set aside in the proposed RUD development area for**

- walkways, parks, recreation areas, and other open spaces and areas for use by residents of the development;
3. Council is satisfied that the traffic circulation, sidewalk and crosswalk features and improvements for within the site have been designed to assure the safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
 4. Based on and subject to the recommendations in the traffic consultant's review letter, Council is satisfied that the proposed use will not cause any detrimental impact in existing thoroughfares in terms of overall volumes, capacity, safety, travel times and thoroughfare level of service;
 5. The plan provides adequate means of disposing of sanitary sewage, disposing of stormwater drainage, and supplying the development with water;
 6. The RUD will provide for the preservation of approximately 44% of the site as open space and result in minimal impacts to provided open space and the most significant natural features;
 7. The RUD will be compatible with adjacent and neighboring land uses for the reasons already stated;
 8. The desirability of conventional residential development on this site in strict conformity with the otherwise applicable minimum lot sizes and widths being modified by this motion is outweighed by benefits occurring from the preservation and creation of the open space that will result from the RUD;
 9. Any detrimental impact from the RUD resulting from an increase in total dwelling units over that which would occur with conventional residential development is outweighed by benefits occurring from the preservation and creation of open space that will result from the RUD;
 10. Council is satisfied that the proposed reductions in lot sizes shown in the RUD plan are the minimum necessary to preserve and create open space and to ensure compatibility with adjacent and neighboring land uses;
 11. The RUD will not have a detrimental impact on the City's ability to deliver and provide public infrastructure and public services at a reasonable cost;
 12. Council is satisfied that the applicant has made or will make satisfactory provisions for the financing of the installation of all streets, necessary utilities and other proposed improvements;
 13. Council is satisfied that the applicant has made or will make satisfactory provisions for future ownership and maintenance of all common areas within the proposed development; and
 14. Proposed deviations from the area, bulk, yard, and other dimensional requirements of the Zoning Ordinance applicable to the property enhance the development, are in the public

interest, are consistent with the surrounding area, and are not injurious to the natural features and resources of the property and surrounding area.

- g. Modification of proposed lot sizes to a minimum of 21,780 square feet and modification of proposed lot widths to a minimum of 120 feet is hereby approved, based on and limited to the lot configuration shown on the concept plan as last revised, as the requested modification will result in the preservation of open space for those purposes noted in Section 3.29.3.B of the Zoning Ordinance and the RUD will provide a genuine variety of lot sizes;
- h. Reduction of permitted building setbacks to R-1 standards is approved as it is consistent with the proposed reduction in lot size and width;
- i. Variance from Section 3.29.2 to permit one unit on the west side of the property to be located up to 65 feet from the peripheral property line rather than the 75 feet required;
- j. Landscape waiver from Section 5.5.3.8.ii requirement of a landscaped berm along Garfield Road;
- k. City Council variance from Appendix C Section 4.04(A) (1) of Novi City Code for not providing a stub street to the subdivision boundary along subdivision perimeter is granted;
- l. City Council variance from Section 11-194(a)(7) of the Novi City Code for exceeding the maximum distance between Eight Mile Road and the proposed emergency access is granted; and
- m. This approval is subject to all plans and activities related to it being in compliance with all applicable provisions of the Zoning Ordinance, including Articles 3, 4 and 5, and all applicable City Zoning Ordinance approvals, decisions, conditions and permits.
- n. This approval is subject to the finalization and execution by the City and Applicant of the RUD Agreement.

Roll call vote on CM 22-08-098

Yeas: Crawford, Fischer, Smith, Gatt, Staudt,
Casey

Nays: None

Absent: Thomas

Motion 1-8
CM 22-08-099

Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

To grant approval of the Residential Unit Development Agreement for Parc Vista JSP21-47, with any changes and/or conditions as discussed at the City Council meeting, and any final minor alterations required in the determination of the City Manager and City Attorney to be incorporated by the City Attorney's office prior to the execution of the final agreement.

Roll call vote on CM 22-07-099

**Yeas: Fischer, Smith, Gatt, Staudt, Casey,
Crawford**

Nays: None

Absent: Thomas

2. **Approval of (1) the request of Sakura Novi Land Development LLC for JSP 22-09 Sakura Novi for Preliminary Site Plan with Site Condominium, Phasing Plan, Wetland Permit, Woodland Permit, and Storm Water Management Plan, and (2) First Addendum to the PRO Agreement. The subject property is zoned TC-1 with a Planned Rezoning Overlay (PRO), which conditions development to the terms of a PRO Plan and Agreement. The site is approximately 15 acres in size and is located north of Grand River Avenue, south of Eleven Mile Road, and east of Town Center Drive (Section 23). The applicant is proposing to develop a mixed-use development including commercial retail, office, and restaurant uses, and multifamily residential units.**

Scott Aikens thanked Mayor Gatt, Mayor Pro Tem Staudt and City Council. He said on July 13, the Novi Planning Commission voted seven to zero to recommend the project, Sakura Novi to City Council for approval. He stated with your approval they planned to move full speed ahead to bring Sakura Novi to Grand River Avenue and Town Center Drive. He said Sakura Novi is a 15-acre Asian themed, mixed-use project, featuring restaurants, retail, apartments, all surrounding a pond with a Japanese themed garden path. He said the timing of Sakura Novi could not be better. If you look around town right now you will find new restaurants popping up like Kimchi Box in Novi Town Center, Kura Sushi on Novi Road, and KPot at Fountain Walk. He said there are more concepts like these opening in Troy that are interested in Novi and even more from the west and east coasts planning to open in Michigan. He stated Sakura Novi has its arms wide open right now, to bring together a collection of the best and brightest of these Asian food and beverage concepts. He said this collection as part of this branded campus also featuring apartments upon and beautiful public spaces will create in Novi, a unique themed destination. He said his team was there with him to answer any questions that you might have as you consider moving forward this project. Thank you.

Mayor Pro Tem Staudt asked him if this was approved that evening, when will the shovels be in the ground. Scott Aikens said he would turn that question over to Darian Neubecker who is doing the site planning. He said Darian was with Robertson Brothers, he is doing our work on the construction. Darian Neubecker said they should have EGLE approval in two weeks and hope to have demo going in early September. He did not know if that meets with your expectations. Mayor Pro Tem Staudt asked when we would see the carwash torn down. Darian Neubecker said that will be early September. He said that was the only question he had; he would make a motion. He reminded the audience that it was a two-part motion.

Motion 2-A

CM 22-08-100

Moved by Staudt, seconded by Gatt; MOTION CARRIED: 6-0

PART 1: Approval of Sakura Novi, JSP22-09, for the Preliminary Site Plan with Site Condominium, Phasing Plan, Wetland Permit and Stormwater Management Plan based on and subject to the following:

- 1. Lighting waiver from Section 5.7 to allow light levels to exceed the 4:1 average to minimum ratio in some locations, up to a maximum of a 6:1 ratio, in order to allow greater variation in the light levels in certain areas of the property, which is hereby granted;**
- 2. Landscape waiver from Section 5.5.3.C.iii to permit the shortage of 14 access-way perimeter trees in the commercial area, which is hereby granted;**
- 3. As permitted under the terms outlined in the PRO Agreement, the applicant shall mitigate wetland impacts by purchasing credits in an EGLE-approved wetland mitigation bank, and**
- 4. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance, and with Chapters 11, 12, and 37 of the Code of Ordinances, and all other applicable provisions of the Ordinance, as well as the terms of the PRO Agreement.

Member Crawford wondered if there were any plans for the Ecco Tool site in the future. He asked if they were in any negotiations? Is it conceivable that it is going to be part of your development someday? Scott Aikens said not at this time, the Peterson's are staying in place, but they are a grandfathered use now. He thought they understood that it does not remain and that if it does fail, it becomes a TC-1 use. Member Crawford asked what he would put in that spot, how would you meld it into the rest of your development. Mr. Aiken's replied he did not know; he could not answer that question.

Roll call vote on CM 22-08-100

**Yeas: Smith, Gatt, Staudt, Casey, Crawford,
Fischer**

Nays: None

Absent: Thomas

City Attorney Shultz apologized, he stated when he reviewed the motion, he did not think of adding the language that we usually put in motions subject to any final minor amendments by the City Manager and City Attorney's office. He asked the maker of the motion if we could add that language into the motion.

Member Staudt said yes, we can put whatever language you want, which basically gives the City Manager and the City Attorney the ability to update the agreement based on whatever it is and whenever it comes up.

**Motion 2-B
CM 22-08-101**

Moved by Staudt, seconded by Fischer; MOTION CARRIED: 6-0

PART 2: Approval of the First Addendum to the Sakura Novi PRO Agreement, JZ19-31, to acknowledge the new numbering of condominium has changed from 3 to 5 units and incorporating the revised condominium unit plan. This motion is made because the change does not materially affect the PRO Agreement, and is subject to final review and approval as to form, including any minor changes required, by the City Manager and City Attorney's office.

Roll call vote on CM 22-08-101

**Yeas: Gatt, Staudt, Casey, Crawford, Fischer,
Smith**

Nays: None

Absent: Thomas

- 3. Consideration of tentative approval of the request of Granger Construction, LLC, for Michigan CAT Catherine Drive Access Parcel, JZ21-22, with Zoning Map Amendment 18.734, to rezone property from Light Industrial (I-1) to General Industrial (I-2), subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property is located east of Novi Road and north of Catherine Industrial Drive in Section 23, and totals approximately 5.29 acres. The applicant is proposing to use the site for outdoor storage of construction equipment related to Michigan CAT's shore and pump operation.**

Steve Deak, landscape architect from Deak Planning Design said Rich Pottersnap of MacAllister Michigan CAT was unable to be there that evening, he was there to answer any questions that may come up.

Mayor Pro Tem Staudt commented that Michigan CAT has been an outstanding business resident of the city of Novi for a long time and he thought we had some discussion about large pieces of equipment a few years ago or within the last year. He thought that has been resolved. He said this is a three-part motion. He wondered if he had to read all of the motion. City Attorney Schultz replied he had to read the first paragraph and then you can incorporate A through C individually as motions.

CM 22-08-102

Moved by Staudt, seconded by Casey; MOTION CARRIED: 6-0

Tentative indication that Council may approve the request of Granger Construction, LLC, for Michigan CAT Catherine Drive Access Parcel, JZ21-22, with Zoning Map Amendment 18.734, to rezone property from Light Industrial (I-1) to General Industrial (I-2), subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan to be updated to reflect the applicant's proposed changes as reviewed by the Planning Commission on July 13, 2022, based on the following findings, City

Council deviations and considerations, with the direction that the applicant work with the City Attorney's Office to prepare the required PRO Agreement, and return to the City Council for Final Approval:

Part A:

The PRO Agreement shall contain the following Ordinance deviations, for which the City Council makes the finding, for the reasons stated, that each Zoning Ordinance provision sought to be deviated would, if the deviation were not granted, prohibit an enhancement of the development that would be in the public interest, and that approving the deviation would be consistent with the Master Plan and compatible with surrounding areas:

- 1. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for asphalt millings as a parking lot material in lieu of pavement, *which is justified because the proposed millings are an extension of the existing storage yard and are a material that is preferable for storage yards;***
- 2. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for a lack of curbs, *which is justified due to the site having adequate sheet drainage during rainfall events that will be adequately filtered by a vegetative swale located on the north side of the storage area;***
- 3. Design and Construction Manual Deviation from Section 11-239 of the Code of Ordinances for the lack of parking lot striping, *which is justified due to the lot being used exclusively for storage of construction equipment;***
- 4. Landscape Deviation from Section 5.5.3.B.ii of the Zoning Ordinance for the use of an evergreen shrub wall in lieu of required canopy greenbelt trees and berm, *which is justified because the proposed shrub wall provides more adequate screening of the construction equipment;***
- 5. Landscape Deviation from Section 4 of the Landscape Design Manual for the lack of meeting the required tree diversity standards, *which is justified due to the heavy use of evergreens to provide the necessary screening for the project and the lack of suitable evergreen species available for use in Michigan.***

Part B: The following conditions shall be requirements of the Planned Rezoning Overlay Agreement:

1. **Acceptance of applicant's offer of public benefits as proposed:**
 - a. Developer offers a 20 foot wide access aisle easement across the length of the proposed site as shown on the concept plan to allow for proper emergency access to the Michigan CAT site. This area shall be kept clear of equipment and signage shall be provided near the existing gate located on the site.
 - b. Developer offers to install a Motor City Historical Marker commemorating Michigan CAT's history within the City of Novi as shown on the concept plan, and shall be reviewed in detail with the Preliminary Site Plan Review for consistency with other historical marker signage and verbiage.
 - c. Developer offers to install a pedestrian plaza with a bench and six foot clear path access from the Novi Road sidewalk as shown on the concept plan.
 - d. Developer offers to install a decorative breakaway emergency access gate near Catherine Industrial Drive as shown on the concept plan.
2. Developer shall develop the Land in accordance with all applicable laws, ordinances, and regulations, including all applicable setback requirements of the Zoning Ordinance under the Proposed Classification, except as expressly authorized herein, and all storm water and soil erosion requirements and measures throughout the site during the design and construction phases of the Development, and during the subsequent use of the Land as contemplated in this Agreement:

The use of the site shall be limited to the outdoor storage of shoring and pump operation equipment as described in the developer's narrative, or equipment of a similar height, but in all cases, equipment being stored shall be limited to a maximum of ten (10) feet in height. This restriction shall include trucks and cranes, the booms of which shall be stored in a horizontal position.

3. Woodland tree removals during the project shall be approximately 74 trees, which shall require 47 woodland replacement credits. Any woodland replacement credits planted on-site shall be permanently protected via conservation easement or landscape easement. Any credits not planted on site will require a payment of \$400 per credit into the Novi Tree Fund.
4. Any additional regulated woodland tree removals shall meet the requirements of the City of Novi Woodland Protection Ordinance, and may be granted administratively up to 10 trees with proper

justification. If additional regulated trees proposed for removal exceeds 10, Planning Commission approval must be granted.

5. The existing drainageway on the east side of the site shall be preserved and shall be reviewed as part of the Preliminary Site Plan.
6. The site shall be properly screened as indicated in the concept plan and shall be reviewed as part of the Preliminary Site Plan.
7. Tentative completion date for the project shall be calendar year 2023.

Part C: *This motion is made because:*

1. The proposed outdoor storage development would be compatible with the intent of the 2016 Master Plan for the Heavy Industrial use.
2. Growing an important Novi business (Michigan CAT) would complement the goals and objectives of the 2016 Master Plan.
3. The proposed project will protect and maintain the City's woodlands, wetlands, and natural features *as the drainageway to the east of the property (Walled Lake Branch of the Middle Rouge River Basin) will be preserved.*
4. The proposed project will ensure compatibility between residential and non-residential developments *because the project proposes to increase the footprint of an industrial business while limiting the use of the site to outdoor storage of shoring and pump operation equipment with proper screening.*

Roll call vote on CM 22-08-102

Yeas: Staudt, Casey, Crawford, Fischer,
Smith, Gatt

Nays: None

Absent: Thomas

4. Consideration of approval to award the construction contract to Springline Excavating, LLC, the low bidder, for the Twelve Mile Road Paving, Medina Boulevard to City Limits project, in the amount of \$1,434,189.12 and amend the budget.

CM 22-08-103

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

Approval to award the construction contract to Springline

Excavating, LLC, the low bidder, for the 12 Mile Road Paving, Medina Boulevard to City Limits project, in the amount of \$1,434,189.12 and amend the budget.

Roll call vote on CM 22-08-103 **Yeas: Casey, Crawford Fischer, Smith, Gatt, Staudt,**
Nays: None
Absent: Thomas

5. Approval of a resolution to create a Fountain Walk Social District at the Twelve Mile Crossing at Fountain Walk retail center.

CM 22-08-104 **Moved by Smith, seconded by Casey; MOTION CARRIED: 6-0**

Approval of a resolution to create a Fountain Walk Social District at the Twelve Mile Crossing at Fountain Walk retail center.

Roll call vote on CM 22-08-104 **Yeas: Crawford, Fischer, Smith, Gatt, Staudt, Casey**
Nays: None
Absent: Thomas

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

B. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation cost of eight (8) standard streetlights at the intersection of Taft Road and 9 Mile Road.

Member Smith stated he wanted to postpone this item to a future meeting so we can have staff give us some options on lighting. He was concerned with the 30-foot lighting, especially for the south and west residents is going to effectively be 50 or 60 feet because of the drop off there. He would like to see some lower lighting options, possibly motion sensitive so that they are not on all the time when it is two in the morning when there is no pedestrian traffic that we do not need all the pedestrian lighting in that area.

CM 22-08-105 **Moved by Smith, seconded by Casey; MOTION DENIED: 2-4**

To postpone to a future meeting for further discussion when staff brings back some options for Council.

Mayor Pro Tem Staudt wondered if the timelines in this appropriation was important, this project seemed to be moving along quickly, he asked if a delay of a few weeks have any effect. City Manager Auger replied he was not certain on this. He asked DPW Deputy Director Mikus if she was aware of the contract and the timelines on this. DPW Deputy Director Mikus said to her knowledge, this would not delay the project. She mentioned in consulting with DTE Community Street Lighting Group, this type of light pole, and the low

wattage of 58 watts was recommended by the DTE Community Street Lighting Group because of their experience in other locations. She said there have been complaints about glare from the teardrop or decorative street lighting. She stated this is what was recommended and proposed in the agreement because it was the lowest wattage possible for that area. She said they could investigate those other options if City Council would like them to. Mayor Pro Tem Staudt said he enjoyed getting suggestions on Facebook from prior colleagues, but he was going to support moving this forward. He said he would decline the postponement.

Member Fischer said obviously staff looked at many different options with this, this is the recommendation of staff, you compared to other communities and other roundabouts, is that correct? DPW Deputy Director Mikus said they took the recommendation of the DTE Community Street Lighting Group and based on their complaints in other communities, they found when they looked specifically at the site, due to it being a residential area, they felt that the lowest wattage possible was recommended. She pointed out that it also has consistency so that we have similar poles throughout the city, so it is aesthetic, therefore we came with this recommendation. Member Fischer mentioned that oftentimes with the more decorative ones, sometimes it is hard if there is an accident and one gets taken out, those are not in stock to put the same type up, so there is not a hodgepodge all around one area. Ms. Mikus said yes, there can be a sourcing issue. Member Fischer said he appreciated the sentiments, but he thought like Mayor Pro Tem, he also gets frustrated when people are out there trying to drum up some disappointment. He said it takes away from staff and the hard work that they do to act like they have not done their due diligence and have not considered all the alternatives and did not make good recommendation. He said he was in support of moving this forward that evening as well.

Member Casey said she had one more question. She said she appreciated the comments by the maker of the motion regarding the pedestrian lights. She wondered if staff looked at motion sensitivity or motion detection in the pedestrian lights themselves. She said the taller poles might be appropriate for the traffic but is there a way to investigate motion sensitive lights for the pedestrian crossways. DPW Deputy Director Mikus said she was not familiar, but she could speak to the group and see if that is an option with the DTE Community Street Lighting Group.

Member Smith said he had one more question. He wondered if there were any other intersections that have similar wattage lighting around. He said he would like to drive through it at night to see how it looks. DPW Deputy Director Mikus replied that on the top of her head she would not know. She said she could get that information and give you a location so you could see that effect. Member Smith thanked her for her response.

Mayor Gatt said he wanted to put his comments on the record. He commented that any chance he could get to talk about this project he would. He thought it was a silly project, and he believed it was going to cause more accidents that we can imagine. He was not in favor of any part of it. He would not be in favor of the motion.

Roll call vote on CM 22-08-105

Yeas: Smith, Casey
Nays: Fischer, Gatt, Staudt, Crawford
Absent: Thomas

CM 22-08-106 Moved by Fischer, seconded by Crawford; MOTION CARRIED: 4-2

B. To approve a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation cost of eight (8) standard streetlights at the intersection of Taft Road and 9 Mile Road.

Roll call vote on CM 22-08-106

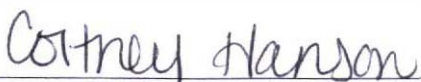
Yeas: Gatt, Staudt, Crawford, Fischer
Nays: Smith, Casey
Absent: Thomas

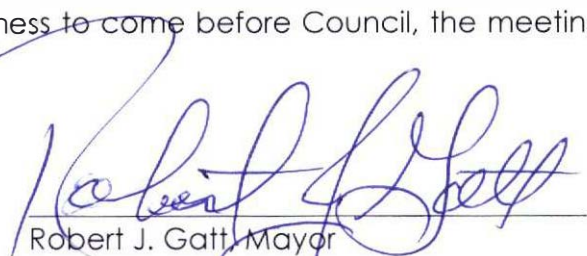
AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:29 P.M.


Cortney Hanson, City Clerk


Robert J. Gatt, Mayor


Transcribed by Deborah S. Aubry

Date approved: August 22, 2022