

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, NOVEMBER 26, 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, Verma

ALSO PRESENT: Victor Cardenas, Assistant City Manager
Jeff Herczeg, Director of Public Works
Thomas Schultz, City Attorney

APPROVAL OF AGENDA:

CM 18-11-184 Moved by Casey, seconded by Markham; CARRIED UNANIMOUSLY

To approve the Agenda as presented.

Roll call vote on CM 18-11-184 **Yeas: Staudt, Breen, Casey, Markham, Mutch, Verma, Gatt**
Nays: None

PUBLIC HEARING:

1. Community Development Block Grant

Opened at 7:01 p.m. and closed at 7:02 p.m. with no public input.

PRESENTATIONS: None

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT: None

CONSENT AGENDA REMOVALS AND APPROVALS:

- A. Approve Minutes of:
 - 1. November 13, 2018 – Regular meeting

- B. Approval of the Program Year 2019 Community Development Block Grant (CDBG) Application in the approximate amount of \$106,207 and authorize the Mayor to sign the Application.

- C. Approval of request to transfer ownership of an escrowed 2018 Resort Class C licensed business with Sunday Sales Permit (AM/PM), Outdoor Service (1 Area), Direct Connection (1) and Specific Purpose Permit (Food), issued under MCL

436.1531 (4), non-transferable, from American Blue Ribbon Holdings, LLC (a Delaware Limited Liability Company) to KW Novi Hospitality LLC (d/b/a Sedona Tap Room) located at 27466 Novi Road Suite B237, Novi, MI 48377.

- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement (SDFMEA) from Stellar Hospitality Novi, LLC, for the Homewood Suites project located on Town Center Drive (parcel 50-22-14-376-018).
- E. Acceptance of a sidewalk easement from Stellar Hospitality Novi, LLC, for the Homewood Suites project located on the east side of Town Center Drive (parcel 50-22-14-376-018).
- F. Approval of the Parks, Recreation & Cultural Services Department donation acknowledgment and acceptance of the naming rights agreement with Tom Holzer Ford for a three (3) year period in the amount of \$10,000 payable in two (2) equal installments of \$5,000 per year on or before November 30, 2018 and November 30, 2019.
- G. Approval to award construction engineering services to Spalding DeDecker for the Grand River Avenue and Jo Drive Sanitary Sewer Repair project in the amount of \$60,544.17.
- H. Approval of the final payment to Mattioli Cement Company for the Pontiac Trail Sidewalk (Segment 9 – east of Beck Road to West Park Drive) project in the amount of \$58,094.36, plus interest earned on retainage.
- I. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation cost of two (2) street lights; one (1) at either side of the entrance of Mirabella Estates on Meadowbrook Road, and approval of an agreement with Mirabella Estates Condominium Association for the sharing of installation and ongoing operation costs per the City's Street Lighting Policy.
- J. Approval of Traffic Control Orders 18-10 and 18-13 through 18-20 for traffic control signs along Brownstone Drive, Hemingway Drive, Holmes Drive, Cummings Lane, and Twain Place.
- K. Approval of Traffic Control Order 18-21 for a yield sign located at the northeast corner of Clark Street and Marlson Avenue.
- L. Approval of Claims and Accounts – Warrant No. 1024

CM 18-11-185 Moved by Casey, seconded by Markham; CARRIED UNANIMOUSLY

To approve the Consent Agenda as presented.

Roll call vote on CM 18-11-185

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

Nays: None

MATTERS FOR COUNCIL ACTION

1. Consideration to approve variance relief as to maximum depth-to-width ratio in order to allow a land division and combination relating to two parcels, located on Bernstadt Street that would take a portion of the parcel at 114 Bernstadt (Parcel No 22-03-454-013) and add it to the parcel located at 118 Bernstadt (Parcel No. 22-03-454-014).

Assistant City Manager Cardenas said that it is on the north side of the City. One property wraps around the other one, so it is taking a piece and adding it to the one it used to wrap around.

Member Mutch asked if the right-of-way that was on the survey still existed as part of the plat. City Attorney Schultz said it was as far as we know. Member Mutch wondered if that would impact any action we would take if that has been vacated or not vacated. Mr. Schultz said it would not. Member Mutch said he didn't have any issue approving this. This would make the new combination lot larger and more usable for the applicant. We are not creating a problem, but solving a problem for these particular homeowners.

CM 18-11-186

Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY

To approve the variance relief as to maximum depth-to-width ratio in order to allow a land division and combination relating to two parcels, located on Bernstadt Street that would take a portion of the parcel at 114 Bernstadt and add it to the parcel located at 118 Bernstadt, because the variance would increase the size of the parcel at 114 Bernstadt in a manner that is harmonious with adjacent properties and that does not result in a parcel that is unusually long and narrow, since it would still comply with the depth-to-width ratio required by state law, and the parcel at 118 Bernstadt would continue to meet ordinance requirements.

Roll call votes on CM 18-11-186

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

Nays: None

2. Approval to award the construction contract for the Grand River Avenue and Jo Drive Sanitary Sewer Repair project to D.V.M. Utilities, Inc., the low-bidder, in the amount of \$465,987.75.

CM 18-11-187

Moved by Casey, seconded by Breen; CARRIED UNANIMOUSLY

Approval to award the construction contract for the Grand River Avenue and Jo Drive Sanitary Sewer Repair project to D.V.M. Utilities, Inc., the low-bidder, in the amount of \$465,987.75.

Member Markham asked staff when the sanitary sewer was installed. Was it part of the dealership or was it long before the dealership. Assistant City Manager Cardenas said they did not have the answer to that question, but they would look into it and report back to Council. Member Markham said it has not been that long since the dealership was built. She was curious if there was a problem with how it was installed and if it is our responsibility because we are talking hundreds of thousands of dollars here. DPW Director Herczeg said he did not know the date of the pipe installation. Potentially there could have been some soil problems there. It looked like the borings from the geo tech showed poor conditions. Member Markham asked who would be responsible if it has failed. Mr. Herczeg said the pipe belongs to the City.

Roll call vote on CM 18-11-187

**Yeas: Markham, Mutch, Verma, Gatt, Staudt
Breen, Casey
Nays: None**

3. Approval of the final payment to Anglin Civil, LLC, for the Heslip Drive Detention Basin and Bassett Drain (McSweeney Pond) Cleanout and Culvert Replacement projects in the amount of \$119,048.70, plus interest earned on retainage.

Assistant City Manager Cardenas stated we are bringing to close a project that staff identified when we realized it was a problem so we took care of it quickly and we were able to get it on the construction agenda for last season, this is just the final pay. Kuddos to the great DPW staff for getting this taken care of quickly.

CM 18-11-188 Moved by Casey, seconded by Breen; CARRIED UNANIMOUSLY

Approval of the final payment to Anglin Civil, LLC, for the Heslip Drive Detention Basin and Bassett Drain (McSweeney Pond) Cleanout and Culvert Replacement projects in the amount of \$119,048.70, plus interest earned on retainage.

Roll call vote on CM 18-11-188

**Yeas: Mutch, Verma, Gatt, Staudt, Breen,
Casey, Markham
Nays: None**

4. Approval to award civil engineering services to OHM Advisors for design engineering services associated with the 2019 Pathways and ADA Improvements project in the amount of \$112,752.00.

Member Mutch commented that this is for next year's sidewalk connection program and it really does address some of the key missing gaps in a number of locations

around the City. Particularly in proximity to ITC Trail which is under construction so that is going to help facilitate access to that. It includes locations along 11 Mile Road, Haggerty Road, and Meadowbrook Road. It really is tackling some of those key gaps and getting those done.

CM 18-11-189 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY

To approve the awarding of the civil engineering services to OHM Advisors for design engineering services associated with the 2019 Pathways and ADA Improvements project in the amount of \$112,752.00.

Roll call vote on CM 18-11-189

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

Nays: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES: None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

Mayor Gatt welcomed Ramesh Verma, our newest City Council Member. He thanked him for stepping up and serving our beautiful City.

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

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: December 3, 2018