

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, DECEMBER 15, 2008 AT 6:00 P.M.  
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 W. TEN MILE RD**

Mayor Landry called the meeting to order at 6:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Landry, Mayor Pro Tem Capello, Council Members Crawford\*\*, Gatt, Margolis, Mutch, Staudt

**ALSO PRESENT:** Clay Pearson, City Manager  
Pamela Antil, Assistant City Manager  
Tom Schultz, City Attorney

Julie Farkas presented City Council Members with official Library Construction Hard Hats and said construction of the library building would begin in January or February 2009. She thanked Council for their support and said they were looking forward to the next 18 months as they put the library together.

**INTERVIEW FOR CITY COUNCIL SEAT**

**1. Brian Burke**

Mr. Burke said he previously sat on the Parks, Recreation & Forestry Commission and currently sat on the Planning Commission and was the current Planning Commission representative to the ZBA. Mr. Burke commented he was a CERT member and a board member of the Parks Foundation. He stated he was a business owner, and brought a degree of competency to the commission. He noted he listened to his fellow commissioners and to public input but had his own opinion and defensible judgments based on how his vote would best serve the community and the City. Member Staudt said since he lived in the same subdivision as Mayor Landry and Member Margolis, what would happen to his objectivity and independence in decision making, if appointed to City Council. Mr. Burke said it wouldn't have any affect and the address where he resided wouldn't have any impact on his ability to make decisions on behalf of the City. He didn't believe his address had any relevance to any part of being a member of the City Council. Member Staudt asked what his views were about using brownfields and tax abatements for economic development. Mr. Burke thought they had their place but didn't have an in depth knowledge of them. He thought it could help in those areas that needed to be cleaned up because of soil contamination, and said it wasn't necessary for commercial, but was necessary for residential. Member Staudt asked what his position was on the Signature Park initiative. Mr. Burke commented he had an opportunity to sit down with Mr. Auler in 2003, and thought it was exciting to finish up what had been started five years ago. Mr. Burke thought the Signature Park would bring key elements to the City that were desperately needed; such as gym facilities, theater, senior activities, outdoor festivals and art. Mayor Pro Tem Capello asked how the City could cut costs and make payroll and what he would recommend to solve those issues. Mr. Burke noted while Council leaned heavily on the staff to bring forward the first broad strokes of the budget as Council directed, including Mr. Pearson, Ms. Antil and Kathy Smith-Roy and several preceding Council's, they had been able to have a budget that took care of the City. Mr. Burke said with the onset of the current economic climate, decrease in taxable values and decrease in State Shared Revenues, he commended the sitting Council for being able to increase the General Fund balance 15% to 18% to have the money to get the City through. He said he saw how the Administration was

bracing for this economic slow down and knew they had to pare back and let several people go from City staff. He said it started there and moved forward. Member Gatt asked what he considered the most important task the City Council was charged with. Mr. Burke responded the oversight of the Administration, oversight of the taxpayer's dollars, and to continue to guide Novi forward, keeping what's best for the citizens and the City in mind. Member Gatt asked what Council did during the budget process that could be done better. Mr. Burke replied he didn't know if they could do anything better, other than continue to get input from all of the different City services to weed out all but the critical needs. He said when the economy was better they could then look at wants and needs along with critical needs. Member Gatt commented Council recently voted to do a study of the public safety needs in the community. He asked what his opinion was of the public safety agencies in Novi and would he would support a full time fire department. Mr. Burke said he saw services all day, every day. He saw the officers on the street taking care of the citizens and thought Novi was a very safe City. He said he didn't support a full time fire department now or in the foreseeable future. He said he was sure there were Federal mandates in terms of response times of volunteer fire departments and what they had to do to serve the public; obviously they were meeting that criterion. He thought it was not the right time now or in the foreseeable future for a full time fire department.

\*\*Member Crawford arrived at 6:18 p.m.

Member Margolis asked for his views on the role of the City Council and specifically the relationship Council should have with the City Manager and City staff. Mr. Burke believed in a chain of command with department heads reporting to the City Manager. It would be his opinion that Council would speak with the City Manager and give him information on where they wanted to go with any particular subject and let him administer to the staff. He thought when the chain of command was removed they would usurp the authority given to Mr. Pearson as a City Manager. He thought that would be outside what he would consider to be the scope of City Council. Member Margolis asked him about an ethical dilemma he had faced and how he made a decision. Mr. Burke said what the head made cloudy the heart made very clear. He said his ethics guided his decisions and he conducted himself in his business and employment by his sense of right and wrong and didn't deviate from that. He said, with regard to the Planning Commission, he voted based on what was right and best for the City. Member Margolis commented that the biggest issue facing this area was the future of the auto industry. She asked what he thought the potential impact of this would be on the City and how should Council plan for it. Mr. Burke said as it related to the automotive industry, the best they could do was lobby our Senators and Congressman for the bridge loans. He said as a Council to plan for the future was the balance of bringing the right products in. Member Mutch asked what attributes, skills or knowledge would he bring to Council that was not already there. Mr. Burke said first and foremost a business mind as it related to the City. He chose to build his business in Novi and spent very little time outside of the City and brought his own ideas and thoughts. He commented that he was not a company yes man and if they were looking for that, he probably wasn't their guy. He said he wanted to be involved because he wasn't someone who sat back and watched; he was someone who got involved and did. Member Mutch asked why Council should choose him over others. Mr. Burke thought he brought the competency level Council was looking for, decision making ability as a business owner and Planning Commissioner. He said he would come with an open mind and a direction he would like to go but would be receptive to all parties before he made a final decision. Member Mutch asked what his overall philosophy was for the budget. Mr. Burke replied it was first not to draw

down on any services to the citizens and thought raising taxes would not necessarily be the answer. He said they might have to make a small dip into the General Fund but it was not a practice they would want to implement time and again, but at times it might be necessary. Member Crawford asked what the strengths of the City were. Member Burke believed the people made the City strong. He thought this was a community that people were proud to live in. He said Novi was very diverse, growth was important but the key was the people as they were a very proud bunch. Member Crawford asked if he was willing to run for re-election. Mr. Burke said he was absolutely willing to run for re-election. Member Crawford asked what he thought the biggest challenges for Council were. Mr. Burke responded growth and the balance of growth as they moved forward was key. Also, bringing in and retaining business, but new residential construction could be a concern, as there were no easy pieces left to develop and balancing the right amount of residential and commercial. Mayor Landry asked what the best part of the City of Novi was. Mr. Burke replied it's the people. He said he met people everyday from Novi and he had never met someone who wasn't proud of where they came from and proud to be a part of the City. He said the people coming out to volunteer for boards and commissions were very diverse as is the City. He said the people were Novi's strength.

## **2. Justin Fischer**

Mr. Fischer felt he would be an exemplary candidate to complete Mayor Pro Tem Capello's term. He said he was a lifelong resident of the City and graduated from Michigan State with honors and a degree in Finance. He said he had worked in the Lansing offices of Nancy Cassis as well as in the Washington DC offices of Congressman Mike Rogers. He said after college he returned to Novi and was now a home owner. He commented his service to the City began more than eight years ago by working for the City Clerk's office at an election precinct. He noted he was appointed to the ZBA and has served five years with 98% attendance. Mr. Fischer said he flew home from Washington DC, at his own expense, to attend several ZBA meetings and felt it showed his commitment to the City and was something he would continue on Council. He commented he was elected Vice Chair once and Chair twice. Mr. Fischer noted he was presently the Treasurer of the Parks Foundation and controlled the Foundations assets and Naming Rights funds. He said he was also president of his condo association and completed the CERT classes in the City of Novi. Mr. Fischer said he has worked for the Ford Motor Co. for four years and presently worked in the North American accounting group. His past roles included controlling corporate capital budgets, administrative and selling budgets and head count budgets. He said he was recently accepted to the Michigan State University weekend MBA program and was currently pursuing that degree. He believed his diverse background of education, volunteer service and work experience made him the ideal candidate for this appointment. Mr. Fischer said his extensive finance background would be paramount as the City tackled the tough issues facing it. He believed that his unwavering commitment to the City and his fresh youthful perspective would be an asset offering a diverse set of ideas and a different way of dealing with the tasks at hand. Mr. Fischer said he trusted that he had earned Council's respect and hoped he had exceeded their expectations. Member Crawford asked why he would want to do this. Mr. Fischer said he truly loved being involved in the City. He stated he loved to make decisions and collaborate with people of Council's caliber and he loved new challenges. Mr. Fischer said he had elected to not seek reappointment to the ZBA because whether it was Council or some other challenge through the City or outside of City involvement, he was looking to try something new. Member Crawford said Council required a certain amount of time and dedication and he was building a career and doing a variety of other things and she asked how he expected to juggle his

schedule to accommodate committees, extra committees, the work and the reading that was required for this position. Mr. Fischer replied that a couple of years ago, while on the ZBA, they were having 15 cases per month and it boiled down to time management and prioritizing the things that were important to him. He commented that his employer was very committed to civic involvement and encouraged it and he would be able to attend any events. He said he wouldn't be present today, if he felt he couldn't handle the time it required to represent the residents well. Mayor Pro Tem Capello said Council made many tough decisions but lately with the potential decrease in the City's income, what general areas of cuts the City could make if he were sitting at the Council table, to compensate for loss of income/revenue in the upcoming years. Mr. Fischer noted they had to give up one or two of the personnel on the ZBA. He said he didn't believe that it would be his position, as a Council member, to drive the cuts but he would want to hear the recommendations from the Administration and Finance Department. He said he was not a fan of nor would he support going to the City Manager and telling him to take out 10% of personnel costs or 10% of all of his costs across the board, which he had seen in businesses before. He didn't think that was effective in any business. Mayor Pro Tem Capello said since Mr. Fischer was in the automotive business, he must be seeing some drastic measures to reduce costs and asked if he saw anything he could apply to the City. Mr. Fischer said unfortunately the one similarity was that the budget was mostly personnel. He said with Ford they were able to look at R & D, or product or marketing and slash things such as that.; for example not going for advertisements on the Super Bowl. Unfortunately, the City didn't have as much leeway, given the large percentage of public safety, other than personnel. He said it was kind of apples and oranges in that sense. Member Gatt asked Mr. Fischer what he considered the most important task City Council was charged with. Mr. Fischer responded the most important goal was public safety whether fire, police, emergency response and even the DPW. Member Gatt asked how Council could do that. Mr. Fischer said by making good decisions to support the departments of public safety, whether financially or taking their recommendations to heart to meet their needs and protect the residents. Member Gatt asked what his position was on a full time Fire Department for the City of Novi. Mr. Fischer said he couldn't support a full time fire department given the audit that was presented to Council. He said he would be interested to see the metrics of the fire department per capita based on similar cities to ensure they were adequately staffed. He would be happy to have that discussion but his initial thoughts were that it would be hard to go full time. Member Gatt asked when the City was incorporated. Mr. Fischer said 1969 because that was what Mr. Burke said. Member Gatt asked if he would run for election in 2009, if he wasn't chosen for Council now. Mr. Fischer commented he was considering it, as he had spoken to many supporters from his previous campaign in 2005. He commented he had also spoken to those who didn't support him at that time but had seen his work ethic and would support him should he run for Council next year. He said he would give it great consideration. Member Margolis asked Mr. Fischer what his view was on the role of the Council in general and then specifically the relationship between the City Manager, Council and staff. Mr. Fischer believed that City Council was to be more advise and consent, giving direction to the City Manager and Administration. He said there were other cities set up with completely different structures where the Mayor was there everyday. He thought they needed to take the facts and proposals presented to them by the City Administration and make decisions based on that. He said they had to take feedback from the residents and give direction back to the City Administration, so it was a two way street with City Administration. Mr. Fischer commented Council should not be in the business of micro managing the City, City services or the City building; if Council did that, then they should get paid a lot more and they wouldn't need Mr. Pearson. Regarding the relationship between a Council member and a staff person, he

believed in a chain of command and would be hard pressed, himself, to contact staff members because the main people to go through was the City Manager and Assistant City manager. Member Margolis asked him to speak about an ethical dilemma he faced and how he made those types of decisions. Mr. Fischer replied that when interviewing with Ford, they asked about integrity and ethics and that was when he knew it was the company he wanted to work for. Mr. Fischer said in instances where his integrity or ethics were challenged, his first instinct was to try to get out of it. He said oftentimes, ethical situations were driven by people and they were asked to do something unethical by other people. He said they needed to make sure they didn't associate with those people but when forced to, they must try to make a compromise to talk them down and show them what's right. Member Margolis asked him to talk about the potential impact of the automotive problems on the City of Novi and as a Council how should they plan ahead for what that might mean. Mr. Fischer said it would be devastating to the whole south eastern region. He thought the key to insulating Novi from that was to diversify the tax base; past Councils and Mayors had worked to diversify the areas of growth. He thought that was the most important thing they could do. Member Mutch asked what he could bring to Council that wasn't currently there. Mr. Fischer thought that what made him a great candidate was his youth. He thought they had a great Council but they could always use diversity whether cultural, socioeconomic, etc., or age. He said that perspective was important because as many of the current Council members grew older and looked to retire and sell their homes, they needed to attract a younger group of people, 25 to 35 year old people, to buy the homes and protect the home values in Novi. Mr. Fischer said one thing that set him aside was that he would be one of the only people on Council and probably applying tonight that lived north of I-96; he considered that to be an under-represented area of the City; however he still had his base in Village Oaks where he was raised. Member Mutch asked why he thought he should be chosen. Mr. Fischer said it was a great thing to have too many quality people stepping up. He thought what he brought was his youth and his finance background. He said they really needed to be concerned about what was coming down the pipe. He said they had been talking about cuts and he had been going through cuts for four years, as Ford had not done as well as they could have. He noted he had been through several personnel and budget cuts and brought that experience as well. Member Mutch said when looking at the City budget, what would his big picture philosophy be. Mr. Fischer responded first and foremost raising taxes would absolutely be the last thing that crossed his mind. He said everything else would have to be looked at, considered and vetted out before he would think about that. Mr. Fischer said it would be a scalpel approach and they would need good quality recommendations from Administration and Finance staff and really look at each budget item to see what could be cut back on. Member Staudt asked under what circumstances he would be willing to raise the General Fund millage. Mr. Fischer replied that if they were in a situation where one of the big three went bankrupt, then there would be foreclosures, falling home values and it would be a dire circumstance where they might have to look into that. Member Staudt asked what he learned in Lansing and Washington DC and from Senator Cassis and Congressman Rogers that would be applicable to Council. Mr. Fischer replied that what he learned was the process. He said working in Senator Cassis' office both in the House and the Senate, he could see the entire process. He said it was a totally different process in Lansing from the governor, budgets and appropriating funds. He said from Senator Cassis personally he learned persistence. He said she was a school psychologist, Council member, State Representative and then Senator and worked hard to overcome barriers. He said she was very persistent and he admired that. Member Staudt said the ZBA largely followed the letter of the law and the interpretation was somewhat limited. He said often on Council they had to incorporate their experience and life

long learning into decisions that were difficult and frequently didn't follow a path the residents wanted. Mr. Fischer commented that the ZBA had certain applications of the law but there were interpretations. He noted there had been several times when they either had to go against the wishes of very powerful people in the City, and times when they had to say that the letter of the law resided with the developer, or had to go against the residents. Therefore, he felt he had the experience to make the tough decision and live with the ramifications from the residents that might be impacted. Member Staudt asked if he supported the Signature Park initiative. Mr. Fischer said he did in general and in theory support the Signature Park. He thought it was a quality investment for the City of Novi. He said as long as they could promote the positive impact that it would have for residents, home values, and businesses they wanted to bring in and retain, yes, he would support that concept. Mr. Fischer said as far as specific elements of it, he had not seen a final plan so he would not cherry pick what he liked and disliked. He commented that his concern would be the operational costs and how to sustain the park. Mayor Landry asked Mr. Fischer what was unique about the City of Novi. Mr. Fischer replied the people and the cultural diversity. He said the way they attracted a great group of people into the City was the amenities, services and businesses that were offered in the City. He said Novi was interesting in the fact that residents really didn't need to leave the City in order to get whatever it was they needed; Novi's a one stop shop for residents.

### **3. Michael Meyer**

Mr. Meyer grew up in Cleveland and spent 12 years in the seminary and that was where he learned about the chain of command; they called it the hierarchy. He said he had a Bachelor's degree in Scholastic Philosophy with a minor in the classical languages. He commented he went to the University of Detroit and secured a Master of Arts degree in theology and later secured a degree and a Doctorate in Ministry. He said he served 12 years on the Novi School Board, four years on the Willowbrook Homeowners Association, 4 years on the ZBA and was in his fourth year on the Planning Commission. He believed he learned a lot on the Planning Commission and believed in lifelong learning. In March of 1989, the Wall Street Journal asked people throughout the country if they were to move where they would go based on the schools. Mr. Meyer said Novi was recognized as one of the top 20 school districts out of 17,600. He noted it would be an honor to serve on the Council because it was also a place where they believed people should be able to allow their talent to thrive. He stated he didn't have the financial or business expertise some of the others had and he so respected them for it. Mayor Pro Tem Capello asked where he would look for budget cuts during these tough economic times. Mr. Meyer said definitely the dialogue between Council and the Administration was vital. He said there were 285 employees in the City and 130 were devoted to fire and safety. He believed they needed to look at those 285 positions to see if they needed all 285 or if there was some way, in light of the economic times, to address certain people who might not be necessary to continue the services that were provided to the City. He said he was not referring to fire and police but others that served the City. Mayor Pro Tem Capello said the Road Commission was going to have a very tight budget coming up and Novi did maintain some of the County roads on behalf of the Road Commission. He asked where he saw the City getting the additional money from the maintenance of County roads that the County couldn't fund. Mr. Meyer replied he didn't know but was aware of the fact that there had been an enormous collaboration between the City and the State, particularly around Beck and Ten Mile, Nine Mile and Novi and Meadowbrook area. Mayor Pro Tem Capello said it was probably an unfair question because he didn't know either but thought Mr. Meyer might have an idea. Member Gatt said he didn't think there was anyone more ethical than Michael Meyer in this whole

Country. He asked what he considered to be the most important task that the Council was charged with. Mr. Meyer said it was definitely the safety of the community and the awareness that they were there to serve the people. Member Gatt asked how Council could achieve that. Mr. Meyer said what he had noticed after 27 years was that the meetings used to go until 2 A.M. He said it seemed there had been a real effort to do their homework, focus on what needed to be done and listen to the people. He thought audience participation should go as long as it needed to. Member Gatt asked what his opinion was of the public safety departments in the City. Mr. Meyer responded the public safety departments were in very good hands and he saw there was a real effort to serve and protect the community. Member Gatt asked if he would support a full time fire department. Mr. Meyer said he didn't think they could because of the economy but possibly later down the road. Member Gatt asked when the City was incorporated and Mr. Meyer responded in 1969. Member Gatt asked who Duane Bell was. Mr. Meyer responded Mr. Bell was a veteran of foreign wars and was a very committed and dedicated man to the community. Member Margolis asked how he made ethical decisions. Mr. Meyer quoted Micah 6.6 saying "with what shall I come before the Lord? To do what's right, love what's good, walk humbly with your God" and that was what motivated him in regard to ethics. Member Margolis asked him for his view on the role of Council and then, specifically, what was their role in relationship to the City Manager and staff. Mr. Meyer said Council members were all elected by the people, except in situations like this. He thought they should serve the people and to listen to the people and truly hear them out. He said with regard to the relationship with the City Manager and staff, it was their role to implement Council policy. Member Mutch asked what was missing from the table that he could bring. Mr. Meyer replied he thought he brought wisdom from the 27 years he had been in the City and also brought wisdom from the 35 years he had been an educator. He recently served as an adjunct faculty member for the Michigan School of Professional Psychology for a young man seeking his doctorate in Suicideology; he had served in that capacity for the past year trying to help him help people deal with suicide. He believed there would be many more people, unfortunately, who might see that as an option because of the economy. Member Mutch asked why he would be the best choice from a good group of people. Mr. Meyer said simply based on his experience. He didn't think he could do what he was doing tonight four years ago and stated he had learned so much from John Avdoulos. So, he said, he has stood on the shoulders of giants hoping he could be one of the best. Member Mutch said looking at general financial conditions, how would he deal with a potential budget shortfall. Mr. Meyers stated raising taxes was not the answer. He thought they had to be very realistic, if the loan didn't go through, they might see a ripple effect that would be just unbelievable. It might be necessary to dip into the General Fund balance or cut staff. He thought they had to constantly look at who was doing what in the City and did it need to be done by three people or could three jobs be done with assistance from others. He said at the academy where he worked, they were taking on other responsibilities all the time. Member Staudt asked if there was anything he could see that would provide for collaboration between the City and school district beyond some of the basic things they had done with gyms, etc. to reduce costs or improve services to the community. Mr. Meyer said he had just been reading about sharing of the parks and athletic events. He said more to his heart was the fact that there should be a close relationship between the schools and the City. Mr. Meyer said he didn't think the school board should be looked down upon as the stepchild of the community. He believed they were seven dedicated members just as much as anywhere else. He wasn't saying it happened all the time but he did sense it. He felt there was a real need to continue what the schools had started, which was collaboration between the business community and the schools as far as educating the future leaders of tomorrow. Member Staudt asked what the roadblocks were to that occurring during

his term on the school board, as there didn't seem to be good collaboration between Council and the school district. Mr. Meyer replied there were certain members of the Administration in the school district that were not willing to be collaborative. He said there had to be willingness. Mr. Meyer said he was using the word collaborate because cooperate was not the answer because cooperate was a lose/lose and was the one that went "OK we'll do it your way". He said collaborate was when people looked at the issues and feelings involved and came to a real effort to work together. Mr. Staudt said they had been very fortunate to be able to collaborate with the existing school board in efforts for the Signature Park. He asked if Mr. Meyer supported the Signature Park. Mr. Meyer said he supported it but only knew a limited amount about it. Member Staudt asked if he voted in the school elections, he responded that he voted in all elections. Member Staudt asked if there were any personal goals he would like to bring to Council, or was he more of an individual who went with the flow. Mr. Meyer said he was very open minded because he grew up in a very big family and was known as the Henry Kissinger of his family. Member Crawford said on his resume he stated he had a commitment to a reasoned government. She asked what he meant by that. Mr. Meyer said philosophy was based on two Greek words meaning love and wisdom, a love of wisdom. He said there were three types of reasoning, intuitive, inductive and deductive. He said what should be at the Council table was deductive reasoning where they went from a general truth to a more specific truth. He said what he meant was to put the feelings and passion aside and allow reason to take its course. If reason was allowed to take its course, then when the discussion was over, even the people who felt they lost really won, because they felt they were heard. Member Crawford asked if he would be willing to campaign, because campaigns could be aggressive and she didn't think of him as being aggressive. Mr. Meyer said there were three types or styles passive, assertive and aggressive, and he could be assertive. He said he refused to be rude and was very strong in what he believed and felt, but he would not step out of that box. He said he would be a gentleman, no matter what. Mayor Landry asked what tale he would tell about the City of Novi. Mr. Meyer replied it was a fascinating City to live in because of its diversity, and when he saw so many who own their own businesses or who were financially bright people, it was a wonderful place. He said what he had come to realize was that for the most part they had all been able to keep their egos somewhat checked. It's a wonderful City and he liked the story about the Number 6, that it was the sixth stop on the stagecoach ride from Lansing to Detroit. He said there was so much more to the tale yet to be told as Paul Harvey would say "the rest of the story had yet to be written".

#### **4. Leland Prince**

Mr. Prince publicly noted he wished to withdraw his name from consideration.

#### **5. Ramesh Verma**

Mr. Verma said he had lived in Novi for 30 years. He said he retired, after 24 years, from the University of Michigan Medical Center as Director of Design, Construction and Utilities. He said he was offered a position at Henry Ford Health System as Vice President and after two years he joined that system as a Director of Corporate Facilities. Mr. Verma said after his retirement he volunteered his service to the City and the State. He said he was a referee for soccer games and a former captain in the Indian Army. He commented he also learned about the challenges of social, education and cultural things and survived somehow. He said Mayor Roethel appointed him to the Stormwater Management and Flood Control Committee. He

noted Governor Engler appointed him to the Board of Examiners for the Michigan Quality Council Leadership Award and Governor Granholm appointed him as a Commissioner to the Office of the Services to the Aging and others and was reappointed for four more years when his term expired. He felt it was because he brought so many different ideas. He noted many reasons about why his ethnic background had assisted him in serving on the committees at the State level. Mr. Verma said he had good experience as an Administrator, manager and people oriented team player. He may not be able to answer all the questions but would bring the multi-culturalism to the City Council. Member Gatt asked what was the most important thing Council did. He said many candidates have said it's public safety but that was what the government did. Mr. Verma said as a Council member he would be a servant to his City. He said the main purpose of Council was to make the policies and procedures of the City and watch where the funds were going. He said it was the City Manager's main function to run the whole City and he would watch the City Manager to determine where the funds went. Member Gatt asked what he would bring to the table and suggest they do different to make their work better. Mr. Verma said he worked for 3-5 years on an \$11 million budget on what should be done and how to do it. Mr. Verma stated he didn't believe in laying off people because they were the backbone of the organization. He said it was very hard to get new people and laying off was not the right thing and taxing the people was not the right thing either. Member Gatt asked him what the state of our public safety system was. Mr. Verma said they were the best; he had lived here for 30 years and he wouldn't stay if they weren't good. Mr. Verma said Novi had a very good Police Department. He stated he would like to have a full time fire department but due to budget constraints, not at this time. Member Margolis asked Mr. Verma to speak on the role of Council as it related to the City Manager and staff. Mr. Verma said the City Manager and staff were actually an Administrative role and they had to run the whole City. He said the Council was to see that things were going right and making policies and procedures. He said they would bring the budget to Council and Council would decide on what they should do with it. He said they should not be looked at as subordinates because it was a team effort. He said Council was a servant to the City and they were the people making it happen for everyone. Member Margolis asked Mr. Verma to speak about how he made ethical decisions. Mr. Verma said it was very hard to fire a person. He said there was one situation where his boss said he was to lay off a person who had only been in the department for two months. He said it was very hard on him. He said his boss hired the person but he was told to fire her and he told his boss it wasn't the right way to do it. He said if he had to do it, he had to watch what she had done so far. He said they gave her another 15 days and then told his boss that he understood what he was saying because she was not capable for that particular job. He suggested giving her another job and they offered her a second job. Member Margolis asked how the future of the auto industry would relate to the City of Novi and what Council needed to do to plan for that future. Mr. Verma said Council should have been planning years ago, and he didn't want to raise taxes or fire staff, but would like to see if they could cut down some services, which people wouldn't like but it might need to be done. Member Mutch asked what qualities or experience would he bring to the table that he didn't see at the table now. Mr. Verma responded he would bring an ethnicity with a different type of culture. He commented he would bring some of the ideas he had seen in India and how they used to do it. He felt he might be able to bring a different solution and he would bring his construction engineer experience. Member Mutch asked why they should choose him over someone else. Mr. Verma said he was different with different ideas coming from Army experience, hospital administrative experience and would bring 45 to 50 years of experience. Also, sitting with the Library Board it gave him a different type of thinking on how to work with a team of different types of people here, and that had given him experience. Member Mutch asked if there was

anything he wanted to add related to budgets. Mr. Verma said he believed in projecting the budget for 3 to 5 years. Member Staudt asked how he would use his skills as an engineer and professional to evaluate how the library and the Building Authority had worked together and what types of things could be improved at a City level to help make the process easier. Mr. Verma noted the Building Authority would make the decisions rather than the Library Board and he had never worked this way before. He said he had worked on half a billion dollar construction projects and had never worked the way things were going now. He said if the construction was going on, and the contractor hit the gas line who would make the decision and he was told the Building Authority. Mr. Verma said the contractor was running this but 12 people on the Building Authority would make the decision. He said he couldn't believe that. He thought there should be "a" person running the day-to-day decisions at the time things happen during the construction of the Library. He said if the gas line was hit they needed someone to make the decision then, and not look to 12 people who were not there to make the decision. Member Staudt asked what they could do to improve City services for development and builders. Mr. Verma responded that he had not seen the department and didn't know much about it. He said he only saw the people that came to the Building Authority meetings and didn't know how they work because he didn't think this was the right way to do it. He said his approach was to go to the City Manager or the Assistant City Manager. Member Staudt said if they had planned out 3 to 5 years under these current economic conditions of the last six months, how would he have adapted to that and how would he suggest Council adapt to rapidly changing conditions in our economy. Mr. Verma replied that he experienced this at the University of Michigan Medical Center and at that time they were told to either cut raises or lay off people. He discussed this with his staff. Then his boss said there were bonuses coming and they wanted to give bonuses to the people, which would have been between a two and a half to five percent raise. He said all the Directors told his boss to give the bonuses to the people. Mr. Verma said he told his boss that he was told not to give raises and now there were bonuses to be given. Mr. Verma said if he could not give merit raises to his staff, then they didn't need him. He boss asked why, and he said that was the different thinking he brought. He said eventually he had to lay off two people. Member Staudt asked if he felt it was necessary to get more involved in recruiting for boards and commissions. Mr. Verma replied that he had been able to get people involved in boards and commissions when they asked him how he did this. Mayor Pro Tem Capello asked what he believed were the strengths of the City of Novi. Mr. Verma replied that the people were very approachable, including Council members and the City Manager. He stated ethnic people didn't have this experience but his family and children have had a great experience here in Novi. Mayor Landry asked him what he told people when he went back to India. Mr. Verma replied that his brother came to visit and was very surprised that he was able to speak with Council members and that he also took him to the State offices.

## **6. Marjorie Nanian**

Ms. Nanian thanked Mayor Landry and Council members for allowing her to come late as she gave her students their final exams at Schoolcraft College. She distributed a resume to the City Council and said she would bring innovative ideas to the City Council. Member Margolis asked her about her views on the role of the City Council and what the role or relationship should be between the City Council and City Manager. Ms. Nanian thought Council's role would be to create policy with a joint venture. Member Margolis asked her to speak about an ethical dilemma she had and how she approached it. Ms. Nanian replied that she served 14 years on the Attorney Grievance Commission. She thought it was important to know if you

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should remove yourself from the issue, and to look at both sides of the issue. Member Margolis asked how the future of the auto industry would relate to the City of Novi and what Council needed to do to plan for that future. Ms. Nanian said they needed to look at ways to create a future. She said Novi had good access from the freeways and one of the greatest school systems. She commented children with learning disabilities were offered support in Novi and Novi should look at other diversification. Member Mutch asked what she would bring to the Council table that was absent now. Ms. Nanian stated her strength had always been ideas and that she thinks outside of the box. Member Mutch asked why she should be selected. Ms. Nanian said she was the only candidate coming from the Board of Review that citizens came before who were upset about their taxes. Ms. Nanian thought the biggest way to turn a State around was taxes; she brought that point to the City Council. Member Mutch asked how she would address the budget shortfall. Ms. Nanian said she wouldn't raise taxes. She said if there wasn't enough revenue, they could not spend more than they had. She suggested looking at more innovative ways to bring revenue into the City. Member Staudt asked for examples to bring in more revenue. Ms. Nanian said she would plagiarize Phil Powers ideas, which were reasonable utilities and right-to-work states, and noted there would be right-to-work areas. Ms. Nanian said Tennessee had the lowest taxes in the country and they needed to attract those types of businesses and needed to look at what employers needed to keep people in Novi. Member Staudt commented that the Board of Review generally had to deny requests. He asked what she should tell people who were angry so they would be able to re-elect her. Ms. Nanian said Ernie Aruffo told people to write their representatives and senator. However, she told people Lansing had taken away the Board of Review's discretion. Member Staudt asked, as a political science teacher, why she would want to put herself in a position to be possibly viewed in a bad light. Ms. Nanian responded that she wasn't one of them so she wanted to make the world a better place and a place of justice. Member Crawford asked what she thought the strengths of Novi were. Ms. Nanian replied location, school system and ease of being involved. She thought the weaknesses were that it was not a cheap place to live. She said many businesses had moved out and she felt that it was because they were solicited for donations. She also felt the Main Street area needed improvement. Member Crawford asked how she would juggle the time commitment it would take to sit on Council. Ms. Nanian replied her children were in college and Schoolcraft College gave her flexibility; she said with enough notice she could structure her day. Mayor Pro Tem Capello asked where budget cuts would come from. Ms. Nanian felt Council should prioritize services and then begin at the bottom with budget cuts. She thought public services might be an area and the library. She said when she lived in Farmington Hills, she took their kids there a lot and then found out they didn't have enough revenue to run it and they had to lay off staff and change their hours. Mayor Pro Tem Capello asked what ideas she had for Main Street. Ms. Nanian replied that Ernie Aruffo's idea was to use it as a government complex so that people had a reason to go there and then the retailers would flourish. She felt there needed to be something there to draw people. Member Gatt asked her which government office might come to Main Street. Ms. Nanian suggested the Secretary of State and the Post Office. Member Gatt said they didn't own the Secretary of State or the Post Office so what incentive could they offer them. Ms. Nanian asked what incentive would they offer any business to move. Member Gatt said these were government agencies and they didn't pay taxes so there could be no tax abatement. She asked if they paid rent. Member Gatt responded the City didn't own the buildings. Ms. Nanian said she didn't know but would be interested in looking into that because she thought it would be an idea. She said it was originally Mr. Aruffo's idea and she was sure that he would have other ideas along that line and offered to get back with Member Gatt. Member Gatt asked Ms. Nanian what was the most



## **PRESENTATIONS**

### **1. Recognition of Mayor Pro Tem Kim Capello for years of service on City Council**

Mayor Landry said it was his distinct honor, on behalf of City Council, to honor an outstanding citizen who had given his service to the City for 15 years. He said Kim Capello started out on the Planning Commission in 1993 and served there until 2001 when he was elected to City Council. He was Chairman of the Planning Commission and in 1993 the Master Plan Map and the Novi 2020 bore his signature. Mayor Landry said it was not only the Master Plan that had bore his signature; if you drove around Novi it was hard to see virtually anything that didn't have the signature of Kim Capello on it. He said everything from a procedure for residents to request a stop sign to the drafting of the Gateway Ordinance and the conception and drafting of the OST Ordinance, which brought the most tax revenue to the City; it was all Kim Capello. Mayor Landry said for 15 years he served the City and had done it all without losing his sense of humor or losing his ability to laugh at himself. In 2001 Kim Capello's term was coming to a close on the Planning Commission and there was a bit of a cleft in the City Council. He said there were those who wanted to appoint someone else and those who didn't and there was a stalemate for about three months. Mayor Landry said into the breach, was someone who wasn't even on City Council, Kim Capello who said he would resolve the issue and resign. He said Council then appointed David Landry to the Planning Commission and ten months later he and Kim Capello ran for City Council and were both elected. Mayor Landry said Mayor Pro Tem Capello had done many things for the City and one of the most enduring marks on the City from Kim Capello he would never get credit for because no one knew about it. Mayor Landry said it was the settlement of the Sandstone lawsuit and that was one of their greatest achievements since they had been on Council. It threatened to literally bankrupt the City and no one had any idea of the months and months and months they had spent in executive session. Mayor Landry said Mayor Pro Tem Capello's legal expertise on real estate law, his expertise on the development community and his common sense brought them through and was a huge reason they were able to settle the Sandstone lawsuit. As a City Council member, he had always sought permanent solutions instead of part time stop gaps and had done it all with a wonderful sense of humor. Mayor Landry said on one occasion at a particularly tight budget session, in walked Kim Capello with a purple tie because that was Laura Lorenzo's favorite color. He said he had never served a minute as an elected official without Mayor Pro Tem Capello. Mayor Landry said Kim Capello was his Mayor Pro Tem and he would miss him dearly.

Mayor Landry presented Mayor Pro Tem Capello with a wonderful clock as a token of the City's appreciation. He said on behalf of 54,000 people who call Novi their home and countless businesses, thank you and wished him good luck in his new capacity.

Mayor Pro Tem Capello said he wasn't going anywhere so he was not going to give a farewell speech. He said he promised during the election that he would stay in contact with Novi, and said as County Commissioner he would still serve Novi and standing up there was much more difficult than he thought.

## REPORTS

### 1. MANAGER/STAFF

Mr. Pearson thanked Mayor Pro Tem Capello for his years of service. He said he had known Mayor Pro Tem Capello since he came to Novi in 2000 and had enjoyed working with him side by side on a lot of different things. He said on the behalf of the staff he extended their appreciation for his humor and diligence through all the work they had gotten done.

Mr. Pearson said this was the last meeting of the calendar year and had been another successful year for the City and they should be proud. He said there were a lot of things starting up in January already and he would be talking about some of them. He extended thanks to City Council, on behalf of the staff, for their time. He thought with the time and energy they gave it was a thankless job; he thanked them for their dedication and getting the City through the year.

### 2. ATTORNEY - None

## AUDIENCE COMMENT

**Tom Harvey** said he understood that the resolution for the Lake Board formation was not on the agenda tonight but that the City Council was considering a meeting in January to look into it. He said he had talked with Greg Iszler, President of LAHA, and asked him why the lake access lots were not considered in the petition drive. He said surprisingly his answer was that the City recommended to him that they not be included. He said when he asked him why the City would want to do that, he didn't have the answer but suggested the City was having difficulty understanding what access properties would be involved and who they should inform. He suspected that most members of Council would not accept that as an appropriate excuse. Mr. Harvey said he contacted Steve Korth at the O.C. Drain Commission who represented a number of the lake boards from the county side. He said he asked him what the norm was for the lake boards in terms of lake access or back lots. Mr. Korth said, absolutely, the lake access back lots were included in the lake boards because they benefitted from any improvements done to the lake so they should be included. Mr. Harvey said November 30th the Detroit Free Press published an article about a lake board potentially being formed at Gilbert Lake in Bloomfield Township. He said not only would they include the 52 lake front residents but also 170 homeowners off the lake that had access only to the small beach on Gilbert Lake. Secondly, with respect to comments he's heard such as "let's form a lake board and then they would figure all this out or decisions couldn't be made before forming a lake board", he disagreed with and thought due diligence said they should do as much as possible in advance of starting down this path. He said the City needed to come up with an accurate list of properties both on the lake as well as access or back lot properties that would be affected by a lake board. He said if Council should vote for a lake board at some point, they would create a new entity of government that had the right to create projects that would affect the lives of those on the lake as well as the right to tax and assess the costs of those projects. He said they were very concerned about this and asked for Council's cautious decision making. Mr. Harvey asked that they demand a clear indication that the majority of all those affected, including the back lot homeowners, had been represented and that Council had been shown there was a majority of people who wanted to do this before making any decision.

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

**CM-08-12-206      Moved by Crawford, seconded by Staudt; CARRIED UNANIMOUSLY:  
To approve the Consent Agenda as presented.**

**Roll call vote on CM-08-12-206      Yeas: Crawford, Gatt, Margolis, Mutch, Staudt,  
Landry, Capello  
Nays: None**

- A. Approve Minutes of:
  - 1. December 1, 2008 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of December 15, 2008 in the Council Annex for the purpose of discussing pending litigation, labor negotiations, land acquisition and privileged correspondence from legal counsel.
- C. Approval of the final balancing change order and final payment to DeAngelis Landscaping, Inc. for the Dunbarton Regional Stormwater Detention Basin project in the amount of \$3,512.60.
- D. Approval to purchase Fire Department protective turn-out gear (clothing) from Apollo Fire Equipment Co. through the Michigan Inter-Governmental Trade Network (MITN) and extended by the City of Rochester Hills in the amount of \$21,403.95.
- E. Approval of an engineering contract amendment to Orchard Hiltz and McCliment, Inc. for additional engineering services associated with the Bishop and Taft Regional Stormwater Detention Basin Improvements in the amount of \$26,781.19 for additional tasks required as conditions of the DEQ permit.
- F. Approval of Resolution Approving Michigan Natural Resources Trust Fund (MNRTF) Project Agreement and Grant Acceptance to acquire 16.2 acres of land located adjacent to Singh Trail Parkland (directly to the south and west).
- G. Approval of Traffic Control Order 08-09 for the installation of a Stop sign for northbound and southbound Foxton Drive to stop at Huntingcross Drive.
- H. Approval of Traffic Control Order 08-10 for the installation of a No Parking from 8:00 a.m. to 9:30 a.m. and 2:30 p.m. to 4:00 p.m. on School Days Only sign on the north side of Oak Tree Drive between Willowbrook Drive and Valley Star Drive.
- I. Approval to apply for a DTE Energy Tree Planting Grant, for a maximum grant award of \$3,000 (City's grant share is \$3,000 to be funded from the Tree Fund).
- J. Consideration of City *DeFacto* Street Acceptance of Junction (440 linear feet), Trestle (820 linear feet), and a portion of Clark Street (638 linear feet) located in the Creek Crossing subdivision.
- K. Consideration of request from Max & Erma's Restaurants, Inc. (a Delaware corporation) to transfer all stock in 2008 Resort Class C licensed business (MCL 436.1531(4); non-transferable), located at Twelve Oaks Mall, 27446 Novi, B237, Novi, MI 48377 Oakland

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County, from public corporation to new stockholder, G&R Acquisition, Inc. (through merger).

- L. Consideration of the request of Singh Development for Uptown Place, SP 03-40B, for a one-year Preliminary Site Plan extension. The subject property is located in Section 14, south of Twelve Mile Road between Novi and Meadowbrook Roads in the R-C, Regional Center District, utilizing the PD-2 development option.
- M. Approval of an engineering contract amendment to URS Michigan, Inc. to provide additional construction engineering services for the Beck Road and Ten Mile Road Intersection Reconstruction project in the amount of \$12,000 for tasks associated with Congestion Mitigation/Air Quality (CMAQ) grant requirements.
- N. Acceptance of Haggerty Corridor Corporate Park Phase II streets and adoption of Act 51 New Street Resolution accepting Cabot Drive and MacKenzie Drive as public, adding 4,422 linear feet or 0.84 miles of roadway to the City's street system.
- O. Acceptance of a Conservation Easement, Wetland Mitigation Easement and Woodlands Conservation Easement from Providence Hospital and Medical Centers, Inc. for the Providence Park Campus, located on the southwest corner of Grand River Avenue and Beck Road, in Section 17, covering a total of 25.98 acres.
- P. Adopt revision to Schedule A of the Resolution Establishing Fees for Motion Picture, Television, Radio, and Photographic Production (Filming Permit) Review, Property Use and Monitoring to reflect adjusted fee schedule.
- Q. Approval of Claims and Accounts – Warrant No. 783

**MATTERS FOR COUNCIL ACTION – Part I**

**1. Consideration of January and February 2009 Policy Meeting Dates.**

Mr. Pearson said there were several large topics on the horizon and he summarized those in the memo to Council this evening. He suggested they deal with those in various matters. However, the main thing tonight would be to ask Council's consideration for scheduling two, possibly three, special meetings in January and February. He thought it would help them down the road in their planning and would commit them to getting Council the materials in advance to make the best use of Council's time when they met together. He said they would try to make the regular meetings as efficient as possible so the Monday night meetings wouldn't be so long and then on Saturday.

Mayor Landry said the January regular meetings were on the 5th and the 26th. He suggested having the presentation on economic development goals on January 5th meeting. He said the following week was Monday, January 12th and he suggested they have a special meeting to handle two issues. Mayor Landry said one would be a special meeting regarding the Lake Board and the property tax primer. He asked Mr. Pearson if that would be too much for one meeting. Mr. Pearson said he didn't know if he could have the materials ready by the 12th for the tax part. Mayor Landry said if they looked at the 12th for a special meeting on the Lake Board, would it be a meeting for action also. Mr. Pearson said it would be discussion, public

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input and direction to the Administration on what direction Council wanted to move. He said nothing more formal than that. Mayor Landry said then he would be looking for the regular meeting of the 26th to do the tax primer and the National Citizen Survey. He asked if that would be too much in one meeting. Mr. Pearson said the survey should not be long. Mayor Landry said he would not be available on Saturday the 7th of February, so he asked that the goal setting be done on the 14th rather than on a week night. He said they might want to entertain a special meeting to talk about Signature Park and thought that should be done before goal setting. He suggested a meeting devoted solely to Signature Park on Monday, February 9th. He asked Member Staudt if they would have everything available then, and Member Staudt said yes.

Mayor Landry said he was suggesting a special meeting on January 12th and February 9th with goal setting on Saturday, February 14th. Member Mutch said he was fine with the schedule but one issue he wanted to raise in terms of looking at these meeting dates was the focus of the goal setting session. He said the impression he received from Administration was that they were really looking at this as more of a review of what they had already put together last year but were not looking at any significant additional items or input. He said he had concerns about that, and one was looking at the list from last year. He said they had made a lot of accomplishments and a lot of these items were either completed, close to completion or significantly underway. The other concern he had was in the environment that they were in now, probably facing the most difficult financial/economic situation that this City had faced in probably 30 years, he thought they needed to have more than a business as usual discussion about goals and where they were going for the next couple of years. Member Mutch said every person interviewing for Council recognized the economic challenges they were facing and he thought they needed to have a really frank discussion about that. He thought there were areas that they needed to talk about making some significant changes in the City and looking a little further down the road than they had been looking. He said the schedule was fine but if they were just reaffirming what they put together last year, he didn't see that as a useful session.

Member Staudt said he couldn't agree more. He said goal setting was Council's day to do whatever they wanted to do. He said they would take direction in terms of process but this was their day and there was a lot that needed to be discussed and some of it in great depth. He would support what Member Mutch said and thought it would be a critically important day.

Mayor Landry said he was fully intending it to be a goal setting session where everyone could raise whatever goals they had. He said if this was not enough, they would meet again but this was a start. If they needed more time, they would come back. He asked if they agreed on the schedule and they did.

- 2. Approval to renew School Liaison Officer Contract with the Novi Community School District beginning with the 2008-09 school year through the 2010-2011 school year.**

**CM-08-12-207 Moved by Capello, seconded by Margolis; CARRIED UNANIMOUSLY:  
To approve renewal of School Liaison Officer Contract with the Novi Community School District beginning with the 2008-09 school year through the 2010-2011 school year.**



## **MAYOR AND COUNCIL ISSUES**

### **1. Schedule a Public Hearing for the Signature Park – Mutch**

Member Mutch said he had a concern after Council was provided with a timeline for the Signature Park discussion. He said one of the concerns he had raised when the bid was awarded was how they would incorporate public input into the design and concepts that would be a part of the Signature Park plan. He said when that was brought forward Mr. Auler indicated that one of the tools they would be using for the design of the park would be the survey that was going out to the community and some feedback would be received that way. However, looking at the timeline provided to Council, if it had not already started within the next week or two, concept plans for the building and facility space would be happening. He commented he was concerned about how much public feedback they would really get in terms of what the community at large was looking for and how that would be incorporated into the concept plans. Member Mutch said he recognized the timeline they were trying to meet and that they were looking at getting things done by early February with the goal to have this on the ballot in May. However, in this environment and a project of this magnitude, if it meant going to an August ballot or some delay to ensure they got as much public input into the process as possible, he thought it would be a better end product. He said they didn't want to put together a plan that reflected a concept that received a negative public reaction in terms of the elements, if it wasn't what the public wanted from the plan. He said there was a page in the brochure Engage that went out to the public talking about possible components and things that would not be included. He commented one of the things talked about was the aquatic center and he could see some kind of aquatic center having support in the community as part of a recreational facility. He said he didn't follow the approach of sending the message that they had ruled out some of the uses that might be components of a Signature Park. How far along would they go before they received a large public input on the components of the Signature Park as well as the concepts? Mr. Pearson said there were a couple opportunities identified and the Parks, Recreation and Forestry Commission had some input session scheduled. He said there was no desire to rush into this and time had been allotted both with the consultants and the community representatives that had been identified and the Council liaison. Mr. Pearson thought they were ready to take whatever time it took to get as much input as possible over the next 6 to 8 weeks. He didn't know if elongating the timeline would get any better feedback and thought it was a question of having the right touch points by February 9th. Member Mutch said he was looking for some idea on how public input would be incorporated into that plan, if the survey wasn't going to be completed in the timeframe that the concept plan and the components of a recreation center were determined. He asked how the public would have a say in that process. He said he knew there were two Council liaisons but there were no public representatives. He thought the more public input they had the better chance they had of selling this.

Member Staudt said they had a meeting Friday with the consultants. He said he had learned at the first meeting, about a week ago, that there would be considerable reaching out to the community and business community by the consultants and they were taking quite an extensive approach to this. He said this was an issue they could talk about at the committee meeting on Friday, he was sure they would get a good answer to that and he would be happy to report back to Council.

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

**AUDIENCE COMMENT – None**

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 9:05 P.M.

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David Landry, Mayor

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Maryanne Cornelius, City Clerk

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Transcribed by Charlene Mc Lean

Date approved: January 5, 2009