

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JUNE 3, 2013 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. 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, Fischer, Margolis, Mutch, Wrobel

ALSO PRESENT: Clay Pearson, City Manager
Victor Cardenas, Assistant City Manager
Elizabeth Saarela, City Attorney

APPROVAL OF AGENDA:

CM-13-06-080 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as presented.

Roll call vote on CM-13-06-080 **Yeas: Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt**
Nays: None

PUBLIC HEARING - None

PRESENTATIONS:

1. Novi High School MCGC Percussion Scholastic A State Champions – Coordinator Brian Woodcox

Brian Woodcox, Coordinator, spoke of the indoor percussion group from Novi High School. They perform in the Michigan Color Guard circuit. At the end of March, they won a second straight State Championship in their class. Mayor Gatt presented each member of the group with a Certificate of Recognition.

INTERVIEWS FOR BOARDS AND COMMISSIONS

1. Marianne LaDuke – Beautification Commission

Marianne LaDuke noted she serves as an ambassador at the Chamber of Commerce and volunteers at St. James Catholic Church in Novi. She also, serves in many volunteer roles at Northville High School. She has been newly elected as the Secretary of the PTA Board for Meads Mill Middle School. She would like to be more actively involved in the Novi Community and serve at the City level. Member Margolis asked her what she thought was the role of Beautification Commission. Ms. LaDuke thought it was to enhance the City on the level of beautification and to keep in place the regulations

currently established. Her goal would be to maintain or to improve the regulations and focus on limiting billboard advertisement. She wanted to be involved in enhancing the City for tourism and residents. Member Fischer asked what she would bring from her professional background to the Beautification Commission. She answered that her background was in the beauty-fashion industry which has evolved into a wellness industry. From her experience, she would like to change something from the physical appearance to the natural beauty that exists everywhere. Member Mutch asked what role she might see the Beautification Commission playing to make Novi more attractive in bringing potential businesses to the community. Ms. LaDuke felt her networking ability within the Chamber would help get new businesses to become involved in the City and taking pride in their new business. Mayor Pro Tem Staudt and Member Wrobel thanked her. Member Casey asked if there was a particular goal or project that she would like to accomplish? Ms. LaDuke said she has a degree in Public Relations and has an event planning background and would like to use her experience and background to enhance the City in any events the Commission may have. Mayor Gatt thanked her for her willingness to serve the City of Novi.

2. Cynthia Gronachan – Zoning Board of Appeals; Planning Commission

Cynthia Gronachan wanted to highlight her experience, commitment, and willingness to serve. She has a Paralegal degree. She served on the Zoning Board Appeals (ZBA) for five years prior to moving to the east coast. She mentioned the many people that mentored her while she was on the ZBA, such as Mabel Ash. Ms. Ash's enthusiasm and spirit lived on after she passed and this spiked Ms. Gronachan's interest in serving the public. She worked on an eleven year project on the Garfield wetland mitigation project. She has a long history of community service. She is willing to commit the time and energy to the position. Member Fischer had no questions and thanked her for stepping forward. Member Mutch asked if she had a preference between the two positions. Her preference is the ZBA because she has had the training from the City. She also has a paralegal background that assists in that position. Mayor Pro Tem Staudt had no questions. Member Wrobel asked how she would make an applicant feel that they had a good hearing and it was a good judgment by the ZBA, even if they were denied. Ms. Gronachan felt it would be in the delivery by explaining what the ordinance is and what the requirements are for the case. It may require just a correction by the applicant. It includes educating the resident. The building department also assists the resident prior to them coming before the ZBA. Members Casey and Margolis remembered her previous interview and had no questions.

3. Lauren Royston – Housing & Community Development Advisory Committee

Lauren Royston said she has administered a Community Development Block Grant (CDBG) at the County level for a number of years. She did technical assistance to communities helping with developing projects. She also worked in a larger city that administered a CDBG program. She thought she could help with understanding the regulations of the Federal requirements from HUD to bring some media to what the citizens and residents will want for development projects. Member Mutch noted one

challenge is being able to reach the people who need help in the community and asked her if she had any thoughts about it from what she has done previously. She noted she hasn't heard about any programs in the City of Novi. Sometimes, it is important to target your audience and then a specific outreach can be used. Mayor Pro Tem Staudt noted her skills are a very good fit for this particular Committee. Member Wrobel echoed comments that she brings a unique set of skills. Members Casey and Margolis had no questions and thanked her for wanting to serve. Member Fischer asked if she looked at any of our past approvals for our funding. She said she has not looked at the Annual Report that is submitted but that is something she can do immediately. She can see if it is on target or if there is something additional that can be done with the funding. Member Fischer said much of the funding goes toward minor home repairs and we need to see what else we could fund. He felt she would be great for this position.

4. David Greco – Planning Commission

David Greco has served 2 terms on Planning Commission. He has been a resident for ten years. He would like to continue to serve on the Planning Commission. Mayor Pro Tem Staudt was very pleased to see Mr. Greco return. He said it was great to have such a qualified candidate. Member Wrobel served with Mr. Greco on the Planning Commission and looked forward to supporting him again. Members Casey, Margolis and Fischer had no questions and thanked him for his willingness to serve. Member Mutch was glad to see Mr. Greco return to the Commission. Mayor Gatt believed he was a superstar volunteer.

5. Harold "Butch" Wingfield – Parks, Recreation & Cultural Services Commission

Harold Wingfield has served for the past 15 of the last 17 years on the Commission. He would like to see the continued growth in this area. Member Wrobel said he was highly qualified and asked what was the primary project he would like to see completed? Mr. Wingfield thought the walkways and pathways are very important for the City. He thought the Parks Department does an excellent job. He thought the parkland acreage for Novi was adequate but felt the City is deficient on active parkland. His focus would be walkways and active parkland. Member Casey asked if he had particular projects or objectives related to the senior programs. Mr. Wingfield said he thinks we have some of the best programs in the area. Members Margolis and Fischer had no questions and thanked him for his service. Member Mutch asked him what is the best way to get more people involved with the input process. Mr. Wingfield said there is no easy way to do it but he thought getting the leaders from our special interests groups, from youth to seniors, involved to obtain their input. The people that actually use the programs would be the best contacts and would be very beneficial. Mayor Pro Tem Staudt asked how the Parks Commission role has changed. Mr. Wingfield said Mr. Mangum has involved the Commission. He has sought the Commissions' input. Mayor Gatt thanked him.

6. Keith Mixer – Planning Commission

Keith Mixer said he was very active in his former community and would like to be more active in Novi. Planning Commission fits with his background and his interest in helping people. Member Casey asked why the Planning Commission interested him. Mr. Mixer answered that he is interested in expanding opportunities for persons with disabilities. Member Margolis asked him to explain how he would address his disability concerns. Mr. Mixer said access to transportation is huge because a lot of people with disabilities are isolated and feel deprived. Member Fischer asked what he thought Novi could do better as a community. Mr. Mixer answered somehow getting public transportation. He is aware that we opted out of Smart buses, but that is the key. Member Mutch asked about some of his work with Washtenaw County Planning Commission in updating the County wide zoning ordinance. Mr. Mixer tabulated the applications for changing from agricultural to multi-residential. They were converting farmland to housing. Mayor Pro Tem Staudt had no additional questions. Member Wrobel noticed he had a graduate degree in Urban Planning. He explained we have a Master Plan and asked what he felt the Planning Commissioner's role in upholding or modifying the Master Plan would be? Mr. Mixer felt a Planning Commissioner would not want to unilaterally change the master plan and it should be up to the voters. Mayor Gatt asked if he was interested in anything else and thanked him for volunteering. Mr. Mixer said he was not interested in another Board unless the Mayor had another suggestion.

7. Brent Ferrell – Planning Commission; Zoning Board of Appeals

Brent Ferrell asked to remove his name from the Planning Commission and sought full membership to the Zoning Board of Appeals (ZBA). He felt he was better suited for the ZBA. He has attended all meetings he was obligated to attend. Member Margolis confirmed with Mr. Ferrell that he had been an alternate on the ZBA up until now and asked him what's been the biggest learning experience. Mr. Ferrell said dealing with the public when they are frustrated by the rules and explaining to them the rules are set in place in order to keep the City as uniform as possible. Member Fischer asked if he'd voted on cases and which was the hardest. Mr. Ferrell said he's voted at every single meeting. Some of the most difficult were working with lake residents with regard to lake living. Member Mutch asked what the biggest surprise was for him coming into the position. Mr. Ferrell answered some of the residents were aggressive in their approach to the Board. He was taken aback by the public interaction. Mayor Pro Tem Staudt had no questions. Member Wrobel thanked him for wanting to be a full term member on ZBA and asked what his strongest skill was that he brought to the ZBA? Mr. Ferrell said dealing with the public, taking everything into consideration, and allowing them alternatives if possible. Member Casey and Mayor Gatt had no questions and thanked him for his willingness to serve.

8. Charles A. Staab - Parks, Recreation & Cultural Services Commission

Mr. Staab said he has lived in Novi for 33 years. The reason he desired to stay on the Board was there were many unfinished items he would like to see finished such as a

quality trail system, parks and active sports fields. Member Fischer had no questions as he served with him. Member Mutch asked how many years had he been on the Board? Mr. Staab said this was his 19th year. Member Mutch supports his reappointment. Mayor Pro Tem Staudt asked how he would like to see his role change on the Commission. Mr. Staab said he would like to get back to being more active in the Community and a voice in the Community. He would like to entertain more citizenry involvement. Early on in his term, he was active on the Commission and socially. Director Auler brought a lot of good to the Commission with the Master plan and the Foundation. It has evolved into more citizen involvement with Director Mangum. Member Wrobel thanked him for stepping forward. Member Casey asked if there was any other project he would like to see accomplished in his next term. Mr. Staab said the finishing of Pavilion Park this summer and leveraging grant funds. Member Margolis and Mayor Gatt had no questions and thanked him for his service.

9. David Baratta – Planning Commission

David Baratta said he has been a resident for 12 years and was member of Planning Commission, but couldn't reapply when his previous terms expired due to his employment. He noted they would be bringing back Lazy Boy to Novi after Labor Day this year. Member Mutch noted the Planning Commission's agendas were increasing. He acknowledged his background and that he is an asset representing people who live in Novi. Mayor Pro Tem Staudt said Novi is lucky to have him serve as Commissioner. He is an Economic Development ambassador as well. He thanked him for reapplying. Wayne Wrobel asked what his most difficult case was that he had dealt with while being on the Planning Commission. Mr. Baratta thought it was the church on Meadowbrook that was a little contemporary, but it needed to be delicately presented. They worked out a compromise. Members Casey, Margolis, Fischer, and Mayor Gatt had no questions and thanked him for his willingness to serve.

10. Robert J. Giacometti – Planning Commission

Robert J. Giacometti said he has been a resident for 5 years. He currently is employed by Wayne County Airport Authority as a Senior Financial Analyst. Mayor Pro Tem Staudt asked about what he can apply to the Planning Commission from any similar work experience. Mr. Giacometti said there are a lot of similarities. He works with a Board that is very interested in regional economic development. Part of his job is aligning their goals with proposed projects. They have a large stake holder, Delta Airlines. There is balancing act between the stake holders and the community with keeping in alignment with their master plan. Member Wrobel asked what he thought was of a Planning Commissioner's role. Mr. Giacometti said there needs to be an alignment with their master plan, and zoning ordinances with proposals and requests. There is an important role of balancing stakeholders' interest in finding a favorable conclusion in what is being proposed. Member Casey is aware of his skills so she had no questions because she had the chance to work with him. Member Margolis asked what he saw the Planning Commission's role in Economic Development. Mr. Giacometti said one of the reasons he was applying was that Novi has not reached build out yet. He added this Commission has an opportunity for future growth and balancing keeping it beautiful

but providing ample opportunity for new businesses in Novi. Member Fischer had no questions and thanked him for stepping forward. Member Mutch asked what opportunities and challenges will we have as we approach a built out community. Mr. Giacometti said infrastructure would be the biggest challenge. The City isn't far from redevelopment. Mayor Gatt had no questions and thanked him for his willingness to serve.

11. Douglas Bauss – Parks, Recreation and Cultural Services Commission

Douglas Bauss said he has been a resident for 14 years. He is an active member in his Homeowner's Association, church, and community. Member Wrobel asked what skills he brings. Mr. Bauss said he has a skilled set of being in touch with his community. He is a sounding board to community members within his neighborhood. Professionally, part of his position is a problem solver, he brings parties together for finding a resolution to meet the customer's needs. He is good at listening. Member Casey asked if he had a particular goal or project he would like to accomplish if appointed. Mr. Bauss said he was excited to see what has been happening with our parks. He was happy with the way Brookfarm Park has evolved and wanted to be involved in the future of Pavilion Park. Member Margolis asked what was the major role of Parks Commissioner. Mr. Bauss thinks it is serving the community and making sure the assets we have are fulfilling the needs of the residents. Member Fischer asked him what needs improvement. Mr. Bauss sees the potential for Pavilion Park drawing more people as a focal point of our community. It is in its infancy stage now. He sees it as a gem for the City as it comes to fruition. Member Mutch noted that there are limited parks in the southeast end of town and asked what their needs are and what can be done from a Parks and Recreation Commission perspective? Mr. Bauss said the biggest thing is access and connections to the systems. Their neighborhoods have no sidewalks and they have to find ways for foot traffic to access the facilities. Mayor Pro Tem Staudt asked what he saw the role of the Commission being. Mr. Bauss said his daughter just participated in the Little Mermaid. The theater production encompassed all ages. We need ways to involve everyone in all the different aspects of Parks, Recreation and Cultural Services. Mayor Gatt had no questions and thanked him for his willingness to serve.

REPORTS:

1. MANAGER/STAFF

Parks, Recreation and Cultural Services Director Mangum updated Council that July will be designated as Parks and Recreation month. They have completed some projects. Lakeshore Park playground replacement is complete and they are inviting everyone to celebrate this Thursday evening. It is a nature theme playground. Next Tuesday, June 11, 2013, installation of Rotary Park playground equipment will be complete and he invited everyone to visit the parks.

2. ATTORNEY - None

AUDIENCE COMMENT – None

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-I):

CM-13-06-081 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 - 1. May 20, 2013 – Regular meeting
- B. Approval of the final payment and change order to Ajax Paving Industries, Inc. for the 2010-11 Neighborhood Road Program – Phase II (Asphalt) project, in the amount of \$88,093.31.
- C. Approval to award bid for towing services to Hadley’s Towing and Keford’s Novi Towing for three (3) years, with two (2) renewal options in one (1) year increments based on acceptance of City terms and conditions to function on a rotating basis with an effective date of July 1, 2013.
- D. Adoption of Oakland County Hazard Mitigation Plan.
- E. Approval to award a contract for design engineering services for Meadowbrook Road and Eight Mile Road Signal Replacement project to Orchard, Hiltz & McCliment for a design fee of \$13,006.
- F. Approval to award an amendment to the engineering services agreement with URS Corporation for construction engineering services related to the 2013 Neighborhood Road Program—Contract 2 (Asphalt), in the amount of \$54,031.
- G. Approval of the first year renewal of the two year contract with three one-year renewal options with KMG Prestige for the management of Meadowbrook Commons commencing on July 1, 2013.
- H. Approval of request from AA Bar II, LLC d/b/a Epic Tavern & Grill to transfer ownership of escrowed 2012 Class C Licensed Business with Sunday Sales Permit (AM & PM), Dance-Entertainment Permit, Outdoor Service (2 Areas), Specific Purpose Permit (Food) & 3 Bars from Post Six, Inc., located at 42875 Grand River Avenue, Novi, MI 48375.
- I. Approval of Claims and Accounts – Warrant No. 893

Roll call vote on CM-13-06-081

**Yeas: Casey, Fischer, Margolis, Mutch, Wrobel,
Gatt, Staudt**

Nays: None

MATTERS FOR COUNCIL ACTION:

1. Consideration of request from Grand Traverse Distillery, LLC for a New Spirit Tasting Room with new Sunday Sales Permit (AM) to be located at 43320 11 Mile Road, Novi, MI 48375.

City Manager Pearson thought this was a unique use and doesn't take away a quota license. It is a special license class that has been created. It is a Michigan company that is moving in the Town Center Development for a tasting/sampling room. Staff reviews had no objections to issuing this liquor license.

CM-13-06-082 Moved by Wrobel, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve the request from Grand Traverse Distillery, LLC for a New Spirit Tasting Room with new Sunday Sales Permit (AM) to be located at 43320 11 Mile Road, Novi, MI 48375.

**Roll call vote on CM-13-06-082 Yeas: Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt, Casey
Nays: None**

2. Approval to purchase an International 7400 SBA 4X2 Single Axle V-Box Truck from Tri-County International Trucks, Inc., the low bidder, in the amount of \$180,442.

CM-13-06-083 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the purchase of an International 7400 SBA 4X2 Single Axle V-Box Truck from Tri-County International Trucks, Inc., the low bidder, in the amount of \$180,442.

**Roll call vote on CM-13-06-083 Yeas: Margolis, Mutch, Wrobel, Gatt, Staudt, Casey, Fischer,
Nays: None**

3. Approval to award a construction contract for the 2013 Neighborhood Road Program—Contract 2 (Asphalt) to Cadillac Asphalt LLC, the low bidder, in the amount of \$662,772.

City Manager Pearson recommended approval of this to start some of the neighborhood streets that need repair.

CM-13-06-084 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:

To approve a construction contract for the 2013 Neighborhood Road Program—Contract 2 (Asphalt) to Cadillac Asphalt LLC, the low bidder, in the amount of \$662,772.

Member Mutch asked Director of Public Services Hayes to give a summary of the difference of the construction schedule impact of the two different proposals. Mr. Hayes said that some repairs are fairly aggressive and would be close to a full reconstruction. They should take three to four weeks. The other technique is a capital preventative maintenance technique and will take no longer than a week per street. Member Mutch asked what the life span of the new technique is. Director Hayes said it is extending the life of the road from three to five years and delaying the eventual deterioration of the surface. It is essentially a heavy seal coat with a little aggregate mixed in. Member Mutch asked if in five years would a new coat be applied or would they need some extensive reconstruction. Mr. Hayes said it could be because there are all kinds of distresses and failures that they see.

Roll call vote on CM-13-06-084

**Yeas: Mutch, Wrobel, Gatt, Staudt, Casey,
Fischer, Margolis
Nays: None**

4. Approval to adopt amendment to the "Policy and Rules Regarding Alcohol on Public Property" allowing consumption of alcohol to be extended to the Ice Arena and Villa Barr Art Park.

City Manager Pearson said we have a limited range of product that can receive permission for serving alcohol for special events at the Civic Center, Novi Library, and Township Hall. For two and half years, it has worked out. The consideration is to ask Council if they are interested in expanding permission of alcohol consumption for the Ice Arena and Villa Barr Art Park.

CM-13-06-085 Moved by Wrobel, seconded by Margolis; MOTION CARRIED: 6-1

To approve to adopt amendment to the "Policy and Rules Regarding Alcohol on Public Property" allowing consumption of alcohol to be extended to the Ice Arena and Villa Barr Art Park.

Member Fischer noted this was just a trial and it was his understanding that there has been several rentals since the policy had been enacted. He asked if there had been

any incidents where police had been involved or any other issues. City Manager Pearson said that there had not been any complaints or issues. In the beginning, they had difficulty communicating what was allowed but have since corrected the issue. Member Fischer said there will always be questions as to whether we need to do something like this but he thought Parks and Recreation Department did a great job of isolating it and putting in a policy. Alcohol can be a difficult issue, but at the same time, responsible people can handle it and the City puts in place policies that responsible people do act responsible in this situation.

Member Mutch said he had no problem with the policy that dealt with the Villa Barr Art Park based on the type of facility it is. The concern he had was with having alcohol potentially being served at the Ice Arena in relation to specific events. One aspect of the current policy limits the service of alcohol during the hours of operation. In the terms of the Ice Arena, will there be an understanding or will the operation of the policy be any service of alcohol in an event happen after 5 PM weekday or Saturday or Sunday. City Manager Pearson said that would not be the suggestion for the Ice Arena. The thought with the Civic Center is that it had a lot of different uses. The Ice Arena is a special event facility. This came about because of the Novi Youth Hockey Association. They are one of the major renters. If they want to have a fund raiser on Saturday afternoon, he didn't think they would need those restrictive hours and would defeat the purpose of what they are looking for. Member Mutch said the policy has a straight forward limitation. A Saturday event was referenced that would not be covered by that but if someone wanted to have alcohol service during the day on a week day would the Ice Arena operate differently from other facilities. City Manager Pearson explained that they would have that option if there are early afternoon activities. Member Mutch said he needed clarification on that. He said that is not how the policy would read. If the Ice Arena is going to operate under other rules raises a concern for him because it is open to the public. The public wouldn't expect to see drinking during normal operating hours. It is a legitimate view point for people to have. If the policy would not apply to the Ice Arena and we may have an event where the public is attending, with drinking allowed during that time, he would not support the policy.

Member Margolis said the idea would be that the entity that would be renting the entire facility. City Manager Pearson agreed and if we want to strengthen it or make that understood, we can write it into the guidelines. It can't be done at the Library when they are open on Saturday afternoons. It didn't make sense to him to have the limits for the Ice Arena. It does make sense to make it clear and incorporate it into our operating policies. Member Margolis felt comfortable with it. Member Fischer clarified they are not changing any of the clauses that relate to when alcohol can be consumed in a facility. City Manager asked if he meant the amendment that is being discussed or the addition that was discussed. Member Fischer said the amendment that is in front of us. He confirmed that they are not changing the time frame of when the facility is conducting official business.

Roll call vote on CM-13-06-085

**Yeas: Wrobel, Gatt, Staudt, Casey, Fischer,
Margolis**

Nays: Mutch

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 8:35 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: June 17, 2013