

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, NOVEMBER 14, 2016 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  
Thomas Schultz, City Attorney

**APPROVAL OF AGENDA:**

Member Wrobel requested removing Item "O" entirely from the Agenda and he also wanted to pull Item "P" for consideration.

Member Markham said she would like to add an Item under Mayor and Council Issues regarding Precinct 12 voting delays.

**CM 16-11-145 Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:**

**To approve the amended Agenda.**

**Roll call vote on CM 16-11-145**                      **Yeas Staudt, Burke, Casey, Markham, Mutch,  
Wrobel, Gatt,**  
**Nays: None**

**PUBLIC HEARING - None**

**PRESENTATIONS**

1. Comprehensive Annual Financial Report ending June 30, 2016 – Carl Johnson, Finance Director

Carl Johnson, Finance Director highlighted a few significant items in the audits that coincide with the Goals and Objectives each year that were set during the Budget process. He said looking at the General Fund we were \$1.387 million to the good, so we increased Fund Balance. He said this year was a little strange because it does not really represent what is truly happening with the General Fund. He said it shows that we increased our Fund Balance to 46%. In reality, we did end the year with about a \$1.5 million dollar in revenues over expenses. Historically, we are about a million under in our expenditures. He said the department heads do an outstanding job of coming in under budget. He said the revenues every year continue to exceed our expectations. He said we did end up \$1.5 million over budget, however if you look we had about \$1.884 million in projects that were not completed by year-end, which was the rollover budget that Council passed in September. If that is taken into consideration we actually used

\$500,000 worth of Fund Balance. Mr. Johnson explained how we spent more than what we had due to an amendment passed in September which took \$2.1 million dollars out of the General Fund and put it into the new C.I.P. Fund. He said the new C.I.P. Fund was going to be used to account for the Millage. He said we are pre-funding that to the tune of \$2.1 million dollars. He said the City is still very sound financially. He said the Audit Report does in fact show that the \$1.884 million that was the roll-over budget that will be used for next year's expenditures. Included in the amendment was an additional \$1 million dollars from this year's budget, our balanced budget that had a zero, an additional \$1 million will be transferred in there. So that Fund will have \$3.1 million dollars in it, right now the budget says we will use \$1 million worth of Fund Balance for the current year. Regarding OPEB we are about 94% funded. This past year our contributions were about \$800,000. Our investment return was only .6%, for pension returns. He said the bottom line for the OPEB funding which we have \$24.3 million dollars set aside to fund \$25.8 million in OPEB assets is 94% funded. We remain strong and our contributions will continue to drop, it is probably at a level that we will see in future years, that has offset the pension contributions we had this year. We have over-contributed each year to try to get that fully funded. He said we are continuing to decrease our long-term debt. He noted that the last item in the Audit was the Pension. MERS, the company that maintains our Pension assets, has made a change in the assumptions, such as; the mortality table to reflect long lifelines, the assumed annual rate of investment return, was lowered from 8% to 7.75%, asset smoothing was changed from 10 to 5 years, the amortization period was moved to a fixed period amortization and OPEB funded ratio increased from 83.2% as of June 30, 2013 to 94.4% as of the June 30, 2015 actuarial valuation. Contributions will go up about \$300,000 to \$400,000 a year for the next 5 years to account for the changes in assumptions. The liability is about \$5 million more than they assumed, our assets are \$6 million lower than assumed and funding level is 7% lower than what they thought. The biggest take away from this is that we really need to do something about our pension funding, which is easier said than done.

Mayor Gatt said this is the thirteenth year he has been on Council and every year he is amazed at the finances of our City. He said we came out of a great recession a few years ago very healthy and very strong. He thanked Mr. Johnson and his staff for their diligent work.

Member Mutch wanted to touch on a couple of things in the financial statements that Mr. Johnson didn't get to mention. He said he gave staff credit for not spending every dime in the budget. He felt what they were being asked to give was much more than needed, which in turn kept us from fully funding some other projects they wanted to fund. He said compared to last year, there was 3.3 percent variance on non-rollover items and this year it was down to 2.4 percent. He said we are getting more accurate numbers at budget time and then staff is continuing to be diligent about how much they spend. He also mentioned the high peak for the outstanding debt that the City had and in the numbers within the report it was \$81 million dollars in 2008 combined and that is down to \$28 million dollars 8 years later. He said from a City prospective we have done a tremendous job paying off all that outstanding debt that was out there.

He said we have added a couple of things; primarily the Library was the one big item. He said we have transitioned away from a City that relied a lot on debt to pay for short and long term capital items in moving towards a pay as you go structure. The voters supported the increase in the Road Millage and the Capital Improvement Millage which allows us to do much more of the Capital Improvement Program without having to go out rely on debt. He said we are in a much better financial viewpoint today compared to 8 years ago. He wondered when we make our payment to MERS. Mr. Johnson replied that the first week in July he mails the entire yearly contribution to them. He said they pay it as quickly as they can to maximize our return. Member Mutch wondered if MERS supplied the City with anything in detail as far as investment return. Mr. Johnson said they do not go into detail on returns or performance. Member Mutch said he knows we are in a situation that we are locked into MERS. He said it would be interesting to know a little more detail about what is going on because it has a huge impact on us as a City from a financial viewpoint. He said he knows why a change in assumptions happens, but the performance is an issue. Member Mutch said it is money that we have to push towards the pension obligation which is money we can't spend on capital improvements or service improvements. Mr. Johnson said he would take a look at that. Member Mutch said in past years Council has had conversation when we get the Audit Report and we have a final number for the past fiscal year in terms of what we have available for Fund Balance. He said they would have discussion about projects that we want to get rolling now, or are these dollars we want to set aside for budget time. He said we already stepped forward on that in terms of moving some of those funds over towards the Capital Improvement Program. He wondered if City administration has a plan regarding to the Fund Balance that is beyond our limits at this point or incorporating that into the upcoming budget or does administration expect to come to Council with any budget amendments or use of the Fund Balance. Mr. Johnson said the budget year we are in now has been passed, has been amended for the roll-over, amended to use the \$1 million for the C.I.P., so as of right now we are implementing the plan as is.

## 2. Comprehensive Financial Audit for year-end June 30, 2016 – Plante & Moran

Joe Heffernan said he is with Plante and Moran, along with Martin Olejnik who was in charge of the Audit Engagement. Mr. Heffernan said the actual financial statements are put together by the Finance staff. Plante and Moran comes in to look at controls and a sample of the balances and transactions and they test them, such as the ones that are more subject to estimation, risk or more sensitive. He said based on that they provide the audit opinion on the City's financial statements, which was a clean opinion. He said they believe our statement information is accurate and presented in a way the Government Accounting Standards Board require it to be for Government. He said Mr. Johnson did a very good job of stressing the good financial position we are in on a current basis and on a long term basis the retiree health is admirable, but pension is a risk, which is a longer term risk. The good news is that the City started accounting for that on the balance sheet a year ago and it showed it was a significant liability we still have a positive amount of total net position and a positive amount of the financial component in that net position. He said that is not to be said in most communities which

is a very serious problem. He said that doesn't mean we shouldn't worry about the problem, but we are in a better shape than other communities. In 2 years other communities will start counting retiree health care and at that point total net position will be negative for the majority of communities.

Martin Olejnik said General Fund Revenue was very similar to last year; there were a couple of things that increased which was interest income and property taxes, primarily increased due to taxable value increased. Regarding expenditures, Mr. Johnson mentioned already the main item that changed from last year will be the transfer of \$2.1 million dollars that went into the C.I.P. Fund. He also noted that we have a strong Fund Balance. Mr. Olejnik highlighted some of the recommendations they had regarding the Agency Fund to account for escrow deposits received from developers as part of construction projects which the City has made significant improvements over the last year. They recommend that the City continue to work in this area in order to reconcile these account. They also recommend the City evaluate the controls around wire transfers and consider implementing a preventive control in which the same individual cannot initiate and approve a wire transfer. The third item that changed was the Police and Fire Fund reimburses the General Fund for police and fire salaries and wages. Technically that expense should be recorded with the Fire Fund, instead of a transfer out and have a lower expense in the General Fund. At the end of the day, the Funds are the same exact balance, but for purposes of reporting technically it should be recorded where the expense is where the revenue came in.

Mayor Gatt thanked Plante and Moran for their hard work. He said again that the City of Novi is in good financial shape and thanked them for keeping the checks and balances on us.

**REPORTS:**

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

**AUDIENCE COMMENT - None**

Linda Roberts, 30377 Balfour Dr., went to vote at Precinct 12 on Election Day. She said she got there at 7 a.m. and there was a huge line. There were also parent/teacher conferences at Hickory Woods which added to the parking issues. The parking lot was full and people couldn't find spots to park. She got in line, but the line wasn't moving and they heard the laptop wasn't working. She waited an hour and a half before they heard the laptop was finally working. There were people with strollers and little kids standing in line outside and it was cold. It took 2 hours and 45 minutes to get in and vote. She ended up missing 3 of her kids' parent teacher conferences.

Tom Rombach, 51249 Washington Street, New Baltimore, explained he is a Criminal and Civil Trial Attorney. He was present in Macomb and Oakland counties on Election

Day. He wanted to voice concerns about Precinct 12. He said there was a 3-4 hour delay, and recognized there were issues with spoiled ballots and the laptop program. There were so many people voting in person, it didn't allow the poll workers a chance to catch up. He thought there were structural problems and explained anything over a 30-minute delay was too long. The voters had to stand in line outside. His group worked with the principal to get the line moved inside. The parking was nearly impossible. The parent teacher conferences were scheduled until 6 p.m. and added to the problem. He felt the solution would be to split the precinct. He thought voters were deterred from voting.

Sean Tate, Attorney, was present on Election Day as a poll observer. There was at least a 2-hour delay to vote. He believes splitting the precinct would be the best move. The conditions were cold for people waiting outside. At 2 p.m. they were allowed to move the line into the gym, but the line snaked all the way around. He counted that only 28 people were allowed in at one time, and the poll worker was issuing one ballot at a time. He felt they needed more poll workers.

Danielle Anderson, a resident of Novi, was a volunteer at Hickory Woods on Election Day. She said she witnessed people wait 2.5-3 hours. People didn't have the time or inclination to wait that long. Her team passed out pizza, snacks and water. The precinct was so crammed. Voters only had a certain amount of time to vote and she watched people leave instead of waiting in line.

Kathleen Calka, 30672 Vine Ct. in the Maples of Novi, was at Precinct 12 as a volunteer. She votes at Precinct 9 and mentioned her location has been moved several times. She witnessed a lot of young people with kids and strollers waiting in the line. She helped pass food out. She said it was a shame that it went on and hopefully it will be improved.

**CONSENT AGENDA REMOVALS AND APPROVALS:**

**CM 16-11-146      Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:**

**To approve the Consent Agenda with Item "O" removed. Item "P" was removed and later approved. All other items approved as presented.**

- A. Approve Minutes of:
  - 1. October 24, 2016 – Regular meeting
  
- B. Enter Executive Session immediately following the regular meeting of November 14, 2016 in the Council Annex for the purpose of discussing labor negotiations, property acquisition and privileged correspondence from legal counsel.

- C. Approval of a Storm Drainage Facility Maintenance Easement Agreement with Grand Beck Partners LLC for the Citygate Marketplace commercial project located on Parcel 22-16-176- 033 east of Beck Road between Grand River Avenue and Interstate 96.
- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Pulte Homes of Michigan, LLC for the Oberlin Site Condominium Phase #1 residential project located on Parcel 22-20-200-016 south of 11 Mile Road between Wixom Road and Beck Road.
- E. Approval of three Quit Claim Deeds for The Preserve at Island Lake (Phase 8) and Island Lake Orchards (Phase 5B) to dedicate the master planned right-of-way along Napier Road and Ten Mile Road as follows: 1) Approval of Quit Claim Deed to convey the 60-foot half width master planned right-of-way of Napier Road to the Road Commission for Oakland County (RCOC) along the Napier Road frontage of The Preserve at Island Lake (Phase 8), 2) Approval of Quit Claim Deed to convey the 60-foot half width master planned right-of-way of Ten Mile Road to the RCOC along the Ten Mile Road frontage of The Preserve at Island Lake (Phase 8), and 3) Approval of Quit Claim Deed to convey the 60-foot half width master planned right-of-way of Napier Road to the RCOC along the Napier Road frontage of Island Lake Orchards (Phase 5B).
- F. Acceptance of a warranty deed from Toll MI II Limited Partnership for the dedication of the 60-foot half width master planned right-of-way of Ten Mile Road along the Ten Mile Road frontage of Island Lake Orchards (Phase 5C) and approval to execute a Quit Claim Deed conveying the dedicated Ten Mile Road right-of-way to the Road Commission for Oakland County.
- G. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Toll MI V Limited Partnership for Ridgeview Villas of Novi residential project located northeast of Nick Lidstrom Drive (parcel 22-26-101-026).
- H. Approval of the Memorandum of Understanding (MOU) Agreements between the City of Novi Fire Department and the Northville Township Fire Department and the City of Novi Fire Department and the Plymouth Township Fire Department regarding the 2016 Assistance for Firefighters Grant Program.
- I. Approval of request for Fireworks Display Permit by City of Novi Parks, Recreation and Cultural Services, to be operated by ACE Pyro, on Friday, December 2, 2016 for the community event, Light Up The Night, subject to final approval as to form by City Manager and City Attorney.
- J. Approval of Ordinance Code Amendment 16-187 of Novi Code of Ordinances, "An Ordinance To Amend The City Of Novi Code of Ordinances, at Chapter 26, 'Peddlers, Solicitors, Commercial Handbills,' Section 26-3, 'Noncommercial

Solicitation Permit; Application'; Section 26-55, 'Investigation of Application; Grant or Denial'; and Section 26-10, 'Hours of Peddling/Solicitation; Additional Requirements,' in Order to Remove Authorization for and Reference to Solicitation in Areas of Public Rights-of-Way." **SECOND READING**

- K. Acceptance of a Wetland Conservation Easement from Hunter Pasteur Homes for wetland conservation areas as part of the JSP 15-13 Dunhill Park site, located at the northwest corner of Beck Road and Eight Mile Road in Section 32 of the City.
- L. Approval of an agreement with the Suburban Collection Showplace to host the 2017 State of the City Address & Breakfast on Thursday, March 9, 2017 for the estimated amount of \$4,000.
- M. Approval to purchase an unmarked vehicle from Signature Ford, Owosso, MI for the Novi Police Department in the amount of \$26,664 through the Macomb County cooperative purchasing bid and amend the budget.
- N. Approval to award bid to Kiesler Police Supply, Inc. for the purchase of new Glock 17 Gen4 handguns and Glock 43 handguns and associated magazines, sights, holsters, mounted lights, and ammunition with a trade-in of current pistols for a net cost of \$59,072.21.
- O. Approval of Resolution regarding Temporary Holiday Promotional Signage allowing temporary relief from Sign Ordinance from November 25 through December 26, 2016. **REMOVED**
- P. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of one street light near the intersection of Bethany Way and 10 Mile Road to serve the Willowbrook Farm development; and approval of an agreement with the Willowbrook Farm Homeowners Association for the sharing of installation costs per the City's Street Lighting Policy.
- Q. Approval of a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of one street light near the intersection of Alpine Drive and Beck Road to serve the Valencia South development; and approval of an agreement with, the Developer on behalf of the Homeowners Association for the sharing of installation costs per the City's Street Lighting Policy.
- R. Adoption of Resolution appointing Engineering Senior Manager George D. Melistas as Traffic Engineer in accordance with Section 33-51 of the Code of Ordinances.

- S. Approval to award geotechnical services to Soil and Materials Engineers, Inc. for the Crescent Boulevard Reconstruction in the amount of \$44,000.
- T. Approval of Claims and Accounts – Warrant No. 975

**Roll call vote on CM 16-11-146**

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

**MATTERS FOR COUNCIL ACTION**

- 1. Approval of Zoning Ordinance Text Amendment 18.276 to amend the City of Novi Zoning Ordinance at various sections primarily related to the TC and TC-1, Town Center Districts in order to implement recommendations of the 2014 Town Center Area Study. **FIRST READING**

**CM 16-11-147**

**Moved by Wrobel, seconded by Burke; UNANIMOUSLY CARRIED:**

**To approve the of Zoning Ordinance Text Amendment 18.276 to amend the City of Novi Zoning Ordinance at various sections primarily related to the TC and TC-1, Town Center Districts in order to implement some of the recommendations of the 2014 Town Center Area Study FIRST READING**

Member Mutch said this Ordinance Amendment is making adjustments to the Ordinance to reflect some recommendations that were made in the 2014 Town Center Study. The one change he would like to see addressed before "Second Reading" was previously in the Ordinance there was a 75 foot setback requirement where TC-1 abuts Single Family Residential. Currently a portion of TC-1 development is adjacent to Meadowbrook Glens Subdivision. He said when he asked about that he was told the property had already been developed so we don't anticipate any changes so the setback requirement is not needed anymore. What is proposed in the Ordinance Amendment would change the 75 foot setback to 15 or 30 feet. He felt down the road this could create problems if there is any redevelopment in that area. He said he didn't see the necessity for it. He noted the language was previously in there, the development that went in adjacent to Meadowbrook Glens has the 75 foot setback and he wasn't sure why we removed it from the Ordinance. Before the "Second Reading" he would like to see that language back in there. It provides protection to the Single Family Residence. It is consistent with what our previous Ordinance had and he said he didn't see any reason to change it at this time. It doesn't affect any other TC-1 properties; they can use the reduced setback that is suggested.

Mayor Gatt asked City Manager, Pete Auger why they have the change incorporated into this recommendation. Mr. Auger said he believed the recommendation came



from the Study itself. Planning Director, Barb McBeth confirmed that the recommendation came from the Study and it was intended to provide a consistent setback along Main Street itself and straight line of potentially townhouses along Main Street. She said she didn't know if it was necessarily intended to address this one particular area that Member Mutch had mentioned, but she didn't think it would be of consequence to remove that from the Ordinance Amendment. Mayor Gatt asked if it was passed, as presented tonight, what would the repercussions be. Ms. McBeth said that they had a brief email exchange about this earlier with one piece of property was already developed, but if it came back in for redevelopment or some change to that area potentially there could be a development closer to the Single Family Homes that are in the Meadowbrook Glens Subdivision.

**Roll call vote on CM 16-11-147**

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

**Nays: None**

2. Approval of Zoning Ordinance Text Amendment 18.278 to amend the City of Novi Zoning Ordinance at various sections, in order to correct inconsistencies, bring ordinance language up to date, and update standards for pet boarding and training facilities. **FIRST READING**

**CM 16-11-148**

**Moved by Staudt, seconded by Wrobel; UNANIMOUSLY CARRIED:**

**To approve the Zoning Ordinance Text Amendment 18.278 to amend the City of Novi Zoning Ordinance at various sections, in order to correct inconsistencies, bring ordinance language up to date, and update standards for pet boarding and training facilities. FIRST READING**

**Roll call vote on CM 16-11-148**

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

**Nays: None**

3. Approval to purchase four (4) 2017 Ford Police Interceptor Utility vehicles in the amount of \$106,204 from Signature Ford, Owosso, MI through the Macomb County cooperative purchasing contract and two (2) 2017 Chevrolet Tahoe Police vehicles in the amount of \$69,420 from Berger Chevrolet, Grand Rapids, MI through the Oakland County cooperative purchasing contract for the Novi Police Department.

**CM 16-11-149**

**Moved by Burke, seconded by Wrobel; UNANIMOUSLY CARRIED:**

**To approve the purchase of four (4) 2017 Ford Police Interceptor Utility vehicles in the amount of 106,204 from Signature Ford, Owosso, MI through the Macomb County cooperative purchasing contract and two (2) 2017 Chevrolet Tahoe Police vehicles in the**

**amount of \$69,420 from Berger Chevrolet, Grand Rapids, MI through the Oakland County cooperative purchasing contract for the Novi Police Department**

**Roll call vote on CM 16-11-149**

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

4. Approval of a cost participation agreement with the Road Commission for Oakland County for Right-of-Way Acquisition for the Napier Road (Nine Mile to Ten Mile) Paving and Napier/Ten Mile Intersection Improvement project in the amount of \$500,000, of which \$83,334 is to be paid by the City of Novi, \$166,666 is to be paid by the Tri-Party Program, and the remaining \$250,000 to be funded by the Road Commission for Oakland County.

**CM 16-11-150**

**Moved by Wrobel, seconded by Casey; UNANIMOUSLY CARRIED:**

**To approve a cost participation agreement with the Road Commission for Oakland County for Right-of-Way Acquisition for the Napier Road (Nine Mile to Ten Mile) Paving and Napier/Ten Mile Intersection Improvement project in the amount of \$500,000, of which \$83,334 is to be paid by the City of Novi, \$166,666 is to be paid by the Tri-Party Program, and the remaining \$250,000 to be funded by the Road Commission for Oakland County.**

Member Mutch said we had correspondence about some change regarding this particular project. He said it originally was supposed to be about road repaving of Napier Road from Nine Mile to Ten Mile Road and then a signalization. The Road Commission changed the design of the intersection to turn that into a roundabout. He said we heard some feedback from people that they weren't happy for the fact that the roundabout design is going to impact the Church that is on the corner. He noted that what they are approving tonight is for all of the Right-of-Way Acquisition for the Novi side of Napier Road which includes the Church property. City Manager Auger confirmed that was his understanding. Member Mutch said the estimate the Road Commission for the total Right-of-Way cost is about \$500,000 for all of the properties involved, which City Manager Auger said was correct. Member Mutch said if those costs exceed \$500,000 the City of Novi is going to be responsible for 50% of any over runs beyond that. City Manager Auger confirmed that was correct and stated that South Lyon Township also understands that this project is going to help them out as much as it will help us out. They have agreed in conversations to look at it if the amount exceeds that, although there has been no formal commitment to that. Member Mutch said the information that City Manager Auger shared with us looks to be the primary driver of the cost for this Right-of-Way portion of that project. He also noted that we are not directly involved with this because it is a Road Commission project. He mentioned the Church cannot stay where it is and he wondered what was going to happen with that. City Manager Auger said that was correct. He said the Church is too close to the

intersection and will have to be moved or demolished. He did not know where that is at this point. Member Mutch said he was concerned with this. Right-of-Way Acquisitions usually are pretty straight forward, with this particular parcel though, we are dealing with a Church that is still active. He said they are going to have to move or replace that Church which he felt the cost could get fairly big. He wondered what the City's comfort level was. He said it was the Road Commission that decided this design for the intersection and that is driving this Right-of-Way Acquisition cost. He felt they are asking us to buy into a project that looks like it can get expensive. City Manager Auger said we are relying on the County for those numbers and to do the negotiations. He said this is their project and we take a back seat.

Mayor Gatt said he wanted to make his comments on the record and said he understood everything that Member Mutch was saying. He said he didn't disagree, however this intersection has been the point of contention for so long and it is such a dangerous intersection that he thinks that any delays in getting this repaired would be detrimental to the public safety. City Attorney, Thomas Schultz said the Road Commission is certainly working with Church to try to deal with their issues. They are on the ZBA Agenda coming up for one variance related to the size of the parcel that a church can exist on and then may in the future come in on behalf of the Church the Road Commission might seek additional variance relief in the future. He said they are aware of it and are trying to lessen that burden a little bit. Member Mutch said he appreciates it and he did see they were on the ZBA Agenda to deal with some of that. Member Mutch said the best case scenario would be a win-win situation for the Church and the Road Commission, but from the Church perspective they are going to want to be made whole.

**Roll call vote on CM 16-11-150**

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

**Nays: None**

**COMMITTEE REPORTS - None**

### **MAYOR AND COUNCIL ISSUES**

Member Markham spoke about what happened in Precinct 12, and said we've had a number of people come before us tonight to tell us about their experiences. Member Markham said it was really unfortunate from the beginning of the day on. She noted that the last voter didn't leave the Precinct until after 10:00 PM, which she said is unacceptable. She said she went over there twice, both in the afternoon and the evening around 7:00PM and stayed until 9:00 PM. She said the voters were doing a great job of making the best of a difficult situation. She wanted to thank the groups there that were passing out candy, pizza and water; she said it was not the City that provided that. She said the Poll workers did everything they could to keep things moving. Cortney Hanson, City Clerk and Patricia Chinn, Principal were calm through the process and were accommodating to the extent that they could be. She said she did not want to place blame; she wants to make sure this doesn't happen again. This

Precinct has been a problem for a while. A couple of years ago she came before Council and pointed out that if we didn't deal with it we were probably going to have a problem with access and accommodations at the next Presidential because of the volume of voters, unfortunately that is what happened. She said she did some math looking at this Precinct and looking at others there were other Precincts that had more voters pass through such as Precinct 16 for example had more voters, averaging 25 seconds per voter. If we had a turn out rate of 70 percent at 12 at 25 seconds per voters, it would take 13.5 hours to get all the voters through, which is longer than the State allotted time. If we had a turn out rate of 80 percent, which a number of Precincts had, 19 out of 22 Precincts were over 70 percent. If we had 80 percent at this Precinct it would take over 15 hours to vote. She felt there were clearly too many voters at that Precinct, which is just a few hundred shy by the maximum accepted by law. Member Markham asked the City Clerk and Election Commission if we can split this Precinct in two. She said we have 5 Precincts that have over 75 percent of the maximum voters allowed. She thought we should be looking at more than Precinct 12 longer term. In terms of the parking over there, the closest resident to this Precinct is over 2 miles away. All of Walled Lake Schools had parent/teacher conferences scheduled that day, not Northville or Novi. She said the Principal said this is the first year that they did not have students in the school on voting day. She said as it turns out the people that vote at Hickory Woods are not the people who had conferences, they voted somewhere else. She wondered if we should be using facilities that are having other activities during the day and how parking factored into it. There are only 100 parking spaces at Hickory Woods. She said she was not sure the School and the City considered the parking or potential parking problems. She said some people had their cars towed and if she had to wait 2.5 hours to vote and found her car had been towed she wouldn't be a happy person. She mentioned that the State will allow a Precinct at a Club House at a complex that has more than 150 people. She said many of voters at Hickory Woods live in the apartments in that area, she wondered if we could consider having a Precinct in one of their Club House's.

Mayor Gatt said he had great empathy for the people that had to wait in line for a long time and wished that hadn't had happened. He asked that the City Manager contact the City of Walled Lake and ask them if they would not have parent/teacher conferences on the day of an election. He said that was a storm that we had no control over, but nonetheless maybe we can do something about. He said he will be consistent with what he said a year and a half ago when Member Markham brought this up. The Election Commission is appointed and they are obligated by law to stay away from them. He said he has great faith in our City Clerk and the Election Commission to recognize the problem and fix that problem without City Council getting into something that legally they should not be involved in. He said he will sit back and is sure that the City Election Commission and City Clerk has heard everybody loud and clear and look will look forward to a resolution.

#### **CONSENT AGENDA REMOVALS FOR COUNCIL ACTION**

Member Wrobel removed Item "P" which is a simple request that involves installing a cobra style light fixture at Bethany Way and Ten Mile Road that will serve the entrance to the Willowbrook Farm Subdivision and as well as part of the Willowbrook Subdivision. He said he pulled this Item because is President of the Willowbrook Farm Homeowners Association. He said he was the one that submitted this and wondered if there would be a problem with voting on this Item. City Attorney, Thomas Schultz said he didn't think there would be a direct financial conflict of interest with the Charter or State Law. City Attorney, Schultz said if Member Wrobel believed that he could be objective he was permitted to vote.

**CM 16-11-151            Moved by Staudt, seconded by Wrobel; UNANIMOUSLY CARRIED:**

**To approve a Street Light Purchase Agreement with Detroit Edison Company for the installation and ongoing operation costs of one street light near the intersection of Bethany Way and 10 Mile Road to serve the Willowbrook Farm development; and approval of an agreement with the Willowbrook Farm Homeowners Association for the sharing of installation costs per the City's Street Lighting Policy.**

**Roll call vote on CM 16-11-151**

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

**Nays: None**

**AUDIENCE COMMENT - None**

**COMMUNICATIONS - None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 7:59 P.M.

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Cortney Hanson, City Clerk

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Robert J. Gatt, Mayor

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Transcribed by Deborah S. Aubry

Date approved: November 28, 2016