REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI MONDAY, MAY 17, 2010 AT 7:00 P.M. COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 W. TEN MILE ROAD

Mayor Landry called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mayor Landry, Mayor Pro Tem Gatt, Council Members Crawford, Fischer.

Margolis, Mutch*, Staudt

ALSO PRESENT: Clay Pearson, City Manager Tom Schultz, City Attorney

Barbara McBeth, Director of Community Development

APPROVAL OF AGENDA

CM-10-05-071

Moved by Gatt, seconded by Margolis: CARRIED UNANIMOUSLY:

To approve the agenda as presented.

Roll call vote on CM-10-05-071

Yeas: Gatt, Crawford, Fischer, Margolis, Staudt,

Landry

Navs: None Absent: Mutch

*Member Mutch arrived at 7:01 P.M.

PUBLIC HEARING

PRESENTATIONS

1. Proclamation in recognition of National Public Works Week, May 16-22, 2010

Mayor Landry presented a proclamation to Rob Hayes, Director of Public Services, proclaiming May 16-22, 2010 as National Public Works Week. Mr. Hayes thanked Mayor Landry and accepted the proclamation on behalf of the 46 workers assigned to his department.

2. Recognition of Novi Middle School art students for painting snow plows featuring the theme of "Environmental Sustainability" for National Public Work Week

Mayor Landry asked Nancy Jardine to join him at the podium. He called the names of all the art students and invited them to stand with Ms. Jardine while he read the certificates that Ms. Jardine would give to the students. Ms. Jardine said the students really enjoyed this and it was a good learning experience. Also, it was a nice contribution for them to give something to the City and raise the awareness of new products and things the Department of Public Services was using to save and enhance the environment for their generation and future generations.

Mayor Landry asked Barb McBeth to join him at the podium with respect to the City of Novi being the recipient of the Oak Green Award. Ms. McBeth said, in keeping with the sustainability theme, she wanted to present Mayor Landry with an award brought back from Oakland County. She said it was the Oakland County Green Community Excellence Award granted to the City of Novi last week at a conference held at Oakland County. She said

throughout the County communities were asked to nominate their own communities for this award and some of the staff people nominated Novi. The reasons Novi was nominated were the City Council's own efforts and stated goals to allow and encourage green building and development and to be a community that valued natural resources. Novi was also nominated for its the long held Master Plan for Land Use goals for sustainability, ordinance modifications such as the Engineering Design Manual, Zoning Ordinance Amendments, Woodland and Wetland Protection Ordinances, Walkabie Novi Committee, staff teams established by the City Manager's Office around the concept of sustainability strategies, grant funding for energy efficiency, Go Green Novi web page and the Novi Public Library sustainability measures. Mayor Landry asked that Ms. McBeth to be sure the award was proudly displayed in an appropriate place in City Hall.

REPORTS

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

AUDIENCE COMMENT

Tom Harvey, 1603 West Lake Drive, was present and stated he and those in his community were in favor of including the back lots in January 2009 when the Council voted in favor of forming the Walled Lake Improvement Board. He thought the recorded minutes of that night reflected the fact that the Council recognized the importance of including back lot homeowners in the Walled Lake Improvement Board. In February of 2010 an assessment roll was created, which didn't contain a single back lot homeowner. There was a public hearing regarding the assessment roll in March by the Walled Lake Improvement Board and the overwhelming message that evening was that the community around the lake wanted the back lot homeowners included. The Walled Lake Improvement Board heard those comments and redirected the Assessor to create a new roll including back lot homeowners and it was completed in the beginning of May. He said in the process of creating that roll, the cost per unit of value of benefit had essentially remained the same within a few dollars. However, the difference was, although the back lot owners had been brought in to offset the cost of the project, the Novi Council, within their rights, removed \$15,000 from their contribution since many of the properties considered to be unidentifiable or unassessable had now been addressed in the latest assessment roll. He asked with a financial difference being essentially zero what was the purpose. In fact, in their community they had people around the lake in the City of Walled Lake and people in Novi but they were all members of a separate community that lived around and shared Walled Lake. He said within his own neighborhood some of them lived on the lake and some lived off the lake but they all shared the lake and were responsible for it. For example, the latest assessment roll, including the back lots, included over 60% more properties than originally identified in the assessment roll in February. He said it had been their goal all along that they wanted that representation and that 60% increase in properties were people that were part of their greater community around the lake. Mr. Harvey said there was discussion at the last Council meeting regarding deeds and titles and the complexity of dealing with those things. He pointed out that the Michigan Statutes, which gave the Lake Board the Authority to make its decisions, didn't mention deeds and titles. In fact, for the purpose of an assessment district, "shall establish a special assessment district including

within the special assessment district all parcels of land and local units, which will be benefitted by the improvement of the lake". He said there was no mention of deeds or titles, only parcels of land that would be benefitted. He noted within the statute there was also a definition of benefit, which meant "an advantage resulting from a project to public corporation, the inhabitants of public corporation, inhabitants of this State and the property within public corporations". Mr. Harvey said the Statute was purposely constructed by the legislature excluding language regarding titles and deeds. He believed it was within the Walled Lake Improvement Board's authority to identify all those who have a benefit from the project. He said there were people in back lots who took advantage of access to the lake and those he represented were very pleased with the latest assessment roll. Mr. Harvey said the only thing he would ask of Council was that officially, through a motion, or unofficially through Council's own conversations with Brian Coburn, the City of Novi's representative on the Lake Board, he asked that they encourage Mr. Coburn to support the interests of the citizens of Novi by voting in favor of a Lake Board Assessment Roll, which included back lot homeowners.

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-M)

CM-10-05-072 Moved by Margolis, seconded by Fischer; CARRIED UNANIMOUSLY: To approve the Consent Agenda as presented.

Roll call vote on CM-10-05-072 Yeas: Crawford, Fischer, Margolis, Mutch, Staudt,

Landry, Gatt

Nays: None

A. Approve Minutes of:

1. May 3, 2010 - Regular meeting

- B. Enter Executive Session immediately following the regular meeting of May 17, 2010 in the Council Annex for the purpose of discussing pending litigation, labor negotiations and privileged correspondence from legal counsel.
- C. Approval to award a contract extension for the City's telephone system maintenance and services (based on hourly rate) to SunTel Services for two (2) years in the amount of \$18,994.
- D. Transfer Ownership of 2009 Class C Licensed Business, located at 43455 W Oaks, Novi, MI 48377, Oakland County, from Carrabba's/Metro, Limited Partnership to Carrabba's Italian Grill, LLC (A Florida Limited Liability Company (Step 2).
- E. Approval to award purchase agreement for mail system solution to Neopost/Hasler in the amount of \$9,710.
- F. Approval to apply for Assistance to Firefighters Grant for a turnout gear washer and dryer extractor.
- G. Approval of one-year contract extension (to June 30, 2011) with Suburban Area Management Novi LLC for the management agreement for Novi Ice Arena.

- H. Approval of Resolution establishing Receiving Boards for all future elections in Novi.
- I. Approval of an intergovernmental agreement with the City of Farmington Hills to provide construction inspection services and construction staking for the 2010 Pathway Gap project in the estimated amount of \$7,200.
- J. Approval of Traffic Control Orders 10-01 through 10-15 to establish traffic control at various intersections within Dunbarton Pines subdivision.
- K. Approval of form of deed for dedication of right-of-way of city owned property within The Landings site to provide 60-foot wide dedicated rights-of-way for portions of South Lake Drive and East Lake Drive.
- L. Adoption of a Resolution Authorizing Distribution of Proposed City of Novi Master Plan for Land Use Amendments for distribution to neighboring communities, Oakland County, railroads and public utilities for review and comment.
- M. Approval of Claims and Accounts Warrant No. 819

MATTERS FOR COUNCIL ACTION - Part I

1. Adoption of 2010 Millage Rates and 2010-11 Budget Resolution.

Mr. Pearson said this represented the final chapter in adopting the 2010-11 Budget. He said the document before Council represented a fair and balanced work plan in terms of getting the essentials done. It was also very cognizant of the financial constraints the City was living within and looked to the future in terms of positioning them to be able to juggle competing needs and resources. He said he recommended what was before Council and the only tweak would be the resolution, as there was a preamble chapter that suggested it might be incorporated and recognized one of the actions Council took to have them make some further reductions during 2011, which would set them up for future budget years.

Mayor Landry said what was presently before Council was the budget document as they last discussed it without the option of adding something to the resolution. So, if it was what they wished, a motion to amend the budget would be needed. Secondly, what was before Council with respect to the senior cab van program that was initially presented to Council, not the alternative or anything else, if there were any changes that must be recommended also. Mr. Pearson suggested that if they were to adopt that, that Council make a motion and then before the final resolution was put before the Clerk, they would incorporate that. He said they could handle the dollar amounts with that.

Mayor Pro Tem Gatt asked Mr. Pearson to explain the alternate proposal the City had come up with regarding the senior van program. Mr. Pearson said the City had operated both a subsidized taxi service and a van service. He said people had to call in for van service and schedule their ride. The taxi service, available 24/7, was \$9 a ride within the City and the City had been subsidizing that for \$5 and the rider paid \$4. He said looking at the operations and what they were trying to balance out and the number of users, they originally suggested that the subsidized taxi service be eliminated and go with an expanded van service. Mr. Pearson said the alternative proposal would be instead of eliminating the subsidized taxi service

completely, they could offer it only during the times there was no van service. He said there would be transportation provided 24/7 and would be either the taxi service or the van service. He suggested that as part of balancing this out the riders pay \$5 and the City pay \$4. Mayor Pro Tem Gatt asked what the van hours were now and Mr. Pearson responded they were Monday through Saturday from 8 A.M. to 4:30 P.M. Mayor Pro Tem Gatt said then the cab would be available anytime except Monday through Saturday from 8 A.M. to 4:30 P.M. Mr. Pearson said the taxi service would still be available during the day too but it would be without the subsidy. Mayor Pro Tem Gatt said everybody had been inundated with e-mails and letters and Council listened because the people who wrote to them were right. He said they did it as a cost saving measure and went a little too far.

CM-10-05-073

Moved by Gatt, seconded by Fischer; CARRIED UNANIMOUSLY: To add to the budget process that they vote on the alternate proposal for transportation as outlined in the packet and as the City Manager described.

Roll call vote on CM 10-05-073 Yeas: Fischer, Margolis, Mutch, Staudt, Landry,

Gatt, Crawford

Nays: None

Member Mutch said he had requested the addition of the language in the budget resolution specifically to put in place the dollar amount of \$1.1 million that the Council was looking to secure by January 15th. He said that was a reflection of the motion that the Council passed at their budget meeting but they didn't reference the specific dollar amount. He said the budget that was adopted already incorporated a set number of savings that totaled around \$400,000 through reductions in positions. He said to achieve the additional \$1.1 million would require additional reductions in positions, changes in contract language with employees groups or some combination thereof. He thought this language made it clear to the residents and taxpayers where they were going with the budget and that the budget numbers being adopted tonight, while meeting the requirements of being balanced, didn't fully reflect what they would accomplish in the next six to nine months. He said they would continue to seek additional cost reductions, savings and alternative revenues for the City to get to a point where they could move forward in the next year knowing that they would be meeting the challenges facing them.

CM-10-05-074

Moved by Mutch, seconded by Margolis; CARRIED UNANIMOUSLY: To adopt the amended resolution as presented with the language included that recognized the specific dollar amount of \$1.1 million, which would require additional reductions in positions, changes in contract language with employee groups or some combination thereof.

Roll call vote on CM-10-05-074 Yeas: Margolis, Mutch, Staudt, Landry, Gatt,

Crawford, Fischer

Nays: None

CM-10-05-075

Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY: To adopt the 2010 Millage Rates and the 2010-11 Budget Resolution with the two amendments approved by the Council.

Roll call vote on CM-10-05-075 Yeas: Mutch, Staudt, Landry, Gatt, Crawford,

Fischer, Margolis

Nays: None

2. Consideration of Zoning Ordinance Text Amendment 18.241, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance, at Article 3, Residential Acreage District and at Article 25, General Provisions, Section 2503, Accessory Uses in order to provide standards for the construction, use, installation and operation of outdoor furnaces. First Reading

Member Mutch said in the memo provided to Council, it was indicated that there had been some inquiries from residents about installing these kinds of furnaces on their properties. He asked how many requests there were and whether there were any of these already existing in the City. Ms. McBeth said the ordinance was brought about because of a few requests that they had, but she was not aware of any that had been installed in the City. She said they became aware of these furnaces, with some level of concern, from what some of the neighboring communities were experiencing. So, they thought it would be best to have an ordinance in place to address them as they came in. Member Mutch asked Mr. Schultz what his position was on whether these would be permitted or allowed within the zoning districts. Mr. Schultz said they had not been asked about that and he had not looked into it vet. However, he thought there must have been a permit process that they would have to go through, but he didn't think Novi had seen any permit applications. He thought that at the very least, if the use was not discussed in order to connect that to the home, he would expect there would be a code type review, but in terms of use, he suspected that if it was silent, it would be potentially permitted. Member Mutch said the only comment he had on the ordinance and the way it had been written, assuming the Council would want to allow this kind of use in the City. it was probably less than 20 properties that he would consider residential properties. He said there were other properties but they looked like development size properties that would become subdivisions or some other kind of development when the economy turned around. He said it became a question of whether they were writing an ordinance to address an actual need, assuming Council would want it and it would be implemented, because based on how it was currently written, he would see very few locations in the City where it could actually be applied. Mr. Schultz said, to follow up the first question, they could argue that by not being addressed it was a permitted use and the main affect of the ordinance would be to prohibit it anywhere but on those roughly 20 parcels. He said if nothing else, it would clarify what was required in the ordinance and the policy would then be RA only and no where else. He thought at the very least that would be done. Member Mutch said the way he saw the question was it wasn't going to be specific standards in terms of size, but whether Council wanted this or not. He thought if they didn't want it, they shouldn't write an ordinance that essentially outlawed it without stating so. He said they should just say they didn't want this use in the City and go from there.

Member Margolis said there was information that seemed to make a pretty strong case that there were only certain kinds of materials that should be burned in them and if non-permitted materials were burned, that was when there were huge issues. She said it would cause pollutants and smoke, which would be an issue. She said they were saying in the ordinance that those kinds of other materials could not be used but how would they regulate and enforce something like that. Mr. Schultz said if they were going to be permitted anywhere, they would

need regulations that went along with the use. He said from a police power standpoint, the limitation on what could be burned was pretty typical. He said in the fire code, outdoor fires were permitted on some occasions and in some locations but it did talk about what could be burned. Mr. Schultz said it was a code enforcement question and would probably be enforced on a complaint basis but the standard seemed fairly clear on what could and could not be done. Member Margolis said she would be interested in something from the Administration in terms of the logistics in dealing with that before the second reading.

Member Crawford said when reading through the material, she thought it was a creative way to save energy and, environmentally, wasn't this what everyone was trying to do. She said if this was something they could have an ordinance on, especially when our neighbors were already experiencing these coming in, typically what happened if Council was not prepared for these kinds of requests, then they ended up doing something in a hurry that really wasn't exactly what they intended. Member Crawford preferred they look into it now and write an ordinance that they could all agree on.

CM-10-05-076

Moved by Crawford, seconded by Gatt; CARRIED UNANIMOUSLY: To approve Zoning Ordinance Text Amendment 18.241, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance, at Article 3, Residential Acreage District and at Article 25, General Provisions, Section 2503, Accessory Uses in order to provide standards for the construction, use, installation and operation of outdoor furnaces. First Reading

Roll call vote on CM-10-05-076

Yeas: Staudt, Landry, Gatt, Crawford, Fischer,

Margolis, Mutch

Nays: None

3. Approval to award bid for towing contract to Hadley's Towing and Keford Towing for one year with the option of two renewals, in one-year increments, based on acceptance of City terms and conditions to function on a rotating basis with an effective date of July 1, 2010.

Mr. Pearson said the RFP was tweaked after discussion last year. He said they amended some of the requirements and there were three proposals. He suggested that they go with two companies. He said it kept them from having just a sole source for a service that could be rotated back and forth and was recommending the two that were before Council.

CM-10-05-076

Moved by Margolis, seconded by Mutch; CARRIED UNANIMOUSLY: To approve to award bid for towing contract to Hadley's Towing and Keford Towing for one year with the option of two renewals, in one-year increments, based on acceptance of City terms and conditions to function on a rotating basis with an effective date of July 1, 2010 and that both firms supply a list of drivers and that the Police Department would do a LIEN check to see that they were properly licensed.

DISCUSSION

Mayor Pro Tem Gatt asked if both of the firms were fully in compliance with the laws that go along with this as far as licensing, etc. Mr. Pearson said they had met the equipment and bid specifications that the City put out or would by the time that this went into affect. Mayor Pro Tem Gatt asked if a process was in place to check these drivers, their license and their qualifications to operate these vehicles. Mr. Pearson said he didn't know if they had taken on. as part of the bid specifications, to check the drivers insurance and licenses. Mr. Pearson said he didn't know if there were any implications for them certifying their drivers after the fact. Mayor Pro Tem Gatt asked for a friendly amendment to the motion that the City ensure that operators of the tow vehicles be properly licensed to operate such a vehicle. Member Margolis asked if he was suggesting clarification regarding this, and agreed there was a concern. Mr. Pearson said it was a fair question since it was a new contract and said he would be concerned that the City would be responsible for ongoing certification. He said when they awarded other contracts they provided the service and were responsible for making sure it was all done with licensed drivers, whether it was a tree truck or anything else. Member Margolis clarified that the friendly amendment was to check out drivers. Mayor Pro Tem Gatt said it was that both firms would supply a list of drivers and that the Police Department would do a LIEN check to see that they were properly licensed. Mr. Pearson said drivers come and go and asked if they would be responsible for new drivers three months down the road. Mayor Pro Tem Gatt thought they should be prudent and give their best efforts to make sure drivers were licensed properly. Mr. Pearson said they could add that as a contract term and make that work. The maker and the seconder of the motion agreed to the amendment.

Mayor Landry asked a member of Hadley Towing to come to the podium and said he was looking at a list of equipment and asked which one could be used to tow a tractor trailer or gasoline hauler, if it broke down in the City of Novi. Mr. Hadley of Hadley Towing said there were two 2010 Kenworth vehicles on the list. Mayor Landry asked if he was talking about the 50 ton heavy duty, and he said yes. Mayor Landry asked if he owned the truck and he responded he leased it. Mayor Landry asked if the title was in the name of Hadley, and he replied they had a lease agreement on the truck. Mayor Landry said he wanted to be sure that Hadley was leasing the truck and it wasn't a subcontractor he was going to call in. Mr. Hadley said he leased and insured the truck. Mayor Landry asked if he had employees with CDL driver licenses and he said they did and they were the employees that would drive the trucks.

Member Fischer asked if there had been discussion or issues in the past about subcontractors. Mr. Pearson said there was a concern that a contract was issued to provide a service and the firm they had last year subcontracted someone else to provide the service. He said they awarded the contract to X and Y was doing the majority of the work. However, a lot of people and different contractors used subcontractors but this was different because they were subcontracting for the bulk of the work the City was requesting. Mr. Pearson said they had tweaked it to say the City expected the bulk of the work would be done by the firm contracted. Mr. Fischer asked what the City perceived as the advantage of having two different contractors on this. Mr. Pearson responded part of it was natural competition; if they knew someone else was out there they would be less inclined to let service slip. He said they had rotated them back and forth and if something went wrong with one of the firms, there would be an immediate backup.

Member Crawford commented that unfortunately she had to use the towing service twice this year and was happy to report that Keford Collision showed up in about ten minutes. She said they had been in Novi for about 30 years and she was appreciative that they continued to provide a very high level of service.

Mayor Pro Tem Gatt said he knew both gentlemen from Keford Collision and had the pleasure of doing business with them for 30 years and they had done a great job.

Roll call vote on CM-10-05-076

Yeas: Landry, Gatt, Crawford, Fischer, Margolis,

Mutch, Staudt

Nays: None

4. Approval to award a construction contract for the 2010 Pathway Gap project to C & L Enterprizes, Inc., the low bidder, in the amount of \$110,242.

Mr. Pearson said this was a nice improvement and they were filling some gaps in the sidewalk system in a couple locations around town and were completing sidewalks that had been promised next to a school to move children safely back and forth. He said accompanying this on the Consent Agenda was an intergovernmental agreement to get this done. He said the City of Farmington Hills was completing some of the inspection work and they were taking in house some of the construction administration to save money instead of hiring outside.

CM-10-05-077

Moved by Fischer, seconded by Margolis; CARRIED UNANIMOUSLY: To approve award of a construction contract for the 2010 Pathway Gap project to C & L Enterprizes, Inc., the low bidder, in the amount of \$110,242.

Roll call vote on CM-10-05-077

Yeas: Gatt, Crawford, Fischer, Margolis, Mutch,

Staudt, Landry

Nays: None

5. Approval to terminate lawn and landscape maintenance contract with Green Meadows Lawnscape, Inc. and award the unit price contract to the second lowest responsive bidder, Brien's Services Inc. for an estimated annual amount of \$163,876.

CM-10-05-078

Moved by Margolis, seconded by Fischer; CARRIED UNANIMOUSLY: To approve termination of lawn and landscape maintenance contract with Green Meadows Lawnscape, Inc. and award the unit price contract to the second lowest responsive bidder, Brien's Services Inc. for an estimated annual amount of \$163,876.

Roll call vote on CM-10-05-078

Yeas: Crawford, Fischer, Margolis, Mutch, Staudt,

Landry, Gatt

Nays: None

AUDIENCE COMMENT

Les Tawse, owner of Wixom Towing, said he had also submitted a bid. Mr. Tawse said he wanted to straighten something out and that was they said in the recommendation letter that Mr. Tawse said he was going to staff his yard 80% of the time. He said he never said that and that he said that if the person that was staffing the yard was to leave, he could have someone there in five to ten minutes. He said the yard was going to be staffed and he thought that hurt him a little. Secondly, he truly believed that his batting record with the City hurt him. He said he had been in business since 1975 and used to tow for the City of Novi until about 1995 and was not removed because of bad service but because he was out bid. He said he owned all his equipment and the only thing he was going to lease was the storage yard in Novi. He said he had a couple of other irons in the fire but couldn't submit them by the time the bid was due. He said he did secure a yard and had other storage things happening but they just didn't happen fast enough. Mr. Tawse said, for the record, he felt that the information was bad as far as his recommendation. He said he had been in business for 35 years and bids on the contract every time it came up. First it was the lowest bid, then it was being in the City and he understood that, then it went to qualifications and he felt he was probably the highest qualified of all the ones that bid. He said he still didn't receive anything even though it was a rotation. Mr. Tawse said he didn't know what happened last year and this year; it was basically qualifications and having a storage yard in Novi, which he had.

MATTERS FOR COUNCIL ACTION - Part II

6. Adopt Change in MERS Defined Benefit Pension benefits for the POAM Division 2 (a) benefit improvement from F25/50 to F25 (25 years of service with no age limitation) through City contribution and (b) benefit improvement B-4 (2.5% multiplier) to the non-standard benefit 2.8% multiplier through 1% of payroll contribution by the City and the remainder through employee contribution, pursuant to the contract. Temporary increase in employee payroll contribution of based on the preliminary actuarial valuation of 5.41% for a total of 9.58%.

CM-10-05-079

Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY: To adopt Change in MERS Defined Benefit Pension benefits for the POAM Division 2 (a) benefit improvement from F25/50 to F25 (25 years of service with no age limitation) through City contribution and (b) benefit improvement B-4 (2.5% multiplier) to the non-standard benefit 2.8% multiplier through 1% of payroll contribution by the City and the remainder through employee contribution, pursuant to the contract. Temporary increase in employee payroll contribution of based on the preliminary actuarial valuation of 5.41% for a total of 9.58%.

DISCUSSION

Member Mutch said he was sure that any resident who saw this proposal coming forward without all the background information would think they were all insane to be approving this kind of pension benefit increase in this time. He said unfortunately, for this Council, a decision was made in 2004 during a much different time economically, an agreement was made that took affect now. He said this Council's action was affirming a contract agreement made a number of years ago that would increase these pension benefits to these employees. He said

he knew looking at the numbers provided to them that the cost of the increase was close to the cost of keeping someone on board. He thought that was unfortunate and it showed how benefit costs could really impact the City budget. He said the employees that remained would benefit and contribute as well, but it meant that as these costs increased they had to look elsewhere to make up the difference. He said the challenge that they would face in the future to balance the budgets would be driven in part by the benefit packages and until they could get them in alignment with what they could afford they would have to continue to look elsewhere to make up the difference.

Member Fischer asked what they were amending by this motion because from what he understood the contract language was the contract language, so they weren't amending the contract. He asked what the ramification would be, if they voted no. Mr. Pearson said they would be in breach of the labor contract that they agreed to. He said the only reason this was before Council was because of the actuaries, as they had not been completed to provide the firm numbers that they would automatically include. Mr. Pearson said because they didn't have that actuary, they were providing this as an interim step by percentages to start withholding from the employees as part of their participation. So, they wanted to be prudent and have a piece of paper that recognized that so it was very clear on why it was being withheld. He said this was a fair way to hold that until they had a final actuary and that would be self executing once they had it.

Member Fischer echoed the comments of Member Mutch because when he first saw a benefit improvement he was quite concerned as to where the Administration was going. He said he appreciated the clarification on that. Mr. Fischer said, as far as other contracts they had, were there any others that had surprises for them in out years, such as this one. Mr. Pearson said there were-no more surprises. He said everyone had known this was coming, the City's share was included the budget and it was something that had been agreed to. Member Fischer said as they continued to have these discussions and look at contracts they needed to make sure that as- a Council and as an Administration that something like this was never put into a contract because it was unfortunate to lay these eggs for future Councils. He said he knew everyone agreed with that comment, but it was truly was unfair and he said it was important for them to continue to keep their eye on the ball.

Roll call vote on CM-10-05-079 Yeas: Fischer, Margolis, Mutch, Staudt,

Landry, Gatt, Crawford

Nays: None

7. Appointments to Youth Boards & Commissions

City Clerk Cornelius announced that:

Maya Malakiel was appointed to the Beautification Commission and Megan Parikh was appointed to the Historical Commission

COMMITTEE REPORTS

Member Staudt noted that the Walkable Novi Committee had met and heard a presentation on the current MDOT non-motorized pathways and they were doing a

phenomenal study. He assumed that the full study would be very comprehensive and complete. He thought this was a good foundation to move forward with a non-motorized master plan. He also noted AT&T moved a post in Village Oaks at their own cost and he appreciated their cooperation.

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

AUDIENCE COMMENT - None

ADJOURNMENT

There being	no further	business t	to come	before	Council,	the meeting	was	adjourned	af
7:53 P.M.								-	

David Landry, Mayor	Maryanne Cornelius, City Clerk	
Transcribed by Charlene McLean	Date approved: June 7, 2010	