

REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JUNE 26, 2023 AT 7:00 P.M.

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

Mayor Gatt welcomed everyone to our regularly scheduled Novi City Council meeting. He announced that before he began with our normal position is to recite the Pledge of Allegiance, he asked everybody to stand and give a moment of silence in remembrance of a "Novi Giant" that passed away last week. He said Mr. Novi, Mr. Tom Marcus, who probably have done more for this City than any 25 people combined. He gave generously, he gave up himself, his wealth, his talent and gave his time to making Novi a better place. Mayor Gatt quoted Tom Marcus, he always said, "We are not here for a long time, we are here for a good time." So please rise and give a moment of silence for Tom Marcus.

PLEDGE OF ALLEGIANCE

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

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

APPROVAL OF AGENDA:

Mayor Pro Tem Staudt added to Mayor and Council Issues "Pickleball Court Parking".

Interim City Manager Cardenas noted one clarification that City Attorney Schultz suggested that we make sure we stipulate in the Agenda as part of your motion under Executive Session it should read as; to discuss land acquisition, pending litigation: Gerald Orchard vs City of Novi case, and written confidential correspondence from Labor Counsel. He mentioned it was corrected on the internet as well.

CM 23-06-074 Moved by Fischer, seconded by Crawford; CARRIED UNANIMOUSLY

To approve the Agenda as amended.

Roll call vote on CM 23-06-074	Yeas: Staudt, Casey, Crawford, Fischer, Smith, Thomas, Gatt
	Nays: None

PUBLIC HEARINGS: None

PRESENTATIONS: None

MANAGER/STAFF REPORT:

Interim City Manager Cardenas said there were a couple of things he wanted to report. He said there are two big developments that are being proposed and he said we have all received a lot of correspondence about them. He believed a lot of individuals that

are in the Council Chambers today are here to talk about those developments will most likely be in front of Council later this summer, he guessed August at some point as they go through the process. He said we will see more information on those in the coming weeks.

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Mark Campbell, 26050 Island Lake Drive, Novi said he was the president of Island Lake of Novi Homeowners Association, the largest single family residential community in Novi. He was there that evening to let the City Council know that Island Lake had overwhelming opposition to the Camelot Development. He stated on June 7 Planning Commission meeting, along with their neighbors and our friends at the Village of Stonebrook had over 100 residents come and voice their concerns about this development. He said it was also important to note that the Planning Commission was not in consensus. He said with two of the Commissioners voting No on this development. He mentioned the Novi Master Plan states, future residential developments in the southwest quadrant shall be low density residential, that reflects a semi-rural environment. He said it is clear our residents are taxpayers and voters, and this development is not a good fit for our community. He said they felt communication is the key to good community relationships. He said the representatives of our communities have reached out to all of you and the Mayor and City Council to request individual meetings with you to make sure you understand their concerns on this and other issues. Lastly, he wanted to thank all of you on the City Council and the Mayor again for volunteering your time and expertise for our city and our community.

Steve Potocksky, 48849 Rockview in the Villas of Stonebrook, Novi said he was there for a similar reason, to talk about the Camelot project. He said we are just of the opinion that the project is not a good fit for the location in which it is being planned for. He believed Camelot brings no real community benefits to the city or the surrounding taxpayers or residents. He said as a matter of fact, it is pretty much to the contrary. He said Camelot wishes to take advantage of the City's Wildlife Park for an exclusive recreation room for all its residents. He stated the loyalty of the taxpaying citizens vowed to fight that proposal. He thought it was a bit of an overreach and they certainly hoped that the City Council would look at it differently than the Planning Commission. He thanked their friends from Island Lake, the Birchwood Subdivision, the Berkshire Subdivision, Oberlin Subdivision and the Deerfield Elementary PTO, and other concerned Novi residents that are here to possible talk about this development as well. Thank you so much for your time, they really appreciated it.

Logan Mays, 48614 Windfall Road, Novi said he was Vice President of the HOA at the Villas at Stonebrook Community. He thanked the City Council for giving them their time so that they could express their concerns that evening. He thanked them again for letting them express their concerns about the current developments that are proposed within our community. He hoped and expected that their concerns will be heard, considered

Carefully and then utilized to deny these developments in their current form. He said most urgently that evening was a discussion about the Camelot Park proposed development. He said there are two key concepts that he would like to focus on that evening, development, precedent, and transition. He stated at the Planning Commission meeting on June 7, they were lucky that our community had set a precedent for this area, which allowed for this transitional housing project to proceed using the PSLR overlay process. He said they were very appreciative of these efforts by our city of Novi representatives. He thanked them for setting this precedent, and we now expect that the nature of this precedent will be continued for all future developments proposed in and around our communities. He stated if we look closer at this precedent, we can clearly see the following criteria has been established, a precedent with a maximum of two-story construction with attached garages and no dumpsters, a slightly higher housing density relative to the neighboring communities, not orders of magnitude different, a transitional housing development whose character fits well within the neighboring communities in this area of Novi. He said these proposed developments neighboring our communities clearly violate this precedent that was set up by the Villas of Stonebrook development and therefore should it be denied in their current form. He said Camelot Park should be denied on these concerns alone, regardless of any traffic study that is being proposed and discussed that will be completed in the future. He said in addition to the precedent that was set, they also needed to discuss a topic of transition that has been mentioned several times verbally in various documents, including the latest City of Novi Master Plan, approving their development was indeed a slow transition between the surrounding single family homes and provides a benefit to the city with the use of our private road for the adjacent Woodland City Park. He mentioned however, these two proposed developments adjacent to their community would not be a transition. He said their community is two story homes with garages and private garbage bins hidden from view. He said Camelot Park is a three-story development with no garages or even carports. He stated dumpsters, not garbage bins, surely these developments would not be a transition, they will be a major functional and aesthetic leap of dramatic proportions to the surrounding communities. He said they do not fit within the character of these communities and should be denied by this committee as quickly as possible regardless of the traffic study. Thank you very much.

Charles Bilyeu, 26548 Anchorage Ct., Novi in the Island Lake Subdivision said he appreciated City Council's time that evening. He said he also wanted to talk about Camelot Park, but he will not repeat everything that you have heard so far. He said there are a few key points that he thought are important for the City Council to understand. He said it is mentioned previously about the Villas of Stonebrook was done as an overlay in the right way. He said very low density, very strong character high value homes for the community that match the character of the neighborhood what is being proposed with Camelot is far from that. He said a good way to understand this is five usable acres, they want to put 46 units on five usable acres, that is almost nine units per acre. He said that is an RM-2 to the way he read things, yet that does not match anything in the neighborhood. He said the developers will tell you when they come in that this is a luxury development. He said it is nothing more than a façade on a standard two bedroom apartment complex without any amenities that you would expect on this type of a

development. He said there is not even covered parking, let alone garages for someone who is willing to come in and live in this space. He said it does not match the character of the neighborhood, which is what the PSLR is intended to do. He said the other thing he wanted to make sure that Council understood before you see this is that it has been mentioned there were a number of people who came to the Planning Commission for this, and he wrote a letter for all of you to get his view on what happened at the meeting and he hoped they had the time to read it. He said the opposition is strong. He stated there is only one letter that came in for support of it, and it was from a resident who has since sold their home and is leaving the community. He thought it was important for you to understand that the only letter of support that came in. He said he would not bother you to repeat the things that you have already heard. He said those are the points he wanted to make that evening.

Don Van Oast, 25887 Junction, Novi in the Creek Crossing Subdivision. He said his issue was a lot smaller than what is going on this evening. He stated in 2010 he was here when Mayor Gatt had just become mayor. He said CVS had bought Perry Drugstore which is just east of his subdivision. He said they proceeded to make a request to enlarge the parking structure going north as they saw their business grow. He said they were addressed at that time in that area where they wanted to grow. He stated one was really an overflow of storm drains, but the other one was in wetland that had been around for 60 to 70 years. He said it had waterfowl and wild animals. He said it was a concern by the people in his community that was going to be destroyed and gone. He stated the DEQ got involved and the movement was not to be approved the extension that they wanted, which made them happy. He said their relationship with CVS over the years has been a little strained, they violated at times the noise ordinance, they refused to talk to some of the members of the subdivision. He said even a couple of times when the police came to go into the gate, they did not open it to talk about the noise. He said at this point, you cannot see the wetlands anymore, because when Perry sold it, they had everything manicured and not it is just overgrown trees and shrubs. He said if the wetland is there, after these 13 years, he is not aware of it because he cannot see it. He said the reason he was there that evening is that three days ago, surveyors came and checked their property line and said they represented CVS. He asked him why he was there, and they said we do not have an answer to why. He said they are concerned that as CVS has grown, they want to extend their norther property. He said if the wetland is there, we want to object to it, but we cannot see it. He did not know. He wanted to let you know that something is coming to foot, and there are some concerned citizens.

Lillie Saddler, 48622 Rockview Rd. Novi, in the Villas at Stonebrook. She said the reason she was there was to object to the Avalon Camelot development on Wixom Road for the following reasons. She stated the property is designated as R-1 which is residential and is in keeping with Villas at Stonebrook, Island Lake homes and the residential homes on the north side of the proposed apartments. She said Stonebrook Drive is currently a private road maintained by the Villas at Stonebrook, which is a single dwelling community with an entrance to Novi Wildlife Park. She said the traffic is already heavy in that area, and this apartment would create a nightmare. She stated Stonebrook Road is a safety exit, and also a safety hazard. She said it is a safety hazard for children going to the local

school. She said you do not know exactly where this property is proposed, it is exactly a half block from the entrance to the playground at the elementary school. She said it is not even a block from the entrance to the playground at the elementary school. She thought clearly this land is better suited to single family or duplex dwellings with garages, which would complement Island Lake and Villas at Stonebrook as well as the Novi community. She said Novi is known for having communities designated for family living with wetlands adding to the aesthetic beauty of the community. She believed the wetlands would be destroyed to add an excessive number of depth dwellings for profit. She thanked the City Council for allowing her time to speak.

Ann Nelke, 48646 Windfall Road, Novi. She quoted the City of Novi's Mission Statement She said as evidenced by the residential community's efforts to voice these through written letters, petitions, and taking the time to attend meetings, this appears both not being heard, as well as not being heeded. She stated the concerns of residents seem to fall into last place for a reason in the Mission Statement. She said her question would be, does the Planning Commission truly have the best interests of its residents in the forefront of their minds when deciding on projects that affect the quality of life, both now and well into the future? In closing, she gave some things to consider tax dollars usage. She stated she has never had children, yet each time she received her tax bill and see that most of the funds are for public education she was happy to do her part to ensure that our youth have the best opportunities possible for their futures with zero resentment or not on her dime, as they represent future leaders and community builders. Inclusion, she said the Wixom Corridor is extremely diverse with residents who have disabilities herself included, retirees, young families, as well as folks from all geographic areas of the globe to imply that they are somehow discriminatory is an insult. She said we already talked about the transition space. She said one thing she wanted to mention as well is where the Villas at Stonebrook exist now, that was a manufacturing site, an area of blight. She said it had already been developed. She said there exist a plethora of such former industrial sites which provide a much better remediation strategy than that of developing vacant EGLE regulated wetlands and woodlands. Quality of life, she stated the mature healthy trees and existence within these proposed sites represent a major source of carbon sequestration, soil conservation and flood prevention, again, harking a vision for what is in the best interest of the community. Now she said Novi's ranking has dropped from a score of seven, down to 10 on the Best Cities to Live list. She asked if this was the trend for the future?

Dan Deighton, 48796 Windfall Road, a resident of Novi since 1987, continuously with his wife, they have had a blast living in Novi, it is a great community. He stated he was there for two things. First, he wanted to see the City Council at work, being it was his first time seeing how the Council works itself. Second, he said he was there to strongly object to the Avalon Camelot development. He stated he would not repeat all the reasons previously stated, but two things. One is the safety for the kids, the development is going in front of Catholic Central, Deerfield Elementary and Middle School. He did not think this was a good thing. So, safety for the kids is first and foremost and for him, and obviously for you and probably everyone in this room. Second, the environment that is there that has been spoken to, it is when Wildlife Park is right there and to take away habitat for the

animals that we see going through that community would be improper. He stated those were his two key issues. He thanked the City Council for letting him express his concerns.

Jim Utley, 25972 Island Lake Drive, Novi said the Camelot apartment project, consisting of 46 apartments, was presented at a recent Novi Planning Commission meeting. He stated over 100 residents were in attendance, mostly residing at the Villas and Island Lake. He did not like the Planning Commission approved the Camelot four to two despite strong and detailed objections from the audience. He said the whole process at the end of the night became very contentious with most of them in attendance. He said it was as if they had their minds made up from the beginning and did not care what the residents had to say. He believed that they did not address any of their concerns and had their minds made up prior to the meeting. He believed the main problem with the Camelot project lies with the idea of additional traffic of 92 vehicles, 46 times two going to and from Stonebrook into Wixom Road intermittently throughout the day. He said as you will notice from the map, the one shared access from the Camelot apartments to Stonebrook makes that possible. He said there are no secondary accesses to that property back there or none that they could find at this time. He stated an additional problem with the project is the contractor's destruction of many mature and fully grown trees during construction. He said the planting of seedlings or developers' contribution toward a Tree Fund won't cut it, canopies of trees will be lost forever, if that is the case. He said the wetland issues involving construction can also be a problem. He said the development of Camelot as an R-1 overlay only served to create much higher density as compared to R-1 Residential, which was the area is too small to accommodate the R-1 overlay. He stated with the R-1 overlay there are 10 variations to the R-1 overlay standard, which you should know should speak volumes when it comes to the weakness of the project. He said they did not follow the overlay.

Katlanya Fortmann, 47369 Baker Street said she has lived in Novi for seven years. She thought the city was a little too car centric. She said it would be cool if we had safer biking and pedestrian paths around the road as well as public transit.

Michele Duprey, 48566 Windfall, Novi thanked the Mayor and City Council for hearing her concerns about Camelot Park. She said as a resident of Novi for 39 years she has seen a lot of changes in growth in the city. She was not opposed to growth and development; she has always appreciated the balance of urban life and the peaceful nature areas that exemplified Novi and we are losing that very balance. She stated that currently, there are 1005 apartment units under construction of being proposed in our city. She said too many apartment offerings will lead to supply and demand issues such as vacancies which does not mean assessment support the zoning changes and building of so many units. She wondered what Novi's vacancy rate for apartment living was. She asked if the city and schools are prepared for this influx of residents and vehicles. She said that no one can predict the future based on outcome studies and trends in housing. She did not see the large number of apartments being proposed in Novi sustainable, nor responsible, nor equitable, given the magnitude of apartment developments being proposed and not considering the effects of density, traffic, and safety, especially when such developments asked for a change in the Master Plan along with a multitude of variants

to accommodate their plan. She stated Camelot Park wishes to build three separate multi-level buildings on a small parcel of land, and this is usable land only. She said it is front laded along Stonebrook requiring a list of variances from the city in an already difficult traffic pattern. She did not see this proposal as a suitable option for that parcel of land. She respectfully asked the City Council to deny the applicants' proposal and thanked them for listening to her concerns.

Linda Cousino, 48848 Windfall Road, Novi in the Villas of Stonebrook. She said her request and her comments may seem simplistic and altruistic, but she was going to go forth with them anyway because this is how she felt. She said if this beautiful little piece of land filled with mature trees, all sorts of wildlife, bird sounds, which are incredible when you walk by, is torn up and replaced by bricks and mortar and asphalt. It's gone. She said when it is gone, it is gone. Is it ever possible for the City of Novi to let this small, beautiful piece of nature, which is surrounded by developments to remain just to be for the simple pleasure of all of us and for future generations?

Al Difalco, 48749 Rockview Road, Novi said after having attended a couple of Planning Commission meetings, he was disappointed that they were told the folks at the Planning Commission's only evaluate the project, they do not evaluate the contractor. He thought that is not necessarily the way it should be done. He thought your job is to use the rules of common sense of rational thought. He said his wife went online and did a little work on the ladder program, Department of Licensing and Regulatory Affairs, didn't find it. He said a very minimal website for Wixom Road development, date of existence, but it is not in good standing. He also did not understand, no, I am not a builder, he will not even attempt to speak about that issue, but he thought that the City Council before they consider this proposal needs to look and see what the quality of the contractor. He wondered if they would serve the areas or if the citizens that do not by the way should be served. He also commented that he wanted to make have already been made by his predecessor, so he will not repeat them. Again, he thought this development is just not a transitional plan for that usage. Thank you for serving the City of Novi.

Ratul Grover, 50735 Amesburg Drive, Novi resident of Island Lake stated he was there to voice his opposition to this apartment complex. He said he has been a resident of Novi for over 10 years now and has seen the landscape of the city change for the worse in these 10 years. He said several green spaces or green areas have been replaced with homes. He said the traffic on the roads is 10 times worse than what it was 10 years ago. He said he did not have children going to school anymore, but he was sure that the schools have also become a lot more crowded because of all the developments that have happened over the past 10 years. He said the City of Novi website specifies that the city government has a responsibility to work towards the betterment of the entire Novi Community today and long into the future. He said what is unclear to him is how destroying trees and other green areas for building apartment complexes in low density housing areas is going to improve the lives of the Novi residents now and well into the future. He said the houses are adding more traffic to the already packed roads, how is that going to improve the lives of Novi residents now and well into the future. He wondered how making the schools more crowded will improve the quality of life for the

residents of Novi. He thought it was very clear that the residents of Novi are not in favor of the high-density residential development that is being proposed and he believed there were a couple residential developments that are being proposed. He said we are essentially your stakeholders here and we are telling you very clearly that this apartment complex does nothing to improve the quality of life of Novi residents. He said on the contrary, it makes our lives more miserable because of the increase in traffic and because of overcrowding of schools, and the destruction of green areas from the city. He asked the City Council, in line with their responsibility towards the residents of the city, please do not approve this development. He said instead leave the area as it is, or better turn it into a park or build a trail so that we can benefit from it now and long into the future. He thanked the City Council for giving him the opportunity to speak.

Arul Jaganathan, 48668 Windfall Road Novi in the Villas of Stonebrook. He objected to these two apartments. He said he previously lived in Macomb County, two years ago we moved here with an understanding of this property and this area as a great place to live with his family. He said the City has given a kind of a warranty to the builder to sell these properties in such a high premium value. He stated they all paid hefty lot premiums to buy these, now the city is compromising that and coming up with different apartments, etc. He thought that was a breach of trust. He objected to this; this is not the way the business should be conducted. Thank you.

Vincent Lee, 25603 Shoreline Drive, Novi said he was opposed to the project for many reasons. One, his wife Chris stood up and talked against it, he needs harmony at home. Two, he saw it differently than everyone else in the room. He said there is so much community and so much support, but he saw it through a different set of eyes, one that has been in real estate for 63 years. He worked as a real estate salesperson in Michigan since 1960. He worked for the FHA as an appraiser, VA as an appraiser, also employee transfer pricing for Chrysler, GM, Ford, IBM, etc. He said you see it from a different point of view. He sees it as a homeowner, a parent, as a grandparent, as an investor to protect your investment. He said he has been in this situation so many times, many discussions on this topic. He said what it really amounted to is what a lot of people said about the safety of children and amounts of property values. He said we are not trying to exclude anyone. He said this is not an owner against renter, this is not high income against low income, it is a protection of investment, safety of children is number one. He said this means that, as a mortgage broker, as a real estate appraiser, his son and he own a mortgage bank, Success Mortgage Gardeners, we have about 400 employees, we are in 42 states, the same situation exists in every city in every state. He asked what is the same situation? He stated if you are a parent, and a grandparent number one is security of children. He said that is one of the reasons he and his wife came to Novi, we have a good police force. He said when he was an FHA appraiser his chief appraiser used to say, "I don't care if you have a circular stairway, if you have a chandelier, if your daughter is not safe walking the streets, your property has no value." He said we need to protect and preserve what we have now. He said property values go up when the children are safe.

Ronny Kashat, 24790 Nepavine Drive said he was there with his son. He stated when he was in the third grade, he used to ride his bike to school and had no concern. He said

with these apartment buildings coming up, and the traffic around Deerfield Elementary which is where his son goes, he was concerned that his son will not get that chance because he was concerned with these apartment complexes coming in. He believed they would likely bring a younger crowd with less experience driving, and possibly less responsibility, that was just his thought, but again, more traffic. He said if you have ever been near Deerfield in the morning, there are tons of buses, cars, walkers, and not that many bikers. He said again, his hope is for his son to be able to carefully go to school on his bike if he chooses to do so. He thought these apartment complexes would make it a lot more complicated for him.

Matt Heintz, 24551 Kings Pointe, Novi said he was filled with respect and admiration for all of our community members that came out that evening, sharing their perspective and giving their opinion about the value of wildlife being able to live amongst wildlife and not continue to put it out, continue to conserve the grades, just kind of general structure and atmosphere that Novi has, without trying to drastically change it. He wanted to share one quick statistic and that is simply that since 2000, Novi has grown about 40%. When you compare that to cities of a comparable size, Novi is growing at a much faster rate compared to comparable cities. He said if you were to just simply map out based on the census populations. He stated what Novi will be like in about 25 years, we are about 66,000 currently, and in 25 years will be estimated to be about 100,000 people with the same growth rate not just within the past, using the same popular population, just if you have been looking over a 10-year span, basically using data since about 1960. He believed we are growing at a rate that is not going to be able to maintain this pace and not going to be able to maintain this feel. He hoped very much that you would continue to listen to the community, as he hoped you would, but the importance of just trying to address a change too much too quickly, but being able to live how we currently are with wildlife.

Arul Thirumoorthi, 24428 Acorn Trail, Novi said he has been a Novi resident for several years now and lived in the vicinity. He said he had a daughter at Deerfield Elementary and a daughter at the middle school, so all the concerns about traffic and potential residents do apply. He said his objections are multifold. He stated the biggest one is the character of the development, there is not a single development on Wixom Road in Novi that does not have attached garages. He did not care about the term transition housing that is all appropriate and fair, but it is not consistent with character. He stated there is not a property, all the new buildings going up on Grand River, the condos all have attached garages. He thought this is a high-density structure that is not consistent with other structures that have been built. He said if we want to have quality housing, we won't call it luxury housing renter or owner occupied, we should have consistency. He said that is not and this is his biggest objection to this. He cannot predict who is going to live there, he could not predict what number of kids is going to be added to an already packed school. He said he was concerned, but mostly opposed to the design as it stands and did not believe it should go forward. He said they would like you to enforce the consistency of development as compared to the other new developments in the city and asked him to go back to the drawing board and reassess it. He said they do not want any structures

that do not have attached parking and just adding more cars directly onto the street. He felt this was going to add to a street that is right next to the park and next to Deerfield.

Janice Krupic, 48870 Windfall, Novi in the Villas of Stonebrook and she did not want to repeat everything that had been shared that evening, but she wanted to share a quick story. She said she was on her way home that evening to the Villas of Stonebrook, she was going southbound on Wixom Road to turn left into her subdivision. She said the car behind her stopped because she was obviously waiting for the traffic to clear to turn, but four cars behind her did not stop, they swerved out into oncoming traffic going northbound. Luckily, those cars swerved away, but he would have collided head on. She wanted to share with you that this is not an isolated incident.

She congratulated our new city manager; she understood it was official. She wanted to bring up Victor because he was gracious enough to meet with a couple of us this past week. She said when they asked him about what his number one challenge was going to be that he was going to face as city manager, he outwardly said public safety, and shared that because of the lack of staffing it really is a challenge. She encouraged the City Council to think about that. In closing she wanted to share that there are about 100 people here and gathering, but just know that they represent thousands of people and thousands of very concerned citizens.

Steven Buchman, MD, 50748 Drakes Bay Drive, Novi said he was a full professor of plastic surgery, he reconstructs children that are born with deformities at Mott Children's Hospital. He left Ann Arbor to come to this beautiful community of Novi, the peaceful, wonderful, beautiful community that four of his children have grown up with so that he could drive over and bring them to the high school, bring them to Deerfield and do what he needed to do. He said he has never been so proud of the citizenry that has come up to the Planning Commission and come together to basically let you know what it is that we think about this development. He asked why do we think it is not in keeping with what Novi is all about? He said it is not Canton, we are not Plymouth, we do not subdivide and just grow without thinking. He wanted to explain why he was so disappointed in the Planning Commission. He said all these people came here to discuss how that citizenry sort of felt about this new development going up. He echoed a previous speaker and said not only did it seem that their minds were made up, but they hardly listened to what we said. He said 140 different people had written things, almost 100 people had come here. He stated afterwards, one of the gentlemen on the Planning Commission tried to explain to us, if the developers check all the right boxes, there is really nothing we can do, that is belied by a three to two vote that was there. He said if box checkers were all that we needed as our Planning Commission, we would not need a Planning Commission. All you need is the clerk's to be able to pass it on to you, but that was not the worst. He stated the worst was another Planning Commissioner, who deemed to lecture us, had the temerity to have the contempt for 100 people that were there that day, and explained to them how they were not really thing about diversity. He said he did not think he had ever been more insulted. He said we have a very diverse community, an amazing diverse community, he goes to the schools, we have International Day, it is amazing. He said he has never been more disappointed in a Planning Commission. He said from his

standpoint, Novi is a beautiful place. He said he is very much interested in safety. He helped take care of two near misses on Wixom Road, he wanted to make sure that he was not there for one final one, which is not a near miss. He said think about our kids, that is what he does all the time. He asked that the City Council listen to the citizenry.

Christine Lee, 25603 Shore Line Drive, Novi agreed with every presentation made. She said the purpose for her coming before you is the safety of the children. She said she has been in education for 40 years and has attended numerous meetings. She said one of the most important things on the agenda was how we make this a safe school for the children that come here. She said we have about 2000 children that go to school in Novi, within maybe a mile and a half, 1000 or more go to Catholic Central, most of whom drive. She said we have about 400 to 500 elementary school children, many of whom cross Wixom Road with the aide of a crossing guard, and they do a good job. She stated what they see as a resident in the community is there is so much traffic on Wixom Road and people are becoming impatient. She described what people are doing, they are ducking through the subdivision because almost every road from Island Lake will empty out onto Wixom Road. She said they now have signs that have been put up in from of their subdivision, reminding people that children live here and to please adhere to the speed limit within the subdivision. She asked the City Council to make this one of our major considerations, because this community will put on at least 100 more cars for people who travel down Wixom Road.

Mayor Gatt thanked everybody for your patience, for your professionalism. We heard you. He hoped that every heard the City Manager before we got started here. He said the City Council has not taken this matter up yet. He informed them they have not received information yet, but he assured them that there are seven people up here, we are all homeowners, we are all residents, we are all taxpayers, the younger people have children that still go to school, the older people had children that did go to school. He stated he was a cop for 40 years. He reiterated everything that you said, they heard, and when it comes to them, they are going to make a very in depth and informed decision. He did not know when it was coming, they were not told in advance, he thought the City Manager said it is a month away or so. So again, thank you all for coming that evening. He reminded every there will be a second Audience Participation coming of you so choose.

CONSENT AGENDA REMOVALS AND APPROVALS:

CM 23-06-075 Moved by Casey, seconded by Fischer; CARRIED UNANIMOUSLY

To approve the Consent Agenda as presented.

- A. Approve Minutes of:
 June 5, 2023 - Regular Meeting
- B. Approval of Text Amendment 18.302 to update the standards for public schools, nonconforming uses of land, and other minor modifications. **SECOND READING**

- C. Approval to purchase a 2023 E42 R2 Bobcat compact excavator from Carleton Equipment Co. through the MiDeal Purchasing contract in the amount of \$72,552.71.
- D. Approval of the final payment to Bidigare Contractors, Inc. for the Ten Mile Road Water Main, Sidewalk, Culvert & Headwall at Wixom Road project, in the amount of \$29,736.76, plus interest earned on retainage.
- E. Approval of the request from Parc Vista subdivision for a variance from Design and Construction Standards Section 11-68(a) to allow a flow of approximately 1,900 gallons per minute instead of the 2,000 gallons per minute required for single-family residential subdivisions.
- F. Approval of a Resolution to close the intersection of Ten Mile and Taft Roads for the 2023 Homecoming Parade from 4:45PM to 6:15PM on Friday, September 29, 2023.
- G. Adoption of Resolution approving the City's Transportation Asset Management Plan (TAMP).
- H. Approval of request to transfer ownership of an escrowed 2022 Class C & SDM license with Sunday Sales Permit (AM & PM), Entertainment Permit and Specific Purpose Permit (food) from Taboo Sushi Bar & Grill LLC to Joe Kools of Novi, LLC, 43200 Crescent Blvd., Novi, MI 48375.
- I. Approval of employee contract between the City of Novi and Victor Cardenas as the City Manager of the City of Novi, Michigan.
- J. Enter Executive Session immediately following the regular meeting of June 26, 2023 in the Council Annex to discuss land acquisition, pending litigation: Gerald Orchard vs City of Novi case, and written confidential correspondence from Labor Counsel.
- K. Approval of claims and warrants – Warrant 1134

Roll call vote on CM 23-06-075

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

Nays: None

Mayor Gatt wanted to take one moment to say congratulations to Victor Cardenas because he was just appointed to be our permanent City Manager.

MATTERS FOR COUNCIL ACTION:

Mayor Gatt submitted David Dismondy for nomination for the Planning Commission.

1. Appointments to Boards and Commissions

CM 23-06-076 Moved by Gatt, seconded by Crawford; CARRIED UNANIMOUSLY

Approval of David Dismondy for reappointment to the Planning Commission for one full term.

Roll call vote on CM 23-06-076 Yeas: Crawford, Fischer, Smith, Thomas, Gatt, Staudt, Casey
Nays: None

City Clerk Hanson provided the results of balloting: Construction Board of Appeals Alternate Position will remain open, we did not have anybody appointed at this time, for the Parks, Recreation and Cultural Services Commission, Ryan Joseph, and Hideki "Harry" Torimoto were reappointed.

Mayor Gatt congratulated those people who were appointed that evening. He said for those who applied, but were not appointed, we ask that you keep applying because it is people like you that make Novi so great.

2. Approval of resolution to authorize Budget Amendment #2023-5

CM 23-06-077 Moved by Staudt, seconded by Fischer; CARRIED UNANIMOUSLY

Approval of resolution to authorize Budget Amendment #2023-5

Roll call vote on CM 23-06-077 Yeas: Fischer, Smith, Thomas, Gatt, Staudt, Casey, Crawford
Nays: None

3. Consideration of approval to award engineering services to OHM Advisors for oversight and administration of the Distribution System Material Inventory for the City's water service lines, in the amount of \$125,500.

City Manager Cardenas explained that this is an unfunded liability mandated from our state representatives. He said this to identify lead pipes throughout the community, we probably have less than a percentage, less than half of a percentage. He said it is \$125,000 that we must spend as dictated by the state and they are not going to reimburse us.

Member Casey directed her question to either the City Manager or DPW Director Herczeg. She mentioned the expenditure is one thing, but we show a budgeted amount of \$375,000. Is that what we expect the entire project to potentially cost if there is replacement, or anything like that. City Manager Cardenas replied that he believed that is just the amount we have budgeted for our line item for the engineering for the water services and inlining. He believed it was budgeted for \$125,000, the estimate was

\$125,000, unless he was wrong. DPW Director Herczeg said generally we budget engineering services separately and this project really isn't a construction project, it is more oversight. He said he will look back, but he believed the \$300,000 was the estimate for the project, \$100,000 was the estimate for the engineering services. Member Casey thanked him for the clarity and said we are not expecting to see a large channel of things. Mr. Herczeg said he would double check and he will reply tomorrow.

CM 23-06-078 Moved by Casey, seconded by Fischer; CARRIED UNANIMOUSLY

Approval to award engineering services to OHM Advisors for oversight and administration of the Distribution System Material Inventory for the City's water service lines, in the amount of \$125,500.

**Roll call vote on CM 23-06-078 Yeas: Smith, Thomas, Gatt, Staudt, Casey, Crawford, Fischer
Nays: None**

4. Consideration of approval of Change Order No. 1 to LGC Global Inc. for the Novi Road/13 Mile Road PCCP Water Main Repair project in the amount of \$123,919.21.

CM 23-06-079 Moved by Casey, seconded by Thomas; CARRIED UNANIMOUSLY

Approval of Change Order No. 1 to LGC Global Inc. for the Novi Road/13 Mile Road PCCP Water Main Repair project in the amount of \$123,919.21.

**Roll call vote on CM 23-06-079 Yeas: Thomas, Gatt, Staudt, Casey, Crawford, Fischer, Smith
Nays: None**

5. Approval to renew the City's 2023-2024 property and liability insurance coverage with Kapnick Insurance Group in the amount of \$553,954.

City Manager Cardenas noted that this came before the Consultant Review Committee. He said this is a one-year renewal. He informed Council that they do plan on going back out for bidding at some point later this year after they get us all their ducks in a row to make sure they have everything correctly valued so we can get a good comprehensive bid going forward.

CM 23-06-080 Moved by Thomas, seconded by Casey; CARRIED UNANIMOUSLY

Approval to renew the City's 2023-2024 property and liability insurance coverage with Kapnick Insurance Group in the amount of \$553,954.

Roll call vote on CM 23-06-080

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

Nays: None

- 6. Approval to enter into an agreement effective July 1, 2023, to purchase Taser equipment for the Novi Police Department from Axon Enterprise, Inc., sole source provider, for a total of \$286,274 over a five-year period.**

Commander Meier said our current tasers are coming to an end of life and the warranty is about to expire, so we need to outfit our staff with the new updated taser. He stated this had been in the budget for a while for a previous version of it. He said now we are getting the new updated version of it with all the bells and whistles that come with it. Mayor Gatt thanked him for sitting through everything and keeping us safe.

CM 23-06-081

Moved by Smith, seconded by Staudt; CARRIED UNANIMOUSLY

Approval to enter into an agreement effective July 1, 2023, to purchase taser equipment for the Novi Police Department from Axon Enterprise, Inc., sole source provider for a total of \$286,274 over a five-year period.

Roll call vote on CM 23-06-081

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

Nays: None

- 7. Consideration of the recognition of Juneteenth as a holiday for the City of Novi.**

Mayor Gatt commented that he came to the City Manager with this question not long ago, he said he prepared some words, so he did not forget. He said on June 19, 1865 nearly two years after President Lincoln emancipated the enslaved Africans in America, Union troops arrived in Galveston Bay, Texas with news of freedom. More than 250,000 African Americans embraced freedom by executive decree, in what became known as Juneteenth, or "Freedom Day". Juneteenth honors the end of slavery in the United States of America and is considered the longest running African American holiday. He added that the county had a Juneteenth Celebration, and one of the speakers said that for the last 100 years, many different African Americans would celebrate this holiday, but they did so behind closed doors, they were afraid. Mayor Gatt said that really touched him. President Biden signed the legislation that made Juneteenth a federal holiday in June of 2021. The holiday has been celebrated in the black community for more than a century, but it did not become a federal holiday until two years ago. This year, the Michigan legislature voted to make it a state holiday as well, guaranteeing Juneteenth is a paid day off for even more workers. He said a few months ago, the Oakland County government made Juneteenth a county holiday, guaranteeing Juneteenth is a paid day off for all county employees. He said there are still many workplaces that don't, or as hopeful workers say, don't yet. He stated Novi always exclaims that we are the best, the best of the best. He said we are the leaders of the CBTs cities, villages, townships, and

state. He said he did not know how many CBTs in Michigan call Juneteenth the holiday. He did not think many, but he said he knew that Novi is better than anywhere else. He noted that the city currently has 13 observed holidays. He said he could read them to you, but he didn't want to bore you. He said while there is an underlying cost for lost productivity, the city pays the employees for 2080 hours whether the employee is working on the holiday or paid time off. He said there will be costs, make no mistake, Police and Fire who are working will be paid premium pay, DPW who might be called in that day would also be paid premium pay, and many employees get an additional eight hours for a holiday at the end of the year. However, he said whatever the costs and in a General Fund budget of \$30 to \$35 million, the cost is extremely minimal. He said we do have some figures if you are interested, it is like \$35,000 to \$40,000, he felt the good that we are making will far outweigh the monetary cost. Having said that, he was going to make a motion right now that beginning in the Calendar year 2024 Juneteenth be added to the currently observed City of Novi holidays, and all full-time employees, both union and non-union be give the day off with pay to observe Juneteenth.

CM 23-06-082 Moved by Gatt, seconded by Staudt; CARRIED UNANIMOUSLY

Approval of the recognition of Juneteenth as a new holiday for the City of Novi.

Member Smith wholeheartedly agreed with the Mayor's comments and just a couple of asides from his standpoint, he has always been someone who is interested in history. He stated when he went to school history taught him that the Civil War ended when Lee surrendered at Appomattox. He said with Juneteenth, he has learned since then, that is not really what happened. He said as he grew older, what really started to interest him was not the battles of the Civil War, but how we recovered as a nation from those battles. He thought June 19 is a great way to take some time to reflect on where our country is and where our country is going. He reiterated he wholeheartedly supported this motion.

Member Fischer thanked Mayor Gatt and said he wanted to take a second and thank him for your leadership in bringing this up. He said this is not the first time that you have used your connections and your ability to work with the county to bring some great ideas to the City. He said another great example was the three-year budget we do now. He wholeheartedly supported this and thanked him for bringing this to our attention and putting it up for a motion. He stated he would vote yes, enthusiastically.

Member Casey echoed the previous speakers and wanted to add now that if this motion passes, as she was hoping that it does, that now, all entities in the City because the Library has preceded us with making Juneteenth a holiday, so now all of the entities in the City will be together recognizing the residents and recognizing Juneteenth.

Roll call vote on CM 23-06-082

**Yeas: Casey, Crawford, Fischer, Smith,
Thomas, Gatt, Staudt
Nays: None**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None

AUDIENCE COMMENT:

Ezekiel Chojnacki, 22130 Solomon Blvd, Novi said he just moved to Novi a couple months ago, this new development was a bit of surprise to him, though he was happy to see the large turnout and participation in our local democracy. He said it did raise an issue that he has noticed in just his short time living here and that is the car focus nature of the city of Novi, obviously as more of a suburban environment and an offshoot of the city of Detroit. He said Novi has grown exponentially because of the proliferation of automobiles. He mentioned GM worked very diligently in the past to eliminate public transportation and that eliminating has had major costs for the United States. He believed if we are to see continued development in Novi and the United States as a whole, we need to go back and begin to work on public transit. He said he was not speaking of buses; buses are just large automobiles. He would like to see the City of Novi develop mass transit in the form of trains primarily or light rail. He said it hosts many benefits. He thought many of the United States problems start with a lack of public transit. He gave an example, our difficulties with obesity centered around people not getting outside and walking and enjoying nature and that is in part because they can get in a car and drive from point A to point B without ever walking and you know, getting around in that way. He noted furthermore, the traffic that they all mentioned in the risks it presents to kids can also be resolved with safe public transit. He stated in Europe we see children as little as five years old, leaving their homes and getting on public transit and making it to school or to a shop or to anything else. He thought public transit is very good for commerce and for just the overall happiness of people.

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES:

Mayor Pro Tem Staudt said he added pickleball court parking for further discussion. He mentioned that during a recent trip over to the park and the area in question he took an opportunity to go over and look at the pickleball courts, and much to his surprise there were cars parked all the way along the area that was just recently fixed up, cleaned, new trees, beautiful grass, the cars were all parked there. He said there were all cars in the lot, it is a very small lot. He said he walked over and talked to some of the users of the pickleball court and they told him that at times there are as many as 40 people there, which means 40 vehicles for the most part, he thought potentially maybe 12 to 13 parking spots. He said some of the discussion we heard from residents at the Villas, said that there are cars parked all along the side of the road there in addition. He said there are some people that are parking at Deerfield Elementary, however, he did not think any of us really want our city residents using our parks to be parked in the school parking lot. He said what he would like to do is there is a CIP item that includes both pickleball courts and a parking lot. He would like to see those separated, leave the pickleball courts in the CIP where they are and to move forward the parking lot so that we can move that forward. He would like to have that updated and brought to the City Council for

consideration, because we have fixed these parks to look good and for good reasons, and parking is not one of them. He thought it was time for us to address this now. He has asked his colleagues for support on that. Mayor Gatt asked him if he was making a motion. Mayor Pro Tem Staudt explained that at this point, there is a CIP item that had the pickleball courts and additional pickleball courts and parking that he would propose for us to take into consideration. He was not asking for a vote right now because it probably needs to be reviewed by the engineer and the cost of it, but he would like it brought back and then soon with real numbers and put on the agenda for us to consider.

Mayor Gatt announced that the City Council was entering Executive Session at 8:10 P.M. and they planned on returning to Regular Session.

Mayor Gatt announced they had returned to Regular Session at 8:52 P.M.

CM 23-06-083 Moved by Fischer, seconded by Casey; MOTION CARRIED: 6-1

To enter the settlement proposed by Counsel in Closed Session and authorize the City Manager to execute the Settlement Agreement.

**Roll call vote on CM 23-06-083 Yeas: Fischer, Smith, Thomas, Gatt, Staudt,
Casey
Nays: Crawford**

CM 23-06-084 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY

To approve of the Labor Agreement between the City of Novi and the Police Clerks and Dispatchers Union for a term of July 1, 2023 through June 30, 2027.

**Roll call vote on CM 23-06-084 Yeas: Fischer, Smith, Thomas, Gatt, Staudt,
Casey, Crawford
Nays: None**

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:53 P.M.

Cortney Hanson, City Clerk

Robert J. Gatt, Mayor

Transcribed by Deborah S. Aubry

Date approved: July 10, 2023