

into the offices to introduce themselves and give them a small token of appreciation. Mr. Mangum said it is a privilege to work with the older adults and likes having it a part of the Parks, Recreation and Cultural Services Department.

3. Updates by County Commissioner Kathy Crawford.

Ms. Crawford spoke about the fact that she is often asked what she does as County Commissioner. She explained there are no term limits for County Commissioners. She said it is something like a City Council but on a much larger scale. There are twenty-one County Commissioners. It is a partisan position. Unlike other commissions, there is only one commissioner for Novi. Her district is number nine. She works with the County Administration to establish public policy. Commissioners oversee the various County departments. She is Vice-Chair of the General Government Committee and is on the Finance Committee. She is on nine other committees. She was delighted that the Mayor proclaimed September, 2013, as Senior Center Month. In the past, she has been proactive about a senior center for Novi. The Novi City Council has been proactive by getting additional accessible parking in the front of the Civic Center. She stressed the need for senior transportation in the future. She explained the drug card benefits she handed out where people can save up to 75% on their prescriptions. It is for individuals and families. There is no fee for the card or restrictions. Also, she attended a Michigan Association of Counties regional meeting and was struck by the amount of information regarding Oakland County veterans. She is sure there are those who don't understand their veteran family member may be eligible for services. She recommended they go to the Oakland County Veteran's Department or they can go online at Oakgov.com for the information. The Commissioners have an online newsletter and she also does a show on SWOCC. A workshop for Senior Directors was developed. They are planning to have another. Another workshop that was requested is a non-biased information workshop on finance. It is going to be October 1st at Walsh College Novi Campus from 10 a.m. to Noon. A workshop for businesses is September 24th in Troy with an all morning session on, The Best Practices on How to Attract Boomers. She announced on Friday, August 30th everyone that is age 62 and over will get free admission to the State Fair at Suburban Collection Showplace.

REPORTS:

1. MANAGER/STAFF

City Manager Pearson thanked Mayor and Council for the grand opening of Pavilion Shore Park on Saturday, August 24, 2013. The park will be a nice complement to Lakeshore Park. Also, he thanked the staff for making the event happen. Mayor Gatt thanked Mayor Pro Tem David Staudt for his original idea of bringing the park to fruition. Mayor Pro Tem Staudt noted when he researched the park history online, he found the names of many residents before him who made sure that property was never developed and gave the City the ability to develop the park.

2. ATTORNEY – None

AUDIENCE COMMENT – None

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

CM-13-08-118 Moved by Fischer, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve the Consent Agenda with the removal of Item C but was later approved.

- A. Approve Minutes of:
 - 1. August 12, 2013 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of August 26, 2013 in the Council Annex for the purpose of discussing pending litigation, property acquisition, and privileged correspondence from legal counsel.
- C. Approval of a contract with Municipal Web Services to host and maintain the City of Novi's two public websites (cityofnovi.org and InvestNovi.org) and intranet for three years for the period of December 12, 2013 through December 11, 2016, with two renewal options in one-year increments, in the approximate amount of \$63,000 and development of a Responsive Web Design solution for mobile devices and tablets in the amount of \$25,000.
- D. Approval of Labor Agreement between the City of Novi and the Michigan Association of Public Employees (MAPE) for a term of July 1, 2013 through June 30, 2017, with the signed Agreement to follow.
- E. Approval to purchase a 2014 Ford Expedition EI 4 x 4 from Signature Ford, Owosso, MI for the Novi Fire Department in the amount of \$32,495 through the Macomb County cooperative purchasing contract.
- F. Approval of adoption of a revised resolution to rescind the City's October 8, 2012 local approval of a quota liquor license for Grace Sharing Club, LLC (d/b/a Fifth Avenue Club and Restaurant), given the failure of the applicant to take sufficient steps to secure occupancy permits and issuance of such license by the Michigan Liquor Control Commission, and to comply with representations with regard to the use.
- G. Approval of appointment of Judith Reedy (Employee Delegate) and Jessica Dorey (Officer Delegate) as the 2013 City of Novi representatives to attend the annual Municipal Employees Retirement System (MERS) Conference to be held October 1 – October 3, 2013.
- H. Approval to award a three year contract to R.W. Mead & Sons, Inc. for heating, ventilation, and air conditioning (HVAC) services. The Contract includes scheduled inspection, preventative maintenance and service/repair at an estimated cost of \$64,000.

- I. Approval to award the purchase and installation of a Unitrends integrated backup, archiving and disaster recovery appliance to CTS-Companies, Inc., in the amount of \$70,434.
- J. Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2014, of site plan approval for a 312-unit apartment project developed as a PD-1 option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.
- K. Approval to award an amendment to the engineering services agreement to Spalding DeDecker Associates for the construction phase engineering services related to the Novi Road Pathway and 2013 ADA Compliance project in the amount of \$24,063.
- L. Approval to award an engineering services agreement to Orchard Hiltz & McCliment for design engineering services related to the Jo Drive Rehabilitation and Extension project in the amount of \$29,639.
- M. Approval to award an engineering services agreement to Spalding DeDecker Associates for design engineering services related to the Town Center Drive Rehabilitation Project in the amount of \$43,159.
- N. Approval to award a construction contract for the Police Station West Parking Lot rehabilitation project to Nagle Paving Company, the low bidder, in the amount of \$51,403.
- O. Approval of Traffic Control Orders 13-33 through 13-36 related to signage along East Lake Drive, Endwell, and 13 Mile Road near Pavilion Shore Park.
- P. Approval of the final payment and balancing change order to Cadillac Asphalt, LLC for the West Oaks Roadways and Ten Mile Pathway project in the amount of \$35,149.31.
- Q. Approval of a corrected and revised Good Faith Offer in the amount of \$10,000 for two permanent pathway easements over parcels 22-27-200-010 and 22-27-200-012 to be allocated between the two parcels pursuant to the agreement of the parties for the purpose of constructing a pedestrian safety path on the west side of Novi Road between Nine Mile and Ten Mile.
- R. Approval of Claims and Accounts – Warrant No. 898

Roll call vote on CM-13-08-118

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

Nays: None

MATTERS FOR COUNCIL ACTION:

1. Consideration of requests from JJY Cigar, LLC d/b/a Socialight Bistro Bar and Cigar Lounge:
 - A) Consideration of request for a Special Land Use for approval for service of alcoholic beverages.

City Manager Pearson said it is a new business at the Twelve Oaks Crossing at the Fountainwalk retail development. This is the first applicant with the new process of liquor license applications. This is a streamline way to provide a Special Land Use recommendation.

Member Fischer asked the applicant about the background of the business. He was concerned that the sales would be a 60/40 ratio of food to alcohol. Kelly Allen, representative for applicant, said it is an estimate. It is a little bit higher because of the cost basis of the food and because of that they thought the food sales would be higher. Also, the retail sales, including sales of cigars, would be included in the estimate. Member Fischer confirmed with the City Manager that this applicant has passed all approvals necessary in accordance with the ordinance.

CM-13-08-119 Moved by Fischer, seconded by Margolis; CARRIED UNANIMOUSLY:

To approve the request for a Special Land Use for approval for service of alcoholic beverages for JJY Cigar, LLC d/b/a Socialight Bistro Bar and Cigar Lounge.

Member Mutch asked if people can smoke anywhere because of the exemption from the State. Ms. Allen confirmed that they can, but cigars only with a special filtration system that will not permeate into adjacent buildings.

**Roll call vote on CM-13-08-119 Yeas: Fischer, Margolis, Mutch, Wrobel, Gatt, Staudt, Casey
Nays: None**

- B) Consideration of request to transfer ownership of an escrowed Class C liquor license with Sunday Sales AM Permit, New Outdoor Service Area Permit and new SDM from S7, LLC to be located at 44375 Twelve Mile, Suite G157, Novi, MI 48377.

CM-13-08-120 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the request to transfer ownership of an escrowed Class C liquor license with Sunday Sales AM Permit, New Outdoor Service Area Permit and new SDM from S7, LLC to be located at 44375 Twelve Mile, Suite G157, Novi, MI 48377.

Roll call vote on CM-13-08-120

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

2. Approval of Zoning Ordinance Text Amendment 18.268 to amend the City of Novi Zoning Ordinance at Article 19, "I-1, Light Industrial District", Section 1903, "Principal Uses Permitted In Locations Not Abutting a Residential District and Subject to Special Conditions" in order to permit passenger motor vehicle rental facilities in the I-1 District. **FIRST READING**

City Manager Pearson explained there was an inquiry from a business that wanted to establish a car rental business in the I-1 District. Our current text does not provide for it but believed it would be a good use for that district.

CM-13-08-121

Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve Zoning Ordinance Text Amendment 18.268 to amend the City of Novi Zoning Ordinance at Article 19, "I-1, Light Industrial District", Section 1903, "Principal Uses Permitted In Locations Not Abutting a Residential District and Subject to Special Conditions" in order to permit passenger motor vehicle rental facilities in the I-1 District. FIRST READING

Member Mutch had a concern with the way the ordinance was written and in it there wasn't a limitation to the number of vehicles that could be parked in the I-1 District for this kind of use. The applicant that requested the text amendment is only having a relatively small number of cars. He was concerned that it could become a larger scale operation and didn't want to see the district turned into a vehicle storage district. Parking lots don't pay much in the way of property taxes. In other communities they allow them, but in Novi he thought those properties should be of a more productive use.

Roll call vote on CM-13-08-121

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

3. Approval to award a construction contract for the Novi Road Pathway and 2013 ADA Compliance project to Fonson, Inc., the low bidder, in the amount of \$179,187.

CM-13-08-122

Moved by Mutch, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve award a construction contract for the Novi Road Pathway and 2013 ADA Compliance project to Fonson, Inc., the low bidder, in the amount of \$179,187.

Roll call vote on CM-13-08-122

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

Nays: None

4. Approval to award professional services contract to Clearzoning for modification to the format of the Zoning Ordinance, in the amount of \$37,000.

City Manager Pearson said it is a relatively small amount of money but believed it is a significant step forward. They have been looking at this product for a number of years and feel that it is the right time to adopt this. The Zoning Ordinance is accessed on the website and this basically simplifies it and makes it more human to understand with hyperlinks and illustrations.

Member Wrobel commended staff for making this easier for residents.

CM-13-08-123 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve to award professional services contract to Clearzoning for modification to the format of the Zoning Ordinance, in the amount of \$37,000.

Member Fischer mentioned that he knew there would not be substantial changes to the ordinance and asked if it will come back in its entirety for approval. City Manager Pearson said they wouldn't see the whole zoning text. If there are any issues or questions through the process, they would be presented to Council. They will bring back a compendium of changes.

Roll call vote on CM-13-08-123

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

Nays: None

AUDIENCE COMMENT - None

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES:

1. Member Fischer requested Council to consider handling interviews with a committee structure for Boards and Commissions and to be done similar to Youth Council interviews, excluding those appointed by the Mayor (Library Board, Planning Commission) and the Zoning Board of Appeals. He asked that Administration come

up with a plan and place this before Council at a future meeting. Mayor Gatt agreed that this would be an efficient use of Council's time. This item would be brought back to Council at a future meeting. City Manager Pearson agreed to present a memo for a policy discussion.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

- C. Approval of a contract with Municipal Web Services to host and maintain the City of Novi's two public websites (cityofnovi.org and InvestNovi.org) and intranet for three years for the period of December 12, 2013 through December 11, 2016, with two renewal options in one-year increments, in the approximate amount of \$63,000 and development of a Responsive Web Design solution for mobile devices and tablets in the amount of \$25,000.

Mayor Pro Tem Staudt explained how the community benefits greatly from our web design. He acknowledged this is a very worthwhile expenditure. In the future, he would like to see this item and similar expenditures come before Consultant Review. It is a vendor issue and he would like to review this on an individual interview basis next time.

CM-13-08-124 Moved by Staudt, seconded by Fischer; CARRIED UNANIMOUSLY:

To approve a contract with Municipal Web Services to host and maintain the City of Novi's two public websites (cityofnovi.org and InvestNovi.org) and intranet for three years for the period of December 12, 2013 through December 11, 2016, with two renewal options in one-year increments, in the approximate amount of \$63,000 and development of a Responsive Web Design solution for mobile devices and tablets in the amount of \$25,000.

Member Wrobel agreed and would like to review this item in the future because it isn't a small contract and it is more important than some aspects to the City.

Member Mutch noted they have had some criticism about the amount of money the City spends on its web presence. With the volume of traffic that is going through the website and the amount of information made available to residents, we could not do it in-house with the cost it would require to hire people to sustain it. He has worked with Municipal Web Services in the past and they are an excellent company. City staff seems to value the relationship they have developed and maintained over the years with the company. Also, the company has evolved with the City, which speaks highly of the company. He will support this.

Mayor Gatt asked the City Attorney if it could go before Consultant Review. City Attorney Schultz said it is more of a vendor issue than the professional services consultant that you normally take to Consultant Review, but it is a contract that City Council approves and Council could request it. Mayor Gatt would approve the motion

but would like a little more research in the future. He doesn't want to get involved with every vendor that the City does business with and didn't believe it was their role.

Member Fischer agreed with Mayor Gatt and noted he will be looking forward to the opinion of the City Attorney or Administration. This vendor has done very well and he has not heard of any complaints. He didn't see the value of it going to Consultant Review because he didn't see a great amount of savings.

Mayor Pro Tem Staudt noted that it did go out to bid. Whether something goes out to bid or not from a consultant review standpoint isn't our rule. Review of EMS, legal, or Environmental Services are presented to Council. He is not saying to review every vendor relationship. If we are going to do a multi-year contract with a vendor, as in this case, it would be worthwhile for Council to review. It is potentially \$500,000 over the course of five years. It is something he would like to be able to weigh in on if possible.

Member Margolis understood Consultant Review should be only consultants, not vendors. She is very concerned about setting precedence in the future. There is a lot of staff time in reviewing these items. This is an item that is working.

Roll call vote on CM-13-08-124

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

Nays: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:07 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: September 16, 2013