

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, MARCH 6, 2023 AT 7:00 P.M.**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Crawford, (absent, excused) Fischer, Smith, Thomas

ALSO PRESENT: Victor Cardenas, Interim City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA:

Member Fischer added to Matters for Council Action, Item 3 "Consideration of a Recommendation from the Public Safety and Building Committee".

Mayor Pro Tem Staudt added to Mayor and Council Issues "Tree Pickup Program" for further discussion.

Mayor Gatt added to Mayor and Council Issues "DTE" for further discussion.

CM 23-03-029 Moved by Fischer, seconded by Casey; MOTION CARRIED: 6-0

To approve the Agenda as amended.

Roll call vote on CM 23-03-029	Yeas: Staudt, Casey, Fischer, Smith, Thomas, Gatt Nays: None Absent: Crawford
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PUBLIC HEARINGS: None

PRESENTATIONS: None

MANAGER/STAFF REPORT:

Interim City Manager Cardenas thanked our Public Safety personnel, our Public Works personnel and our CERT team for their volunteering their time over the latest storm that we experienced and being able to house residents here in our warming center at the Civic Center. He said the last few nights they were making sure our roadways are cleared, that any kind of accidents have been attended to, there has been a lot going on. He said our staff has been taxed and he wanted to send his appreciation to all of them for their time and their efforts during the last week.

Mayor Gatt commented on behalf of the City Council, our kudos to them, also these are citizens, some are volunteers. They do not get paid, not a single penny and they came out of their homes and the way he understood that they stayed at the Civic Center long hours, maybe even all night and kept it open as a warming center for those people who

lost power due to DTE. He said we owe them our debt of gratitude, so please pass it on for us.

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Joe Peddiboyina, 41326 Scarborough, Novi said he was there to talk about the power and tree branches. He questioned why in his subdivision his land Scarborough Lane did not have power and Bethany Way had power. He asked if there was any way the grid was different. He wondered how that was, he did not know how they distributed the power. He said they have several branches on the trees on Scarborough Lane. He asked the City if they could come take the branches.

Joe Bertera, 130 Rexton, Novi said he was here to talk about his Walled Lake subdivision which is on the west upper side of Walled Lake. He stated currently, he was not sure everybody on Council was aware, there is pending litigation against one of their neighbors to take away their dock and boating privileges to the lake. He said he has lived there 23 years, and has enjoyed the lake with family, friends, and everybody else in the neighborhood. He said this is something that has existed in their neighborhood for 100 years. He said it was platted in the 1920's and part of the advertisement of the sale was that they had access to the lake. He said for 100 years people have used the lake to get to the water to use their boats, to swim, to fish and all those types of things. He said he had an affidavit that he got from a resident in his neighborhood that lived there since 1950 and her parents lived there before that. He said it was handwritten, he tracked this woman down in Florida, but she has lived there her entire life. He said they have used the lake and access on the lot to put a boat dock in and use this for their family for their park for many years, even before the City of Novi, or the township of Novi even existed. He said now we fast forward a bit to 1986, the City of Novi passed an ordinance, a lakefront ordinance regarding how many boats you can put in. He said the previous owner wrote a letter to the City Council on July 1, 1986 about the keyhole ordinance that the City of Novi was about to pass. He was concerned back then about the backlot owners were going to lose their rights to the lake with this keyhole ordinance that the City Council at the time was passing. He requested that the City insert a grandfather clause to grandfather in everybody in the neighborhood or all the backlot owners that are around Walled Lake, that they would still have rights to use their parcel. He said the ordinance was written for future development to not have these big developments on the lake and have these boat docks in, and that is not what they were doing. He stated our property has existing for 100 ears and they are trying to preserve that for their kids and future residences of their neighborhood. He stated they are not abusing it; they take care of the property.

Jeff Batalucco, 117 Rexton, Novi said he moved to Rexton in November of 2020. He commented after years of moving around for work, he thought Novi would be a great place to settle down. Unfortunately, things have taken a turn for the worse as the neighborhood has become a target. He said they are among many, but for whatever

reason the to take its swings this year at them and what he believed to be a test case that is gong to reduce the rights of property owners all over the lake. He said the City of Novi has decided that its own citizens should not be able to utilize their legally deeded property in the fashion that was granted to them in his subdivisions case, the right that they have had for over 100 years. The ordinance in question has zero data, zero studies were done on whether it would even do what it was intended to do on paper that was never done for this 1986 ordinance. He said it felt very much that their tax dollars have been weaponized against them to fund a lawsuit under the pretext of safety and environmental concerns. He stated there are no records of issues at this property. He said there are backlots, all throughout Walled Lake, that are deeded before the City was a City and the City chose not to enforce this for almost 40 years, and a conservative effort and a concerted effort to reduce property values and reduce the quality of life for an entire neighborhood in multiple neighborhoods at this point, because this will waterfall down and then maybe that is the intention. He said you are probably going to hear this this evening; we just want to enjoy the city or that we want to enjoy the property that we have, we want to have that value. He said nobody wants this fight except for maybe one person. He said as the awareness of this grows locally, we have to ask ourselves, is this the right way to spend our time and money. He said it has already come up, he heard it a couple of times, maybe we need to pressure DTE to take care of and bury some lines so that our residents are not in the cold. He said he is a member of CERT, he is aware of what they had to do over those long days where people needed the bottle of water, he has had his power out for days at a time. He said that seems like a more pressing issue than people being able to join the lake. He said all their property values are directly tied tohis lake access. He asked what should they do with their boars? He hoped someone is going to be interested in them because if we cannot use them, they are not very useful to us. He didn't think it was an acceptable reason for a municipality to infringe on property rights because one individual is complaining, which is this community and find a mutually beneficial solution to this as opposed to how this is going to negatively affect hundreds of residents on Walled Lake.

John Prior, 116 N. Haven, Novi said he owns multiple properties around the City of Novi and he pays well in excess of \$15,000 a year in taxes. He said he was astounded to see us wasting money, suing the neighborhoods in the City of Novi. Not only are you suing all these guys that are sitting over here, but you are also suing their families, you are suing their friends, you are suing their parents who come and enjoy this lake and use this property. He did not see how it benefits the City of Novi to eliminate a small dock and piece of property that is tied to a very small neighborhood. He stated this is not Bristol Corners or Summerlin Subdivision with hundreds of houses abutting the lake. This is a small neighborhood from the 1920's and he was sure you all know, back in the 1920's you had to take a horse or a very slow moving car, all the way out a dirt road of Grand River to get to this lake, it was not a small feat. He said the families that were coming out here in the 1920's they got out to the lake, and there was nothing around. He said they did what they pleased, they used the lake, and eventually it became developed. He said just like every city, and every subdivision, the needs grow in the city and in the subdivisions. He said sure the dock might have been one or two boats to start, but now it may be 10 boats, but that is just how the neighborhood has developed and how the city has

developed, the same way the City of Novi fills in watersheds left and right to allow for more property development. He said the same thing has happened with the subdivision itself, as it grows, more people want to use the lake and has it gone from two to 10, maybe it has, but everything grows just like the city is growing. In closing, he requested the City Council make a motion for a grandfather clause to these specific ordinances that allows small subdivisions like ourselves, and the dozen other subdivisions that are from the 1920's around this lake that have the same situation that we have to amend their ordinance to allow these small subdivisions and small parcels to remain using them as they have for over 100 years to enjoy the lake with their families and friends, as long as they abide by the laws and rules, nobody is being harmed.

Richard Curtis, 1320 W. Lake Dr., Novi and have lived at this location since 1994 along with the residents deeded to lot nine, what they call the beach and have maintained the lot, no one is in charge, they just all get together and fix it, clean it, maintain it and nothing has ever happened there. He stated his grandfather, Roger Curtis lived at 119 Rexton, raised his father and his siblings there. He said his uncle also took over the home and raised his family there. He said now he is in this neighborhood and he just loved it that he is here at the same place and went to the same high schools as his father. He said as a child, they would always swim there, we had a dock there. He said in 1983 there was a dock there and he was jumping off of it with his cousins and having fun, and it gives him great joy to see his son do the same thing. He said it is sad to lose this, something we have all had, his whole life to lose that, it is just devastating. He wished they could see the pain that is causing to lose such a precious property.

Allen Scott, 115 N. Haven, Novi said he lives in the same subdivision, he is not a lifelong resident, but a lifelong resident of Oakland County in the state of Michigan. He said he has been there four years and he purchased that home because it said in the literature that it would come with these dock rights. He said he was not an attorney, so he did not do his homework to see if there could be some ordinance out there from years ago that was never enforced. He said he has had four years of great joy, where he owned his boat since 2007 and trailered it to all the lakes in Oakland County because he did not live on a lake there. He said he could not wait for the day where he could kick off and just jump in his boat instead of trailering it somewhere and that is what he has been doing for the last four years with great joy. He said they share the love of the lake with all his neighbors, some of whom have already said the same thing. He stated it was 1919 the year his subdivision was platted and the water has been enjoyed in that spot and he wanted to make one distinct difference, as he was learning about the community and some of this activity that has been taking place at the City's hand. He stated the end of streets, he guessed that is what they were called had been taken back by you folks, which is technically by ourselves because we are taxpayers. He said ours is not an end of street, ours is a 40 foot wide lot dedicated by the platter to be used for the enjoyment of the backlot owners making it different than something that is a leftover or by happenstance, it was purposely placed there for the enjoyment of the residence, in their case, Lake Wall Subdivision. He stated as others have, there is a lawsuit against one neighbor mainly, but it affects all of the neighbors using this dock. He asked that Council pay attention to this

case, and please have a heart and if you live on the lake or next to it, you know what they all mean, thank you for your time.

Chris Martin, 140 N. Haven, Novi, he is a neighbor of the previous speakers and his family has been on the property for 16 years. He said the same thing, they love it, and they look forward to it every year. They try and keep things safe; we communicate and form a community. He said he thought those are some of the values that the city of Novi tries to uphold and making sure the neighborhood is safe, the property is safe, and make sure the dock is in good condition. He wanted to keep that going. He said he knew it can get difficult with ordinances and laws and things that are already in place, but like anything, there are ways to be flexible, and understand what is going on. He wondered what is motivating this, and asked if Council could revisit this. He knew they could not comment today, but he knew they were involved in it so you do have an opportunity to weigh in. Let's be flexible, let's figure out what we can do. He said he hoped they all could come up with a good solution.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 23-03-030 Moved by Casey, seconded by Thomas; MOTION CARRIED: 6-0

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 February 27, 2023 - Regular Meeting
- B. Acceptance of two donated sidewalk easements associated with the 2021-22 construction of sidewalk along the west side of Meadowbrook Road, south of 11 Mile Road.
- C. Approval of re-appointment of City Manager, Community Development Director, and Finance Director to the Building Authority.
- D. Approval of claims and warrants – Warrant 1127

Roll call vote on CM 23-03-030 Yeas: Casey, Fischer, Smith, Thomas, Gatt, Staudt
Nays: None
Absent: Crawford

MATTERS FOR COUNCIL ACTION:

- 1. Consideration of approval to award the construction contract to LGC Global Inc., the sole bidder, for the Novi Road/13 Mile Road PCCP Water Main Repair project in the amount of \$1,236,231.00.**

CM 23-03-031 Moved by Casey, seconded by Smith; MOTION CARRIED: 6-0

Approval to award the construction contract to LGC Global Inc., the sole bidder, for the Novi Road/13 Mile Road PCCP Water Main Repair project in the amount of \$1,236,231.00.

Roll call vote on CM 23-03-031

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

Nays: None

Absent: Crawford

- 2. Approval of Zoning Map Amendment 18.739 of Paradise Park to rezone the south part of the property at 45799 Grand River Avenue, located on the south side of Grand River Avenue and west of Taft Road, from OST, Office Service Technology to I-1, Light Industrial. The area to be rezoned is approximately 4.14 acres of the 8.03-acre site.**
FIRST READING

David Landry was representing the applicant Secure Property Development, Mr. and Mrs. Wainwright, you are all familiar with Paradise Park. He stated this piece of property has a very interesting history; you are familiar with the park. He said it happens to consist of these two side by side, formerly, I-1 zoning parcel and for some reason, the south portion was zoned OST in 1997. He said under some unusual circumstances today, the park operates on both of these lots. He highlighted a slide presentation and explained the rear part was zoned OST. The City approached us in the winter and said you know the parks been there for 15 years on both of these properties, you really need to combine them and we said we will combine them. He said while we are at it, lets get rid of this old OST zone, it did not make any sense for this to be landlocked way off of Grand River. He said that is all they were asking that evening is to rezone this to be consistent with the I-1 zoning. He said there are no plans to change the part or anything, they have combined the parcels, it should be all one zoning. He said quite frankly, the difference between the I-1 and OST on this parcel, as the administration has recognized is not that great. He said one thing he wanted to point out is that the setback for I-1 is 20 feet, the rear and the side setback. He mentioned the setback for OST is 40 feet, however, in 2017, the applicant granted an easement to the City and gave a 50 foot setback all around the perimeter of this rear portion of the property, so there are no setback issues. He said it is not like we are reducing the setback. The actual part of the property, there is not a whole lot of it that is even buildable. He pointed out on the slide where Paradise Park was, he said they are talking about this portion of the property, there is a stormwater detention pond on the property, there are woodlands, and wetlands. He said there is a berm in the rear portion of the property, it is well screened. He said there is the Planning Commission approved it unanimously of the administration, traffic engineering, planning on the recommend approval. He said they were happy to stand by for questions and they would just ask that the City Council approve rezoning of the rear portion from OST to I-1 zoning.

Member Fischer thanked Mr. Landry and said as usual, he cleared everything up for him. His main question was going to be about the setback, but that easement explanation in

the packet and from you eased his concerns about the neighboring properties, so with that he moved to approve first reading.

CM 23-03-032 Moved by Fischer, seconded by Casey; MOTION CARRIED: 6-0

**Approval of Zoning Map Amendment 18.739 of Paradise Park to rezone the south part of the property at 45799 Grand River Avenue, located on the south side of Grand River Avenue and west of Taff Road, from OST, Office Service Technology to I-1, Light Industrial. The area to be rezoned is approximately 4.14 acres of the 8.03-acre site.
FIRST READING**

This motion is made for the following reasons:

- 1. The proposed Light Industrial (I-1) Zoning District meets the intent of the 2016 Master Plan for the Industrial Research Development Technology future land use;**
- 2. The Master Plan for Land Use objective to support and strengthen existing businesses is fulfilled as the proposed rezoning promotes the continued success of an existing business;**
- 3. The Master Plan for Land Use objective to maintain quality architecture and design throughout the City is fulfilled because Paradise Park is an attraction that is unique to the region;**
- 4. There will be no negative impact on public utilities as a result of the rezoning request as stated in the Engineering memo, and no anticipated changes to the traffic patterns as a result of the rezoning request;**
- 5. The Rezoning Traffic Impact Study has demonstrated that the proposed rezoning will not degrade the level of service of the local road network below acceptable levels.**

Roll call vote on CM 23-03-032

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

Nays: None

Absent: Crawford

3. Consideration of recommendation from the Public Safety Building Needs Committee.

Member Fischer gave a brief update on the committee's work. They have met a couple times. He commented that they are very lucky to have the expertise of the Mayor who was a police officer for 28 years in the City of Novi, as well as Chief Molloy, our former Police Chief, and then David Landry, our former mayor, all serving and well aware of the operations of the Police and Fire Departments. He said himself and two other public citizens on the committee have all taken tours of some of the fire stations, some of the police stations, and we are going to continue those. He said as they reported out tonight, and as they have continued to meet, the committee was approached by staff that it

may be time to go ahead and engage some consulting services, namely an architect to really help us hone in on some of those needs, work with the experts, our current Police Chief our current Fire Chief, and help hone in on those needs to bring forward to the Committee what our next steps are and frame that scope it out, and talk some numbers with us.

CM 23-03-033 Moved by Fischer, seconded by Staudt; MOTION CARRIED: 6-0

Approval of the recommendation from the Public Safety Building Needs Committee to authorize the City Administration to engage the services of Redstone Architects to complete a needs assessment for Public Safety facilities pursuant to the recommendation Public Safety Building Needs Committee in the amount not to exceed \$50,000 with the agreement to be approved as to form by the City Manager's office and the City Attorney's office.

Roll call vote on CM 23-03-033

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

Nays: None

Absent: Crawford

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES:

1. Tree Pickup Program

Mayor Pro Tem Staudt recalled that at our last meeting we asked for the program to pick up trees, limbs, branches and it was a spectacular success, well done by our City staff, and the contractors. He said then we turn around and get another snowstorm, which perhaps was even worse than the previous, and it looks like there are a lot of trees out there, there is snow this time, last time it was rain, which made it a little bit easier. He said we had a little bit of conversation, he said the City Administration already extended the program through March 17, where you can actually call. He said there is an awful lot of trees down there, a lot of big ones, and this is going to be a real challenge. He was pleased to see that we moved forward on that. He also wanted to present to Council an opportunity to do something. He said during COVID, we created a program called SOS, it was a combination of things that helped our senior and disabled citizens in a very difficult time. He said this appears to be a difficult time for many of our more challenged residents in that there are tree limbs down in their backyards, and they do not have the ability, like some of us to be able to go down and cut them up and put them on the side of the road. He would like to have City Administration consider working with our Senior

Program and our SOS folks and come up with something where if somebody needs assistance, they can contact somebody, perhaps we can put together a list of vendors, tree grinding companies and things like that, that we feel comfortable with and will not take advantage of anybody. He stated he has been in a situation we talked about last time where somebody offered to come to our Homeowners Association for a \$500 fee to look at our tree that was down and he assumed that some of our residents are facing some of these same dilemmas. He asked City Administration to think about how we can think about it very quickly, because we really do need to move on this fairly quickly, about how those who cannot remove trees themselves could call the City and get good vendors to help assist in that. He said in some situations, perhaps maybe go a little bit beyond the curb and pull these trees off themselves at City expense. He said through the Mayor to the City Manager, that is something he would like you to look at.

Mayor Gatt echoed Mayor Pro Tem Staudt, he liked the idea, and thought it was necessary. He mentioned if you drive around the City, you find big tree limbs down all over the place, some seniors who live in homes, they are sitting there looking out their window saying, what am I going to do, they do not have the ability to go chop it up and take it to the curb for our people to pick it up. He asked if there was any consensus on Council to have the City contact some vendors like the Mayor Pro Tem suggests and maybe come up with some sort of pricing that would be, available to the City and maybe help some of the seniors who need to help pick the cost. He said he did not know what formula we would use to do that, he said some senior maybe do not want help or do not need the help. He said he knew there are some that do. He asked if this was something that is in the realm of what the City should be doing for our seniors as far as helping in this situation. He wanted to hear from his colleagues.

Mayor Pro Tem Staudt commented that he has been contacted through various social medias from people who are challenged to be able to get these trees out of their yard and some of these are a safety hazards in addition to just unsightly, a lot of them have broken or and are hanging there. He said right now people are not walking around their yards and doing much in the snow, but as time gets on, we know there may be another storm coming later this week. He said he would rather err on the side of spending a little additional money as you suggested to help with these folks as opposed to getting too deep into the woods on whether it is something we really should be doing or not. He said this is something that is a need at the moment. He thought it was important that at the very least we consider and look at all the options available. Thank you.

Member Fischer started with Mayor Pro Tem's suggestion, he thought it was a great idea, as far as you know, potentially looking at, trying to get some sort of pricing. He said that his understanding was that the majority of the tree limbs that are being picked up at the curb right now are actually done by an outside vendor. He wondered if that was correct. Interim City Manager Cardenas said that was correct, it is a mix between the vendors we have and some of our staff is out there as well. Member Fischer assumed we are paying handsomely for that to be done, and we as a Council have pretty much given you the authority to do that because there are a tremendous amount of trees that we have seen down and all the weather that we have seen. He thought it would be very interesting if

the vendor and vendors that we are spending quite a bit of money with as a city could not give some sort of preferential treatment to seniors in a price table to come and take care of some of these things, fixed costs, known upfront. He said the Mayor brought up an excellent point about helping those in need. He mentioned the HCD grant funding that we do have for homeowners in need, he thought that could be a good set of criteria for people who may qualify for something like that. He wanted to be empathetic, but he also oftentimes is the one who wants to make sure that we are not just giving away the farm. He said we want to open our checkbooks when necessary, in these certain types of emergencies, and there is certain criteria as it relates to income and things for that particular purpose that he could certainly be supportive of if people are meeting those criteria, maybe helping them take care of these dangerous limbs in their yard. He believed it was with it being very need based. Thank you.

Mayor Gatt said what he thought he was hearing was if Mr. Cardenas could have your staff starting tomorrow, start seeing if you can negotiate with the company that is picking up the limbs that we have already have some sort of deal with, if they could come up with a pricing schedule for you, for the residents who need some help, either removing limbs from their backyard or cutting some off or down, whatever is needed, some sort of pricing schedule. He asked him to share that with City Council and Sheryl Walsh-Molloy, and get that advertised, he believed it was a very pertinent and timely issue. Mr. Cardenas said he would work with the City Attorney's office and DPW to look at our contract we have with these entities and its contractors, they are also being taxed with the DTE as well, because they have contracts with them as well as trying to get out there. He said we will evaluate all of our options that we have in front of us and see what we can do to come up with some kind of recommendations for City Council consideration. Mayor Gatt asked to let them know as soon as possible.

Member Thomas agreed with Member Fischer, she wanted to make sure that we are helping people who need it, but also not giving away the farm. She said perhaps in the Older Adults Committee they can address disaster preparedness, so that instead of trying to figure out what to do in these situations, we try to look at what things the City should be responsible for and how we can help during these difficult times for our residents for the future.

2. DTE

Mayor Gatt said next item added was "DTE". He said he did not have any prepared words that evening. He said those of us who are on the internet, maybe on social media have probably read or heard the attacks on us up here and he was going to be honest, it is mostly about getting at Bob Gatt and Dave Staudt because of an election year. He said the fact of the matter is this City Council up here, has almost zero say in what DTE does or can do for us. He stated that last year, we had the Attorney General of the State of Michigan sitting right here and somebody out there is saying that we would not let her talk because that is just total nonsense and untruth. He said the fact of the matter is she made a deal with the City how she was going to handle it and then she tried to change the deal at the very last minute. He said the City Manager at the time said we have a

deal, but she did her thing anyway. A year later, what has she done for us? Absolutely, positively nothing, because the same lines keep falling, it is always the same spots in Novi for the last umpteen years. He said something is wrong with the electric system in Novi in the electric grid. He said it is the same subdivisions, the same homes. He said Member Crawford was not here that evening because he has been out of power for three or four days, and that was after just a few days of having power because he lost it 10 days ago, as so did he and so did numerous people. He said for anybody out in the public to levy your thoughts and anger at the, then you are playing politics, which is so transparent. He said it is not even funny, but it is just wrong, because we do not control DTE. He said there is a State Commission that controls DTE and we are not it. He commented that the Attorney General and the State Commission that controls DTE was here, there were Senators in the audience as well. He said all the big honchos were here, and nobody did anything, oh, they cut down a few trees, they trimmed a few trees, good, they should, He believed the grid itself in Novi is lacking, he did not know what it is, he is not an engineer, he is not an electric person, all he knew if that he has been a part of Novi for 50 years, and for 50 years it has been the same parts in Novi that experience outages when the wind blows. He said he was not discounting the storms that we had in the last 10 days, two weeks, they have been big storms, but it is the same subdivision that keep having the outages. He said Mayor Pro Tem Staudt said something online not long ago, about spending some of these millions or maybe even billions of our money, that COVID money that is just sitting there doing nothing and inspect our grid and replace our grid and do something this is meaningful and worthwhile. He said the people, the citizens, the residents of Novi deserve it, and they are not getting the service. He said all we have received the last several years is lip service. He stated that we even had one of the presidents because there are so many presidents of DTE and he came to a Mayor's Conference in Novi last year. He said they talked to him at great length one on one, and they got all kinds of promises, and nothing happened. He said for anybody to level their anger at us, you are just playing politics. It is obvious, very transparent. He said it is not helping anything if you really want to help get with the Commission that oversees DTE, get with them, write to them, yell at them, your state senator, your state. He said these are the people that work in Lansing that have some say over there, the people at this table, we have zero to say what DTE does or does not do. He said we can complain, we can cry, we can yell. He said he went out and spent \$15,000 on a generator and he got blasted online from one of his opponents for that. He said he did it because he lost \$3,000 in food last year and he is not going to keep doing that. He said that was his comments on DTE. He said we had two big storms, he grants that, but why the same subs.

Mayor Pro Tem Staudt mentioned some of those suggestions for us to go out and commission studies that cost \$50,000 to \$200,000 to try to figure out what the problems are. He suspected that DTE knows what the problems are already, they are a for-profit organization. They have done things you know, granted they were out a lot in the past, cutting trees down, clearing lines, nobody can predict what the outcome of that is, until you have an adverse weather problem, and we had one that was unique with ice, and the very next one unique with heavy snow on trees that are 100 feet tall, have branches fall down and land on powerlines, which cause outages. He said he lived in a subdivision where every time something happens, he crosses his fingers and hoped that his power is

going to stay on, he bought a small generator. He said same as the Mayor, he has lost a lot of things. He got criticized online, for going out and buying a generator, but his power did not go out this time. He said there must have been something that he did that kept that from happening. He said if anybody understand the DTE world, they really do not care about individuals, councilmembers, or mayors. He said he was watching the Attorney General, who was talking about what she thought needed to be done, standards the needed to be created, the utilities needed to follow them, but the last part of the conversation was not, or else I am going to start suing the. He said there was none of that, because it is all political, there is a lot of money at stake, and we are frustrated by the reaction of residents, we empathize with them, we know our residents, we have our power go out all the time. He suspected people at this table had their power out. He wasn't sure what we can do to DTE, but he could tell you one thing, it needs to start where it is regulated. He stated the governor has three appointees to the Michigan Commission that oversees utilities, we need to hold those people accountable, who then hold the utilities accountable, or nothing will ever get resolved. He said he got it, people are upset, this has been an extremely tough time, but to turn it back on us, because we did or did not have our power out because we did or did not have a generator isn't what this community is about. We need to rally together and find out a way to get DTE to be held accountable, and it is not going to be easy, other communities have tried. He said they are very polite, they are very nice people, they come to your meetings, and they nod their head and say they are going to spend millions of dollars on fixing this, and then the next time we have another outage, so you know what, there is a lot of discussion that goes on all the time, whether it is the City Manager, our staff, the Mayor, they are talking to DTE. They are also extremely non-committal, and they have proven that they cannot solve the problems.

Mayor Gatt mentioned that Mayor Pro Tem Staudt lived in a subdivision that loses power from time to time. Mayor Pro Tem Staudt said he lived in a 50 year old subdivision that probably was not created with the best infrastructure at that time. He said the lines that come in off of 10 Mile Road, the transformers that are on 10 Mile layer above ground, they are the ones that blow that causes his power to go out. He said when it goes out, it does not go out for an hour or a day or two days, it goes out for four or five days. He said he is the treasurer of his subdivision of 600 homes, half have power and half of them did not. He said one of the things they decided to do as a subdivision is to buy a generator to put in our clubhouse, so our residents can go there and use it as a warming center, but you know, we need to prepare for the worst. He said we along are not going to fight DTE and win that battle, we can try, and we will continue to try, but we need to have support at the state level.

Member Thomas understood that DTE is largely out of our control, however she did not think that we should not close our mind to make sure that as a Council that we do not close our minds to a potential solution. She recalled Member Fischer said in their last meeting he had a suggestion of something that we might be able to do to help make things better moving forward. She said she would like to, but she hasn't been able to do her homework yet and the type of timeframe that we have had. She said even if it is making sure that we are maintaining consistent lobbying, even when we do not have

power outages, that we are constantly moving forward and lobbying for the best for our community. She knew that it is difficult for residents going through what is happening right now, but she thought that we need to make sure that we consistently know and even when things are good, that we can reassure our community that we are still lobbying to make sure that we are doing the best we can to bring our community to the forefront and do our best to get the attention that we need.

Member Fischer said it was disappointing, because when you do go on social media, and you see the kind of partisan hacks trying to attack Council on something they have no control over. He said it takes away from the people who are joining the fight and trying to help as Interim City Manager Cardenas talked about, we had multiple members of our CERT team helping to keep the Civic Center open and giving water and supporting people overnight. He said this building was opened several nights overnight to support people who need warming. He talked with Sheryl Walsh-Molloy and she has been lobbying with DTE on the City's behalf. He was sure a lot of other staff here as well, so when we see attacks about City Council has not done things or there are deals going on with the Mayor Pro Tem and DTE, that is disappointing. He thought they were trying to be divisive, and not want to join the fight, join the community, and help. He thought that was despicable and disgusting in his opinion. He recalled that he made a motion at the last meeting for staff to start to look at some other out of the box ideas, and maybe they will cost too much, maybe they won't, maybe it will spawn other ideas. He said this Council has done everything they can and tried to come up with new ideas constantly to battle this exact thing. He said when people try to attack Council at our footstep, that is not our ability to change, it is despicable. He said let's attack where we can, not attack in a bad way, but attack the problem at the root cause and the root cause is at a much higher level than the seven of them sitting up there. Let 's accomplish something together instead of just spewing falsehoods on social media.

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:51 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: March 20, 2023