

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, NOVEMBER 20, 2023 AT 7:00 P.M.**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Fischer, Council Members Casey, Heintz, Smith, Staudt, Thomas

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

APPROVAL OF AGENDA:

CM 23-11-134 Moved by Casey, seconded by Smith; MOTION CARRIED: 6-0

To approve the Agenda as presented.

Roll call vote on CM 23-11-134 Yeas: Casey, Heintz, Smith, Staudt, Thomas, Fischer
Nays: None

APPOINTMENT OF MAYOR PRO TEM

Mayor Fischer appointed Laura Marie Casey as the Mayor Pro Tem for the next two years.

PUBLIC HEARINGS: None

PRESENTATIONS: None

MANAGER/STAFF REPORT:

City Manager Cardenas congratulated the new Mayor and City Council. He announced that we also have with us the new Assistant City Manager, Danielle Mahoney, who was joining us from Cary, North Carolina. Ms. Mahoney said she was excited to be here.

ATTORNEY REPORT: None

AUDIENCE COMMENTS:

Two Novi High School student representatives spoke regarding community awareness of zoonotic diseases.

CONSENT AGENDA REMOVALS AND APPROVALS:

Member Thomas removed from the Consent Agenda, Item D for further discussion.

Member Smith removed from the Consent Agenda, Item C for further discussion, because it is related to Item D.

CM 23-11-135 Moved by Casey, seconded by Smith; MOTION CARRIED: 6-0

To approve the Consent Agenda as amended.

- A. Approve Minutes of:
October 23, 2023 - Regular Meeting
- B. Approval to award engineering design services to AECOM for the 2024 Neighborhood Sidewalk Repair Program in the amount of \$42,500.
- C. Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to eliminate the sidewalk requirement along 12 Mile Road. **REMOVED/LATER APPROVED**
- D. Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to pay into the City Sidewalk Fund in lieu of construction of the boardwalk along Grand River Avenue.
REMOVED/LATER APPROVED
- E. Acceptance of a highway easement and temporary grading easement for completion of sidewalk at 39415 Ten Mile Road in the amount of \$30,000.
- F. Adoption of Resolution for application to the Transportation Alternatives Program (TAP) grant for construction of a pathway connector between the ITC Trail and Bosco Fields park.
- G. Approval to accept the Bill of Sale for the ITC Trail Comfort Station per the requirements of the Terra PRO Agreement and site plan, JSP17-0052. The site is along the north side of Nine Mile Road at Garfield Road.
- H. Authorization to close on the purchase of property (Parcel No. 22-24-301-013) located on Meadowbrook Road between Grand River Avenue and Ten Mile Road, approximately 4.51 acres for the purchase price of Two Hundred Ninety-Five Thousand Dollars (\$295,000.00), subject to the existing building and use restrictions and easements of record.
- I. Approval of claims and warrants – Warrant 1143

Roll call vote on CM 23-11-135

**Yeas: Heintz, Smith, Staudt, Thomas, Fischer,
Casey
Nays: None**

MATTERS FOR COUNCIL ACTION:

- 1. Adoption of a resolution authorizing approval of a contract with the Michigan Department of Transportation to agree to the rights and obligations associated with the rehabilitation of Wixom Road from 10 Mile Road to Hartwick Drive with the City of Novi's estimated responsibility for construction in the amount of \$3,531,612.37.**

CM 23-11-136 Moved by Smith, seconded by Casey: MOTION CARRIED: 6-0

Adoption of a resolution authorizing approval of a contract with the Michigan Department of Transportation to agree to the rights and obligations associated with the rehabilitation of Wixom Road from 10 Mile Road to Hartwick Drive with the City of Novi's estimated responsibility for construction in the amount of \$3,531,612.37.

Roll call vote on CM 23-11-136

Yeas:	Smith, Staudt, Thomas, Fischer, Casey, Heintz
Nays:	None

2. **Initial review of Planned Rezoning Overlay (PRO) eligibility of the request of Toll Brothers, LLC, for Elm Creek, JZ22-28, to rezone from Office Service Technology (OST) and Low-Rise Multiple Family (RM-1) to Low-Rise Multiple Family (RM-1) on land located on the west side of Meadowbrook Road, south of Twelve Mile Road in Section 14. The applicant is proposing to utilize the Planned Rezoning Overlay option to rezone and develop a 134-unit multiple-family townhome development on approximately 37 acres of land. Under the new PRO Ordinance, this initial review by City Council is an opportunity to review and comment on the eligibility of the proposal.**

Scott Hanson, Toll Brothers gave a brief presentation.

Mayor Fischer turned it over to the City Council for their comments and discussion.

- ### 3. Discussion on the process to fill the open Council seat.

CM 23-11-137 Moved by Smith, seconded by Thomas: MOTION DENIED: 3-3

To appoint Sujata Raman to the vacancy on City Council.

Roll call vote on CM 23-11-137

Yeas:	Heintz, Smith, Thomas
Nays:	Fischer, Casey, Staudt

CM 23-11-138 Moved by Staudt, seconded by Casey: MOTION CARRIED: 4-2

To fill the vacancy on the City Council by using the process that has been proposed and has been previously used in appointments, scheduled interviews, leading to votes for appointment.

Roll call vote on CM 23-11-138

Nays: Thomas, Heintz

4. Consider Resolution Delaying Council Committee Appointments.

CM 23-11-139 Moved by Smith, seconded by Staudt: MOTION CARRIED: 6-0

**Approval of Resolution Delaying Council Committee Appointments
until the first meeting in January 2024.**

**Roll call vote on CM 23-11-139 Yeas: Fischer, Casey, Heintz, Smith, Staudt,
Thomas
Nays: None**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION:

- C. Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to eliminate the sidewalk requirement along 12 Mile Road.

CM 23-11-140 Moved by Smith, seconded by Thomas: MOTION CARRIED: 6-0

**To approve the request from Goddard School Annex (JSP22-0059) at
48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a
variance from the Design and Construction Standards Section 11-
256(b) to eliminate the sidewalk requirement along 12 Mile Road.**

**Roll call vote on CM 23-11-140 Yeas: Casey, Heintz, Smith, Staudt, Thomas,
Fischer
Nays: None**

- D. Approval of the request from Goddard School Annex (JSP22-0059) at 48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a variance from the Design and Construction Standards Section 11-256(b) to pay into the City Sidewalk Fund in lieu of construction of the boardwalk along Grand River Avenue.

CM 23-11-141 Moved by Thomas, seconded by Casey: MOTION CARRIED: 6-0

**To approve the request from Goddard School Annex (JSP22-0059) at
48600 Grand River Avenue (parcel no. 50-22-17-126-013) for a
variance from the Design and Construction Standards Section 11-
256(b) to pay into the City Sidewalk Fund in lieu of construction of
the boardwalk along Grand River Avenue.**

**Roll call vote on CM 23-11-141 Yeas: Heintz, Smith, Staudt, Thomas, Fischer,
Casey**

Nays: None

AUDIENCE COMMENT:

Thirteen members of the community came in to participate in the Audience Comment to support Sujata Raman for the vacancy on City Council.

COMMITTEE REPORTS: None

MAYOR AND COUNCIL ISSUES: None

ADJOURNMENT – There being no further business to come before Council, the meeting was adjourned at 8:12 P.M.

Cortney Hanson, City Clerk

Justin Fischer, Mayor

Transcribed by Deborah S. Aubry

Date approved: November 27, 2023