

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, APRIL 12, 2021 AT 7:00 P.M.**

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

In accordance with the provisions of the Open Meeting Act this meeting was held remotely.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Crawford, Fischer, Maday, Mutch

Mayor Gatt, present from City of Novi, Oakland County, State of Michigan  
Mayor Pro Tem Staudt, present from the City of Novi, Oakland County, State of Michigan  
Member Casey, present from the City of Novi, Oakland County, State of Michigan  
Member Crawford, present from City of Novi, Oakland County, State of Michigan  
Member Fischer, present from City of Novi, Oakland County, State of Michigan  
Member Maday, present from City of Novi, Oakland County, State of Michigan  
Member Mutch, present from City of Novi, Oakland County, State of Michigan

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

**APPROVAL OF AGENDA:**

Mayor Pro Tem Staudt added to Mayor and Council Issues "Garfield Lake".

**CM 21-04-051 Moved by Fischer, seconded by Staudt; CARRIED UNANIMOUSLY**

**To approve the Agenda as amended.**

**Roll call vote on CM 21-02-051** Yeas: Staudt, Casey, Crawford, Fischer, Maday, Mutch, Gatt  
Nays: None

**PUBLIC HEARINGS: None**

**PRESENTATIONS: None**

**MANAGER/STAFF REPORT:**

City Manager Auger mentioned that Lakeshore Park is getting closer and closer. We have the TCO on the building, the restrooms are open during the week now and the landscape was started. He said he drove out there and the landscapers are going to work to get that cleaned up the there are trees that did not make it through the winter, those will be replaced. He said as promised, staff will meet with residents up there once trees are planted to see if we can augment those trees that were on the plans to make sure everyone is happy. He said he looked forward to the next issue of Engage, you will start to see some programming done up there, staff is starting to stock the building and

get ready for opening. He said when the asphalt plants open back up to make the parking lot, get that second topcoat and get the back of it so we have access for vehicles. He said that is all coming forward at Lakeshore Park. Mayor Gatt said that was wonderful, it is a beautiful building.

**ATTORNEY REPORT: None**

**CONSENT AGENDA REMOVALS AND APPROVALS:**

**CM 21-04-052      Moved by Crawford, seconded by Maday; CARRIED UNANIMOUSLY**

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

- A. Approve Minutes of:
  - 1. March 22, 2021 - Regular Meeting
- B. Appointments to Boards and Commissions.
- C. Consideration of the updated deficit elimination plan for the Capital Improvement Fund (CIP) as of June 30, 2020.
- D. Approval of a Storm Drainage Facility Maintenance Easement Agreement from 46860 West Road, LLC for 46860 West Road, located on the north side of West Road between Beck Road and West Park Drive (parcel 50-22-04-326-006).
- E. Acceptance of a Warranty Deed to dedicate 60 feet of half-width right-of-way along the north side of West Road as part of the 46860 West Road commercial development (parcel 50-22-04-326-006).
- F. Approval to purchase twelve (12) LED light fixtures from approved vendor, Graybar, in the amount of \$26,029.76, in order to convert the remaining City-owned street lights to LED.
- G. Approval to award the Civic Center Atrium Door Replacement contract to Progressive Hardware Supplies LLC., the sole bidder, in the amount of \$62,762.
- H. Approval to award a unit price debris removal services contract to Ellsworth Industries, Inc., the low bidder, in the estimated annual amount of \$45,000. The contract term is one year with two one-year renewal options.
- I. Approval to award the Electrical Services Contract to Great Lakes Power & Lighting Inc., for an estimated annual expenditure of \$70,000. The term of the contract is one-year with two one-year renewal options.
- J. Approval of the 2021 Summer Maintenance Agreement between the City of Novi and the Road Commission for Oakland County for street sweeping selected

County Roads in Novi; and adoption of resolution authorizing Novi to provide summer maintenance on selected County roads.

- K. Approval of the final payment to Fonson Company, Inc. for the DPW Facility Stormwater Management Compliance Project (Vactor Station and Site Improvements) in the amount of \$44,005.09, plus interest earned on retainage.
- L. Acceptance of a sidewalk easement from International Transmission Company (ITC) for construction of a sidewalk along the north side of Ten Mile Road between Dinser Drive and Woodham Road (parcel 50-22-20-376-005) in the amount of \$5,500.00
- M. Approval to award engineering design services to Spalding DeDecker to develop an asset management plan for replacement of the Asbestos Cement main in the City's water distribution system, in the amount of \$24,080.00.
- N. Approval to purchase a Dell Virtual Server Storage Array from Access Interactive in the amount of \$90,738 using a competitively bid contract through the Oakland County G2G Marketplace.
- O. Approval of claims and warrants – Warrant No. 1081.

**Roll call vote on CM 21-05-052    Yeas: Casey, Crawford, Fischer, Maday, Mutch, Gatt, Staudt**  
**Nays: None**

**MATTERS FOR COUNCIL ACTION**

- 1. **Consideration of approval to award a unit price contract for landscaping services on city-owned properties to KBK Landscaping for a one-year term with two one-year renewal options, a total estimated cost of \$150,775.**

**CM 21-04-053            Moved by Staudt, seconded by Casey; CARRIED UNANIMOUSLY**

**Approval to award a unit price contract for landscaping services on city-owned properties to KBK Landscaping for a one-year term with two one-year renewal options, a total estimated cost of \$150,775.**

**Roll call vote on CM 21-04-053            Yeas: Crawford, Fischer, Maday, Mutch, Gatt, Staudt, Casey**  
**Nays: None**

- 2. **Consideration of approval of Change Order No. 4 to Florence Cement Company for Cranbrooke Drive Reconstruction, 9 Mile Road to Village Wood Road, in the amount of \$1,662,156.07.**

Member Mutch said he was fully in support of moving this forward. This is a continuation of a project we started last year. Cranbrooke Drive is kind of a main connector through this area of Village Oaks and Lakewood Park Homes. He said you see a lot of traffic moving folks going to 9 Mile and 10 Mile using it, it absolutely needs to be done. He was concerned about one of the design elements of this project that they learned from staff which is changing the arrangement of the roadway through this area. He stated for those who are familiar with Cranbrooke Drive you will know that currently there is no curbing on the outside of the boulevard. You have a lane going north with the island median in the middle with some trees and then a lane going south. He explained that outside of those lanes are some asphalt shoulders that are approximately two and a half feet wide. They were put in place several years ago at a request of the residents primarily in Lakewood Park Homes because they have no sidewalks in that area. He said the area was developed at a time before the City required sidewalks. He said obviously sidewalks were not included as part of the original development. He said what has happened over the years is that people still like to walk and still like to bike were doing that in the roadway, which is not that, especially for a busy connector road, that is not ideal. He said at some point, they came to City Council, City Administration, and then pled a request to have these asphalt shoulders added to the site to widen the space so that there was at least some area from where folks could walk. He said as part of this reconstruction those shoulders are going away, they are going to be replaced with concrete gutters for drainage and he understood why that is happening. He did not know if the overall width is being widened, but the travel lanes are going from 19 feet down to 17 feet or 18 feet depending on where you are along that stretch. He was concerned that removing those shoulders, we were now creating a situation where those folks no longer have anywhere to walk safely. He did not want them walking in the road itself, but we are not providing them an alternative. He said there are a lot of people who live over there, it is a dense area, not only with Lakewood, but a lot of Village Oaks residents. He said folks have told him they utilize that walk along there to get down to the 9 Mile pathway that we built a several years ago. He said while he was supportive of moving this forward, he would also like to have City Administration look at within the City right-of-way, is there the possibility of adding a sidewalk, or a pathway, or just looking at it, it looked like the west side is the most feasible location to put that along the stretch of Cranbrooke that is being considered that evening. He said from Village Wood Road, south down to 9 Mile, so that residents who live there have a safe way to walk and we are keeping them out of the road. He stated he was over there a week or so ago, but he knew a couple of Councilmembers live in this area so they can speak more directly to it. He said driving Cranbrooke a week ago, he saw a woman pushing a child in a stroller. He said some folks might say you should not push a stroller on the shoulder, but that is the need that is out there. That is the reason he wanted to address this before or as part of this motion. He said he was looking for City Administration to look at what it will cost to add in the pedestrian path along this length of Cranbrooke Drive. He was interested in hearing from a couple of the other Councilmembers that lived in the area, but he thought it was a reasonable request.

Mayor Pro Tem Staudt said he was one of the Councilmembers that lives in that area off Cranbrooke, and he said he drives that stretch frequently. He asked DPW Director Herczeg if this was intended to be concrete from the beginning or was this going to be a





**services to Penchura, LLC in the amount of \$169,665.12, and to amend the budget.**

Member Fischer asked PRCS Director Muck was this in the CIP Program, when was this scheduled for replacement to begin with. PRCS Director Muck replied that there was a smaller version prior to this initiative that was scheduled, he believed for 2021-2022 CIP Program. Member Fischer said what is being replaced does not appear to be that old. He said he knew the north piece was put in in 2014 according to the packet. He said he was out there with his kids the other day and it was able to sustain his weight on it. He said he was impressed. PRCS Director Muck said it is time for that playground to be replaced. Playgrounds typically have a life cycle of 12 to 15 years; we have several certified playground safety inspectors on the parks maintenance staff who have continued to modify and adjust that playground. He said based on their recommendation as well, it is time, there are components that have worn out that we have not been able to replace. He said with the announcement of the new program, that seemed like a great fit and time to replace this. Member Fischer said some people probably remember playgrounds having a 25-year cycle with rust on them and everything else. He thought it is a good thing that we are replacing them even sooner just to make sure that all the mechanics are up to par. He also gave some kudos to PRCS Director Muck because he did an excellent job reaching out to the community, the school district, and other people to get some feedback on the inclusive nature of the park. He thought that is the spirit of exactly what the Mayor was going for, making sure that we are getting everyone out here, different needs met, that are not being met already, and pulling in the experts from the school districts to help us out. He gave him kudos on that, and he hoped that we continue to do that. He said we are investing a lot of money and he was fully in support of doing that. He said what he would like to see is that you seem to be doing it in a very strategic manner. He said he would like us to keep that up as well. He was fully in support of this with those comments in the record as well.

Member Maday echoed Member Fischer's comments. She was thrilled to see the collaboration that you reached out to the school district to figure out what they thought, and she was really looking forward to seeing the happiness that this brings to a lot of our community members and the people that live outside of our community that we can help since this is a very inexpensive thing and not every community is able to do. She was thrilled.

Mayor Gatt said if every Councilmember were given the opportunity, they would say the same thing. He said he would speak for everybody. He thanked PRCS Director Muck and his staff and City Manager Auger and his staff for everything. He said it is quick, it is classy, and it is the way Novi should always respond to our needs.

**Roll call vote on CM 21-04-056**

**Yeas: Mutch, Gatt, Staudt, Casey, Crawford, Fischer, Maday**

**Nays: None**

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

**AUDIENCE COMMENT:**

Linda Hyaduck said she is the District Director from Senator Jim Runestad's office and was there checking in on the City of Novi. She said she wanted to know what is going on in the great City of Novi and to remind everyone that the Senator is available with any help or referrals or if anybody has any ideas. She said their office has a Facebook page, their website, or you can reach them via email at [SenJRunestad@senate.michigan.gov](mailto:SenJRunestad@senate.michigan.gov) or by phone at (517) 373-1758. She said she was really impressed with everything she was hearing about getting ready for spring and summer and it is making her look forward to being outdoors.

Remko Atteveld started off by quoting the City of Novi Open Government and Transparency Statement found on the City of Novi website it reads" the City of Novi takes pride in providing residents and business with comprehensive quality communications on all topics". He said as you might remember he spoke during the last City Council meeting and he wanted to provide some additional comments. He is the property owner at 21975 Garfield Road, adjacent to Garfield Lake and the issues with Garfield Lake and the surrounding wetlands and the damage has been documented in detail for the last 18 months by residents of the area he said with little to no response from City leaders. He said they have been turned down for relief at every point, the City Engineering Department does not believe the Nine Mile Projects to cause, the Assessor's Office will not grant them relief for real estate taxes due to declining real estate values, and 18 months of complaints have fallen on deaf ears. He said after many months of arguing back and forth, the City Engineer finally placed a hose in our lake which pump more than 205 million gallons, just for reference, that is more than 310 Olympic sized swimming pools into our lake with no change. He stated as of today, lake levels are down another five inches from the last time that he spoke, which was three weeks ago. He said it was not until residents decided to engage the rest of the community through a public post that three City leaders reached out to them, not with promises, but cautiously determining our state of mind and attempting to get the residents to identify the cause ourselves and come up with some solutions to a problem that we did not create. The response they received from the City was patient, we can determine the cause in just a few weeks, he said they have been patient. He said they heard that the issue of Garfield Lake will be discussed later this meeting during the Mayor and Council Issues part of the Agenda. He hoped you come away with tangible actions and solutions that will be communicated to the residents. He asked a minimum that the City leaders hold regular meetings with impacted residents of the area to discuss the cause and any solutions. Again, he quoted, the "City of Novi takes pride in providing residents and business with comprehensive quality communications on all topics".

Jim Bullock said he lived at 22015 Garfield. He mentioned he has had some conversations with a couple of the Councilmembers, and he appreciated that they have reached out to Remko and himself, but he did want to provide an update. He thought it was important to get perspectives from more than just one person. He echoed a lot of what Remko said, we were told that his was not a problem, he has had multiple conversations, emails going back and forth, and he was always told that this is nothing. He said it is nice to know, we are at least getting some progress here as far as agreeing that there is a



problem. He hoped there was going to be a solution rather quickly. He said it was nice to hear that when Council decided to take some action, within three weeks, something happened with something earlier today, so hopefully we are going to see that same kind of turnaround. He said one of the things that Remko and he bother mentioned, and it is certainly becoming more of a problem which is unrelated to the wetlands, but it is just the people that drive Garfield Road. He said Council mentioned earlier about the safety of people walking up and down the streets at Cranbrook. He said they do not have sidewalks on Garfield Road, the speed limit is 25 mph. He thought people are going conservatively about 35 mph, some of the, over 60 mph, it is just a matter of time before someone gets hit and their life is ruined forever. He hoped they could get some more police presence down this road for a little while just to kind of calm everything down. He reiterated his main concern was Garfield Lake the surrounding wetlands. He said he did have a certified geologist reach out the City as well. He hoped they will be able to work together with him and come up with a solution. He said they are ready to try to do what we can to help. He said communication would certainly be helpful if there is a little bit more transparency. He hoped they could fix that moving forward. He appreciated Council's time.

Mike Wilczynski said he was a Certified Professional Geologist with Pangea Environmental, LLC. He said he has about 40 years' experience as a geologist, most of it in hydro geology. He retired from the Michigan Department of Environmental Quality as a senior geologist as a professor at McLennan Community College where he taught geology. He really appreciated the time the consultant from OHM, he was supposed to send him an email. He said we had some time to talk this morning and agreed that better communication is needed between the City and the residents. He thought that they could work towards that. He said the consultant from OHM, and I have some mutual friends in the environmental industry. He thought that they worked well together trying to facilitate this. He said they became involved at the request of the Sierra Club when they were contacted by some residents. He explained they were asked to investigate reports of lower water and some possible causes. They did a preliminary hydrogeological investigation using readily available information and came up with the idea that the dewatering is causing the shallow aquifer to basically be destroyed or not destroyed, you are removing the water from the shallow unconfined aquifer and that is causing the problem. He said as you move further to the west, there is a bit the published geological maps show you might be encountering ever more groundwater. He said they have some concerns; the recharge and recovery of the groundwater level will not be a fast process. He asked how much further out and deeper this area of depression is going to continue. It is still dropping, that means it has not reached equilibrium, it is going to get worse. He was concerned because there is a possibility in the lower confining layer may have been penetrated, causing permanent lowering of the water table. He said this is based on his cursory examination of the well logs and its supports. This is a valid concern. He is currently involved in this type of situation at two locations in Kent County. He said both are related to sand and gravel mining where it appears a penetration lower confining layer has occurred. He stated the surface water and high-quality wetlands have been drained and the groundwater is not coming back at one location in Gains Township. The other natural spring along with Thornapple River are slowly being destroyed. He said these are real concerns. He said he would be happy to discuss the information that he has with

your consultant and try to facilitate better communications between the City and the residents who deserve to know what is going on. He said we assert there is natural resource damage is already occurring and have occurred. Thank you for your time.

Gary Allison said he lived on Garfield for nearly 50 years. He moved when the lake was a gravel pit, so he was very familiar with it. He said the lake levels are normally very high in the springtime, they get lower in the fall. He stated this year it has been reversed. There are very low light levels, it seems to be getting lower. He agreed with what Remko said, and he also added that the communication with the residents has not been good. He said often they really do not know what is going on, so he hoped communication improves. Thank you very much for listening.

City Clerk Hanson read email correspondence for the record from Alice Albu. She said that she and her Mike Albu live in the Meadowbrook Lake Subdivision. Their property is next to the branch of the Rouge River that empties into Meadowbrook Lake. She was writing to urge the City Council to support the Stream Bank Stabilization and Meadowbrook Lake Dredging Proposal at the April 12, 2021 City Council meeting. She said earlier this week she sent photos of an extended "caved in" area on the stream bank to DPW Director Herczeg. She stated this area was present in 2020 and now has extended. The tree in the photos is holding the bank in place. However, the soil is starting to erode around the tree. She said the erosion also continues to become nearer and nearer to their flower beds. She stated Mr. Herczeg responded promptly and let them know that the above proposal was on the City Council Agenda. She said the erosion of the stream bank is a safety issue for their family and their lawn service people. She said they had an Easter egg hunt at their house and had to caution their grandchildren not to go near that area. She stated that after heavy rain, there is extensive flooding in the yards of their neighbors across the street. She said due to the sediment accumulation in Meadowbrook Lake, the properties on the northwest portion of the lake are being devalued. She requested that the City Council approve the Steam Bank Stabilization and Dredging of the Lake Proposal.

City Clerk Hanson read the email correspondence for the record from Thomas Bateson. He stated he has been a Garfield Road resident for 23 years and has always enjoyed the beauty of Garfield Lake and ponds, which are adjacent to his property. He said the lake has attracted many kinds of wildlife, including waterfowl, muskrats, turtles, fish, frogs, and deer. It has been a vital habitat for them. This past year he has seen the water level of the lake greatly diminished and, in some areas, run dry. He said the protected state wetlands across from the lake are dry also. He said this is very disturbing to the residents and wildlife who enjoy Garfield Lake. He said something must be done to remedy this. He thanked everyone for their consideration of this matter.

Ron Debono said he lived at 21591 Garfield Road and he echoed the prior speakers and what they said regarding the damage to the wetlands, it has certainly been quite catastrophic and concerning. He guessed to potentially exacerbate the situation, there is now a proposed development immediately north of their property on Garfield Road at Eight Mile, and there was talk of drainage management for that property as part of this development. He said frankly they are very concerned that it is going to make the

situation even worse. He said he would like to challenge and request, you, Mayor, and the City Council to commit tonight to some sort of further discussion and conversation regarding how we can address this.

**COMMITTEE REPORTS: None**

**MAYOR AND COUNCIL ISSUES:**

Mayor Pro Tem Staudt added "Garfield Lake" to Mayor and Council Issues. Mayor Pro Tem Staudt said the reason he put this on the Agenda that evening is as a City Council, and he is one member of it, he did not speak for all seven members. He thought is important that we acknowledge to the residents that first and foremost, we are aware of their issues. He stated that it is generally not our nature to get involved in projects like this, but this has escalated to a level where he thought it is important for them to let the residents know that they are aware, they are concerned, and that they are going to work with City staff to make sure there is a resolution to this project. He said none of them are geologists or hydrologist, and they do not have the answers themselves. He said they are policymakers and funders. He said one of the other things that is important is that he would like to give the City Manager an opportunity to talk about the project itself and how old this project is because they read on social media, we hear comments that his was prompted by the development across the street on Nine Mile and which could not be any further from the truth. He asked City Manager Auger if he could please give them a little bit of an overview as to the history of this project, what it is for, and why we are doing it, and why it is a necessity at this point.

City Manager Auger stated this project has been on the books a long time. He said he knew there is a new development going in at Garfield and Nine Mile Road and he has heard those same social media reports for that project. He said this goes way back before that. He explained there are grinder pumps in a force main on this area of road that needed to be another line run on the other side of the road, same style. He said that means every resident must have a grinder pump, there is mechanical things and when you get into the city system, we must do more mechanical things and they take high maintenance. He said the best solution overall is a gravity feed. He said once it is put in the ground, the gravity works. He said it is low maintenance and can handle the most sewage that way, this project was kicked down the road because it is such a tough project and when you are doing a project like this, it is 30 feet under the ground. He said there are a lot of unknowns. He said they tried to plan for as many as they can, but we did not anticipate hitting two rivers and some of the rock formation that we did not discover. He stated the other aspect of it is that we tried to keep the ambience of Nine Mile Road in all our plans. He stated that they did directional boring to try to save that tree canopy along that road and some of the ambience that people enjoy in that area, which adds to some of the challenges with this project. He stated this project was not made for economic development purposes, but long-term health of the whole area. He said they also have reports from the county that septic fields were failing in this area as well. He said this kind of addresses a long-term pattern and it was just something that kept getting punted because of the challenge of this project. It has taken a year longer than we anticipated. He said they totally understand the resident's discomfort, we

understand what is going on with Garfield Lake, and as soon as we get this project finished up then we can start addressing that. He said we must get the project finished up, hopefully in June we will be finished up with this sewer project and we can start seeing some results in the wetlands that you were just hearing about. Mayor Pro Tem Staudt thanked him for the explanation, he said he thought that it was helpful. He said it does not appear that we have a finite deadline for finishing this project and stopping the dewatering is that correct. City Manager Auger replied yes, that was correct. He said we are closing in, but he could not tell you an exact date. He said they still have some underground work to do. He said no one will be happier than our DPW when we get this project completed. He said they will try to keep everyone here that evening who wants more communication, different communication, they will try some different things and communicating where they are at and what is happening with this project. Mayor Pro Tem Staudt said in terms of communicating from him, as a City Councilmember and each Member could weigh in on their own. He was committed to making sure that there is a solution to this project, and that we provide adequate funding to complete that solution. He was also committed to making sure that we do this in the timeliest manner possible, working with whomever we need to work with to find the solutions. He asked is that was an acceptable commitment. City Manager Auger said we are on that page, that is what our anticipation is. He said when we finish up this project, we will start seeing hopefully some results and we will work with the residents and our ecologist to ensure it is done. Mayor Pro Tem Staudt said he has talked to several of the people who spoke that evening. He said you see it on Facebook, you see it on Next Door posts, we are only as good as the action that we provide. He said this City Council has never kicked the ball down the road and we have always permitted to working hard to fulfill the things that we promise, so in this situation, all we can do is tell you, it is on our agenda. We are committed to getting it done and we will work with City staff. He reiterated that City Council does not go out and do roads and we do not do projects, they are there to hold people accountable.

Mayor Gatt said he would not open this up to Council because this was Mayor Pro Tem Staudt's issue, but he speaks for all of us on this issue. He said we are all watching, and they all feel for all the residents, and he appreciated your City Manager Auger's action on this.

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

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Cortney Hanson, City Clerk

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Robert J. Gatt, Mayor

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Transcribed by Deborah S. Aubry

Date approved: April 26, 2021