

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, OCTOBER 9, 2017 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Burke, Casey, Markham, Mutch, Wrobel

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

APPROVAL OF AGENDA:

CM 17-10-148 Moved by Burke, seconded by Casey; CARRIED UNANIMOUSLY

To approve the Agenda as presented.

Roll call vote on CM 17-10-148 **Yeas: Staudt, Burke, Casey, Markham, Mutch, Wrobel Gatt**
Nays: None

PUBLIC HEARING: None

PRESENTATIONS:

1. Andy's Bench – Mr. and Mrs. Gary Becker

Mayor Gatt said there was a very special event that took place in September. They honored a young man who gave his life in the service of our country in the U.S. Air Force. He died during a training accident. He was born and raised in Novi; he was a part of our community. He asked Mr. Becker to come down. Mayor Gatt said when you enter the Civic Center, just outside the door there is a crimson king maple tree with a bench called Andy's Bench. He invited everyone to stop by the Civic Center and just sit down on the bench, and contemplate what happened. Soon after September 11th, Andy told his parents he would join the Air Force, become a pilot and defend his country. He said we all owe the Becker family a debt of gratitude. Mayor Gatt said that Mrs. Becker couldn't be here, but they presented flowers for her on behalf of City Council, City Manager Auger and Assistant City Manager Cardenas. Mr. Becker said almost 42 years ago they found out they were going to start a family. They grew up in Northville, but chose Novi to set down roots. A lot has changed in Novi over 42 years. What hasn't changed is that Novi is still a great place for people to start a family and find community. It was special for them. He thanked Mayor, Council and all the departments for continuing the legacy. He thanked Mayor Gatt, who had the idea to establish a permanent memorial. He gave special thanks to the "Andy Memorial Team": Sheryl Walsh-Molloy, Wendy Duvall, Damon Parnell, Joshua Buscher, Nathan Mueller and Abbey Leffler. He said all the details were perfect, it was outstanding. He

told a story about his wife Stacey who had been having a tough emotional time. She came to the Civic Center and sat down on the bench, and it filled her with peace. He said establishing a permanent visible and beautiful memorial in Andy's name will also be special to him. Andy was always proud to say his home was Novi. The Mayor presented Mr. Becker with the challenge coin back. Mayor Gatt said at the ceremony in September, Mr. Becker did something that floored him, nothing touched him like what happened that day. Mr. Becker gave him a challenge coin that Andy gave to his father. He trusted him with this coin, something so beautiful and special that he was speechless. Mayor Gatt said he wanted to present a special box that we had made that stated Major Andrew Becker will be forever woven into the fabric of the Novi community and he returned the challenge coin in the special box back to Mr. Becker where it belonged.

AUDIENCE COMMENT:

Tom Harvey, 1603 West Lake Dr., said he has lived on Walled Lake for 23 years. He has two teenagers who talk about what is going on and they are concerned. He said this started with the bond proposal last August when the expected voter turnout expected to be low. He asked that they change the Charter to say that they will only hold money proposals on November ballots when there is a higher voter turnout. He also thought the wording was vague. In the end, it passed by about 70 votes. Then he started hearing about the \$5 million project at Lakeshore Park. He wants the City to look at the Charter and consider making any identified projects over 2.5 million be included in the description of the proposal. He said they have the right to understand where the money will go. Specific to the building at Lakeshore, he questioned if it was the best spot. He said it would feel like a commercial structure. He felt it could be in the back of the property. He knows they followed a process but he thought the experience was disingenuous.

Ron Johnston, 325 South Lake Rd., said he wanted to discuss the purpose of the project at Lakeshore Park. He said things have not been transparent. Examples of non-transparency was at a LAHA meeting where they were told that there was going to be a website they could submit comments and look at the plans. He said they did a great job at Pavillion Park where people could see the plans. They didn't do that at Lakeshore Park. He asked how they were supposed to provide opinions and come to conclusions when they don't have all the answers. He asked if they would allow a developer to come in and do the same project in the middle of a residential area. He felt 318 cars a day was a low estimate and felt it would be double or triple that amount. He felt something bad will happen and the road isn't designed to handle that. He asked City Council to rethink the plan. Once it's done, they don't have to live with it, but the residents will.

Shelley Thomopolous, 425 S. Lake Dr., thanked City Council for considering citizen comments and proposing the resolution for the Lakeshore Park building uses. She spoke about banquet halls being used to celebrate a significant life event. She gave examples of banquet hall uses, which don't always include food. She referenced the

Charter, which prohibited the use of banquet halls on City property. The voters approved the CIP ballot with language that described as park upgrades. The resolution in the agenda is not compliant with the Charter or with the CIP vote. She gave an example of the language she felt should be in the resolution: "The park building would be used for city, park and recreation activities which are open for and available to the public with no private event reservation or rentals".

Debbie Wertz said she was there on behalf of the Novi Community Coalition, a non-profit organization. She is the Program Director and they are brand new to Novi. She was excited to be there and explained want to help the city become safer, healthier and drug free. They do programming, including stranger danger, naloxone, cyber safety, etc. They will have a welcoming on November 3rd at the Library since they do not have an office space yet. She would like feedback from community on what they need. She said they are not looking for financial support.

Gary Zack, 359 S Lake Dr., said he is against the idea of using park space for a community center. He said residents, including him, have stood in front of City Council, the Planning Commission and the ZBA and have objected to this project. He believed not a single citizen has been in favor of this project. In addition, very few Novi residents are aware of the project and it has not been properly put in front of the citizens to ask questions and provide input. In 1999 the citizens voted overwhelmingly to add Section 15.12 to the City Charter. He said that was to protect public land from inappropriate use, such as golf courses and banquet halls. The people made it clear that they wanted their parkland to remain parkland and not developed to create income. The principal purpose of the banquet facility is not to serve food, that is incidental. The current resolution is in violation and he objects to it. The use of the building for anything other than programming and voting is clearly in violation. Lakeshore Park is not the place.

Tom Svenson, 45686 Balfour Ct., expressed that he was proud to call Novi home since 2001 and raised his family here. He has never come before City Council because they've been doing a great job. He thought it was awesome what they did at Pavilion Park and allowed time for people to understand it. He felt putting a building at Lakeshore Park is not the right thing to do. It's not set up to handle the volume. He is passionate about this topic and asked them to please reconsider.

Maureen Zack, 359 S. Lake Rd., said she is not in the legal profession or a surveyor. She sent Council copies of 2 recorded documents: Liber 431 pages 59 – 60 and Liber 2146, pages 309 -310. One was the Dodge Brother's Warranty Deed to the State of Michigan with express conditions and limitations. First that premises should be maintained as a public park for the free use of the general public. Second that perpetually the premises shall be named Dodge Brothers State Park #2. Third, that no liquor shall ever be sold on said premises and it continues. Liber 2146 talks about the 26 acres. It is expressly understood that the land shall be used solely for public park purposes and shall be named Dodge Brother's Park No. 2. Her fear regarding this overly large building is that

the cost to build and maintain that the city will want to rent it out or raise taxes. This building is planned to be situated near the lake for nice views for a rental facility.

Kelly Noonan, 1019 S. Lake Dr., noted she isn't against the update to the structure, it needs to be updated. However she isn't sure why it is so large. A 9,400 square foot building seemed outrageous to put in a residential area. She is a mom and the bus stop is right on S. Lake Dr. They basically have to stand on the road and it's dangerous. The traffic is a problem. She said putting such a large structure will bring more people and that will increase traffic. She said she is against the large facility. Pavilion Park is beautiful. When they were planning it, everyone knew about Pavilion Park coming, but they didn't know about Lakeshore. She said for those living on that road, this is a major concern for them.

Mike Brewer, 130 Maudlin St. said he lives in the Idlemere Park Subdivision. He thanked the Mayor for the Proclamation he presented the subdivision for their 100th year centennial for their neighborhood. He also commented that he is against the building and thought everyone in his neighborhood was against it. He wants them to think with their hearts since the residents surrounding it don't want it.

Matt Mikolajczak, 21511 Ingram, stated he lives in Carriage Hill Sub which is clear across the city. He said he and his wife have frequented Lakeshore Park over the past 3 years. He wanted to support the residents who don't want the building. He doesn't see the need for it. He didn't like the way it was handled. He was trying to get more information on how the funding was done before a major election with only 18% of the people voting. He tried to get his neighbors out to the meeting; he said nobody knew this was happening. He informed Council that they need to communicate this better.

Deborah Ross, 1911 West Lake Dr., said she doesn't like the new building. She said it will be an eyesore and it doesn't belong in a residential area. Lakeshore is a unique park with trees and nature, coming across the hill is a beautiful area. They will destroy the beauty. It doesn't fit in the integrity of the park and needs to be rethought.

Ryan Adams, 1721 East Lake Dr., said he rides his skateboard and bike around the area every day. People already speed there even though the cops patrol the area. He thought the building will be a bad idea and draw more traffic. He spoke about his history teacher from Walled Lake Western who showed the class a video about the truce of the country and nation. It was about over population and within 20-30 years there will be a large amount of very smart young people that will rise up in this country. He also mentioned the City of Novi not having the bus lines in the City.

John Thomopoulos, 425 S. Lake Dr., said he lives right next to park. He stated he has expressed his feelings to many departments about this building. He is clearly against the building. He wanted to comment on the proposed resolution. There is concern and mistrust about the intent of the building. The key is to put specific examples in there and not keep it vague. It should be clear to anyone what the intent is. If they state that they only support public events, no renting of property for weddings etc. and that the

building is intended for parks usage and voting. That would meet the intent and satisfy resident concerns.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 17-10-149 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY

- A. Approve Minutes of:
 - 1. September 25, 2017 – Regular meeting

- B. Approval of adoption of Ordinance 17-149.13, amending Chapter 3, Alcoholic Liquor, Article 1, In General, Section 3-5, Persons Under Twenty-One—Unlawful Purchase, Consumption or Possession, of the City of Novi Code of Ordinances.
Second Reading

- C. Approval of an Intergovernmental Water Service Agreement with Northville Township to allow the property at 48385 Eight Mile Road, Northville Township, 48167, to connect to the City of Novi's public water system.

- D. Approval of a License Agreement Regarding Customer Data Connection to GLWA Wholesale Billing Meter, to allow Novi to install data connections for the purpose of collecting information related to the City's water usage.

- E. Approval of a Street Light Cost Sharing Agreement with the Road Commission for Oakland County and Lyon Township for the installation and ongoing operation costs of the street lights at the Ten Mile Road and Napier Road Roundabout.

- F. Approval of a Street Light Purchase Agreement with DTE Energy (Detroit Edison Company) for the installation and ongoing operation cost of two street lights on Normandy Court near Eight Mile Road; and approval of an agreement with Normandy Hills Estates Condominium Association, a Michigan non-profit corporation, for the sharing of installation and ongoing operation costs per the City's Street Lighting Policy.

- G. Approval of a request to transfer ownership of an escrowed 2016 Class C and SDM Licensed Business with Sunday Sales Permit (AM and PM), Outdoor Service (1 area), and entertainment permit from Fountain Square Restaurant holdings Novi, Inc. located at 44175 W. 12 Mile Road, Suite F-145, Novi, MI 48377 to BR Novi, LLC d/b/a/ Black Rock.

- H. Approval of Claims and Accounts – Warrant No. 997

Roll call vote on CM 17-10-149

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

MATTERS FOR COUNCIL ACTION

1. Consideration of Resolution Regarding Lakeshore Park Community Building and Use Policy and Rules.

Member Mutch thanked the residents who came out and shared concerns. It's been a hot topic on that end of town and throughout the City. Tonight they are discussing the policy though. He knows there were other issues brought up that are important. Tonight's discussion is focused on this policy. If they don't touch on some of the issues that were brought up, it wasn't that they thought they were unimportant. Some comments raise points that he wanted to bring to the discussion in terms of language. He wanted a policy aligned with how city staff thinks the facility would be used. He asked Director of PRCS, Jeff Muck to come forward. Member Mutch commented that the primary purpose is to provide a building within Lakeshore Park to replace the existing facility. He hasn't heard anyone say it was sufficient for use, but diverging opinions about the proposed new building and size. The policy lays out specific uses that fall under PRCS programs, children's camps, senior citizen programs and other traditional city facility uses. It also talks about use by park patrons engaged in lake access to Walled Lake, basic facilities such as the bathrooms and changing rooms. He asked if there were other uses they envisioned using the facility for beyond what has been described or does the language in the policy capture the breadth of uses that the PRCS Department envisions using. Mr. Muck felt confident that the resolution captured their intent. Member Mutch said when they get into the second section where they talk about uses by other organizations he wondered if that was handled by their department. Mr. Muck confirmed that it was PRCS Department. Mr. Muck said they have the Motorcity Mountain Bike Association who use the park for a race every year. He could see them using the building as staging area for their event. Member Mutch said that would be a use related to the use of the park. Mr. Muck said they consider Motorcity Mountain Bike Association a partner, they maintain the mountain bike trails and they have a "Take a Kid Mountain Biking Day" that they promote. In terms of other city facilities that they rent for private organizations, individuals, he asked whose responsibility that was. Mr. Muck replied it was PRCS. Member Mutch questioned in terms of the scope of usage of the building beyond direct city activities or an event at Lakeshore Park. Mr. Muck replied he could potentially see HOA meetings, scout troop meetings, and they are considering only non-profit organizations and local Novi groups. Member Mutch wondered when the groups use the facilities if they were renting that space. Mr. Mutch said yes. Member Mutch wondered when a HOA uses space, if they have to rent it. Mr. Muck replied that the HOA has no fee to rent, but they make a reservation like anyone else. Member Mutch mentioned in terms of scope of language that is within the policy now, do they envision any other uses beyond what's been contemplated. Mr. Muck said they have heard from City Council and residents that private rentals, such as weddings, etc. are not on the table. Member Mutch asked City Attorney Schultz, who crafted the language, to try to address the scope of how the City is going to use the property and at the same time create limitations per the City Charter that it cannot be a banquet facility. Council expressed some desire that they don't want it to be a general rental facility and open to just anybody. He was

concerned because he doesn't want to see this facility used as a general rental facility like the way the Civic Center is. He asked if the policy, as it is written, limit it in any way or is there a way to do so. City Attorney Schultz said he looked into what it means to say you can't use the building as a banquet facility. They've given opinion that the occasional use or even a rental wedding or banquet would not turn that facility into a banquet facility. Also that is not the intent of the PRCS or the City to use it as a rental facility. They've tried to make language clear and help address that it's only PRCS use and occasional non-profit use. He mentioned it is not intended to be a banquet facility. He said they could add more words for more explanation. Member Mutch said he thought there could be small language changes that could happen. He pointed out in the first section, they used the word "intended", and residents want it to say what they are actually going to do. He felt it would be appropriate to remove the word "intended" in first section. He suggested that in the second paragraph where it states it is not intended to be marketed or used as a banquet facility, they should simply state that this building will not be used or marketed as a banquet facility. It should be clear to residents by removing words that can be perceived as providing a little bit of wiggle room. In terms of rental for outside groups, like whether a HOA could use it, he wants feedback from City Council. He wants language to limit it to specific groups that wouldn't pay a rental charge. The intent of this facility is not to generate rental income.

Mayor Gatt asked City Manager Auger where they are in the building process of the facility. City Manager Auger said they received bids for construction last week and the architects are reviewing. Mayor Gatt questioned if the City failed in communicating. He asked if they put up boards and drawings like they did with Pavilion Shore. City Manager Auger said he wasn't here during Pavilion Shore Park, but that they have communicated in several different ways. They put notifications out and information on the website. They also held an event and solicited advice on what the community would like to see up there. This was all before drawings were started. The City Council meetings are all televised and City Council has discussed the building size and layout in public. They looked at putting it in the back of park but that adds \$1 million dollars to the project because of water and sewer lines. It would also put more asphalt down and remove greenery & trees. They are adding more trees to the park than they are removing. They have been open and gotten a lot of feedback both positive and negative. Mayor Gatt said as Mayor he has gotten no positive feedback lately. He said since they haven't put any shovels in the ground maybe they should they rethink the size. Their purpose was to add more recreational space and an area for some voting precincts. He would be happier if City Council reconsidered the size of the building. They would still add programming space, upgrade bathrooms and make it a 4,500 square foot building. That might satisfy the residents.

Mayor Pro Tem Staudt said 10 years ago on the Parks Commission he tried to get Pavilion Shore Park done. It was a rundown piece of land that was not being used. He remembered proposing it almost from the beginning of his interviews. He started bringing it up and getting resistance. He was accused of similar things like he heard tonight. He proposed the CIP Millage. He never had any intention to do anything other than what is best for the City, yet they are being called sneaky and dishonest. All they

want to do is improve a park for kids, improve the DPS yard, and build out trails. It's stunning to sit there and be accused when his only intention is to do something good for the City. He hoped some people get to sit on Council and feel what it is like to do nothing but work for the City and get hammered on by people who don't know what their intentions are. He felt the Mayor may be going down the right path; maybe the building is too big. Maybe they shouldn't do those improvements. It would help residents, but never once did they think about this as they were trying to sneak something by the residents. The City doesn't need rental income from a banquet facility. They do fine without it. The constant accusation of being told how dishonest they are, it's disheartening. There is a part of him that says yes, just stop and give them what they want, but that's not fair to all residents. He agreed and said he could support the Mayor; they could downsize the parking lot and building. He said he wants kids to have the opportunity to participate in the programs there and have a nicer park for all of the residents in the City. It's really incredibly disappointing that everybody feels this way tonight and none of their supporters come out to say they really do want that park. He has heard from many people, including those who live near the park, that they want improvements to park. This isn't doing the best for the City; they've always tried to do what's right.

Member Burke said the message was loud and clear. He agreed with the previous speakers on two things. If they look at the resolution, paragraph 1 seems ok, but paragraph 2 is where the fog starts. Perhaps they should just drop 2nd half of the 2nd paragraph, where it states that it is not intended to be used or marketed as a banquet facility. He said they should specifically state that it will be used by Parks and Recreation programming and local non-profit groups, such as HOA, scouts, etc. That would make it clear they don't want it to be used as revenue stream. He pointed out that Mr. Muck said the current building is about 2,000 square feet and they are turning kids away. Member Burke said even if they double that size, it would allow for more programming space for the children and still keep the building a reasonable size that the residents would agree to. He said they should do what they did at Pavilion Shore Park and put up signage to let everyone know what they are going to do and what it will look like. They need to give them time to get used to it and embrace it. Maybe they didn't follow what they have done in the past, but that doesn't mean that it is too late to start now.

CM 17-10-150 Moved by Burke, seconded by Mutch; CARRIED UNANIMOUSLY

**To postpone the consideration of the Resolution Regarding
Lakeshore Park Community Building and Use Policy and Rules.**

Member Markham has always heard the north end of the community doesn't feel the City recognizes their needs. She commented that part of the reason to upgrade the park was to address those needs. She appreciated everyone coming out with their concerns, it is important to hear what they have to say. She wanted them to understand they've been trying to accommodate the needs that they have been told and what they want to see. She felt the voting access on the north end of town was

very important. She said they have had issues up there in the past. The last presidential election they had many people that could not vote because it was too busy. She also pointed out green space in general. There have been residents that have said they need to move the entrance to 12 ½ mile and put the building toward the back of the park. If you look at the satellite view of the park and thought about trying to do that, there would be a lot more destruction of green space doing that. The City should understand some of the good things that are being incorporated as part of this. She met with some of the departments on the sustainability, like how they are using energy up there, how are they treating the land, and where the run off is going. She believed with the plans, Shawood Lake is actually going to get cleaner due to the detention ponds. She pointed out that Member Mutch did a lot of work on the bike path that will be on the west side of the park. He incorporated that in a way which was safer for the bikers, as well as sensitive to the residents. She could support tabling the item to have more discussion. She would like residents to take the opportunity to look at what has been done and provide their comments. There has been a lot of good that has been done, they are trying to help and accommodate the north end. They are not trying to put something up there that they are going to hate.

Member Wrobel asked how long would they resolution remain in effect if they approved it, and if it could be changed. City Attorney Schultz said the resolution adopts a policy and the policy can be changed by the same City Council or future City Council. It is not an ordinance, and it would require a motion and a resolution.

Member Casey said with regards to the resolution itself, she is not typically in favor of resolutions or ordinances that are one-offs. In this case, she would've supported making this resolution with some comments. She is happy with tabling this, but would like people to understand the intent again was to make sure they were clear in the expectation of the use of the building.

Member Wrobel said he has been on City Council for 8 years and was here when Pavilion Shore was first introduced. It was a very negative period of time. They were accused of encroaching on the private lake. They are elected to represent all 60,000 residents and they have to do what's best for the entire City. He has had the opportunity to talk to residents from other areas in the City who like to use Lakeshore Park. He has heard that the facilities are not adequate for the children's camps and neither are the restrooms. They are not doing this to spite residents.

Member Mutch said there is a clear consensus on Council they want to table this resolution and see the next process very public. Eventually they will want to pass the resolution so they can provide clarity. He said they should let the public talk about what they want. They need to weigh the pros and cons. He said it did get out on the website, but some residents felt it was too late in the process. He would like to work hand in hand with the residents and then staff can start working on concepts. Maybe they can show some alternatives. He felt people like to give their input; it ultimately is more successful going that route. He will support the motion they will revisit this in the future.

Mayor Gatt thought the City has done an admirable job of putting everything out there. In this case, a lot of it was passive information where it required residents to look for it. Maybe the next time, they need to do something more active and put up signs to get input. He wants them to know they are there for 60,000 people, not just a select group. They have made decisions that angered one group, but benefitted most. They are not bending to the group; it's just the right thing to do. He said from the beginning the building was too big, and thinks they can shorten the footprint. He knows they have a lot of work into this already, but it's time to pull reins back and rethink this.

Roll call vote on CM 17-10-150

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

Nays: None

2. Consideration of tentative approval of the request of Pulte Homes of Michigan, LLC for Emerson Park, JSP 17-10, with Zoning Map Amendment 18.717, to rezone property in Section 22, located on the west side of Novi Road between Ten Mile Road and Grand River Avenue from OS-1, (Office Service) to RM-2 (High Density Multiple Family Residential) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan. The property totals approximately 24 acres and the applicant is proposing a 120-unit multiple-family attached condominium development.

Bill Anderson said he was with Atwell and they are the engineers and planners on the project. He was there with Joe Score, Vice President of Pulte Homes of Michigan to represent this project. They've been working for a year with city staff on multiple plan revisions. He mentioned the project is on Novi Road, between 10 Mile Road and Grand River. Currently it is an existing storage facility. He said when they got involved with the project they started looking at the documents to see what was available. The existing zoning for the property is office and recently the Master Plan update moved it into a community office which could do a partial mixed use development. He said when they got into the Master Plan some of the key notes that they saw was a desire for different housing options. There was also a note that there was an over saturation of office inventory in the City. He stated their proposal was for a 124 townhomes. It is a small departure from the community office. He mentioned there is a need for the missing middle housing that they are interested in filling. This area has a strong connection to residential and is within walking distance to downtown in approximately 6 minutes. He said it was an isolated office area when you look at competing office districts, such as Town Center, City West and East Grand River. There is an over saturation of office in the City. This was a tough office parcel to work with because of the isolation.

He referred to a brief presentation that highlighted some of the details of their project: exclusive multi-family residential community, grand boulevard entrance, pedestrian connection to Grand River Corridor, on-site amenities, large natural buffers, and all units back on to open space.

He also mentioned that they are offering \$104,000 for public benefit to the Novi Corridor. The Novi Corridor enhancements would include street trees, landscaping, light fixtures, benches, receptacles and decorative paving. The Emerson Park Townhomes will be 2-story, 1,850 square foot units with 3 bedrooms, 2.5 bathrooms with a 2 car garage. These will be great for the young families and millennials. Mayor Gatt asked what the price point of units will be. Mr. Score said they will be approximately \$350,000 to \$375,000, but it could go higher.

Member Burke said he does not mind the rezoning request because it allows them to get rid of the legal non-conforming use that could be there forever. Some of the information at the end of the packet indicated a couple of different commercial real estate agents said there is really no call for mid-block office space and that opened his eyes. He thought this was a decent product and staff has gotten them down to 120 units, which was better than having 140 units. He said he would support this, but he did have a problem up front with the public benefits. He said the pocket parks within the project are a selling point, not a public benefit. He said he would like to hear from his colleagues, but one of the best things is that they have talked to their neighbors to the west and they did not have anything bad to say about it.

Mayor Gatt liked that it was condominiums, not apartments. He said it was not a secret that they have worked diligently to make Main Street workable. He said eventually that will be something. They do need people living closer to downtown to make a downtown work. He felt the price was a little high for millennials. He agreed with Member Burke and said the public benefit was weak. If they make improvements along Novi Road, he would like to know who would be responsible for maintaining it.

Mayor Pro Tem Staudt commented that the only thing that alarmed him was the entry level into Novi was \$375,000. He said it seemed like a lot of money, and he wished there was something they could do to get more affordable condos. He hears a lot of people are interested in coming into the community, but there aren't many options. If you wanted to get into Novi that is affordable you have to buy in a neighborhood that is over 40 years old. Yes, it is a great place to live, but there should be other options. He wished Pulte would think of other options. He said for Novi, \$375,000 was not a high number. He also mentioned the \$104,000 public benefit and didn't think that was a significant benefit.

Member Markham stated she felt City Council was talking about this way too late in the process. She said to have a fully formed development come before them for the first time is inadequate. She hoped the Ordinance Review Committee will look at this and think about if this is how they should handle it. The residents expect the Council members who they elected to have input to these kinds of projects. With this process, it's basically done by the time it gets to Council. In the Master Plan, they talk about mixed use. There is nothing there other than condos. The residents say they are overbuilding a green sight. She said they are bringing residential which was not planned for. She understood that real estate people say offices aren't a good idea and she has heard that before. She doesn't feel the development is a natural fit for its location. She

said she would rather see this type of development along Grand River or potentially on the other side of Novi Road and farther north. She felt this was an island of residents and didn't feel residential fit there.

Member Wrobel wondered how this would affect the traffic on Novi Road. Planning Director McBeth stated that they conducted a traffic study that was reviewed by the City's traffic consultant. They found traffic generated would be much less than what would've been generated by an office development. Member Wrobel confirmed that it was just south of post office. Planning Director McBeth said that was looked at and the traffic light would be just north of the entrance drive. The consultants looked at that and anticipated that there would be gaps for people to come and go out of the development as that light changes. Member Wrobel asked what the distance between the back of units going west to other subdivision was. Planning Director McBeth believed it was about 82 feet. Member Wrobel wondered if that was enough. McBeth replied yes and that would allow for additional landscaping and provide a fairly good distance. Member Wrobel commented that he agreed with other members that the public benefit was not totally there.

Member Mutch stated realistically the property to the north will never be residential. Going south, there are wetlands and potential for redevelopment, but closer to Novi Road and 10 Mile there are established commercial developments. He agreed that this is an island and will be out there on its own. That being said, there is an argument to be made that adding some residential within close proximity to Main Street area could make sense. In terms of the density of the site, he was concerned that they tried to make this less dense. When these projects come forward, there are places in the City where they have the infrastructure and the proximity to downtown that there are logical locations for higher density residential uses. On a main corridor like Novi Road, within walking distance of downtown, it made sense. He said a few things they have to take into consideration would be the proximity of the Churchill Subdivision. Member Wrobel raised the question about distance. They also need to consider the natural resources of the site, which Member Markham noted. They don't want to overbuild simply to get as many units as possible. He questioned how they get developers to provide housing at lower price points. He said they have to let them build higher density where they don't have to bring in the infrastructure. Conceptually he is open to the site. Looking at particulars, he was underwhelmed by a lot of aspects of it. In terms of design and talking about the missing middle development; all the examples look really interesting. He said seeing garage after garage was a little depressing. He mentioned the staff had to tell them to put windows in the garage doors to make it look a little nicer. Some of the amenities in the development that they talked about had a public benefit aspect. He was comparing to the project to the development by the Ice Arena. They had fewer units but the public benefits were pedestrian scale lighting, a paved pathway from their development to the dog park, and a paved pathway to the northern property. They didn't get a number for the value of that. Based on a direct comparison of what is being proposed here and what was put in place there, it would seem like the public benefit over there was larger than the one talked about here. When he saw the idea of putting park benches along Novi Road, he imagined that

they have never walked along it. It's a busy five lane road. He believed the intent was right, the idea of providing a nicer walk for folks who live there. However he thought they need more public benefit and it needs to be directed towards elements that make sense and will not add to long term costs. He said the Mayor touched on a good point; who will pay to maintain this? He said Mr. Anderson touched on a few things in the public benefit area such as the city property to north or by cemetery. He suggested it be continuous. They want this development to provide the best face forward. He said he would not be ready to support this moving forward. He would like a different design, but had no problem with the density. He stated the public benefit needs to move in different direction.

Member Casey commended them on their work with Churchill Crossing Subdivision. It shows commitment to building something that will benefit the neighbors. She said she would like to see that they have significantly tall trees between developments. She agreed that some of the public benefits are not true public benefits. She was interested in seeing additional ideas that would be a true public benefit. She also noted that she agreed with the other members and thought this isn't quite the missing middle housing. The price point is something that will benefit their company, but she felt that the missing middle would be a lower price point. There aren't a lot of different price points. They have done a reasonable job to mitigate wetlands and woodlands. She appreciated the work they've done over the past year. She agreed with Member Markham that Council is giving feedback too late. She would like to get ideas from staff on how to fix that.

Mayor Pro Tem Staudt said they have heard that City Council would like them to take it back for a few weeks, put your heads together with our city staff and come up with something.

CM 17-10-151 Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY

To postpone the consideration of the request of Pulte Homes of Michigan, LLC, for Emerson Park, JSP 17-10, with Zoning Map Amendment 18.717, to rezone property in Section 22, located on the west side of Novi Road between Ten Mile Road and Grand River Avenue from OS-1, (Office Service) to RM-2 (High Density Multiple Family Residential) subject to a Planned Rezoning Overlay (PRO) Agreement, and corresponding PRO Concept Plan.

Roll call vote on CM 17-10-151

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

Nays: None

3. Approval of Change Order No. 1 to JB Contractors for the 2017 Pathways and ADA Compliance project in the amount of \$157,068.00.

to Raven Investments, L.L.C., and to authorize the City Manager and City Attorney's Office to make minor non-substantive amendments to the form of the Purchase Agreement as required prior to signing and to proceed to closing if all conditions to the purchase are appropriately satisfied.

Roll call vote on CM 17-10-154

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

6. Approval to award a unit price contract to B&B Landscaping Inc., the lowest qualified bidder, for FY 17/18 Snow Removal Services – City Streets & Municipal Sites at an estimated amount of \$256,980. The contract term is one year with two one-year extension.

CM 17-10-155

Moved by Staudt, seconded by Wrobel ; CARRIED UNANIMOUSLY

To approve the award for a unit price contract to B&B Landscaping Inc., the lowest qualified bidder, for FY 17/18 Snow Removal Services – City Streets & Municipal Sites at an estimated amount of \$256,980. The contract term is one year with two one-year extension.

Roll call vote on CM 17-10-155

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

AUDIENCE COMMENT:

Michel Duchesneau, 1191 S. Lake Drive, thanked City Council for taking citizen input today and postponing the whole design of Lakeshore Park. They have concerns with the building being too large. He said Pavilion Shore Park has no picnic tables. It's a shame that they women's restroom is small at Pavilion Shore. He also mentioned there is no baby changing area. It is a nice idea to have the picnic table there, but restrooms would be better. He did appreciate them recognizing the extra usage of the park and expanding the parking lot. Because of where it is located, it keeps traffic away from South Lake. He thanked them for what they did, he said it took courage.

Dorothy Duchesneau, 1191 S. Lake Drive, said she also owns the property at 125 Henning, Novi. She commented that they have seen the use of the bike path and walkway increase and provide enjoyment to north end residents of the parks and Pavilion Shore. She also wanted to thank City Council for making the decision to halt the process and do more thinking about it. In looking at the conceptual layouts, her argument when Lakeshore Park was originally purchased, had to do with the fact the kids needed a space to play. She is appalled at the number of adults who take their

kids to the 12 Oaks Mall to play at the playscape inside the mall instead of being outside. In the conceptual building layout, they are being put in an air conditioned building in the summer and not playing outside. She wanted them to make use of the outdoors. A shelter and a small voting precinct she can support. This project is too large. They voted for upgrades, not for massive buildings. When this came up for a vote in August, she found it interesting to go through records for each precinct. She totaled up how many said yes and how many voted no. There were only 4 precincts that had more yes votes than no votes.

MAYOR AND COUNCIL ISSUES:

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: Consent Agenda items which have been removed for discussion and/or action.

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:59 P. M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: October 23, 2017