

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JULY 7, 2014 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

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

ALSO PRESENT: Victor Cardenas, Interim City Manager
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 14-07-110 Moved by Casey, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve the Agenda as amended. Mayor Gatt removed Item 1 from this agenda and postponed it until a later meeting.

Roll call vote on CM 14-07-110

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

Nays: None

PUBLIC HEARING – None

PRESENTATIONS – None

REPORTS:

1. MANAGER/STAFF – None

2. ATTORNEY – None

AUDIENCE COMMENT: None

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 14-07-111 Moved by Casey, seconded by Staudt; CARRIED UNANIMOUSLY:

To approve the Consent Agenda as presented.

A. Approve Minutes of:

1. June 16, 2014 – Regular meeting
 2. June 23, 2014 – Special meeting
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- B. Approval to enter partnership with Crime Stoppers of Michigan for \$2,000 from State Forfeiture Funds.
 - C. Approval to award bid for the purchase of Fire Department protective turnout gear to Apollo Fire Equipment, the lowest qualified bidder, for a period of one (1) year with a one-year renewal option based on unit pricing for an estimated annual amount of \$21,456.
 - D. Approval to award an amendment to the engineering services agreement with Orchard, Hiltz & McCliment for construction engineering services for the 2014 Pathway and ADA Compliance Program in the amount of \$36,355.
 - E. Approval of a traffic control device maintenance agreement with the Road Commission for Oakland County for the new traffic signal that will be constructed at the intersection of 13 Mile Road and Cabot Drive.
 - F. Approval to award an amendment to the engineering services agreement with Orchard, Hiltz & McCliment for additional construction engineering services for the 2014 Signal Improvement project related to the Cabot Drive and 13 Mile Road traffic signal installation in the amount of \$24,079.
 - G. Approval of an extension of time, from February 2, 2014 to June 30, 2015, to secure a full certificate of occupancy for a new building now under construction, pursuant to the terms of the Consent Judgment entered into between the City of Novi and Collex Collision on February 2, 2012, relating to the property at 25100 Novi Road, between Grand River Avenue and Ten Mile Road, in order to allow an existing sign to remain in its current location pending completion of the new building.
 - H. Approval to award an amendment to the engineering services agreement with Spalding DeDecker Associates for additional design engineering for the Town Center Drive Reconstruction project in the amount of \$29,021.
 - I. Approval to award engineering design services to URS Corporation for the design of the 2015 Pathway and ADA Compliance program (which includes the construction of segments 89, 76, and 145) in the amount of \$23,617.
 - J. Approval to award geotechnical services to Testing and Engineering Consultants for the 2014 Neighborhood Road Program--Contract 1 (Asphalt) in the amount of \$22,510.
 - K. Acceptance of a pathway easement from Jennica, Inc. for construction of a portion of the pathway along the east side of Meadowbrook Road between Grand River Avenue and I-96 (parcel 22-24-100-047) in the amount of \$3,315, conditioned upon receipt of a properly executed easement from grantor.

- L. Approval of Resolution Authorizing "2014 Michigan State Fair" to occur on the Suburban Collection Showplace property at 41600 Grand River Avenue.
- M. Approval of Resolution regarding Temporary Michigan State Fair Promotional Signage allowing city-wide temporary relief from the Sign Ordinance from August 26 through September 1, 2014.
- N. Acceptance of a pathway easement from FEDNOVI, LLC, as a donation, for construction of a portion of the pathway along the east side of Meadowbrook Road between Grand River Avenue and I-96 (parcel 22-13-351-002), conditioned upon grantor providing letter of authority or other documentation satisfactory to the City Attorney confirming proper execution of the easement.
- O. Approval of Claims and Accounts – Warrant No. 919

Roll call vote on CM 14-07-111

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

MATTERS FOR COUNCIL ACTION

- 1. Consideration of a request from Mirage Development, LLC for a variance from the following ordinance sections: 1) Subdivision Ordinance Section 4.05(A) requiring that pedestrian safety paths be constructed along both sides of local streets (a sidewalk on only the north side is proposed), 2) Section 11-94(c) to provide less than three feet of cover for storm sewer pipe, 3) Section 11-194(a)(7) for exceeding the 800 foot maximum length of a cul-de-sac (975 feet is proposed), 4) Section 11-194(a)(19) for the lack of a secondary or emergency access; as part of the site plan for Orchard Hills North single family residential development (parcel 22-26-201-006). **REMOVED AND POSTPONED**
- 2. Approval to award a construction contract for the Water Storage Facility to be located at the northeast corner of West Park Drive and Twelve Mile Road to Sorensen Gross Construction Services, the low bidder, in the amount of \$3,363,889, subject to and contingent upon the City's acquisition of all required property for construction as proposed, including parcel 22-09-451-022, with final form of the agreement to be reviewed and approved by the City Manager and City Attorney.

CM 14-07-112

Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the award of a construction contract for the Water Storage Facility to be located at the northeast corner of West Park Drive and Twelve Mile Road to Sorensen Gross Construction Services, the low bidder, in the amount of \$3,363,889, subject to and contingent upon the City's acquisition of all required property for construction as proposed, including parcel 22-09-451-022, with

**final form of the agreement to be reviewed and approved by the
City Manager and City Attorney.**

Interim City Manager noted this was the lowest bid out of four qualified bidders and they come highly recommended from one of the City's engineering consultants. They have not done any work for the City of Novi yet, but have completed projects in communities such as Dexter, Fenton and New Baltimore.

Member Wrobel said he had not seen any renderings of what the tower will look like, but there had been some discussion that it would be a lower profile and not extremely tall. Mr. Cardenas said that will be confirmed and the renderings will be shared after the meeting.

Roll call vote on CM 14-07-112

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

Nays: None

3. Approval to award an engineering services agreement with Orchard, Hiltz & McCliment for the construction phase engineering services related to the Water Storage Facility Project in the amount of \$231,600, subject to and contingent upon the City's acquisition of all required property for construction as proposed, including parcel 22-09-451-022, with the final form of the agreement to be reviewed and approved by the City Manager and City Attorney.

CM 14-07-113

Moved by Mutch, seconded by Markham; CARRIED UNANIMOUSLY:

To approve the award of an engineering services agreement with Orchard, Hiltz & McCliment for the construction phase engineering services related to the Water Storage Facility Project in the amount of \$231,600, subject to and contingent upon the City's acquisition of all required property for construction as proposed, including parcel 22-09-451-022, with the final form of the agreement to be reviewed and approved by the City Manager and City Attorney.

Member Mutch thanked the staff that worked on this project.

Roll call vote on CM 14-07-113

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

Nays: None

4. Approval to award a construction contract for the 2014 Pathway and ADA Compliance Program (which includes the construction of pathway segments 16 and 73 and ADA improvements along 13 Mile Road) to Audia Concrete Construction, Inc., the low bidder, in the amount of \$263,923.99.

CM 14-07-114 Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the award of a construction contract for the 2014 Pathway and ADA Compliance Program (which includes the construction of pathway segments 16 and 73 and ADA improvements along 13 Mile Road) to Audia Concrete Construction, Inc., the low bidder, in the amount of \$263,923.99.

Mr. Cardenas said this was the annual contract for non-motorized pathway improvements and ADA improvements throughout the City. Staff anticipates completion by fall 2014.

**Roll call vote on CM 14-07-114 Yeas: Mutch, Wrobel, Gatt, Staudt, Casey, Fischer, Markham
Nays: None**

5. Approval of Change Order No. 1 to Rauhorn Electric for the 2014 Signal Improvement project in the amount of \$193,753 to add the installation of the Cabot Drive and 13 Mile Road traffic signal.

CM 14-07-115 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Change Order No. 1 to Rauhorn Electric for the 2014 Signal Improvement project in the amount of \$193,753 to add the installation of the Cabot Drive and 13 Mile Road traffic signal.

Mr. Cardenas said this was a previously approved project that is now being added to the 2014 single contract. This is participation with a private business owner and the developer at the site to split the cost. Staff anticipates completion in early October 2014.

**Roll call vote on CM 14-07-115 Yeas: Wrobel, Gatt, Staudt, Casey, Fischer, Markham, Mutch
Nays: None**

6. Approval of an ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park – **FIRST READING.**

CM 14-07-116 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY:

To approve ordinance 14-113.05 to amend the City of Novi Code of Ordinances, at Chapter 25, Parks and Recreation, in order to revise existing regulations relating to the leash requirement for dogs to create an exception for the City's dog park and to provide for the adoption of rules governing conduct in the dog park – FIRST READING.

Mr. Cardenas said this was the first reading of the rules. He added that progress was moving along, the fencing was nearly complete and access to the park will be electronic. The rules mirror the Northville dog park rules. Novi residents that want to be members of the park will have to complete an online training and will have access to the Northville dog park through a memorandum of understanding with the City of Northville. The Northville dog park rules have been in effect since 2003 and have similar characteristics and provisions as the Oakland County parks, Cities of Royal Oak, Grosse Pointe Farms and Clinton Township.

Member Casey questioned that the rules indicate dogs can enter the park with an individual who is 16 years old and older, yet the Michigan Penal Code says it must be persons 18 or older. The City Attorney will look into that prior to the second reading.

Roll call vote on CM 14-07-116

Yeas: Gatt, Staudt, Casey, Fischer, Markham, Mutch, Wrobel

Nays: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS – None

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:12 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Cortney Hanson

Date approved: July 21, 2014