

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MARCH 12, 2018 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Breen, Casey, Markham, Mutch, Wrobel

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

APPROVAL OF AGENDA:

Member Breen wanted to add to the Mayor and Council Issues: Discussion regarding updating the City Staff Anti-Discrimination and Harassment Policy.

CM 18-03-030 Moved by Wrobel, seconded by Markham; CARRIED UNANIMOUSLY

To approve the Agenda as amended.

**Roll call vote on CM 18-03-030 Yeas: Staudt, Breen, Casey, Markham, Mutch, Wrobel, Gatt
Nays: None**

PUBLIC HEARING:

1. Land and Water Conservation Grant Fund Application- Lakeshore Park Shoreline Stabilization

Opened at 7:02 P.M. and closed at 7:03 P.M. with no public input.

2. Land and Water Conservation Grant Fund Application – Pavilion Shore Park Shoreline Stabilization

Opened at 7:03 P.M. and closed at 7:04 P.M. with no public input.

3. Recreation Passport Grant - Tim Pope Playground

Opened at 7:04 P.M. and closed at 7:05 P.M. with no public input.

PRESENTATIONS:

1. Historical Commission Update – Kathy Crawford

State Representative Kathy Crawford thanked City Council for their time. She also thanked City Council for adding two members to the Historical Commission. She gave Council a packet with two wooden nickels on the front cover with information

regarding upcoming programs, as well as the brochures. She informed them that the wooden nickels were a replica of what you might have been issued at times of economic duress during the early 1900's. Very often, instead of a real nickel, the banks gave out wooden nickels. Novi's very own bank on the corner of S.E. corner of Novi Road and Grand River might have given out wooden nickels if it had actually opened as a bank. Unfortunately it was scheduled to open when the market crashed, and it became a bar instead, which was pretty busy. She expressed that the Historical Commission is indebted to the Novi Library for the space, the local history room, as well as the Library Liaison Betty Lang. She mentioned that our Library Director Julie Farkas was very much involved in Novi's history and our Commission. She noted that the Commission update narrative had been sent to Council electronically. She confirmed they received Council's request regarding the names of Veteran's that had been killed in action which they would like to have placed on the marker in front of the Civic Center. She informed Council that the packet included a list of questions that they would like some answers to prior to doing a great deal of research. The Historical Commission reached out to other communities that have Veteran markers and asked them how they proceeded. Without question, every one of them said they had a policy in place first, a form or application for people that would like to have a name of a Veteran placed on a marker. Currently, we know that Novi resident, Scott Dunham was killed in action in 1918-WWI and also former Novi resident Major Andy Becker who recently died in a flight training accident. She said they are kindly requesting that the Novi City Council determine the guidelines for names to be engraved on the plaque/marker. An application could then be prepared. The Historical Commission will proceed with research. She highlighted some of the other projects they have been involved in. They will be playing an active role in planning the City's 50th Anniversary, and they are actively involved in the David Barr property. The Commission owns the right to David Barr's Book, Villa Barr. It is on sale at the Library now. They plan to present the David Barr property and the story to groups in the near future. She also highlighted from the report, the recent completion of the Novi Cemetery and the Knapp Cemetery GPS mapping of all of the graves. They also mapped all of the trees in order to determine what trees and shrubs may have been original to the property when it started in the 1800's. One of their goals is to restore the historic grounds as well as the graves. She said 45 Veteran sites have been identified dating back to the American Revolution. She presented a few slides about some of the programs they have been involved in. They talked to the children at Parkfield Elementary about what children used to play with in the early 1900's. They also did a presentation on how to write a family tree. Recently she did a presentation on the Walled Lake Casino and Walled Lake Amusement Park. She said they get a lot of requests for presentations on this because so many people remember the Walled Lake Casino and Amusement Park even if they didn't live in Novi. She mentioned the new bath house at Pavilion Shores Park had won a design award. They did a presentation on "War Dogs," and how the dogs were used in all of the various different wars. She thanked everyone that came out to their little walkabout at the cemetery. She said there is a lot of history in our cemeteries. She said they are learning more about the early residents. She described Mr. Goodell's store on the S.E. corner Novi Road and Grand River. We were fortunate enough to acquire some burial records; one belonged to Mr. Goodell who died at the

age of 88 in the year 1931. They tell us a lot about what life was like back then. It was really harsh in the early 1900's. She mentioned a School District Proposed Budget that she acquired from 1937-1938 in Novi, which was prepared by Walter Tuck who was President of the School District. He used to own Novi Auto Parts. She said the total assessed valuation for the whole School District was \$500,000. She said that was the cost of an average home in Novi now.

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT:

Alan Bialek, 44084 Winthrop Dr., said he has been a Novi resident for 25 years, and he is also a Vietnam Veteran. He was there to invite everyone; he is hosting an event for the 1st Anniversary of Vietnam Veteran's Day as a National Holiday. It will be held at the Novi Civic Center on March 28, 2018 at 7:00 P.M. This is a free, no obligation event. It is an effort by himself to continually remember our Veterans, but most importantly to educate the next generation on the sacrifices our Veterans have made for us today and our obligation to them. He hoped everyone could attend, and he thanked everyone very much for the honor of serving our country.

Michel Duchesneau, 1191 South Lake Dr. said he was there on behalf of several of his neighbors who were currently attending a meeting that evening at the Library to review a proposal by Robertson Brothers Homes as to developing a parcel of property. He said they are concerned with the proposed development direction for the area on the Master Plan known as Pavilion Shore Village, located on Old Novi Rd., S. of 13 Mile Rd. They are concerned with the proposed density increase beyond the 3.3 residential units per acre currently allowed under R-4 property. We are requesting the City Council and the Planning Commission to pursue a Zoning Ordinance Overlay restricting the building density to the existing 3.3 residential units per acre and to meet all of the R-4 setback requirements to parcels abutting any R-4 property. Also, all residential buildings must meet the 35 foot height or 2 ½ story requirements for each unit, whichever is less (per current R-4 requirements). If the height or density requirements are not met, then 75 foot setbacks are required as per the RM-1 low density low rise multiple family portion of Novi's Zoning Ordinance. He listed other concerns such as the traffic will increase in the Lakes area with the increased density and adversely affect the quality of life for hundreds of individuals. He said he was not personally opposed to the multi-family attached housing, but said his neighbors and I are vehemently opposed to the increased building density for development in this area. They believed the existing lots could be easily built under the existing R-4 zoning variances without needing any zoning variances or rezoning. He stated it was not fair to the long term neighboring residents to take these three small 1 acre parcels and treat them like a major subdivision project. The proposed density increase and development plans will destroy the rural up-north feel of this area. He said the city currently has many subdivisions with brownstones or multi-family residential units in existence and many more are being built. Many of these units are easily in walking and biking distance to Novi's Pavilion Shore Park. There is no plausible reason for targeting this small area with increased density.

Todd Keen, 2300 Austin Dr. stated he has been at that address for 25 years. He echoed the other speaker about the destruction of Shawood Heights Subdivision. He said he bought his house 25 years ago it was about 900 square feet, he has put a lot of time, money, blood, sweat, and tears into the house which is now about 2000 square feet. He said it was part of his nest egg which most people's homes become over time. He expected an increase in value. He thought that the Village Shore Pavilion development would decrease the value of the homes because of the size and the density. He noted he was on the west side of the road and he was looking at the proposed developments. He said there are seven groups of condos on that side. He believed the height of the condos will be three stories and about 35 feet tall. They are about 20 feet by 20 wide, each unit, and 30 feet deep. He said they are proposing 2-3 unit buildings, 4-4 unit buildings and 1-5 unit. He said it doesn't seem like a big deal until you realize that the smaller ones are 60 feet wide, 30 feet deep, and 35 feet tall, they are large. The big one is 100 feet wide, everyone is going to look out their door and see giant buildings. That is not fair to the residents. On June 2016 Master Plan on page 53, he said the City talked about keeping the neighborhood preservation. He thought Council should go back and read that. He thanked them for their time.

CONSENT AGENDA REMOVALS AND APPROVALS:

- A. Approve Minutes of:
 - 1. February 26, 2018 – Regular meeting
- B. Approval to purchase five (5) ISCO 2150 AV sewer flow meters from Teledyne ISCO through Hamlett Engineering Sales Company (HESCO), the exclusive distributor of the meters in Michigan, in the amount of \$26,411.00.
- C. Approval to award civil engineering services to AECOM Great Lakes, Inc. for design engineering services associated with the 2019 Concrete Panel Replacement Program in the amount of \$41,973.00.
- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Rainbow Rascals MI-Nov, LLC for the Rainbow Child Care Center project located west of Beck Road, north of Grand River Avenue (parcel 50-22-17-226-033).
- E. Approval of Claims and Accounts – Warrant No. 1007

CM 18-03-031 Moved by Wrobel, seconded by Breen; CARRIED UNANIMOUSLY

To approve the Consent Agenda as presented.

Roll call vote on CM 18-03-031

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

Nays: None

Roll call vote on CM 18-03-033

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

3. Approval of Resolution authorizing submission of a Recreation Passport (RP) grant application for renovating the Tim Pope playground at ITC Community Sports Park. Total estimated development cost, including \$150,000 grant, is \$409,000.

Member Mutch said that many people, including Member Markham was involved in the construction of the original playground, and they have a strong emotional attachment to it. He said it has been a difficult discussion for those folks when we talk about replacing it. That project was a great community building project that came out of a tragedy that occurred in the community. Member Mutch asked Director Muck to talk about how we will make an attempt to retain some of the elements of the original playground to continue the legacy forward. Director Muck said it was a good discussion that we had at our Grants Committee, but also at the last Parks Commission meeting. Parks Commission was very clear that they felt strongly that we needed to retain the original look and feel of the playground, while enhancing with modern materials. We took a design that we presented to them, and brought forward what City Council sees now. It really is meant to retain everything. It was also important to the family that we retained the sponsor pickets surrounding the playground. He pointed out that Sara Pope-Starnes was there that evening. He mentioned Becky Staab who was instrumental in the building of the original playground was also in the audience. They were both there in support of the playground and the grant. He said they did their due diligence and they have the support of many of our key stakeholders on this design. Member Mutch stated that Charlie Staab sent Council a letter in support for this.

CM 18-03-034 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY

To approve of Resolution authorizing submission of a Recreation Passport (RP) grant application for renovating the Tim Pope playground at ITC Community Sports Park. Total estimated development cost, including \$150,000 grant, is \$409,000.

Roll call vote on CM 18-03-034

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

4. Approval of Resolution Authorizing City Administration to Establish and Administer an Artist-in-Residency program at Villa Barr, including establishment of program requirements and rules and a form of agreement to be required of selected artists to be approved by the City Manager and City Attorney.

Mayor Pro Tem Staudt stated about 16 years ago when he was on the Parks Commission they had a total Capital Improvement Budget of \$60,000. He said we just

went through three items for Parks, Recreation and Cultural Services that could be in the \$100,000's. He commented that Villa Barr is something that will be very unique to the area. He said he has sat in on a lot of the meetings, and he watched it evolve. He said he didn't think we have even begun to realize what this will give our community in the long haul.

CM 18-03-035 Moved by Staudt, seconded by Markham; CARRIED UNANIMOUSLY

To approve of Resolution Authorizing City Administration to Establish and Administer an Artist-in-Residency program at Villa Barr, including establishment of program requirements and rules and a form of agreement to be required of selected artists to be approved by the City Manager and City Attorney.

**Roll call vote on CM 18-03-035 Yeas: Wrobel, Gatt, Staudt, Breen, Casey, Markham, Mutch
Nays: None**

5. Approval to award a unit price contract for mowing services to B&B Landscaping, Inc., the low bidder, for a one-year term with three (3) one-year renewal options at an estimated annual cost of \$113,399.

CM 18-03-036 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY

To approve to award a unit price contract for mowing services to B&B Landscaping, Inc., the low bidder, for a one-year term with three (3) one-year renewal options at an estimated annual cost of \$113,399.

**Roll call vote on CM 18-03-036 Yeas: Gatt, Staudt, Breen, Casey, Markham, Mutch, Wrobel
Nays: None**

6. Approval to award civil engineering services to AECOM Great Lakes, Inc. for design engineering services associated with the 2019 Neighborhood Road Program (NRP) in the amount of \$113,479.00.

City Manager Auger explained they are attempting to get ahead of the road program to start forecasting with more accuracy what is underneath the roads that we will be doing in the future years. He mentioned DPS Director Herczeg would like to see this go out further in the future so we can accurately forecast three to five years. He said we are looking forward to this happening.

CM 18-03-037 Moved by Casey, seconded by Staudt; CARRIED UNANIMOUSLY

To approve to award civil engineering services to AECOM Great Lakes, Inc. for design engineering services associated with the 2019 Neighborhood Road Program (NRP) in the amount of \$113,479.00.

Roll call vote on CM 18-03-037

Yeas: Staudt, Breen, Casey, Markham, Mutch, Wrobel, Gatt

Nays: None

AUDIENCE COMMENT:

Todd Keen, 2300 Austin Dr., noted that he just received a text from his wife who was attending the meeting with the developer at the Library. He said he is going to attend after the City Council meeting. His wife said there were about 100 people there that are very angry. He continued from where he left off during the previous audience comment where he mentioned page 53 of the 2016 Master Plan. He said the planned residential density will remain the same in most neighborhoods. This plan recognizes that the preservation of existing neighborhoods and the way of life they provide is the key to preserving the character of Novi, even as the City embraces new and varied models of development. In particular, the neighborhoods of S.E. Novi and the Walled Lake area predate most of the development in the City. The City should seek to develop a framework that under which these neighborhoods can continue to evolve and change the residential market that without the loss of the basic atmosphere that make them distinctive. He was also concerned about the traffic studies. He wondered if all of the traffic studies included all of the new developments in the area. He also mentioned concerns such as; decreased sunlight, resale value, lack of privacy and density.

MAYOR AND COUNCIL ISSUES:

Member Breen reminded Council that back in 1999 City Council approved an Anti-Discrimination and Harassment Policy. She emphasized that a lot has changed in the last 20 years. She recommended that the administrative staff and city attorneys review it, and update it to make sure it conforms to current standards. She mentioned other cities are doing this. She pointed out that the ICMA Code of Ethics has some updated language in it. She mentioned vendors that we have contact with have more updated policies as well. She suggested that we streamline all of these and have the same requirements. She noticed that the contract for the Villa Barr Residence had some of the updated language as well. She requested City staff come before City Council with some recommendations after consulting with our labor attorney. Mayor Gatt thanked Member Breen for bring up this subject. It has been a long time since the City Anti-Discrimination and Harassment Policy has been updated, and is due for a change. He asked City Manager Auger to have his staff and attorneys look at it, and in the next few weeks come back to us with recommended changes that we can all look at.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:45 P. M.

Victor Cardenas, Assistant City Manager

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: March 26, 2018