

Subdivision. She said she was glad they are preserving wetlands. She said when the City built the Senior Center; they got everyone in Meadowbrook Glens together and discussed concerns. At that time in the plan, the entrance onto Cherry Hill was going to be a driveway with a break-away gate for emergency only. The driveway is there, but there is no break-away gate. Because of that, the City decided they needed a light at Cherry Hill and Meadowbrook Rd. She said they are concerned however this is approved, they will put a driveway onto Cherry Hill. Lastly the plan calls for a right turn lane off Meadowbrook onto Cherry Hill. There is a right hand turn lane onto Cherry Hill and they will put their entrance which will encroach on that turn lane. Exactly where the turn lane starts, there is a fire hydrant. The plan says they are going to elongate and taper the right hand turn lane. If you extend that any farther north, you will be on Grand River. So you will go from the right hand turn lane on Grand River, to the right hand turn lane on Meadowbrook that will either lead you into the dealership or onto Cherry Hill. She thought that was way too much. We do agree when they looked at the plan, it said it will not have a berm. That's great, leave wetlands alone. No sidewalk is ok. There is a sidewalk on the other side of the road. She said she was concerned that it is the letter of the law and what is common sense. The three letters that you have in your packet that have a problem with this are people who live in the subdivision across the street of Meadowbrook. They will be less affected. We on Cherry Hill closes to this and on Kings Pointe didn't receive anything because we are not within the area of "what they had to do". Sometimes you need to use common sense and send things to people who will be affected. She said she hoped they would some of her concerns into account when approving it as it is drawn the way it is now.

Public hearing closed at 7:06 PM

PRESENTATIONS:

1. Novi Road and Grand River Avenue Area Multi-Development Traffic Impact Study - AECOM

Maureen Peters, representative from AECOM highlighted the presentation on the traffic study. Earlier this year as development started to boom in that area, they embarked on multi-development traffic study. As part of that, the City contacted AECOM. She said the general study area included Novi Road/Grand River between 10 Mile and 12 Oaks Mall and generally between Novi Road and Meadowbrook. The first analysis looked at existing conditions. As part of that it was discovered Novi Road and Grand River intersection was over-capacity under existing conditions. Several other turning movements were seeing poor operations as well. From there the City and AECOM determined which developments should be incorporated into the study that might have an impact on this general area. They were further defined into two general categories considered as background developments or those that had already been approved or were expected to be approved in the near term. The other category would be future developments not within few months month. She said moving into the background conditions analysis the team decided to project traffic out to the year to 2028 with the assumption that they would be built by then. In order to get to the year

2028, there was a .5% growth rate applied to general traffic. Next they studied the individual trip generation for the AM peak, the PM peak during the weekdays as well as the midday Saturday peak. She said it was further assumed that the Bond Street connection up to Grand River would be completed as well as the Crescent Blvd. and Ring Road would be completed with a signal at that intersection by 2028. Other geometric improvements included development driveways and access management. With the background traffic analysis in addition to eight background developments it was discovered that Meadowbrook Road and Grand River intersection would be over capacity in addition to the Novi Road and Grand River intersection. Moving into the future developments, it would add additional 700-1300 trips per peak period. Once those were added, the results indicated Novi Road and 10 Mile would experience capacity issues. In order to mitigate that, AECOM looked at alternatives. Some are larger scale than others. The first that they looked at was Taft Road connection over I-96 and then the connection of Fountain Walk to the west over to West Park Drive. Providing the north/south, east/west connection could alleviate some traffic at the Novi Road/Grand River Intersection. Additional mitigation was more localized to individual intersections or segments of corridors. She stated that at Novi/Grand River it was determined that the addition of dual left turn lanes on all four approaches would improve operational scenario. Similar mitigation proposed at the 10 Mile Road and Novi would alleviate the congestion at that intersection with dual left turns at all approaches. She said that Grand River and Meadowbrook Road would require a northbound dual left turn scenario. Grand River between Novi Road and Meadowbrook Road was widened to 5 lanes in either direction to accommodate access management techniques and permit a better flow of traffic. Additionally traffic signal modernization at Town Center and Grand River would allow them to operate efficiently and move more traffic. With the mitigation measures that were analyzed were the dual left turns at 10 Mile Road and Novi Road. The additional left turn at Meadowbrook and Grand River as well as the Grand River widening were incorporated into the analysis and the results indicated that capacity issues at Meadowbrook and Grand River and Novi Road and 10 Mile would be alleviated or at least brought down to acceptable levels. There will likely still be congestion, but not failing. She stated that the conclusions of the study looked at 15 developments and the trip generation estimates would add over 2000 trips in PM peak and Saturday midday peak periods. She said there are some limited ROW issues that could prohibit or hinder some of the decisions with some of these mitigations specifically at Novi Road and Grand River. The first attempt was signal timing. It's on Oakland County SCATS, the efficiency is good already and limited room for improvements. They are coordinating with the County still. She mentioned it was further suggested to have more mitigation on signal timing. This could include roadway improvements discussed and potential transit opportunities in shopping districts and local destinations. Because of Novi Road and Grand River, further coordination between the City and County would be needed. She also mentioned that the City is currently performing 10 mile Road corridor study which is not yet available for review.

Member Markham said she was happy they took it to the year 2028. She asked if we were thinking ahead as we build so we can plan for and anticipate issues. They pointed

out some issues. You have mitigation measures suggested. She questioned all the turn lanes at Novi Road and Grand River. Do we have real estate to do that? Ms. Peters said they did not analyze that as part of the model because they are aware of the ROW limitations. She said they kept it in as suggestion in case the City would want to purchase that land, but those were not incorporated into the final analyses. Member Markham confirmed that we do not have that real estate right now. She said they have talked about widening Grand River to five lanes, and wondered if we have all of the ROW's. She mentioned that we are building on Grand River all the time, are we anticipating widening the road? She would like to see protected bike lanes and transit stops that are planned with barriers so riders are protected. Member Markham said part of mitigating the traffic should be alternatives to cars. That's long term and has to be part of the planning. They need to have a variety of different ways for people to get around. Her question to staff, we have this plan, would we expect to see this become more real in terms of CIP and what steps we can take in 2019, etc. Can we weave this into what we have planned? She said she didn't need an answer, she was stating that is what she would like to see.

Mayor Pro Tem Staudt also mentioned the transit discussion, when you are talking about large delays; you are talking about specific periods of time. He wondered what the window was for traffic at its worst at Grand River and Novi. Ms. Peters said at part of the study they looked at 7 AM-9 AM and selected the one hour within there for further analysis with the highest volume. Evening was 4 PM-6 PM and Saturday was 1 PM. They could not speak for the whole day but they really tried to isolate to those peak periods. The impact is not the entire day, it is the isolated pockets of time. Mayor Pro Tem Staudt stated that going against traffic at 4 PM on Grand River the backup is from Novi Road to Haggerty. The only solution to that other than widening road, not sure that's a potential, is to get vehicles off Grand River. Has there been discussion about how we reconfigure the vehicles in the City. He felt there are too many cars between Haggerty and Novi Road during those particular 1.5 hours. Ms. Peters thought the transit solution and ride sharing opportunity would help. She said that we could try to encourage that within City. Another opportunity is look at the origin and destination of where these travelers are going to and from to see if there is better service. Mayor Pro Tem Staudt stated that people get off I-696 and I-275 exit onto Grand River and come up that way because I-96 is nightmare going to Lansing. How can we solve our problems when the State cannot move cars on the interstate? The alternative is waiting on I-96 or Grand River. Without working in partnership with the State to move that traffic through I-96, we have no alternative. That road is one lane between Haggerty and Novi Road. Unless we spend huge amounts of money to widen that, we will never move that traffic. Any transit program would require the primary route be Grand River. Because it's one lane, a bus sitting in traffic for 45 minutes doesn't seem efficient. The alternatives are 12 Mile and others. We don't have a good solution that transit can take advantage of without major improvements to Grand River and 10 Mile. We talk about the Ring Road, that would provide some relief, but in reality that isn't the issue. The issue is congestion for a short period of time but no easy solution. He felt that while all this looks good he thought we need to be talking to MDOT about the I-96 corridor and how it will affect the City long term.

Member Casey asked City Manager Auger what our next steps would be. City Manager Auger replied the first step was to get Council the information through the study and to get their feedback. The next step is also dealing with MDOT and their expansion plans for I-96. He said there are a couple of them in the works. He stated that one he can think of is what they did on US-23 having an extra lane. He said they will continue those discussions. Third is our staff will take this information, look at it, and come up with ideas. He thought if we had a contact at the County that could help fund County road projects that would help us.

Mayor Gatt thanked her for the presentation and commented that this problem is not going to go away anytime soon.

2. Comprehensive Annual Financial Report ending June 30, 2018 - Carl Johnson –
Finance Director

Finance Director Carl Johnson highlighted some of the key information on the Comprehensive Annual Financial Report. He said the 130 page document is ours; the auditors give their two page opinion on the actual report itself. He said the first he wanted to bring attention to was that there were no significant expenditure variances. He said we created a lot of time creating the budget, amending the budget, following the budget to make sure that we stay within it. We had another year where the department heads, the finance department and the entire City stayed within our budget. He said that is one of the key measures of being successful. He said a lot of discussion has been on the Pension Liabilities in which the State has come out and mandated a minimum funding for both Pension and OPEB. He said our Pension Liability is almost \$100 million dollars right now. The liability continues to go up and it is expected to continue to go up. Our assumption for our rate of return is 7.75% and it will be lowered to 7.0 % in the next three to five years. Each time it goes down 0.25 % means another increase in our liability. Our contribution has gone from around \$3 million, three years ago, to \$3.7 million dollars just this past year. We continue to dump more and more money into this. The returns have been good, but our funding level is at 65%. The State mandate is 60% and we are at 65%, but as those assumptions get change that liability will continue to go up and we will continue to be around 60% which is good, we would like it to be more. He said we took any and all surplus that we had left in the budget this year which was \$450,000 and we made an extra payment there. We contributed what the actuaries required us to do, but this year we made the extra contribution. That decreased our liability about a 0.50%. There is great news on the OPEB side, with years of good planning by the Mayor, City Council and Administration, the liability is holding steady and all of our retiree health care plans are closed. Our liability is about \$28.1 million and we actually have \$29.5 million set aside so we are 105% funded which is outstanding. The actuaries are going to issue a new report for us so our liability will go up again and our funding level will drop a little bit. We are at 100%, the State is looking for a 40% funding level. We are well over, we are in the top 5% to 10% are far as funding levels for OPEB in the State of Michigan. Our contribution continues to drop which is good which means the drops in our OPEB contribution

means that go towards our pensions. Our contributions were \$600,000 in 2018, and it is about \$275,000 each for the next two years. That savings is immediately going into our Pension Liability to address those funding levels. We are making good strides, we are well within the funding level we are well within the States limits for both of those. He said we have been dipping into General Fund Balance as we have planned. We planned on using \$1.7 million last year; we used \$1.66 million dollars. The biggest difference there was that the projects that we incomplete were rolled over into the next year. Our Fund Balance is about \$11.8 million in the General Fund which is still around 30%. The amount that was rolled over into next year was \$1,033,033. That amount includes construction projects not finished, purchase of new vehicles that could not be closed before the end of our FY that were rolled into the next year. Our Capital Improvement Fund was \$3.4 million dollars; we spent about \$1.3 million dollars of that. There is still \$2.1 million in there. That has been there for the Lakeshore Park planning, the ITC Trails, the DPW expansion, as well as the Trans X purchase which were all of the activities they planned for this year. The \$2.1 million dollars will be going into the projects that we have approved. We are living within the levy right now, but will be advancing funds so that we can fund those projects in the future. He brought up the Long -Term Debt and stated that we are paying that down which is wonderful. We have very little debt here in the City of Novi. The Library debt is \$10.6 million dollars outstanding, it has about nine years left on it and then it will be completely paid off. The Senior Center has about \$7.3 million dollars on it and that will be paid off in about eight years. The Ice Arena has about \$4 million dollars left and that will be paid off in six years. That is all the debt that we have in the City which is outstanding. He said that we continue to invest in Capital Assets as well as Roads. Last year we spent \$9.8 million dollars city wide in capital. Of that \$6.4 million dollars was in roads. Every dollar we get from the State and our special levy go into the roads. There are no administrative fees or nothing. It is just roads, sidewalks and pathways, etc. A huge piece of our pie is in investing in capital. We continue to do it and that is why we have State Of The Art City of Novi that we can be proud of.

Mayor Gatt commented that he thought Mr. Johnson was a genius and that we owed a debt of gratitude to him and City Administration and City Councilmembers. This City is in terrific financial shape. We are doing wonders, it is remarkable. Thank you to City Administration, City Council and the citizens of Novi who have generously contributed to our wellbeing.

Mayor Pro Tem Staudt wanted to make a clarification about debt for both the Senior Center and Ice Arena, which are both revenue bonds. We are not paying for that debt through taxpayer dollars. Mr. Johnson Carl said that was correct. He stated that 100% of that was paid by the fees collected from the rents at Meadowbrook and the Ice Arena fees. Mayor Pro Tem Staudt said while it is our debt, it is not taxpayer debt. Mr. Johnson said the only taxpayer debt is the Library.

3. Comprehensive Financial Audit for year-end June 30, 2018 – Plante & Moran

Martin Olejnik, Partner and Keith Szymanski, Sr. Manager of Plant & Moran gave a brief presentation of their audit. Mr. Olejnik said for the main financial statements which Mr. Johnson stated were about 130 pages, there are a couple of pages that belong to Plante & Moran, everything else is the City's. The two pages are the opinion letter which is on Page 1 and 2. Mr. Olejnik said that it is an unmodified opinion. It is exactly what we should expect, just like receiving an A on your report card. You can rely on those numbers throughout the financial statements based on their testing and can use it for budgeting purposes.

Mr. Szymanski highlighted the General Fund performance for the last few years. The current year total was \$32.5 million dollars reflecting a modest increase of about \$1.6% from the year 2017. He said that was typical of local units of government, property taxes are by far the largest source of revenue for the City. It makes up about two-thirds of the total. They increase about \$660,000 or around 3% from last year which is a factor of 4.5% increase in taxable value which was partially offset by a heavily roll back in the millage rates. The second largest revenue for the City is inter-governmental revenue which is primarily State shared revenue. That increased 3.0% from one year ago. He highlighted a three-year history of expenditures in the General Fund. The current year total is \$33.6 million dollars which is an increase of about 2.3% as is typical of local government; Public Safety is the largest category of expenditures. Between Police and Fire they make up about 57% of total expenses in the General Fund. He gave some comparisons of expenditures and unassigned Fund Balance in the General Fund. The total General Fund Balance was about \$11.8 million dollars, around \$10.5 million dollars which was Unassigned Fund Balance. That means it is available for any future operations of the City. That 10.5% represents about 31% of 2018 expenditures which shows the strong financial position the General Fund has.

Mr. Olejnik went over the letter briefly. They couldn't say there were no issues, however based on testing, they didn't find anything. He thought everyone should be very pleased with the audit. In Section 1 is a response to pre-audit letter. Specifies how the audit went. They did implemented GASB 75, in most communities that puts liability on books for full accrual. We are over-funded on OPEB liability, so that's an asset on the books verses a liability which is very rare to see. We have some legislative items coming up. He pointed out that we have to have certain levels of funding and we are 105% which is way above the minimal of 40%. On the pension side, minimum is 60% and we are currently at about 65% to 66%. Have said we will have to keep an eye on rates, every adjustment can put us lower. Next item is overall looking at the City Water and Sewer fund. Fund Balance has increased in that Assets Fund which are good. He said we were a growing community so should be able to expect that over the coming years, however you will need those reserves down the line for repairs, maintenance, etc. Even though we are adding to that Assets Balance it's important to do that. Overall the City is doing well financially. He thought the City had done a nice job of planning ahead especially with the Long-Term Liabilities and Long-Term Debt. The only thing to focus on is keeping a close eye on the pension. Overall the City is doing very well.

Mayor Gatt thanked them for a very positive report and it certainly is not surprising, we work hard at what we do.

Mayor Pro Tem said he was on the Consultant Review Committee that retained Plante & Moran after being gone for a few years because of their expertise on pension liability issue. As we move forward, things will get more difficult. It is clear that these numbers will change and not for the better. How does Plante & Moran help us realize the things we need to do to get control of that in long term? We've spent numerous hours talking about should we bond it out; create an amortization schedule to pay it? How do other communities do it compared to Novi? We could use millage that would pay for unfunded portion. Mr. Olejnik said the important thing to note is that we are doing the right thing by contributing more. He said there are not many communities that are able to do that. That's important to focus on. From the OPEB perspective they are looking at savings by being able to over-fund. Those savings can be passed down which will help significantly. He thought the other thing to look at is the actuarial reports and evaluate discount rates, assumptions, and make sure you agree. We should make adjustments timely. They can help with that process. Mayor Pro Tem said the actuarial studies are very subjective, the spade is protecting citizens against government that doesn't fund properly, however sometimes they may go over the edge. As far as long-term funding mechanisms, do you see communities develop millage rates or are they bonding this stuff? At some point it's not enough to have operating funds to get ahead of game. Mr. Olejnik said not many communities have used bonding so far in the State of Michigan. He stated that on the perspective of a mileage there are a very limited number of communities who have done it. That's been done by some, but most pay out of budget annually.

MANAGER/STAFF REPORT: None

AUDIENCE COMMENT:

Danielle Fasseel, 1185 S. Lake Dr., Novi said she came to thank Council for listening to the residents' comments when they were talking about the parks and changes they will make at Pavilion Shore Park. She was excited about play area there since Lakeshore Park will be closed. She also brought up the idea again of having a small splash pad. If the beach is closing, the amount of people who go and look at the water, they don't have opportunity to go into water.

Mike Duchesneau, 1191 S. Lake Dr., said within the last month or so, Novi has been trying to get a Grand River Corridor Improvement Authority going. He said within the last month the County voted unanimously to opt out of the Grand River Improvement Authority. He sent multiple letters out asking for support financially to the County Executives and the State. The response was that they don't know what we are asking for. He said when he talked about asking for support for our Ring Road they said it will be like the loop on Pontiac Drive and they said it doesn't work. They said that all it did was prevent people from visiting local businesses, so he hoped that going forward we have a better relationship with the County. He hoped that we get better responses

from the Governor, and Governor Elect. He thought maybe MDOT might be a better avenue.

Rod Schlessman, 100 Pleasant Cove Dr. said he was pleased and applauded the City Council for addressing pension issues and staying on top of that. He agreed with Mayor Pro Tem Staudt that we will hit a wall and if we prepare now we will be in better shape. He commented about the traffic study. There were proposed changes for mitigation to extend beyond Fountain Walk and Taft Road over I-96. He thought 12 Mile was severely overcrowded during rush hour. He thought a lot of the traffic that is avoiding I-96 and causing problems which is causing problems to residents on 12 Mile and he said that we need to make sure that the County will address that road.

Dorothy Duchesneau, 125 Henning, Novi commented on the traffic study. When she looked at it online, the first couple pages showed up with Taft Road crossing over I-96, she got excited. You don't have that many different ways to go from north to south. The way M-5 is designed; she gets off on M-5 to go home to avoid the Grand River and Novi Road and Novi and 12 Mile intersections. If you had bridge crossing at Taft, you would find more people finding a way to go north without going through Grand River and Novi Road. Beck Road is a stranglehold and Haggerty Road is no fun either. She thought that having a bridge over I-96 might be useful alternative. She hoped it would be considered.

Karl Migrin, 49450 W. 9 Mile Rd., Novi stated that on tonight's agenda Council would be considering the award of a \$5.5 million dollar contract for construction of a 12-inch gravity relief sewer starting at Evergreen Ct., just west of Garfield Road and ending at Kensington Street in the Beckenham Subdivision. This 1.6 mile gravity sewer is not needed by the current residents living along 9 Mile Road as the majority of these residents have been living comfortably using well water and septic systems. When this project was first proposed back in 2015 our Water and Sewer Department informed City Council that additional sewer capacity was needed to adequately move sewage between the Park Place Pump Station and Kensington. City Council was given an option of installing a parallel 6-inch force main between the Park Place Pump Station and upgrading the existing sewer pump, or installing a 12-inch diameter gravity sewer between Evergreen Court and Kensington. Installing an additional 6-inch force would have been the cheaper option to increase sewer capacity, but the Water and Sewer Department stated that it would be less maintenance if a gravity sewer were installed. The quotes have come in and the gravity sewer option is approximately @2 million dollars over the cost of installing a parallel 6-inch force main. One-hundred and fifty-nine trees will need to be removed along 9 Mile Road if a gravity sewer is installed and no trees will need removal if a parallel 6-inch force main were used. Dewatering will be needed at depths of 20-40 feet and this dewatering operation could run some of the area shallow wells dry. Please table your decision on awarding this contract until you consider other more cost effective methods to increase sewer capacity and hold a public hearing for area residents who will be affected by this project. Thank you.

Rachel Sines, 2219 Austin Dr., Novi thanked Council for listening regarding Pavilion Shore Village. While this development isn't ideal for those impacted by it, they are close to finding something they can live with. All the focus has been on the development along Old Novi Road. The plan is to create new driveway. The area where Robertson Brothers is proposing to put in a drive is very narrow with a significant drop on the one side. The driveway will be close to her property line and she has windows that face the property. There is a fence that is falling apart. She would like to see it replaced with something solid as the driveway will come past her bedroom windows. Make sure trees that are taken down for this project are accounted for. Please make sure that the privacy is enhanced with a solid fence extending to the development in the back. Keep the driveway within the current regulations. Thank you.

CONSENT AGENDA REMOVALS AND APPROVALS:

Mayor Pro Tem Staudt requested that they remove Item C for further discussion.

- A. Approve Minutes of:
 - 1. October 22, 2018 – Regular meeting
 - 2. October 29, 2018 – Special meeting
- B. Enter Executive Session immediately following the regular meeting of November 13, 2018 in the Council Annex for the purpose of discussing privileged correspondence from legal counsel.
- C. Approval to award professional services contract to McKenna, for preparation of an update to the Non-Motorized Master Plan in the amount not to exceed \$38,640. **REMOVED AND POSTPONED**
- D. Approval of Resolution by the City Council Authorizing Termination of Easement for Berm Installation and Maintenance on the property proposed for development as the Woodbridge Park residential development located on 9.23 acres at the northeast corner of Novi Road and Nine Mile Road in Section 26. A replacement easement has been offered that proposes landscaping along the subject property's eastern property line.
- E. Approval to purchase a 2019 Ford Transit van and retrofit for Older Adult Services Transportation use from Mobility Transport Services in the amount of \$45,219.
- F. Acceptance of a Wetland Conservation Easement from Novi Hospitality Investment, LLC for wetland conservation areas offered as a part of the Novi Tru Hotel development, located on the south side of Thirteen Mile Road, east of M-5, in Section 12 of the City.
- G. Acceptance of a Woodland and Wetland Conservation Easement from Pulte Homes of Michigan, LLC for wetland and woodland conservation areas offered

as a part of the Emerson Park development, located on the west side of Novi Road, north of Ten Mile Road, in Section 22 of the City.

- H. Approval to award a unit price contract for Street Sweeping Services to G&M Enterprises, Ltd, the low bidder, for a one-year term with two one-year renewal options at an estimated annual cost of \$78,168.
- I. Approval of a Street Light Purchase Agreement with The Detroit Edison Company for the installation and operating cost of seven (7) street lights; one (1) at the entrance of Manchester on Novi Road, and six (6) along the Manchester development frontage on Novi Road, and approval of an agreement with Manchester 13 Mile Road, LLC, for the sharing of installation and ongoing operation costs per the City's Street Lighting Policy.
- J. Approval of a Quit Claim Deed for a parcel located on the southwest corner of 12 Mile Road and Taft Road to dedicate the 60-foot master planned right-of-way along 12 Mile Road to the Road Commission for Oakland County (parcel 50-22-16-226-019).
- K. Approval of Claims and Accounts – Warrant No. 1023

CM 18-11-174 Moved by Staudt, seconded by Markham; MOTION CARRIED: 5-0

To approve the Consent Agenda as amended.

Roll call vote on CM 18-11-174

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

MATTERS FOR COUNCIL ACTION

- 1. Consideration for tentative approval of the request of Erhard Motor Sales, Inc., for a Special Development Option (SDO) Concept Plan in the GE, Gateway East District. The subject property is 9.48 acres of land located at the southwest corner of Grand River Avenue and Meadowbrook Road, in Section 23. The applicant is proposing a 58,663 square foot car sales facility for Jaguar Land Rover.

Mark Drane said he was there representing Rogvoy Architects and he would answer any questions.

Member Casey stated that this issue was in front of Council as a rezoning request for an auto dealership back in November 2017. At that time she identified that the dealership in question was a competitor to the dealership across the street who sells vehicles that are made by her employer General Motors. She stated at that time she did not think she could be objective on the questions and her colleagues allowed her recusal.

This issue is before us again, the only difference is the dealership has changed but the segment has not and this dealership in questions is still a competitor for the dealership across the street that sells vehicles from her employer. She requested that her colleagues grant her a recusal from her.

CM 18-11-175 Moved by Staudt, seconded by Gatt; MOTION CARRIED: 5-0

To approve Member Casey's request for recusal.

Roll call votes on CM 18-11-175

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

Member Casey abstained from voting, left Council Chambers during the discussion, and returned after the vote had been taken.

Mayor Pro Tem Staudt asked if somebody took notes of the audience participation regarding this particular subject. He asked City Planner McBeth to step up and address some of the issues that had been brought up during the public hearing.

City Planner McBeth said she did take a few notes, but she didn't think she would have to answer them directly, she said she would do her best. She recalled there was one question specifically about the pedestrian access. She said that believed it was the walkway that went around pond in the open space, not a direct access from Cherry Hill. It was part of the required open space. The walkway enhances open space in pedestrian areas. She mentioned the question about the taper along Grand River and that has been analyzed in terms of concept plan. It was generally acceptable as a concept plan, but would be reviewed in more detail when preliminary site plan comes forward. She said there was reference to a fire hydrant and she said they would have to take a look at that in more detail as well. Mayor Pro Tem Staudt wondered if this property was part of the old landfill. He stated that this property has been sitting empty as long as he has lived in Novi. There have been challenges in developing it. What's changed without having remediation to property? City Planner McBeth said there has been extensive review of this by the applicant, they did a community impact statement as well as soil borings to find out what's there. The Applicant has strong interest in locating in this spot. It was rezoned consistent to the Master Plan and it is one of the uses that Council could consider as a permitted use because of this location. Mayor Pro Tem Staudt asked the architect for his comment on traffic. He asked for a comment on the traffic study, because basically between 4 PM and 6 PM it's gridlock. This will be directly in front of the dealership and people will need access to it. What is your clients view? Mr. Drane said the client thought it was a nice site, perfect size and location. He said they understood there will be some challenges at certain points of day for access. He said the way it is currently zoned it would have generated more traffic than what they anticipated creating with this project. It is an auto dealer, drop off in morning and pick up in evening. Mayor Pro Tem Staudt wondered if there would there be carriers in

the off hours. His experience when approaching the Suburban Collection is that auto carrier's like to park there in afternoon which causes greater traffic. He wondered if there has been any discussion that will help remediate traffic around the dealership, like delivery of vehicles. Mr. Drane said they will be able to handle the delivery of the vehicle within the site, not on Grand River. He said generally they are done at non-peak hours. Mayor Pro Tem Staudt said he wanted to hear in the non-peak hours. He stated that this has been tough site to develop. When they heard about car dealership there they asked why. He said on the flip side its great location and city to be in.

Member Markham said she was interested if there were efforts towards sustainability in the design of this. She wondered specifically are you using permeable pavements, renewal energy, native plants, and capture runoff from pavement. Mr. Drane said that they are meeting or exceeding all of the City's wetland and woodlands, and stormwater management ordinance requirements. He said they can take efforts to do interior finishes with low VOC's and low light levels. They have high insulation and state of the art HVAC equipment.

Member Breen said originally when this came to Council it was BMW dealership proposal. Why now has it changed? Mr. Drane said Earhart's BMW is down the street. They wanted to relocate, but BMW of North America wouldn't let them use the Earhart name. That would be a huge brand killer for them. They will remodel existing facility and move Land Rover and Jaguar dealerships and combine them where they can use the Earhart name. Member Breen wondered if the Jaguar facility was relocating. Mr. Drane said it was Farmington Hills dealership and it will relocate here. Member Breen had questions for staff. She asked if the residents had been notified for other developments, but not this one and she wondered why? City Planner McBeth said the notification procedures are set by ordinance and they followed ordinance. Member Breen wondered if they were notified before about rezoning, why didn't they receive it now? City Planner McBeth said they could look into it. It occurred many years ago and ordinance may have been different. When property was rezoned last year, there were signs on property that would have notified public. Member Breen stated this is a recurring theme whenever we rezone something. We have certain perimeter that we notify and people who live close don't get notified. The City needs to think about this and notify people beyond what current ordinance calls for so nearby residents are notified. They went through traffic study and there will be impact above threshold. She was concerned we keep changing Master Plan for a single parcel. Coupled with lack of notice, it troubles her. She would like to see if colleagues have comments.

CM 18-11-176 Moved by Staudt, seconded by Gatt; MOTION CARRIED: 3-1

In the matter of Jaguar JSP17-65 motion to approve the Special Development Option Concept Plan, and direction to the City Attorney to prepare a Special Development Option (SDO) Agreement to return to the City Council for consideration and approval.

1. This motion is based on following conditions and deviations:
 - a. The applicant shall work with staff to provide acceptable amount of Open Space as defined in Section 3.11.7 GE District required conditions, prior to City Council's consideration of SDO Concept Plan;
 - b. The applicant shall work with City's Façade consultant to provide alternate design elements to meet the intent of Section 3.11.8;
 - c. Planning deviation from Section 3.11.8 for absence of required sidewalk along Cherry Hill Road due to existing wetlands;
 - d. Deviations from Section 5.15. Exterior Building Wall Façade Materials for the following:
 - i. Underage of brick (30% minimum required, 25% on north façade and 28% on east façade proposed);
 - ii. Overage of flat metal panels (50% maximum allowed, 58% on north façade and 56% on east façade proposed);
 - iii. Overage of horizontal rib metal panels for roof top screening (0% allowed, 17% on north, 16% on east, 12% on south and 18% on west proposed);
 - e. Defer the Traffic Impact Study to the time of Preliminary Site Plan review, as the site falls under the study boundaries for the ongoing Comprehensive Traffic study by the City;
 - f. Traffic deviation for variance from Design and Construction Standards Section 11-216(d) for not meeting the minimum distance required for same-side commercial driveways along Grand River Avenue;
 - g. Landscape deviation from Section. 5.5.3.E.i.c for lack of street trees along Grand River Road frontage due to lack of space (8 trees required);
 - h. Landscape deviation from Section. 5.5.3.E.i.c for lack of street trees along Cherry Hill Road frontage due to lack of space (8 trees required);
 - i. Landscape deviation from Section 5.5.3.B.ii and iii for not providing greenbelt berm or plantings in area of wetland in order to preserve wetland along Cherry Hill Road frontage;
 - j. Landscape deviation from Section 5.5.3.B.ii and iii for not providing greenbelt berm or plantings between Cherry Hill and the parking lot area not behind the wetland;
 - k. The Applicant shall comply with the conditions and items listed in the staff and consultant review letters as a requirement noted in the Special Development Option Agreement.

- 2. The applicant's compliance with the conditions and items listed in the staff and consultant review letters shall be noted in the Special Development Option Agreement.**
- 3. The City Council authorizes the approval of the SDO Concept Plan which consists of a non-residential use permitted elsewhere in this Zoning Ordinance but not otherwise permitted in the GE district, on the condition that such use meets all of the following criteria, as determined by the City Council:**
 - a. The proposed use exemplifies the intent of the GE district as stated in Section 3.1.16.A, and the intent of the SDO as stated in Section 3.1.16. (since the *proposed plan provides for a high-quality and distinctive development that will complement and support the City's Main Street/Town Center area.*)**
 - b. The proposed use incorporates as a predominant physical component of the development that provides a unique entry feature along Grand River Avenue for the GE district, characterized by a distinct, high-profile appearance (since, in the opinion of the City's Façade consultant and Landscape Architect, the rendering provided by the applicant after the preparation of the review letters, provides a unique entry feature including a small park and attractive landscaping).**
 - c. The proposed use is compatible with, and will promote, the uses permitted with the GE district and SDO.**
 - d. The proposed use will not create an inconsistency with the City's Master Plan for Land Use in terms of the general activities on the site and the impacts upon the surrounding area (since the area is developed with commercial and multiple family uses, and landscape buffering is being provided to the extent possible).**
 - e. The proposed use is designed in a manner that will result in traffic and pedestrian safely, consistent with the adjoining pedestrian and vehicular thoroughfares (as noted in the Traffic Engineer's Review letter).**
 - f. The proposed use is designed with exceptional aesthetic quality, including building design, building materials and landscaping design, not likely to be achieved except based upon this authorization (since, in the opinion of the City's Façade consultant and Landscape Architect, the rendering provided by the applicant after the preparation of the review letters, provides a unique entry feature including a small park and attractive landscaping).**

4. This motion is made based on the following findings:

- a. The project results in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved by a traditional development;
- b. In relation to a development otherwise permissible as a Principal Permitted Use under Section 3.1.16.B the proposed type and density of development does not result in an unreasonable increase in the use of public services, facilities and utilities, and does not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants and/or the natural environment (*as noted in the Community Impact Statement*);
- c. Based upon proposed uses, layout and design of the overall project, the proposed building facade treatment, the proposed landscaping treatment and the proposed signage, the Special Development Option project will result in a material enhancement to the area of the City in which it is situated (*as the proposed corner park and building facade are designed to enhance the gateway to Town Center*);
- d. The proposed development does not have a materially adverse impact upon the Master Plan for Land Use of the City, and is consistent with the intent and spirit of the Zoning Ordinance (*as the development is consistent with the standards provided for the Special Development Option, particularly related to the four corners of the intersection of Grand River and Meadowbrook Road*);
- e. In relation to a development otherwise permissible as a Principal Permitted Use under Section 3.1.16.B, the proposed development does not result in an unreasonable negative economic impact upon surrounding properties (*as the proposed use is comparable to the vehicle dealership on the opposite corner, and the proposed placement of the building near Grand River Avenue and Meadowbrook Road Right of Way, along with the proposed landscaping provide buffers to the nearby residential uses*);
- f. The proposed development contains at least as much usable open space as would be required in this Ordinance in relation to the most dominant use in the development (*as the applicant has provided two usable open space areas for public use as part of the development*);
- g. Each particular proposed use in the development, as well as the size and location of such use, results in and contributes to a reasonable and mutually supportive mix of uses on the

site, and a compatibility of uses in harmony with the surrounding area and other downtown areas of the City *(as the use is compatible with an existing car dealership use on the northeast corner of Grand River Avenue and Meadowbrook Road, and other commercial uses along Grand River;*

- h. The proposed development is under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance *(as the proposed development is owned and operated by Erhard Motor Sales, Inc.);*
- i. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level of service *(as noted in Traffic Engineering review letter);*
- j. Relative to other feasible uses of the site, the proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area *(as noted in the Community Impact Statement);*
- k. Relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats *(as the plan does not propose any impacts to wetlands and acceptable impacts to woodlands and wetlands buffers);*
- l. Relative to other feasible uses of the site, the proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood *(as noted in the Community Impact Statement);*
- m. Relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use *(as the development fosters economic growth);*
- n. Relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner; and
- o. Relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this

Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Roll call vote on CM 18-11-176

Yeas: Markham, Gatt, Staudt

Nays: Breen

Absent: Mutch

Abstain: Casey

Member Casey returned to the Council Chambers at 8:11 PM.

2. Consideration for tentative approval of the request of Keford Collision and Towing, JSP 18-31, with Zoning Map Amendment 18.725, to rezone property in Section 15, located on the south side of Grand River Avenue, east of Taft Road, from I-1 (Light Industrial) to I-2 (General Industrial) with a Planned Rezoning Overlay (PRO) and corresponding Concept Plan. The property totals 7.61 acres and contains two existing buildings. The applicant is proposing to reuse the existing larger building (23,493 square feet) for an auto body collision repair shop and related offices, with accessory car rental services, and use the rear portion of the property as a vehicle tow yard.

David Landry addressed City Council on behalf of Keford Collision and Towing. Mr. Landry said they were there on behalf of an application for rezoning with PRO overlay. He said it was 7.6 acres which is currently Zoned I-1, Light Industrial and they want to rezone it to Zoned I-2 simply and to limit the I-2 uses to the auto engine and body repair and outdoor storage. He said the reason is that they are losing their lease. Keford Collision and Towing has been in Novi over 30 years. The property is owned by Mercedes Benz. They received notice a year ago that Mercedes Benz received notice from Germany that they want to move into our building. They have been wonderful landlords, and they have had a great relationship them. They said unfortunately Germany wants them to expand. They don't want to leave Novi. Keford is a reputable company. The City has done business with them for years. They simply need a place to stay in Novi. This site is perfect. This particular site is moving to a less congested place. He said it is surrounded on three sides by industrial property. The south is residential, but no residents will ever live there because it's a regional stormwater detention area. All property is owned by City of Novi. It never will be populated as residence. The rear is completely screened by existing building which covers north end of this. You won't see cars being stored from Grand River because of screening. He said that the existing use is Industrial which it has been since the 1940's. It has been operated by a company called Amcorp since 1987. They manufacture and assemble large machinery. They did a Phase 1 Report and it was reported that the interior was loaded with solvents, oils, petroleum projects, with concerns about leaking onto ground. He said then they did a Phase 2 Report and luckily it came up that there were no volatiles on this property and no reason why it has to be remediated. They did find some soil there is arsenic and chromium. When the City built the stormwater detention, they added dirt which now contains arsenic and chromium. That will not require anything more than baseline

environmental assessment and compliance report which they will gladly do. The MDEQ has no problems with this. The Master Plan is Zoned Industrial which they want to keep. One of the objectives of Master Plan update is to retain and support growth of existing business in Novi. That's us. The proposed use is the main building as collision shop. In rear there is an existing building that is unique. They were told that it has enough electricity to power a small city. They don't need it for their operations, but they would like the opportunity to lease it out to small tool and die shop. They do not have anybody in particular yet. They will deal with the limitations of the PRO. He said the other tenant in the NW end there is small office. It would be perfect for small car rental. He said the changes would include a clean-up of the existing building. The façade has been approved. They will bring front parking up to code. They will include berms, islands for customers and employees. No towed vehicles in front. The public benefit is that the traffic generated by this use is less than many of Zoned I-1 uses that could go in there. This will clean up the site and retain business. They proposed donating \$10K to Grand River Improvement Authority. He mentioned that Council approved something virtually identical to Hadley. They are following suit. Since the Planning Commission, they had additional discussion and agreed that if the applicant ceased outdoor vehicle storage, the City can revert back to Zoning I-1. They have been working with staff and have a great relationship. They are asking for a couple of landscape waivers. He said the Planning Commission suggested approval. One of them is the waiver of requirement for raised parking lot end islands. The waiver is not in the front, but in rear. He explained that with large vehicles towing, this creates a huge problem. He said the same with trees in back. It conflicts with the nature of the business. The other waiver is landscape screening. With respect to rear storage area, they are proposing a fence block fabric. It goes on the fence that you can't see through. It is a 98% visual blockage. We would put that surrounding this entire rear parking area so you would not see parking area. He stated that along the western edge, they are proposing a solid line of trees. They would add evergreens to increase blockage. There is a natural berm at south end. They are proposing on southeast a 5 foot berm with 8 foot evergreens on top. He said with the closest two residences they did a sight line, they can't see over fence. The other home is over 650 feet and not adjacent their property; you wouldn't see any cars from there as well. He stated they asked landscape waivers for interiors trees, perimeter trees, and hoped City Council would go by the recommended approval. This is consistent with the Master Plan; he reiterated that it maintains business, less traffic, consistent with city and public benefit with donation. The applicant is not some developer; it's a Novi family business. They have been here 30 years and they want to be here 30 years from now. This does not require a leap of faith you can see how they retain and maintain our current business.

Member Markham said she loved this. It is a Novi business that is here. They want to improve the facility. They are taking a blighted sight and making it better. She agreed that it sounds like a really nice fit. She was happy to see Grand River getting better looking over the years. She said she would be supporting the approval of the project.

Mayor Pro Tem Staudt thanked Mercedes Benz for their investment in our community and forcing their tenants to become property owners. This is win-win. They get a great

company like Mercedes Benz expanding and we get a completely new redeveloped area. The Harrington brothers have been a good business partners for the City of Novi over the years. He was pleased to see that they are expanding.

CM 18-11-177 Moved by Staudt, seconded by Casey; MOTION CARRIED: 5-0

Tentative approval of the request of Keford Collision and Towing, JSP 18-31, with Zoning Map Amendment 18.725, to rezone property in Section 15, located on the south side of Grand River Avenue, east of Taft Road, from I-1 (Light Industrial) to I-2 (General Industrial) with a Planned Rezoning Overlay (PRO) and corresponding Concept Plan, based on the following findings, City Council deviations, and conditions, with the direction that the City Attorney's Office shall prepare the required Planned Rezoning Overlay Agreement and work with the applicant to return to the City Council for Final Consideration pursuant to the PRO Ordinance:

- 1. The recommendation shall include the following ordinance deviations for consideration by the City Council:**
 - a. Planning deviation from Section 3.1.19.D for not meeting the minimum requirements for side yard setback for Parking (20 feet minimum required, 10.7 proposed in the northwest parking lot);**
 - b. Landscape deviation from Section 5.5.3.A for not meeting the minimum requirements for a 10-15 foot tall landscaped berm or not providing the minimum required screening trees between residentially zoned property and industrial. A berm approximately 7 feet in height is proposed south of the southeast corner of the storage lot, but not along the entire southern frontage, nor at the southwestern corner of the property (not including the preserved woodland);**
 - c. Landscape deviation from Section 5.5.3.C.ii and iii. for lack of interior canopy trees, in the southern portion of the vehicular storage area due to conflict with truck turning patterns.**
 - d. Landscape deviation from Section 5.5.3.C.iv for lack of parking lot perimeter trees along 400 feet of eastern edge of property due to lack of room between drive and adjacent property;**
 - e. Landscape deviation from Section 5.5.3.C.iv to allow planting of parking lot perimeter trees, more than 15 feet away from the edge of the vehicular storage area;**
 - f. Landscape deviation from Section 5.5.3.D for the shortage of a total of 2980 square feet (37%) of required building foundation landscaping for the two buildings;**

generate fewer trips than what could be built under the existing I-1 zoning, as well as fewer trips than could be expected for other uses permitted under the proposed I-2 zoning.

Member Casey said on the face of it, some of the landscape deviations in black and white were concerning, however the description provided and images has alleviated her concerns. She appreciated the extra due diligence to make sure their screening ever for the people that are about a half mile behind them. She said she would support the proposal.

Member Breen echoed her colleagues. She was glad to see Keford would be staying in Novi. He stated her biggest concern was the open water to south. She would like to see additional care that there is adequate screening. She would like to see if there was anything we can do to make sure residents are adequately protected from any additional noise. She asked staff about how many feet of sidewalk does \$10,000 get us? Director of Public Works Herczeg responded to the question and said that a sidewalk cost approximately \$6.00 per square foot.

Mayor Gatt stated that he was police officer before Keford came to town and we had several different towing companies always causing stress. Then Keford showed up and nothing has been better since. They are good people, and it is a good business.

Roll call vote on CM 18-11-177

Yeas: Gatt, Staudt, Breen, Casey, Markham

Nays: None

Absent: Mutch

3. Approval of the request of Superior Air-Ground Ambulance of Michigan for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of a 24-hour private Emergency Medical Service business as a Special Land Use in the I-1, Light Industrial Zoning District.

Andy Brown, representative for Superior Ambulance thanked Council for considering this motion. Superior was selected in January to provide the emergency medical services for the City of Novi. He stated that currently they deploy three dedicated ambulances; one is located in Station 2, and another located in old Station 5 along Beck Road and another at Station 3 along 9 Mile Road. As they anticipated as part of the volume, there is contractual obligation, if those three units are exhausted they have the responsibility to still maintain a level of ambulance service to respond to all the calls. They have been able to do it. They have to move units from other farther locations out into the City. This creates delays and service concerns. They've been looking for locations within City to move part of their operation that is currently in Southfield that has two ambulances in it, to a building within Novi. This will help supplement the overflow response criteria, but also continue to service hospitals in areas. Primarily Henry Ford West Bloomfield and Providence Park Novi for their inter facility services and

emergency services. As we were looking through City of Novi, this building became obvious that it would serve our needs. They have already entered into lease agreement with the owner of this building and appreciate consideration for the rezoning before them.

Mayor Pro Tem Staudt said having been on the Consultant Review Committee, when they selected Superior one thing they looked for was how they would integrate into community. Hopefully they can acquire the whole building and have it be regional office for Superior. To date we have exceeded some expectations and moving more assets into our City helps with our public safety. He asked Director of EMS/Fire Operations Johnson if there are any concerns with this location from a safety concern. Is it good for the City? Mr. Johnson believe Superior has been more than adequate and this will enhance ability to back up units that are already in fire stations now and their field station that they are renting.

CM 18-11-178 Moved by Staudt, seconded by Casey; MOTION CARRIED: 5-0

Approval of the request of Superior Air-Ground Ambulance of Michigan for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance for use as a 24-hour private Emergency Medical Service business in the I-1, Light Industrial Zoning District, subject to Special Land Use Consideration by the Planning Commission, for the following reasons:

- a. Superior Ambulance is not expressly authorized or contemplated in City of Novi Zoning Ordinance as a as a principal permitted use or a principal permitted use subject to special conditions;**
- b. The proposed use is an appropriate use in the I-1 District;**
- c. Additional screening from any abutting residential district may be required at the time of Special Land Use Consideration.**

This motion is made because the plan is otherwise in compliance with Article 4, Section 4.87 the Zoning Ordinance and all other applicable provisions of the Ordinance.

Member Breen asked Mr. Johnson how often we have been relying on mutual aid in the event a Superior ambulance isn't available. Mr. Johnson replied that since Superior has taken over the contract they haven't called another ambulance company. He stated that on occasion to use our transporting ambulance when we are out on the freeway. He said there was one instance where an ambulance was delayed and it was safer for us to move that patient off freeway. He said there may have been another instance where they had to transport. He said that Superior has fulfilled all their other obligations. Member Breen stated other than those; we haven't had to rely on mutual aid? Mr. Johnson said there may have been other instances where there were multiple victims.

Northville may have been called because we were at border. Don't fight over who will take victim to the hospital, they just get them to the closet facility. Only instances he is aware of. Member Breen asked how often we have used our own transport. Mr. Johnson said one or two times that his is aware of.

Member Casey asked City Attorney Schultz, if this should pass, then it doesn't come before City Council again? City Attorney Schultz said yes, that would be correct. Council would be done. It would be a Special Land Use consideration with a public hearing in front of the Planning Commission. She is pre-disposed to approving it. She would be focused that they keep eye on screening between residences. Generally she thought it was a good opportunity for the City. She was not concerned about the perception that there is living because there is bunk space. She looked forward to seeing this go through.

Roll call vote on CM 18-11-178

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

4. Approval to award the construction contract for the Nine Mile Road Sewer project (Evergreen Court to Kensington) to D.V.M. Utilities, Inc., the low-bidder, in the amount of \$5,553,167.65, and amend the budget.

City Manager Auger mentioned that during public comments that evening a comment was made that the cost of this project was higher than we first anticipated. He explained that one of the reasons for that is that staff worked diligently to put the contract out with directional boring. He said it would be less open cut to lay the sewer in the ground. He said they have also worked with residents to hook up and make sure they have potable water during construction process.

Member Breen said they heard concerns from the one of the residents about potential for dewatering. She wondered how staff has addressed these concerns. Director of Public Works Herczeg said the dewatering was assessed during the design phase of the engineering. He stated that there are some at-risk wells, but staff engineering and consultants don't expect there to be any issues. The method is a drop and push pilot pipe. It actually lifts table about 15 feet. Member Breen stated there were some at-risk wells. Mr. Herczeg said the design didn't indicate problems. Member Breen wondered how many homes would be served by the sewer. Mr. Herczeg said the existing is 29 connections in the project and then the new Villa D'Este will also be served. Member Breen asked if the sewer can accommodate all of that. Mr. Herczeg replied, yes it can. Member Breen was concerned about long term maintenance. Mr. Herczeg said the intent is to reduce long term maintenance with gravity main instead of a forced main. The forced main if mechanical, it's pumped. Part of the project is driven by redundancy. Right now if there's a problem on that one and one half mile forced main there is no way to divert sewage. He said with the gravity it makes it a lot easier and long term maintenance is cheaper on the gravity.

CM 18-11-179 **Moved by Casey, seconded by Markham; MOTION CARRIED: 5-0**

Approval to award the construction contract for the Nine Mile Road Sewer project (Evergreen Court to Kensington) to D.V.M. Utilities, Inc., the low-bidder, in the amount of \$5,553,167.65, and amend the budget. With the final form of contract to be approved by City Manager and the City Attorney.

Roll call vote on CM 18-11-179 **Yeas: Breen, Casey, Markham, Gatt, Staudt**
Nays: None
Absent: Mutch

5. Approval to award civil engineering services to OHM Advisors for construction engineering services associated with the Nine Mile Road Sewer project (Evergreen Court to Kensington) in the amount of \$494,892.54.

CM 18-11-180 **Moved by Casey, seconded by Gatt; MOTION CARRIED: 5-0**

Approval to award civil engineering services to OHM Advisors for construction engineering services associated with the Nine Mile Road Sewer project (Evergreen Court to Kensington) in the amount of \$494,892.54. With the final form of contract to be approved by City Manager and the City Attorney.

Roll call vote on CM 18-11-180 **Yeas: Casey, Markham, Gatt, Staudt, Breen**
Nays: None
Absent: Mutch

6. Approval to award the purchase and installation of a playground at Pavilion Shore Park to Penchura LLC in the amount of \$100,282.16, using an HGAC Buy cooperative purchasing contract and amend the budget.

City Manager Auger said this was brought to our attention at our last City Council meeting. He commended Councilmember Breen for working with PRCS Director Muck to get this back to Council quickly. He said it was so quick; they might even be able to get it started this season.

Member Breen asked PRCS Director Muck to step down for a few questions. She thanked Mr. Muck, city staff, and City Council for supporting this endeavor. She was happy to see the children on the north end will have a place to play. She asked Mr. Muck to walk us through what you took into consideration for this particular layout. Mr. Muck appreciated the discussions they had during the meetings. He said some of the things they look at is the sight lines and where they decided to place the structure. They want the least disruptive places for the neighbors and maintaining the view of the lake.

It was also within the proximity to the pavilion which they thought was the best for people with young children. He said they also wanted to look at the design they want to look at areas that you can see through playground itself. This would be for a security stand point at night and also from the views to lake. He said they also looked at features for 2-5 and 5-12 year olds. This incorporated that for all ages. They added a swing like the one they have at Ella May Power Park. It is easy for kids with disabilities to transition and takes up less room than standard swings. They also looked at aesthetics and wanted to be cognizant of how we have a lot of bronze, wood, and stone which didn't go with bright and vibrant colors. Member Breen said to alleviate concerns, they spoke about seating and trash bins. She wondered if there is a plan for people to sit in the future. Mr. Muck said we can always add in benches around this for additional seating as we see the playground develop. Member Breen said they discussed in the future having a water feature. She looked forward to further discussions. She said there were a lot of things to consider. Thank you.

CM 18-11-181 Moved by Breen, seconded by Staudt; MOTION CARRIED: 5-0

Approval to award the purchase and installation of a playground at Pavilion Shore Park to Penchura LLC in the amount of \$100,282.16, using an HGAC Buy cooperative purchasing contract and amend the budget.

Member Markham said this is the fastest she has ever seen the Council and staff pull together something big. She was really impressed and she would support a new playground on the north end.

Roll call vote on CM 18-181

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

7. Appointment to City Council.

Mayor Gatt went on record saying this wasn't something they wanted to do. Member Wrobel was a friend and colleague. His death hit them all, and hit them all very hard. He did know that Member Wrobel would want them to move forward and that is what we have to do and that is what we are doing. The City Charter dictates that we do it in the manner described. He said at the last special meeting we had 13 applicants, 11 which came and interviewed. He noted that all 11 applicants displayed tendencies that would make it easy to appoint anyone of them. Unfortunately they cannot appoint more than one at this time. Since that special meeting, one of our colleagues on Council has been elected successfully to a higher office. He congratulated Member Markham and said she will be leaving them after the New Year and that will open another seat. He said because they have had so many great interview's and applicants, unless there is objection from other the majority of Council he did not intend on opening it up to more interviews when we have an opening when Member

Consultant Review Committee and he will be on the Ordinance Review Committee and the Rules Committee. He said he had a big role to fill and a big task ahead.

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

- C. Approval to award professional services contract to McKenna, for preparation of an update to the Non-Motorized Master Plan in the amount not to exceed \$38,640.

Mayor Pro Tem Staudt requested that they postpone Item C until the review it with the Walkable Novi Committee. He thought they could provide some input.

CM 18-11-183 Moved by Staudt, seconded by Gatt; MOTION CARRIED: 5-0

To postpone Item C until further discussion with the Walkable Novi Committee.

Roll call vote on CM 18-11-183

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

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:59 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: November 26, 2018