

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JANUARY 22, 2018 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 Breen, Casey, Markham, Mutch, Wrobel

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

APPROVAL OF AGENDA:

Member Casey requested under the Mayor and Council Issues that we add: Long-Term Goal Planning.

CM 18-01-007 Moved by Wrobel, seconded by Markham; CARRIED UNANIMOUSLY

To approve the Agenda as amended.

Roll call vote on CM 18-01-007 **Yeas: Staudt, Breen, Casey, Markham, Mutch, Wrobel, Gatt**
Nays: None

PUBLIC HEARING: None

PRESENTATIONS:

1. Recognition of Novi High School Girls State Volleyball Champs

Mayor Gatt said that we get to honor some students who have brought great acclaim to the City of Novi. He called up Novi Athletic Director, Brian Gordon and the two coaches, Coach, Jennifer Catrell and Assistant Coach, Richard Catrell. Mayor Gatt mentioned that this was in the Oakland Press. The National High School Association of Coaches announced last week that Novi Coach Jennifer Catrell is a finalist for National Coach of the Year in the sport of volleyball. She led the Wildcats to their third consecutive Class A Championship in 2017. Mr. Gordon thanked the City and the School District for their support each and every year in our athletics. He said Novi is by far the most supportive community with importance of athletics in education. He said this is his 28th year in educational athletics as a coach and athletic director and he has come across a lot of good teams, but no team is like the team that was in front of them that evening. They are by far the most talented, most genuine and loving group of young ladies and they will go on in life and do some amazing things. They have a team average GPA of 3.7 which is phenomenal. Coach Catrell is a national finalist, one of eight coaches across the entire country. All high school programs, there are eight selected and she is one of them. We are very fortunate with all of the support we have every day.

Coach Catrell said it was a pleasure being there and thanked everyone. She said they won in 2015 and 2016; we came into this season, ranked number one in the state. We had many injuries in the beginning of the year and struggled a little bit. The girls rallied together and the three-peat was the first time since 1992, Class A Volleyball Team that won three years in a row. She said the parent group is tremendous and they make her job easy. Their record was 57-3. The senior class over the last three years was 166-6, which was remarkable. She said they had two players in the top five in the State. She said they have three players named All-State and five other seniors named Academic All-State with a 3.7 GPA and above. She thanked everyone and said they make her job easy. Mayor Gatt thanked them again, he asked the team to meet City Council and took pictures.

2. Recognition of Running Fit donation to the Novi Youth Council

Mayor Gatt introduced Dawn McConnachie from Running Fit. She congratulated the volleyball team and presented Youth Council a check for \$1,500.00 from their Super 5K Event for Addicted to Movies...Not Drugs. It is the 12th year they have put on the Super 5K Event. The City of Novi has been very supportive of them. She said they wanted to give back to the Novi Youth Council. They are very important to all of our futures. She said this was the third year presenting a check. If our entries increase, we will increase the donation. Shiven Acharya, Novi Youth Council thanked Running Fit and spoke about Addicted to Movies...Not Drugs as being a fun event and how much this supports the community.

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT: None

CONSENT AGENDA REMOVALS AND APPROVALS:

Mayor Pro Tem Staudt requested that Item H regarding Villa Barr be removed from the Consent Agenda.

CM 18-01-008 Moved by Casey, seconded by Staudt; CARRIED UNANIMOUSLY

To approve the Consent Agenda as amended with the removal of Item H for further discussion.

- A. Approve Minutes of:
 - 1. January 8, 2018 – Regular meeting
 - 2. January 13, 2018 – Special meeting

- B. Approval to adopt Ordinance 18-190, an Ordinance to amend the City of Novi Code of Ordinances, at Chapter 31, "Streets, Sidewalks, and Other Public Places," to add Article VI, "Public Cemeteries," Sections 31-86 through 31-89 in

order to establish General Regulations for City-Owned Cemeteries, to adopt a related Resolution approving the administrative rules prepared by the City Clerk and entitled "City-owned Cemetery Rules and Regulations," to become effective on the effective date of the ordinance. **SECOND READING**

- C. Approval to award a contract for the administration of the 2017 Program Year for the Community Development Block Grant (CDBG) Minor Home Repair Program to Oakland Livingston Human Service Agency (OLHSA) in the amount of \$16,925.20.
- D. Acceptance of Open Space Preservation Easement from Pulte Homes of Michigan, LLC to protect the woodlands, woodland replacement trees, wetlands, landscaped open space and parks as part of the Beacon Hill Meadows project site, JSP 15-08, located at the northeast corner of 12 Mile and Meadowbrook Road in Section 10 of the City.
- E. Acceptance of Wetlands and Woodlands Conservation Easement from Hino Motors Sales USA, to protect the woodlands, woodland replacement trees and remaining wetlands as part of the Hino Motors project site, JSP 17-02, located at the southwest corner of Twelve Mile Road and Taft Road in Section 16 of the City.
- F. Acceptance of Woodland Conservation Easement from Manchester 13 Mile Road, LLC, to protect the woodland replacement trees and remaining woodlands as part of the Manchester project site, JSP 15-52, located at the south side of Thirteen Mile road and east of Novi Road in Section 11 of the City.
- G. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Manchester 13 Mile Road, LLC, for the Manchester project located east of Novi Road, south of Thirteen Mile Road (parcel 50-22-11-200-019).
- H. Approval of Resolution authorizing transfer of archives from the Estate of David Barr to the Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University with the final form of a Deed of Gift to be reviewed and approved by the City Manager and City Attorney. **POSTPONED FOR DISCUSSION**
- I. Approval of a Quit Claim Deed for a parcel located on the west side of Haggerty Road, south of Thirteen Mile Road to dedicate the 60-foot master planned right-of-way along Haggerty Road to the Road Commission for Oakland County (parcel 50-22-12-200-055).
- J. Acceptance of two warranty deeds from Bolingbrooke Singh, LLC, for the dedication of a 43-foot master planned right-of-way along the north side of Twelve ½ Mile Road and a 60-foot master planned right-of-way along the west side of Old Novi Road as part of the Bolingbrooke site condominium development (combined parcels 50-22-10-280-004, 005, and 008).

- K. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Bolingbrooke Singh, LLC, for the Bolingbrooke site condominium development located west of Old Novi Road, north of Twelve ½ Mile Road (combined parcels 50-22-10-280-004, 005, and 008).
- L. Acceptance of a sidewalk easement from Bolingbrooke Singh, LLC, as part of the Bolingbrooke site condominium development located west of Old Novi Road and Novi Road, north of Twelve ½ Mile Road (parcel 50-22-10-280-008).
- M. Approval to apply for a 2017 Assistance to Firefighters Grant (AFG) to replace the Novi Fire Department's Self-Contained Breathing Apparatus (SCBA) equipment and accessories with a total potential 10% match of \$24,900 by the City of Novi.
- N. Approval of Claims and Accounts – Warrant No. 1004

Roll call vote on CM 18-01-008 **Yeas: Breen, Casey, Markham, Mutch, Wrobel, Gatt, Staudt**
Nays: None

MATTERS FOR COUNCIL ACTION

- 1. Approval to award a unit price contract and amend the budget for forestry services to CutMyTreeDown.com, for a one-year term with three one-year renewal options, for an estimated annual price of \$208,130.

CM18-01-009 **Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY**

To approve to award a unit price contract and amend the budget for forestry services to CutMyTreeDown.com, for a one-year term with three one-year renewal options, for an estimated annual price of \$208,130.

Roll call vote on CM 18-01-009 **Yeas: Casey, Markham, Mutch, Wrobel, Gatt, Staudt, Breen**
Nays: None

- 2. Approval of resolution to authorize Budget Amendment #2018-2.

CM 18-01-010 **Moved by Staudt, seconded by Breen; CARRIED UNANIMOUSLY**

To approve the resolution to authorize Budget Amendment #2018-2.

Roll call vote on CM 18-01-010 **Yeas: Markham, Mutch, Wrobel, Gatt, Staudt, Breen, Casey**
Nays: None

AUDIENCE COMMENT: None

MAYOR AND COUNCIL ISSUES:

Member Casey thanked all of her colleagues and staff on their goal setting session on January 13th. She said several of them had mentioned the idea of being more proactive in working on and managing the long-term goals that they set. She wanted to open up the conversation with her colleagues on how they would like to move forward in terms of managing long-term goals. Every quarter they get a report on the short-term goals. She recommended she would like to see some measure and/ or tracking on their long-term goals. Long-term goals are usually three to seven years out, but we want to make sure they are taking the steps to get those long-term goals in motion. She proposed from a long-term goal setting process that staff would take a look at what it would take to execute that goal at the highest possible level then set some target dates to take action. She would like to hold Council responsible towards the goals that they set and make sure they are seeing forward momentum. She was interested in hearing what her colleagues have to say on the topic.

Mayor Gatt agreed with Member Casey. He said a few Council Members mentioned to him that they were wondering where we were as far as last year's goals. He suggested that City Administration provide a quarterly report for each short-term and each long-term goal that Council agreed to at our session on January 13th. He would like a packet that informs Council where they are on each goal. If a Council Member has a concern with what is reported then we can bring that up at the next meeting.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

- H. Approval of Resolution authorizing transfer of archives from the Estate of David Barr to the Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University with the final form of a Deed of Gift to be reviewed and approved by the City Manager and City Attorney.

Mayor Pro Tem Staudt removed Item H from the Consent Agenda regarding the transfer of archives from the Estate of David Barr to the Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University. He said he wanted to better understand the Agreement that they received. He said it was regarding the artifacts of David Barr that we, the City, received as a result of a deal with the Smithsonian that fell through. He asked Parks, Recreation and Cultural Services Director, Jeff Muck to come down for a few questions. His first question was through the Mayor to City Attorney Schultz. He wondered if the Agreement was deeding ownership of the artifacts to Wayne State. City Attorney Schultz answered, yes. Member Pro Tem Staudt asked if we have been through any of the archives at all at this point. Director Muck responded to the question and replied that staff has been through the boxes and they have looked at the archives. He mentioned there were a lot of slides, pictures, and hand written notes

from David Barr. Mayor Pro Tem Staudt was concerned about the art that the City has retained. He wondered if we could put language in the Agreement that stated that the City could retain an archive that may have something to do with the history of a piece of art that the City has retained. He felt it was important to have the archive back into the David Barr property or at the Library. We don't know, but 30 years from now David Barr's art could be worth a lot of money. If we turn away those diagrams, drawings, or notes, we are marginalizing what we retained. City Attorney Schultz said Director Muck has been responsible for actually talking to with the folks at Wayne State; he got the impression from the emails and the document that there would be some negotiation that can go on. As for the specifics of whether they would let us take title back, we could talk to them. He felt the Agreement was subject to some discussion. Mayor Pro Tem Staudt said one of the options is that we don't give them final entitlement so that we can get everything accounted for. Once we have a final review of everything, then we give them final title. He was concerned about this and didn't want this to pass through without any discussion. He wondered if there was any urgency to this. Director Muck said he raised some legitimate concerns. He said he spoke with Wayne State and they have indicated that these are the types of conversations they have had with other entities that have donated similar items. If we go forward with this, they will have all of the archives and they will inventory all of them for us. They will make copies of those and we would have access to the copies at any time that we want. For example, he mentioned photos. They will provide high definition resolution copies of those photos and provide copies of those to us. We could use those in our marketing, brochures, and publications which would be more valuable to us than the original photo which may be small and not in good quality. We have spoken to Wayne State, this is a Draft Agreement, and we could add in verbiage that if the City wanted a set number of items to be loaned back to us for a historical display, they would be amenable to that, they do it all the time. He wanted clarification if Mayor Pro Tem Staudt wanted the originals or would the recorded documents be sufficient. Mayor Pro Tem Staudt said we are in a different situation than most donors. Most donors are private individuals who are getting a monetary value for that donation. We are a public entity that has acquired this through public funds that we have spent on purchasing the land, building and art. We are in a different position. He wondered if it is ok to say "loan back to us" something we used public funds to purchase. He said tax payers of Novi own this and we are deeding this to another public entity. He said we should be more cautious. He felt this should be postponed until we can have more discussion on this item.

Mayor Gatt asked City Attorney Schultz if they needed to make a motion on this. Mr. Schultz said it would help to make a motion to postpone the item until further discussion.

CM 18-01-011 Moved by Staudt, seconded by Casey; CARRIED UNANIMOUSLY

To postpone Item H regarding the Resolution authorizing transfer of archives from the Estate of David Barr to the Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University with the final form of a Deed of Gift until further discussion.

Member Markham agreed with her colleague and said she thought the historical archives could be useful. She was concerned about proper storage and archival treatment. If we take this on, we really need to know what we are doing.

Member Wrobel noted that this didn't sit well with him. He wondered if there was a third party that could tell us if the items could be valuable to guide us. He thought we need to know for ourselves what may be valuable or not. Director Muck clarified the history of the documents. He said the documents were owned by the David Barr Estate. They were not owned by the City. The David Barr Estate had every intention of having the Smithsonian take these documents and catalog them which fell through with a turnover at the Smithsonian. It was most likely a funding issues and the Smithsonian turned them down. The David Barr Estate intent was that they wanted to see these in an educational setting so that the public could have access to them. When the Smithsonian deal fell apart, they said they didn't have anywhere else to take them. They asked the City to take the archives and find the best place for them. Staff took that to the Friends of the Villa Barr Group which includes members of the Parks Foundation, Dennon Museum, and The Michigan Legacy Art Park. That is when the discussion started regarding the best place for properly storing the archives. They knew the intent of the David Barr Estate, and knowing the City does not have the storage capacity is when Wayne State stepped in. Their professor has been in touch with the City and has put together this proposal. They are very committed to following the proper archival process to store the materials in a safe and controlled situation. They are very tied to David Barr's legacy, he was an alumnus there. These were given to the City from the David Barr Estate; the City did not pay for them. The Friends of the Villa Barr Group thought they would bring this proposal forward to Council to see if Council agreed this was the best place for them to go.

Member Mutch echoed what Member Markham said earlier. We have to remember that if our intent is to hold certain pieces that we would have somewhere to store them and make them accessible to the public. He mentioned that anything that goes to the Walter P. Reuther Library is available and Director Muck noted we could add language to the Agreement that clarifies the ability of the City to have pieces come back to the City on loan. He supported the motion to give us time to clarify that.

Mayor Gatt said he would like the City Administration to take this information and have a serious discussions with our World Class Library. He couldn't think of a better place than that. It would be accessible to all the Novi residents.

Roll call vote on CM 18-01-011

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

Nays: None

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

Dawn Spaulding, Acting City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: February 5, 2018