

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, SEPTEMBER 12, 2022 AT 7:00 P.M.**

**Mayor Gatt called the meeting to order at 7:00 P.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Crawford, Fischer, Smith, Thomas

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

**APPROVAL OF AGENDA:**

**CM 22-09-114 Moved by Crawford, seconded by Casey; CARRIED UNANIMOUSLY**

**To approve the Agenda as presented.**

**Roll call vote on CM 22-09-114**                      **Yeas: Staudt, Casey, Crawford, Fischer, Smith, Thomas, Gatt**  
**Nays: None**

**PUBLIC HEARINGS:**

- 1. Request to extend an Industrial Facilities Tax Exemption Certificate for Harman Becker Automotive Systems**

Public Hearing opened at 7:00 p.m. and closed at 7:01p.m. with no public input.

**PRESENTATIONS: None**

**MANAGER/STAFF REPORT: None**

**ATTORNEY REPORT: None**

**AUDIENCE COMMENTS: None**

**CONSENT AGENDA REMOVALS AND APPROVALS:**

**CM 22-09-115 Moved by Casey, seconded by Thomas; CARRIED UNANIMOUSLY**

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

- A. Approve Minutes of:  
August 22, 2022 - Regular Meeting

- B. Consideration of approval to purchase one (1) Lucas 3 chest compression system for the Novi Fire Department from Stryker, an authorized sole sourced dealer, in the amount of \$16,060.06.
- C. Approval of agreement with CivicPlus, LLC, for the recodification of the City of Novi Code of Ordinances in the amount of \$36,650.
- D. Approval to purchase pumps, control panel and associated equipment from Kennedy Industries, sole source provider, for the Garfield Sanitary Pump Stations, in the amount of \$74,985.
- E. Adoption of a Resolution to close the intersection of Ten Mile and Taft Roads for the 2022 Homecoming Parade from 5:00PM to 6:00PM on Friday, October 7, 2022.
- F. Approval of the 2022-2023 Winter Maintenance Agreement between the City of Novi and the Road Commission for Oakland County for snow and ice control on selected county roads in Novi; and adoption of resolution authorizing Novi to provide winter maintenance of selected county roads.
- G. Approval to award Sports Uniform Contract to Challenger Teamwear, for one year with the option to renew for two subsequent years with an estimated annual amount of \$45,000.
- H. Approval of request by E & M, Inc. (Society Hill) for one-year extension, to October 9, 2023, 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.
- I. Acceptance of (1) the Reciprocal Easement Agreement, Warranty Deed, Bill of Sale, Sidewalk Easement and Storm Water Access Easement at the request of Ivanhoe Meadowbrook LLC for JSP 15-08 Beacon Hill and (2) First Amendment to the PRO Agreement, JSP19-27. The subject property is zoned RM-1 and B-3 with a Planned Rezoning Overlay (PRO), which conditions development to the terms of a PRO Plan and Agreement. The site is approximately 21.13 acres in size and is located in the northeast corner of 12 Mile and Meadowbrook Rd (Section 12).
- J. Approval to Amendment to First Amended and Restated Agreement between the City of Novi and Superior Air-Ground Ambulance Service of Michigan, Inc. (EMS Service Provider) for one-year extension of the Agreement, until January 23, 2024.
- K. Consideration of request to transfer ownership of escrowed 2022 Class C licensed business from T&V Associates, Inc. (Formerly Bagger Dave's Restaurant), to First Watch Restaurant, Inc., 26054 Novi Rd., Novi, with Sunday Sales Permit (PM) for Class C license- Spirits and Mixed Spirit Drink only.

- L. Designate Elise Marra as the City's Americans with Disabilities Act (ADA) Coordinator.
- M. Enter Executive Session immediately following the regular meeting of September 12, 2022 in the Council Annex for the purpose of discussing City Clerk and City Manager performance evaluations and to consider confidential written communication from the City Attorney.
- N. Approval of claims and warrants – Warrant 1115

**Roll call vote on CM 22-09-115**                      **Yeas: Casey, Crawford, Fischer, Smith, Thomas, Gatt, Staudt**  
**Nays: None**

**MATTERS FOR COUNCIL ACTION:**

- 1.     **Approval of resolution to authorize Budget Amendment #2023-1.**

**CM 22-09-116**                      **Moved by Casey, seconded by Thomas; CARRIED UNANIMOUSLY**

**Approval of resolution to authorize Budget Amendment #2023-1.**

**Roll call vote on CM 22-09-116**                      **Yeas: Crawford, Fischer, Smith, Thomas, Gatt, Staudt, Casey**  
**Nays: None**

- 2.     **Approval to purchase one (1) 2024 International Single-axle RDS Truck from Tri-County International through the State of Michigan MiDeal cooperative purchasing contract in the amount of \$95,675.42; and upfits to be completed by Truck and Trailer Specialties through the City of Rochester Hills RFP contract in the amount of \$195,535.00.**

**CM 22-09-117**                      **Moved by Crawford, seconded by Casey; CARRIED UNANIMOUSLY**

**Approval to purchase one (1) 2024 International Single-axle RDS Truck from Tri-County International through the State of Michigan MiDeal cooperative purchasing contract in the amount of \$95,675.42; and upfits to be completed by Truck and Trailer Specialties through the City of Rochester Hills RFP contract in the amount of \$195,535.00.**

**Roll call vote on CM 22-09-117**                      **Yeas: Fischer, Smith, Thomas, Gatt, Staudt, Casey, Crawford**  
**Nays: None**

- 3. Consideration of approval to award a unit price contract to Ellsworth Industries, Inc., the low bidder, for as-needed aggregate materials, in the estimated annual amount of \$ 255,755. The contract term is for one year with two one-year renewal options.**

**CM 22-09-118 Moved by Casey, seconded by Smith; CARRIED UNANIMOUSLY**

**Adoption to award a unit price contract to Ellsworth Industries, Inc., the low bidder, for as-needed aggregate materials, in the estimated annual amount of \$ 255,755. The contract term is for one year with two one-year renewal options.**

**Roll call vote on CM 22-09-118**

**Yeas: Smith, Thomas, Gatt, Staudt, Casey,  
Crawford, Fischer**

**Nays: None**

- 4. Consideration of approval to purchase six 2023 Ford Police Explorer Hybrids, one 2023 unmarked police vehicle, seven 2023 Ford F-350s, two 2023 Ford Escapes, one 2023 Ford Escape Hybrid, one 2023 Chevrolet Colorado, and one 2023 Dodge Grand Caravan or equivalent and upfits, through any Cooperative Purchasing Contract; in the estimated amount of \$ 908,390.**

**CM 22-09-119 Moved by Thomas, seconded by Smith; CARRIED UNANIMOUSLY**

**Approval to purchase six 2023 Ford Police Explorer Hybrids, one 2023 unmarked police vehicle, seven 2023 Ford F-350s, two 2023 Ford Escapes, one 2023 Ford Escape Hybrid, one 2023 Chevrolet Colorado, and one 2023 Dodge Grand Caravan or equivalent and upfits, through any Cooperative Purchasing Contract; in the estimated amount of \$ 908,390.**

Member Fischer asked City Manager Auger if he was confident this is the right time to buy, and if the bid prices were appropriate. He thought this was an interesting time in the automotive industry and prices are very high. He wondered what considerations he took on delaying some of these. City Manager Auger explained this is more of less trying to get ahead of all the delays everyone else in having ordering their vehicles and we do not want to be caught short in the next year. He said that was more of an issue for us that other communities have already gone through that we wanted to get ahead of.

Mayor Gatt wondered if all these vehicles are for the Police Department or are they for all different departments. City Manager Auger replied they are for all different departments. Mayor Gatt asked if there were any critical needs right now. He said he personally has a truck on order since March 1 that is sitting on a lot somewhere waiting for chips. He said there is no delivery time. He wondered if that is going to be a problem for the city. City Manager Auger said no, we are trying to preempt that with this motion here. We are trying to get out ahead of that, we do not have anything critical right now.

**Roll call vote on CM 22-09-119**

**Yeas: Thomas, Gatt, Staudt, Casey, Crawford  
Fischer, Smith**

**Nays: None**

**5. Consideration of requests from Tapper's Fine Jewelry, Inc.:**

**A) Consideration of a request for Special Land Use approval for service of alcoholic beverages.**

**B) Consideration of a request for a new Class C quota license to be located at 20800 Haggerty Road, Novi, MI 48375, and Agreement on the Prohibition on Profiteering by Class C Liquor License Holders.**

Mayor Gatt said he had a question for either City Attorney Schultz or City Manager Auger before he opened this up for discussion. He wondered if City Council chooses, can we approve one of these and not both, do they go hand in hand with each other. City Attorney Schultz replied to the Mayor's question. He said you can approve the liquor license, at which point you would have to approve the Special Land Use. He said those two go hand in hand, you cannot have the liquor license without the Special Land Use. He said you could theoretically approve this Special Land Use but deny the license because this is a little different. He said this is a quota license, so it is a little different than the transfers that you usually see. He said you could theoretically do that, or you could postpone the Special Land Use to talk about the quota license. He said if there is no interest in the quota license, you could take no action on the Special Land Use. Mayor Gatt asked if the Council would approved Motion A, but not Motion B, would that leave the petitioner the option of bringing in a license from somewhere else. City Attorney Schultz said yes, but so would postponing Motion A. He explained, not granting the Special Land Use, just hanging on to it, but not denying it, maybe it is a better way to put it, so it would not be there if they chose to come in for a transfer. Mayor Gatt said the Council could choose to postpone Motion A, but vote on Motion B or discuss and then vote on. City Attorney Schultz replied yes, you could. Mayor Gatt said that would not do anything to Motion A, that would still be out there in the cloud. Mayor Gatt asked if the representative for Tapper's would like to address City Council.

Kelly Allen said she was appearing that evening with Mark Tapper. She thanked Council for the opportunity to address them. She said they did come before Community Development for the Special Land Use approval, which was recommended last week, she thought on Thursday. She stated they were there that evening to ask that Council adopt that recommendation and to also approve the quota liquor license. She said they have provided to Council in a detailed analysis of how they believe that they qualify. She said she would focus on liquor license right now because the Special Land Use is what she is hearing the Mayor saying, so she would like to talk about the liquor license first if that is okay with you. She said the city has been awarded seven new licenses as a result of the last census that was certified a year and a half later after the census. She said that means that this city is just booming, the population is growing, and that your development is wonderful. She said there are not a lot of Oakland County licenses

available which is what Tapper's would need if he were not to be awarded a quota license from the city. She tried and tried to find these licenses, you would think that in times of a pandemic that licenses would be less expensive, more available, that was not her experience. She said this is her practice, this is all she does. She is constantly looking for Oakland County licenses. She said when Mark Tapper called to develop this property there wasn't hardly anything available and she still does not have one, an Oakland County license available to him now. She mentioned the Tapper's Development is bringing great economic development to that end of the city. She said the things she thought you will want to look at is what is the uniqueness of this establishment, it is not a bar, it is not a restaurant, it is a high-end jewelry store, and it has management in place, which is one of the factors in your ordinance. She thought this is fantastic, both in the jewelry business and in the communities in which they work, as well as in the liquor licensed business. She said they do have a Class C Liquor License at Somerset Mall, a Class C Liquor License in West Bloomfield, and perfect records for those in both municipalities. She said they did have to go through Special Land Use procedures, and they had to meet various criteria. She said if you wanted to hear from Mark Tapper, it is an experience, a shopping experience that you are not going to find anywhere else, except Tapper's. She said you might find people that are not doing it properly, but that is not Tapper's. They do everything properly. She said that is why they came to her in 2018 to purchase a license to not make money, they are not a bar, they are not a restaurant, they are not marking it up the alcohol to serve it. They do it for special occasions, obviously when you are shopping at a jewelry store, like Tapper's you come in and if you are buying an engagement ring and or you are with family or something like that, you can be offered a glass of champagne, a glass of wine they have a little bar area that has cookies, coffees, juices, beverages, waters, and that kind of thing. She said they also use it for this store has a Rolex part of the store, and they also use it for corporate events. She said they use their liquor license for that occasionally for companies to come in and host events at that beautiful location. She thought if you were to award one of these, you cannot go wrong with this kind of establishment. She said it would be different if she was sitting in your chair, and you had one to give, but you have seven, that is high in her experience. She mentioned one other thing that your ordinance talks about is the permanence in the community. She said Tapper's has been her for 44 years in Oakland County and has been in the city of Novi for 12 years, they are not going anywhere. She said they put an excess of \$5 million just into the construction loan of their building. Mark Tapper noted that they have been in business 45 years and have \$14 million in construction, he just wanted to make sure those numbers were accurate. Kelly Allen said those are things that they would like you to look at and to think about when deciding whether to grant this to Tapper's. She said they do understand that this is a privilege, you do not have to grant them a quota license to anyone for that matter. She said if it does meet your criteria and they believed it does in the ordinance, they believe they have good reason to. She said Mark Tapper was there to answer any questions on how it works, what they have spent since, how long they have been here. She said Mar Tapper and his sister Marla are the sole owners of Tapper's now.

Mayor Gatt asked Mr. Tapper if they have full liquor licenses at their other locations. Mr. Tapper said yes, they have a Class C Liquor License at their location at Orchard Lake

Road and Maple, and their location in Somerset Collection North. Mayor Gatt asked if they ever had one in Novi. Mr. Tapper said no.

Mark Tapper said he thought Kelly covered it well, he said he was happy to answer any questions. He did mention that it was important for them, as a local independently owned retailer, they pride themselves on being a progressive retailer. He said retail is a challenging business nowadays, and to be progressive, he said being successful is not just having a great product and great people, there is a whole kind of label they put on and call it shopper entertainment, and how you enhance the customer experience and guest experience. He stated the guest experience is not just about how people feel about their experience at Tapper's. He said it is how they feel about our community and how it extends beyond just the purchase, internally, we have a saying that the purchase is the souvenir of the shopping experience. He said what you take away when you leave with a Tapper's box should not be what made you feel great. It should be how you were made to feel when you are in the store, and everything that goes along with that. He said whether it is offering a cocktail, a glass of champagne, espresso, or a root beer float for young kids, we just want to make sure that everyone feels good when they come into the store.

Mayor Gatt asked Mr. Tapper to stand by to see if Council had any questions. He said before he opened it up to Council he would use his mayoral privilege, if you will. He said first he was going to preach Tapper's, he thought that Tapper's was one of the finest jewelry stores, maybe in the world. He said he has traveled to the Caribbean many times on different cruise ships and has been in many different jewelry stores, and he has never seen anything quite like Tapper's. He said the people here know him and they know he is not married anymore, but he was, and he spent a lot of money at Tapper's and everything that they sell is first class, everything that they do is first class. He hoped that the thousands of people listening on television that evening will avail themselves of Tapper's service and go in there and buy some of the finest jewelry that you can possibly get anywhere. Now, having said that, he mentioned we have seven liquor licenses, and that sounds like a lot. He noted that Kelly mentioned that as well. He said it is a lot, but it is the last seven liquor licenses that we have for 10 years. He said we only renegotiate these liquor licenses during the census, so it is until 2030 and then probably a year after that we will not know if we are going to get any more. He explained that we must go through eight or nine years of existence without getting another liquor license. He believed our city is burgeoning still, we are growing, and we are going to have the Asian Village coming in soon. He said there are other places in the city that will come in and want a liquor license, such as a restaurant or bar. He said they will not want to come in if we do not a quota license to handle them. He said he was not going to be in favor of moving forward with giving one of our seven to Tapper's that evening. He did not want to curtail their ability to bring one in from somewhere else, and thus that is why he was asking the attorney before we even started talking about this. He asked what the proper procedure was. He said he would be against Motion B if it comes up, but he did not want to see Motion A go away. He said if one of his colleagues feels the same way, or if the majority are feeling the same way, he thought our attorney suggested that it could be postponed.

Member Fischer thanked Mayor Gatt. He thought he did an excellent job of summarizing what he would have said. He said he had a quick question for Ms. Allen. He wondered if the other two stores that have the liquor licenses were those granted quota licenses from Troy or West Bloomfield. Ms. Allen said no, there were none available when they applied for those licenses. Member Fischer asked what years those were. Ms. Allen said in 2018 and 2020. Member Fischer said there were transfers available, no quotas, is that correct. He said now we have a situation where there are quotas available, but no transfers. Ms. Allen said yes because the census had not been done. Member Fischer said clearly, we have these quota licenses, there is obviously a little bit of hardship, it sounds like in the market. He asked City Attorney Schultz if we were to deny this tonight, and maybe a year from now or six months, they still were not able to transfer it, would they be able to reapply for a quota license. City Attorney Schultz said he believed they would, he thought that it is a change in circumstances, sure. Member Fischer said he did not think the ink was dry on the transfer from the state, giving us these seven licenses, we had just been granted the quotas and were made aware of them back in March. He agreed using one of these at this time is not prudent as far as the city of Novi goes, but he certainly supported a transfer if that were available. He said he would support the Special Land Use if they did get a transfer. He said if they continued to have hardships down the road, he may be open to the quota, but at this time he was not there yet. Thank you.

Mayor Pro Tem Staudt said there were a lot of great comments. He asked if they would desire for Council to pass the ability for them to buy a liquor license that evening. He wondered if they had it their way, if we did not approve it, would you want us to approve that option. Ms. Kelly said if he was asking if they approve the Special Land Use, and if possible if Tapper's is not going to be awarded a quota, yes, they certainly would, and they will keep looking. Mayor Pro Tem Staudt said he like the comment that Member Fischer made about considering maybe a year from now, would we be able to waive the application fee? City Attorney Schultz believed Council has done that in the past. He clarified his answer and said if it is a reapplication, if there is essentially similar work that has already been done. Mayor Pro Tem Staudt thanked him for his clarification. He said when this was first proposed, there were many of them who looked at it and said, what an unusual use for that property. He said he would probably before we gave a quota license to anybody, he would really like to see how you are going to operate that business for a year, because there were a lot of questions that came up about access to the highways and things like that. He said personally he did not have a big problem with the quota license. He said the Mayor mentioned that we only seven quota licenses. He said he has been here for 15 years, and the Mayor has been here longer than him. He said he thought they have had a handful in that entire time He said this is a very important tool for us for economic development. He said Tapper's are built already, and you are on your way, so this is not an economic development tool as far as we are concerned. He hoped they understood that. He said he would, like Member Fischer, if you have difficulty acquiring a license, he will consider it again in a year, and he would consider asking for a waiver of the application fee. He said before we go any further, he wanted to make a motion to approve the request to the Special Land Use approval of service of alcoholic beverages for the reasons stated in the Special Land Use approval. City

Attorney Schultz said he was not sure if that was actually a possibility, so he did not say anything the first time the Mayor brought it up. He was concerned about having a Special Land Use approval hanging out there essentially saying this is an appropriate place for a liquor license if it is followed by a denial of a quota license, and there is the potential for a challenge of the second decision. He said he wanted to put that out there for his consideration, Mayor Pro Tem, they would be back here for the transfer, if that is what they came for. He said you are not saving them a trip is what he was trying to say. He said there is a little bit of a concern, and not a lot of benefit that he could see. Mayor Pro Tem Staudt asked if his concern was some type of illegal action. City Attorney Schultz replied yes. Mayor Pro Tem Staudt said he was willing to take on that concern. He said if his colleagues disagree, you know, we will vote it down.

Mayor Gatt said he will not support because our attorney said we should hold off on it, then he was going to follow our attorney's advice. He said we can accomplish the same thing by just postponing. He said Tapper's would come back and so on and so forth. He said he would not support the motion.

Member Casey concurred with most of what her colleagues had said that evening. She stated she was not in a place where she was willing to release a quota license. She supported the idea of them bringing in a license if they could find a transfer license. She said she supported and would move to approve the Special Land Use. She said she would vote no right now on the Special Land Use because she agreed that there are probably some considerations that they need to have from a legal perspective. She said when you hear her say no to the Special Land Use right now, she is not saying no, permanently, just saying no in this instance. She looked forward to seeing them again soon with the transfer license coming in.

**CM 22-09-120            Moved by Staudt, seconded by Crawford; MOTION FAILED: 2-5**

**Approval of a request for Special Land Use approval for service of alcoholic beverages, for the reasons stated in the Special Land Use approval.**

**Roll call vote on CM 22-09-120**

**Yeas: Staudt, Crawford**

**Nays: Gatt, Casey, Fischer, Smith, Thomas**

**CM 22-09-121            Moved by Gatt, seconded by Thomas; MOTION CARRIED: 6-1**

**To postpone the approval of a request for Special Land Use approval for service of alcoholic beverages, for the reasons stated in the Special Land Use approval. A.**

**Roll call vote on CM 22-09-121**

**Yeas: Casey, Crawford Fischer, Smith,  
Thomas, Gatt**

**Nays: Staudt**

**CM 22-09-122 Moved by Gatt, seconded by Thomas; MOTION CARRIED: 7-0**

**To deny the approval of a request for a new Class C quota license to be located at 20800 Haggerty Road, Novi, MI 48375 and Agreement on the Prohibition on Profiteering by Class C Liquor License Holders and to incorporate the previous comments during discussion.**

**Roll call vote on CM 22-09-122**

**Yeas: Casey, Crawford, Fischer, Smith,  
Thomas, Gatt, Staudt**

**Nays: None**

**6. Approval of Resolution Approving Application of Harman Becker Automotive Systems, Inc. for an Industrial Facilities Tax Exemption Certificate Extension.**

Stephan Branigan, V.P. of Finance for Harman Becker Automotive Systems appreciated the opportunity to answer any questions you may have about their application. He said some of you know they have been at that site and developed that site from a Brownfield with a local developer back in 2014-2015, they moved into the building November 1, 2015. He said their original investment plan was to spend about \$38 million including land building, equipment. He stated at the time of move in, the plans had expanded considerably, they spent \$45 million to develop the site. He said the primary increase in the investment that they made was due to a growing business consideration. He said they spent a lot more money than originally planned, due to their growth with customer programs. He said they spent a great deal of excess funds on car labs and car equipment, test equipment, analyzers, software development tools and the like. He stated they are primarily an automotive company, so that site is the Automotive Headquarters in North America for Harman. He noted that they are currently a wholly owned subsidiary of Samsung, which is new since that site was built, they were acquired by Samsung in 2017. He said the objective of Samsung is for that site to continue to be the local presence and the North American Automotive Headquarters for the business. He stated the investment continues to grow. Since the original investment through 2015, they have spent an additional 24 million and again primarily on equipment, mostly technical equipment, because it is primarily a technical site. He said it is staffed with software engineers, hardware engineers, test and validation people, software architects, and roles of that nature. He said this application is to extend the abatement for an additional four years, it ran eight years, he believed it runs through July of 2023. He said the extension would be for an additional four years. He said the game plan for that site is to continue to grow. He stated their customer base currently is all the normal, Detroit based automotive companies, Lantis, Ford and GM. He stated in addition, they support the Asian customers out of that site, Subaru, Toyota, Hyundai, Kia, and a few others. He said their key focus going forward is the kind of what he would call nontraditional automotive companies, the electric vehicle startups, including Tesla, which is not quite a startup, but they are also supporting Rivian, Lordstown Motors, Workhorse, and some other electric vehicle companies as well as non-automotive companies like John Deere,

Polaris, and companies like that. He said he was open to any questions that Council may have regarding the matter.

Mayor Gatt said he would go first. He said he has been here a long time; he is starting his 20<sup>th</sup> year on City Council in a few months. He said he was here when the tax abatement ordinance was implemented. He said he did not think if you looked back on his record of 19 years that he ever voted no on a tax abatement. He said he was all in favor of Harman in 2014. He did not think he could ever remember voting no, it has hurt him politically, many times. He said you had to answer a lot of questions. He believed in abatements; he believed in their worth. He believed in their abilities to attract businesses like Harman to this great city of Novi. He pointed out that he thought Harman is one of the most beautiful buildings he has ever seen. He drives by it every single day, twice a day. He remembered one time Council was all invited into Harman, the president of Ford was there and they had a gala time, it was a great place to be. Having said all that, he would be a hypocrite if he was in favor of this extension. He said Mayor Pro Tem Staudt said it best during the last discussion, some things are tools for us. It is a tool to attract, it is a tool to bring somebody to Novi that would not come in over they might to Rochester, Northville, or Windsor, or out of state, he did not know. He said a tax abatement he has said for 19 years now is a tool that, unfortunately, and he said that he meant, it is an unfortunate circumstance that all these municipalities are playing this tax abatement. He would not say game, but issue, because there was a time 19 years ago when this was not even talked about. He said it did come to be and of course, people have to go through a bunch of hoops to get an abatement, the state has to approve it, the county has to approve it, and of course, the municipality has to approve it. He said it does not affect the school kids in the schools, and so on and so forth, so it is a great tool. He said in this case, it is not a tool if Harman is here. He said they have availed yourself of the great city of Novi, and all the benefits that comes with being in the city. He said we have the best services, we had the best police and fire department in the world, we had the best DPW in the world. He said it is a safe city, it is a beautiful city, and he was sure that being in Novi has enhanced Harman's ability to do business. He said he could not justify voting yes on an extension. He could not justify that to the people who voted him in office or to himself, because for 19 years, he has been saying the same thing. It is a tool to attract business, it is a tool to get people, if we start rewarding businesses for spending a lot of money on their business, then there are a lot of businesses that we should look towards or not maybe coming to us for a tax abatement, you know, a small scale, a restaurant owner, just spent many thousands of dollars putting an extension on his outside, he did not come to us and say, now I want a little tax cut. He said it behooves Harman to do what they are doing, and he applauded them for it. He said he cannot be in favor of extending a tax abatement that we granted in good faith in 2014 and it is now coming to an end. He understood, and he sympathized, but he could not support this.

Mayor Pro Tem Staudt thanked the Mayor, he said seldom do they disagree on business related matters, but this particular one, he saw the world a little differently right now. He said the world he saw is a world where retention is almost as important as attraction. He said in this situation, we have a company that has gone far beyond what they initially promised us. He said they have made additional investment. He thought at the time, we

did the eight years, we had an open mind about potentially expanding this. He did not feel anything unusual about supporting this, but there is another big issue going on here. He said we have a lot of land, there is a lot of competition right now. He thought that working with a company, one of our largest employers in our city, to help them through a period that with COVID has been extraordinarily difficult. He said their workforce has dropped by hundreds of people during the last several years. He thought it is important for us and to show potential companies that could come to know Novi, that we do understand the difficulties that companies are going through, and that this is a good investment for our city to make. He said he saw this a little bit differently, he saw this as a retention, he saw this as a long-term message to potential new companies coming here. He said he would support this, and we will see where this goes.

Member Smith agreed with the Mayor on this issue. He said maybe in a little more reduced circumstances for tax abatements. He said there are circumstances where he could support a tax abatement in general, but it must be a clear and quick return for the residents and businesses in Novi who are paying taxes currently. He said examples of this, and Harman mentioned this is the Brownfield abatement and possible renovate an existing building that is standing vacant. He said businesses that with abatements are still using services such as police and fire. He said they are adding traffic and wear and tear on the roads that are covered by the residents and businesses that are paying their full tax. He did not think this is the case with Harman, but a long-term abatement he felt is a risk where if the business fails or leaves Novi, we have sunk a lot of investment into something that we got no return on. He said he will not be supporting this tax abatement extension. Thank you.

Member Fischer said he had a little bit of a different take on this than everyone else, which is interesting in this discussion. He said whenever we talk about tax abatements, he just simply goes back to our policy which outlines exactly what we are supposed to do. He said we have a set value of investment and a set number of employees that you are going to bring in. He distinctly remembered being on Council when this first came through. He said they wanted to meet and he respectfully declined, because he did not think he should meet with people that have business in front of. He stated they were asking for 12 years, and even by the chart at the time, they would have been entitled to base it on around \$30 million and a couple hundred employees they were bringing in. He said at the time he was not comfortable that they were going to hit those numbers. He remembered the discussion, and we brought them from 12 years down to eight years. He said he was looking at this point is that the city needs to live up to its obligation as well. He said were a little hesitant, we met the investment, they have met the number of employees, so he thought that it was only fair for us as a Council to go forward with the four-year extension. He said based on his recollection of the history, he was on Council at the time, and how he felt and how he deliberated on that decision. He said that is what is making it easy for him to go ahead and support this request. Thank you.

Member Casey said she hasn't had to do this in a while, she gave her disclosure that she was an employee of General Motors, and she worked in the digital business group. She stated her role does not involve working with the suppliers of vehicle components in any

fashion. She mentioned the applicant is a supplier to General Motors. She confirmed she could be objective on the question. She mentioned when this issue was in front of us back in 2014, she was concerned about the initial askers as Member Fischer was talking about, because the original request was for 12 years. She said the first time this was in front of us that she was not open to and not interested in a long 12-year abatement. She said she was comfortable and happy with an eight-year abatement. She mentioned that a couple of times as this issue came through. She commented that she was clear on the record that she was only interested in an eight-year abatement on this project. She said with all the great work that Harman has done and was thrilled to have them in the city, although her opinion still has not changed. She was comfortable doing an eight-year abatement event and she was comfortable leaving it at an eight-year abatement now. She said she will not be in favor of this moving forward. Thank you.

**CM 22-09-123                      Moved by Smith, seconded by Gatt; MOTION CARRIED: 4-3**

**To deny approval of Resolution Approving Application of Harman Becker Automotive Systems, Inc. for an Industrial Facilities Tax Exemption Certificate Extension.**

**Roll call vote on CM 22-09-123**

**Yeas   Smith, Thomas, Gatt, Casey  
Nays:   Crawford, Fischer, Staudt**

**7.       Consideration of Resolution implementing City Council Goal-Setting direction regarding the creation of a Sustainability Committee.**

Mayor Gatt stated that during our Goal Session in January, they approved by majority vote, several different goals. He believed it was a four to three vote that a Sustainability Committee was to be formed. He said the Rules Committee has met on this very topic several times. He said they have come to a consensus which is outlined in your packet with what the Sustainability Committee will be, who potentially will sit on that committee, the Mayor will make some appointments with Council approval. He said of course, there are no names this evening because we want to see what would happen with this motion or with this item. He explained if it passes this evening, then on the next Council meeting, there will be a vote to add people to the Sustainability Committee. He said that is how we got to this point. He opened it up for discussion and/or motion.

Mayor Pro Tem Staudt said at the time of the goal setting he did not support this. He said at this point, moving forward, he would not support this for a bevy of reasons, the most important being to him, this is entirely a staff issue, not a Council issue. He would not support having City Councilmembers as part of this. He said he would not be supporting the motion. He did not support on the Rules Committee moving forward to a vote, but he will not support the motion.

Member Fischer echoed a lot of those sentiments. He thought that whether it be his company, his prior company, some municipalities, and governments are doing it wrong, but he thought some of the corporates are doing it right. He thought for the city of Novi

to investigate, sustainability, from a little bit, do some benchmarking, and evaluate some of our opportunities. He said it is not a terrible idea, but he took the Charter very seriously. He said he did not like to meddle in the affairs that he considered to be the day-to-day operations that fall under the city manager. He was concerned when he saw this resolution that included councilmembers. He said he saw this as a staff issue. He mentioned even in the goal, they talked about having the directors, whether it be Public Safety, DPW, Economic Development, those people are the ones who are going to understand how the policy would impact staff and how to drive this forward to best help the residents, so he will not be supporting any committee. He felt this topic in general is just a little too political anyway, and to throw a couple more elected people to take it on was a bad idea. He thought it was a terrible idea, in his opinion. He appreciated the work that those committees did. He just thought staff could do this in a much more efficient and better way. Thank you.

Member Casey said she was disappointed. She stated this was a goal that she had put forward back in February. She said what she was seeking was this long-term strategic planning, thinking about all the factors that go into making a city and government sustainable. She said when she wrote the goal and the reason, she wrote in putting in people like Public Safety, DPW, and emergency manager was to try to bring in some of that expertise onto a committee. She said she was looking for broader than environmental, she was looking for a longer term, visionary type of opportunity. She said when we had the Goal Setting Session, we did have another goal that was written out that talked about the environmental, we did bring them together, and she was comfortable then. She said generally she was pleased with some of what the committee had done. She said she was troubled by the idea of having a Sustainability Committee that had an end date, a two-year end date, with opportunity to renew, if you will, but that was to her setting the wrong tone from trying to bring a committee together that is talking about long term and sustainability. She said she would have challenges with that if this were to go forward. She said other than that, she thought that what was written as the function was close to what she was hoping we would see. She said from that perspective, she appreciated the work the Rules Committee did. She said she wished this would go forward, she was sensing that this will not make it out of this conversation that we will not be setting up a Sustainability Committee.

**CM 22-09-124      Moved by Casey, seconded by Smith; MOTION FAILED: 4-3**

**Approval of Resolution implementing City Council Goal-Setting direction regarding the creation of a Sustainability Committees**

Mayor Gatt said he wanted to put his comments on the record. He said he was opposed to this during the Goals Session, and he was still opposed to it for several reasons some of which have already been articulated that evening. He believed this is a staff issue 100 percent. Second, he said the word sustainability has become so political, so polarizing, if you will. He did not want to see Novi go down that road, he just wanted us to stay in the middle like we are.

Member Smith agreed with Member Casey, he liked the layout of the plan of this. He said he had some issues with the people on it, and he was hoping for more of a Parks and Recreation Commission kind of Commission where we had more members of the public involved. He thought bringing new ideas, finding new ways to get people to talk about it in a constructive way can alleviate some of the political polarization. He said we find out how we can save some money and save the environment; the thought was a good thing. He agreed with Member Casey and he was afraid this is not going to go through, although he hoped it would.

Member Thomas agreed with Member Casey, this was something she was really looking forward to. She said we had a lot of interest in our community and how they could help. She said we have had presentations, people coming in, wanting to make and see what we can do to make our City more sustainable. She stated unfortunately, out there in the world some people are trying to politicize sustainability, the word sustainability, but its core really is not political. She said it is a matter of how we are moving forward and planning for our future. She thought this gave us an opportunity to prove that it is not a political issue. She said it was a planning issue, it is a city issue. She said she would have liked to have seen more people outlined, but she was in support of this committee.

Mayor Pro Tem Staudt asked City Attorney Schultz if this fulfilled their responsibilities towards this goal, by voting on this this evening. City Attorney Schultz replied yes.

**Roll call vote on CM 22-09-124**

**Yeas: Smith, Thomas, Casey**

**Nays: Fischer, Gatt, Staudt, Crawford**

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

**AUDIENCE COMMENT: None**

**COMMITTEE REPORTS: None**

**MAYOR AND COUNCIL ISSUES: None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 7:53 P.M.

---

Cortney Hanson, City Clerk

---

Robert J. Gatt, Mayor

---

Transcribed by Deborah S. Aubry

Date approved: September 26, 2022