

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JANUARY 9, 2023 AT 7:00 P.M.**

Mayor Pro Tem Staudt called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

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

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

APPROVAL OF AGENDA:

CM 23-01-001 Moved by Crawford, seconded by Casey; MOTION CARRIED: 6-0

To approve the Agenda as presented.

Roll call vote on CM 23-01-001	Yeas: Staudt, Casey, Crawford, Fischer, Smith, Thomas Nays: None Absent: Gatt
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PUBLIC HEARINGS: None

PRESENTATIONS:

1. Michigan State Fair – Blair Bowman

Mayor Pro Tem Staudt said we have a very nice contribution on behalf of the Michigan State Fair and Blair Bowman for the Jessica Starr Splashpad.

Blair Bowman stated each year, they like to come and give their Annual Report. He said they are very proud of the fact that they are the only privately produced State Fair in the country, and still being able to give back to the community, that is our number one focus. He said they were pleased last year to be there and contribute \$15,000 to the splashpad, and this year, they are adding an additional \$10,000 for a total of \$25,000. He said they were going to continue to support that effort until they see that built. He said that was their promise and their goal.

David Landry said he was there on behalf of the Parks and Recreation Foundation along with Administrative Director, Melissa Agosta and they were happy to be the recipient and to assist with the Jessica Starr Splashpad. He said they looked forward to meeting all the goals and running through the splashpad.

Mayor Pro Tem Staudt thanked them on behalf of the Novi City Council, and the Novi Parks Foundation. He thanked him for the contribution and they are looking forward to getting production and construction of the splashpad going this spring. He said he was excited for the future with this.

MANAGER/STAFF REPORT: None

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Vijay Venugopal, 43364 Ashbury Drive, Novi wished everyone a Happy New Year. He said he has been a Novi resident for the past six years and he was also a member of Hindu Swayamsevak Sangh which is in short, they call HSS. He was there that evening to thank on their behalf for providing this Proclamation for the Surya Namaskar Yajna Yogathon that they conduct year after year. He stated the City has been supporting this event for many years and they have been successful in conducting the Yogathon, reaping the benefits through improving their health. On this behest, we have seen that there has been some deformation smear campaign and Hindu phobic attacks in the social media. He wanted to present and give an overview of what Hindu Swayamsevak Sangh is all about. He said they have presented multiple times, but also for the benefit of the residents they wanted to present it again. He said for this, they thought why not someone who has been part of this organization throughout her life, young, a volunteer of the organization could present his. He said during the next public comment, you will hear that from their colleague. He also said feel free to reach out to them if there are any questions regarding their activities that they do. He said they are also conducting week sessions every Sunday, they have sessions that are happening in the SV Temple, which is right across the corner from here. He said they would be very happy if you would like to witness that and come over and participate in one of these sessions as well. He said they would like to see if they could provide a travel exhibition, if you will, right here in the Novi Civic Center to give more about what they do and who they are. He said he would conclude his audience comment and let them hear from one of their younger volunteers. Thank you.

Avya Pappuri, 42210 Park Ridge Road, Novi said dear Mayor and City Councilmembers of Novi, Namaste. She stated she was a 10th grader at Novi High School, and she was there to give you a brief overview of Hindu Swayamsevak Sangh or HSS. She explained this is a Hindu faith-based socio-cultural nonprofit organization where the primary objective is to import good virtues in children through storytelling and play methods. She said HSS is open to any community member, including any other faiths who are interested in learning Hindu heritage, ancient culture, and history. She was going to go over a few of the programs that they conduct as a community. She said the first is called the Surya Namaskar Yajna, where they received a Proclamation for the Yogathon, where they encourage people to perform the tensor of Namaskar poses for 13 rounds. She said this Yogathon is conducted to promote health for humanity. She said these yoga posters are extremely beneficial for the body because it improves blood circulation and strengthens many different muscles. She stated another program which they celebrate is call Guru Vandana where they celebrate our guru's or teachers and they invite them to join them for the occasion where they show them the different customs that they have,, and they give thanks for all that they have done for us. She explained Raksha Bandhan was a festival that shows the bond that a brother and sister have when they tie Rakhi (a string bracelet) around the wrists of their honorees, we say that we will protect each other and

Raksha Bandhan isn't only celebrated with siblings or relatives. She said they went to different police stations to tie Rakhi on their fellow police officers and firefighters. She said this basically represents the protection that they offered. Sewa Diwali is a food and clothes drive that they conducted on the time of the Festival of Lights, which is the Diwali, they collected and donated hundreds of thousands of pounds of food to a variety of shelters and food centers. She said this drive was aimed to foster and promote the concept of service to the community. She said they also organized many blood drives with the Red Cross and reached out to many people to stimulate the decision to donate blood, because donating blood can save a life or several others. She stated another way they contributed to the community around us is through highway cleanups that they oversee each season. She said once during the fall, summer, and spring, they go to a lot of highways they have chosen, and they walk around and pick up the trash around the highways, they do this because they want to keep the environment healthy and safe. She said another thing that they do is a Darshana Exhibit which is a way to showcase the different independent topics that they value under Hinduism. They give a preview and explanation of topics like science, Aveda, or yoga, etc. She said lastly, during COVID-19 they made mass pack lunches and volunteered at different clinics and centers to support the firsthand responders who were working day in and day out. She said they always looked to sustain and better the society not to harm or offend anyone in any way and Hindu Swayamsevak Sangh has always put people first and on behalf of HSS she wanted to thank the Mayor and City Council for supporting them and protecting their beliefs. Thank you and Namaste.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 23-01-002 Moved by Casey, seconded by Crawford; MOTION CARRIED: 6-0

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
December 19, 2022 - Regular Meeting
- B. Approval to purchase twenty-four (24) modems for the Novi Police Department patrol vehicles from CDW Government, sole source provider for Oakland County Courts and Law Enforcement Management Information System (CLEMIS), at the cost of \$34,920, and amend the budget.
- C. Approval of the final payment to Merlo Construction Company for the Segment 51 Ten Mile Road Sidewalk (North side, between Dinser Drive and Woodham Road) project, in the amount of \$9,667.72, plus interest earned on retainage.
- D. Approval to accept the residential streets as part of Bolingbrooke and adoption of Act 51 New Street Resolution accepting Bolingbrooke Lane, Ellesmere Circle, and Yardley Drive as public, adding 0.52 miles of roadway to the City's public street system.
- E. Approval of claims and warrants – Warrant 1123

Roll call vote on CM 23-01-002

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

Nays: None

Absent: Gatt

MATTERS FOR COUNCIL ACTION:

- 1. Consideration of tentative approval of the request of Leon's of Novi, JZ21-22, with Zoning Map Amendment 18.738, to rezone the property from Local Business (B-1) to General Business (B-3). The property is located on the south side of Ten Mile Road, west of Haggerty Road. FIRST READING**

Interim City Manager Cardenas stated this item concerns the legendary Novi restaurant that has been in existence for nearly 40 years, Moe's on Ten. Rezoning this property is consistent with the Master Plan, ultimately converting it to community commercial mirroring the uses that surround it. He said when it came before the Planning Commission there were no objections at the Public Hearing, and it was unanimously approved by the Planning Commission. He said it is now before City Council for approval, the owners and the lawyers are here to address any questions if they arise.

David Landry said he was there on behalf of the Leon's of Novi which we all know as Moe's on Ten. He said the first thing he wanted to make clear is that this request is made not with the intent to make any physical changes to the property or the building and make no changes in the use itself. He stated they merely wanted to change from a legal non-conforming use to a legal conforming use. He stated Moe's on Ten has operated at this location since 1983, that is 40 years. He said even before that, it was a restaurant before the current zoning ordinance made it be one. He said it is now a non-conforming, legal non-conforming because of change. He stated that is always scary for the business owner because if it burns down, you cannot rebuild it, so everything you have worked for you whole life you have lost. He thought it was safe to say from a zoning perspective, after 40 years, it is a pretty good place to locate a restaurant. He said after all these years, Moe and Debbie Leon have proven their commitment to the City. He said they have employed residents, upgraded that facility constantly, and Moe and Debbie are personally there every day. He said this is not a conglomerate that is owned five states over and the owners are never there, they are there every single day. He said the second generation is there, Michael is there this evening. They have made a significant investment in the community; they have been active in every possible way. He said you are hard pressed to find any other business more active or more generous. He said they are merely wishing to be a conforming use, no physical changes, positive recommendation from the Planning Commission, planning, engineering, fire, traffic, we ask that you simply approve the rezoning. Thank you.

Member Fischer said it appeared that in the information packet, there are no changes proposed at this time with this rezoning. Mr. Landry said, yes, that is an accurate statement.

Member Fischer asked Interim City Manager Cardenas if there were to be changes in the future would that go through the normal planning process? Mr. Cardenas said he believed that is all correct.

CM 23-01-003 Moved by Fischer, seconded by Crawford; MOTION CARRIED: 6-0

Tentative approval of the request of Leon's of Novi, JZ21-22, with Zoning Map Amendment 18.738, to rezone the property from Local Business (B-1) to General Business (B-3), as recommended by the Planning Commission. FIRST READING. This motion is made for the following reasons:

- 1. The proposed General Business (B-3) Zoning District meets the intent of the 2016 Master Plan for the Community Commercial future land use, and if approved will allow the use to be a legal conforming use as a sit-down restaurant in the General Business zoning district;**
- 2. The Master Plan for Land Use objective to support and strengthen existing businesses is fulfilled by allowing an existing business to continue its use;**
- 3. The Master Plan for Land Use objective to maintain quality architecture and design throughout the City is fulfilled because Moe's on Ten is a long-term, identifiable and unique business in Novi;**
- 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. A waiver of the Rezoning Traffic Study as the proposed rezoning is not expected to result in additional trips**

Roll call vote on CM 23-01-003

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

Nays: None

Absent: Gatt

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

AUDIENCE COMMENT: None

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 7:15 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: January 23, 2023