

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, OCTOBER 8, 2012 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, Margolis, Mutch, Wrobel

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

**APPROVAL OF AGENDA:**

**CM-12-10-169 Moved by Wrobel, seconded by Mutch; CARRIED UNANIMOUSLY:**

**To approve the Agenda as presented.**

<b>Roll call vote on CM-12-10-169</b>	<b>Yeas:</b>	<b>Gatt, Staudt, Casey, Fischer, Margolis, Mutch, Wrobel</b>
	<b>Nays:</b>	<b>None</b>

**PUBLIC HEARING** - None

**PRESENTATIONS**

1. Proclamation in Recognition of National Fire Prevention Week October 7 – 13, 2012 – Jeff Johnson, Director of EMS/Fire Operations

Mayor Gatt presented the Proclamation to Jeff Johnson, Director of EMS/Fire Operations and Joe Shelton, Fire Marshal. Director Johnson noted this is a very important week and thanked Council for supporting their efforts. Director Johnson reminded everyone to check the batteries in their smoke detectors when they change the time on their clocks this Fall.

**REPORTS:**

1. MANAGER/STAFF – Assistant City Manager Cardenas introduced Nevrus Nazarko, Finance Director. Mr. Nazarko was very glad to be at Novi as part of the City's successful team.

2. ATTORNEY - None

**AUDIENCE COMMENT:** None

**CONSENT AGENDA REMOVALS AND APPROVALS (See items A-J):**

**CM-12-10-170            Moved by Wrobel, seconded by Mutch; CARRIED UNANIMOUSLY:**

**To approve the Consent Agenda as presented.**

- A. Approve Minutes of:
  - 1. September 24, 2012 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of October 8, 2012 in the Council Annex for the purpose of discussing pending litigation, labor negotiations, property acquisition and privileged correspondence from legal counsel.
- C. Approval to set a Public Hearing date on October 22, 2012 for the 2013 Community Development Block Grant Program.
- D. Approval to purchase one (1) Chevrolet Equinox vehicle from Garber Chevrolet for the amount of \$20,574.00 based on State of Michigan MiDeal pricing.
- E. Approval to grant a permanent 27-foot wide highway easement to the Road Commission for Oakland County along the Napier Road and Eight Mile Road frontages of ITC Community Sports Park (parcel 22-31-300-002) to create the master planned 60-foot wide half right-of-way on this parcel.
- F. Approval of the final pay estimate to Hard Rock Concrete, Inc. for the 2010 Neighborhood Road Program—Concrete project in the amount of \$24,676.
- G. Approval of the final pay estimate to Florence Cement Company for the Beck Road Rehabilitation project (Nine Mile Road to Cheltenham Drive) in the amount of \$16,534.
- H. Acceptance of quit claim deed from Bank of America, N.A. for master planned right-of-way at 27475 Meadowbrook Road (parcel 22-14-200-042).
- I. Approval of a resolution to terminate the street lighting agreement with Arrowon Pines Homeowners' Association, resulting in elimination of the requirement for the Association to pay ongoing electrical costs for its single entryway street light.
- J. Approval of Claims and Accounts – Warrant No. 877

**Roll call vote on CM-12-10-170**

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

**MATTERS FOR COUNCIL ACTION**

1. Consideration of request from Grace Sharing Club, LLC (d/b/a Fifth Avenue Club & Restaurant) for a new Class C quota license to be located at 25750 Novi Road, Suite 104, Novi, Michigan 48375 and Agreement on the Prohibition on Profiteering by Class C Liquor License Holders.

Assistant City Manager Cardenas noted the City currently holds 2 quota liquor licenses. Member Wrobel ask about the liquor license that was previously held at that location. Assistant City Manager Cardenas believed that due to a conflict between the previous owner and the bank, the license was being held in escrow as of December 2011.

Member Mutch asked about the clawback provision and how that would come into play if this business didn't begin operations in the near future. Attorney Schultz answered the City would use the LCC (Liquor Control Commission) revocation process that is separate from the non-profiteering agreement. Member Mutch stated that a lot of the presentation and detail included didn't feel substantial to him as there was no business plan included. He would feel more comfortable if there could be a time limit set. If the applicant moves forward on a timely basis, there would be no issue.

Member Margolis asked if something should be incorporated into the motion.

Attorney Schultz stated the Administration could provide direction and oversight to flag this item if no progress was detected, rather than including it in the motion.

Member Margolis noted she would be comfortable with Administration watching for the progress of the development. This is someone who's owned it for some time and she would be thrilled to see that facility come back and be visible on Novi Road.

Mayor Gatt supported the motion and stated he was thrilled that this will open again to have it become the vibrant Main Street it used to be. A lot of work was just completed for dissolving the condominium to assist in future development.

Member Mutch noted he was now comfortable supporting the motion as was stated and was confident that administration will review this in a timely manner.

**CM-12-10-171      Moved by Staudt, seconded by Wrobel; CARRIED UNANIMOUSLY:**

Approval of request from Grace Sharing Club, LLC (d/b/a Fifth Avenue Club & Restaurant) for a new Class C quota license to be located at 25750 Novi Road, Suite 104, Novi, Michigan 48375 and Agreement on the Prohibition on Profiteering by Class C Liquor License Holder due to the revitalization of the area and previous business, based on currently dormant vacant building owned by

potential licensee that will provide economic development benefit to Novi, using the existent management team at the facility and this meets all the parameters under the City Council ordinance.

**Roll call vote on CM-12-10-171**                      **Yeas: Casey, Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt**

2. Approval of Zoning Ordinance Text Amendment 18.263, to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2505, Off-Street Parking Requirements; in order to provide standards for the location and design of plug-in electric vehicle charging stations and spaces in all parking areas. **First Reading**

Assistant City Manager Cardenas noted this will clarify standards currently in place as recommended by Planning Commission.

**CM-12-10-172**                      **Moved by Fischer, seconded by Staudt; MOTION CARRIED UNANIMOUSLY**

Approval of Zoning Ordinance Text Amendment 18.263, to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2505, Off-Street Parking Requirements; in order to provide standards for the location and design of plug-in electric vehicle charging stations and spaces in all parking areas. **First Reading.**

**Roll call vote on CM-12-10-172**                      **Yeas: Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt, Casey**

3. Approval to purchase replacement lockers for the Novi Police Department men's and women's locker rooms from Casper Corporation, Inc. in the amount of \$107,864.72 using the National Joint Powers Alliance (NJPA) cooperative purchasing contract.

Assistant City Manager Cardenas stated this expenditure will provide the officers with modern day amenities.

**CM-12-10-173**                      **Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:**  
Approval to purchase replacement lockers for the Novi Police Department men's and women's locker rooms from Casper Corporation, Inc. in the amount of \$107,864.72 using the National Joint Powers Alliance (NJPA) cooperative purchasing contract.

**Roll call vote on CM-12-10-173**

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

**AUDIENCE COMMENT – None**

**COMMITTEE REPORTS - None**

**MAYOR AND COUNCIL ISSUES - None**

**CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None**

**COMMUNICATIONS - None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 7:23 P.M.

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Robert J. Gatt, Mayor

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Maryanne Cornelius, City Clerk

Date approved: October 22, 2012