



CITY COUNCIL AGENDA

CITY OF NOVI
Regular City Council Meeting

March 20, 2023 | 7:00 PM

Council Chambers | Novi Civic Center | 45175 Ten Mile Road
(248) 347-0460

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

PUBLIC HEARINGS

PRESENTATIONS

Foreclosure Prevention - Oakland County Treasurer Robert Wittenberg

PRESENTATIONS

[Presentations](#) for applicants of Boards and Commissions

Adrienne Breznau - Library

Ajeeta Gawalapu - Library

Jared Oluoch - Library

Padmalehka Ramani - Library

Adam Stevenson - Library

Ashleigh Taylor - Library

Rachel Yamakura - Library

REPORTS

1. Manager/Staff
2. Attorney

AUDIENCE COMMENT – In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit. This is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council. Speakers wishing to display visual materials through the City's audiovisual system must provide the materials to the City Clerk's Office no later than 12:00 P.M. the day of the meeting. The materials cannot be changed before the meeting.

CONSENT AGENDA REMOVALS AND APPROVALS – All items listed under Consent Agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered at the end of the normal Agenda.

MATTERS FOR COUNCIL ACTION

1. Consideration to approve Purchase Agreement for property at the southwest corner of Eleven Mile Road and Beck Road, approximately 3.93 acres, 25901 Beck Road, Parcel No. 22-20-200-021 and amend the budget.
2. Approval of Introduction of Ordinance 23-64.04, an ordinance to amend Chapter 2, Administration, Article V, Boards and Commissions, Division 2, Beautification Advisory Commission, Section 2-172., Composition. **FIRST READING.**

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION – Consent Agenda items which have been removed for discussion and/or action.

AUDIENCE COMMENT – In order to hear all citizen comments at a reasonable hour, the City Council requests that speakers respect the three-minute time limit. This is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council. Speakers wishing to display visual materials through the City's audiovisual system must provide the materials to the City Clerk's Office no later than 12:00 P.M. the day of the meeting. The materials cannot be changed before the meeting.

COMMITTEE REPORTS

MAYOR AND COUNCIL ISSUES

COMMUNICATIONS

CONSENT AGENDA – Background information for Consent Agenda items is available for review at the City Clerk's Office.

- A. Approve Minutes of:
March 6, 2023 - Regular Meeting
- B. Adoption of Resolutions requesting the Michigan Department of Transportation (MDOT) include the existing bridges on 9 Mile Road over Thornton Creek and on Ashbury Drive over the Middle Rouge River in the State Local Bridge Program List for Replacement. If MDOT selects one or both bridges, the City of Novi will accept 100% of the design engineering costs and 5% of the total construction cost.
- C. Approval of the Zoning Map Amendment 18.739 request 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. **SECOND READING**
- D. Approval of Pawnbroker License renewal requested by Joseph Haddad, owner of Gold Buy and Jewelry, 41490 Grand River Avenue.

- E. Approval to renew Dispatch Agreement with the City of South Lyon beginning July 1, 2023 through June 30, 2026.
- F. Approval for the dissolution of the Housing and Community Development Advisory Committee and for it's responsibilities to be reassigned to the City of Novi Beautification Advisory Committee.
- G. Approval of request for Pyrotechnics Display Permit by Brightmoor Christian Church to be operated by James Herr, on Wednesday, March 29 through Sunday, April 2, 2023 for their daily Easter programs.
- H. Approve the recommendation from the Consulting Review Committee (CRC) to proceed with advertising for Emergency Medical Transport Services.
- I. Approval of participating in the National Opioid Litigation settlements with CVS, Walmart, Teva Pharmaceutical Industries and AbbVie/Allergan, agreeing to the terms of the settlements and the release of claims against the companies named in the litigation, agreeing that the funds will be used for opioid remediation and authorizing the Interim City Manager to take such further action as is necessary to receive the settlement funds.
- J. Approval of claims and warrants – Warrant 1128

ADJOURNMENT

SCHEDULED MEETINGS – All Regular Council meetings are held in the Council Chambers unless otherwise noted. For a complete listing of scheduled meetings, please visit the Event Calendar at cityofnovi.org.

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 347-0456 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

MEMORANDUM



TO: MAYOR GATT AND COUNCIL MEMBERS
CC: CORTNEY HANSON, CITY CLERK
FROM: MELISSA MORRIS, DEPUTY CITY CLERK
SUBJECT: PRESENTATIONS FOR BOARDS AND COMMISSIONS
DATE: MARCH 20, 2023

Attached please find applications for the current openings on Boards and Commissions along with a ratings sheet and current Boards & Commissions Booklet List.

In accordance with Council Rules amended in February 2021, all boards and commissions candidates will present to City Council. Please see below for current openings for which candidates are presenting.

Board or Commission	Number of openings	Term expiration
Construction Board of Appeals	1 alternate term	03/01/2025
Library Board	1 full term	03/01/2026
Zoning Board of Appeals	1 alternate term	01/01/2026



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Consideration to approve Purchase Agreement for property at the southwest corner of Eleven Mile Road and Beck Road, approximately 3.93 acres, 25901 Beck Road, Parcel No. 22-20-200-021 and amend the budget.

SUBMITTING DEPARTMENT: City Manager's office

EXPENDITURE REQUIRED	\$2,100,000
AMOUNT BUDGETED	\$0
APPROPRIATION REQUIRED	\$2,100,000
LINE ITEM NUMBER	400-901.00-971.000

BACKGROUND INFORMATION:

Attached for Council's consideration is a draft Purchase Agreement for the above-referenced property, which is part of the former Bosco home site and is now owned by Novi Funeral Home, LLC. Novi Funeral Home originally bought the entire Bosco property and secured development approvals for the north half of it—the property at issue here—for a funeral home. (The City bought the southern portion of the former Bosco home site back in 2018.)

Novi Funeral Home has determined not to proceed with its development plans and the City administration has, with Council's approval, tendered an offer to it for \$2,100,00.00. Novi Funeral Home has indicated that it is willing to sell the property to the City under the terms and conditions of the attached Agreement, which is now presented to Council for approval.

Note that this property is also adjacent to the "Bosco Fields" property that the City is hoping to acquire from the Novi School District, and that it currently leases from the School District and uses for City park purposes.

It is anticipated that the funds for the purchase will come from the CIP Fund.

RECOMMENDED ACTION: Approval of the Purchase Agreement for property at the southwest corner of Eleven Mile Road and Beck Road, approximately 3.93 acres, 25901 Beck Road, Parcel No. 22-20-200-021, and amend the budget.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED that the following
Budget Amendment for the Purchase Agreement for property at the
southwest corner of Eleven Mile Road and Beck Road, approximately
3.93 acres, 25901 Beck Road, Parcel No. 22-20-200-021 is authorized:

	INCREASE (DECREASE)
Capital Improvement Program (CIP) Fund	
APPROPRIATIONS	
Capital Outlay	2,100,000
TOTAL APPROPRIATIONS	\$ 2,100,000
Net Increase (Decrease) to Fund Balance	\$ (2,100,000)

I hereby certify that the foregoing is a true and complete copy of a
resolution adopted by the City Council of the City of Novi
at a regular meeting held on March 20, 2023

Cortney Hanson
City Clerk

City of Novi



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy in information related to this map.

0 0.005 0.01 0.02 0.03

1 inch = 188 feet



Map Print Date:
3/15/2023



City of Novi

45175 Ten Mile Rd
Novi, MI 48375
cityofnovi.org

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

PURCHASE AGREEMENT

BY SIGNING THIS PURCHASE AGREEMENT (Agreement), **Novi Funeral Home, LLC**, a Michigan limited liability company, whose address is 7707 Middlebelt Road, Westland, MI 48185 (Seller), and the **City of Novi**, whose address is 45175 W. Ten Mile Road, Novi, MI 48375 (Buyer), agree to sell and purchase the following real estate located in the City of Novi, Oakland County, Michigan, described as follows:

See Exhibit A, attached

Parcel I.D. No. 22-20-200-021 (the Property), approximately 3.47 acres in area, with Buyer to pay Two Million One Hundred Thousand Dollars (\$2,100,000.00) (the Purchase Price), subject to the existing building and use restrictions and easements of record, and zoning ordinances, if any, on the following conditions:

CASH SALE

Seller shall convey title to the Property to Buyer by delivery of a warranty deed conveying marketable title (Deed) on tender of the Purchase Price. Payment of the Purchase Price is to be made in cash, bank cashier's check, or wire transfer at the time of closing.

EVIDENCE OF TITLE

As evidence of title, Seller, at Seller's expense, agrees to furnish Buyer within ten (10) days of the Effective Date (as defined below), a commitment for title insurance issued by a reputable title company licensed to do business in the State of Michigan, in good standing (the Title Company) and acceptable to the Buyer, in an amount not less than the Purchase Price and bearing a date later than the acceptance date of this Agreement, with the owner's policy to be issued pursuant to the commitment insuring marketable title (as defined below) to the Property in Buyer.

Seller agrees that the commitment for title insurance and the subsequent policy to be issued shall be ***without standard exceptions*** provided Purchaser obtain a survey and shall be recertified and updated at the closing of this transaction as of the date of such closing or the most recent date through which the county register of deeds has completed the recording and indexing of real estate instruments and documents in order to eliminate the "gap" period between the date of such title commitment and the closing of this transaction, and that the policy issued will be updated to close any "gap" period between the date of closing and the date of the recording of

the deed to Buyer. Seller shall also arrange to provide Buyer with a marked-up commitment for title insurance at the closing of this transaction guaranteeing that title is in the condition required under this paragraph.

Seller shall execute an owner's affidavit and such other documents as the title insurance company or its agent typically requires for the issuance of a policy without standard exceptions; provided, however, that Buyer shall pay for the cost of any survey required for the deletion of the standard exceptions. For purposes of this Agreement, marketable title shall mean fee simple title free and clear of any and all liens and encumbrances whatsoever, excepting only recorded and enforceable building and use restrictions, public utility easements of record, the landscape berm easement referred to below, and zoning ordinances, which shall not constitute title defects or render the title to the Property unmarketable; provided, however, that Buyer, at Buyer's sole option, may elect to accept title in whatever condition it may be in, notwithstanding such condition would not meet the above definition of "marketable title" and, in such event, marketable title shall mean the condition of title which Buyer has elected to accept.

TITLE OBJECTIONS

If objection to the title is made in the commitment for title insurance or based on a written opinion of Buyer's attorney that the title is not in the condition required for performance of this Agreement, Seller, at Seller's sole option, shall have thirty (30) days from the date Seller is notified in writing of the particular defects claimed, either (1) to fulfill the requirements in the commitment or to remedy the title defects set forth in Buyer's attorney's opinion or (2) to refund the deposit in full termination of this Agreement. If Seller is able to comply with such requirements or remedy such defects within the time specified, as evidenced by written notification, revised commitment, or endorsement to commitment, Buyer agrees to complete the sale as provided herein, subject to any other contingency contained in this Agreement. If, after reasonable efforts, Seller is unable to furnish satisfactory title within the time specified, the deposit shall be immediately refunded in full termination of this Agreement, unless Buyer elects to proceed with the sale accepting such title as Seller is able to convey.

EARNEST MONEY DEPOSIT

On the Effective Date (as defined below) of this Agreement, Buyer shall make an earnest money deposit of Ten Thousand Dollars (\$10,000.00) which shall be held by the Title Company and which shall be applied toward the Purchase Price at closing if the sale is consummated.

TAXES AND PRORATED ITEMS

All taxes and assessments which have become a lien on the land as of the date of closing shall be paid by Seller, except that: (a) all current property taxes shall be prorated and adjusted between Seller and Buyer as of the date of closing on a due-date basis, without regard to lien date, as if paid prospectively (e.g., taxes due July 1 will be treated as if paid for the period July 1 through the following June 30, and taxes due December 1 shall be treated as if paid for the period December 1 through the following November 30); and (b) Buyer shall be responsible for the payment of all property taxes falling due after the date of closing without regard to lien date.

Capital or lateral charges and special assessments which have become a lien on the Property shall be paid in full by Seller on or before closing. Capital or lateral charges and special assessments which have not become a lien on the Property shall be paid by Buyer either in full at closing, or, if applicable, in installments. Seller shall pay the cost of all utilities and service charges for the entire Property through and including the date of transfer of possession and occupancy to Buyer.

CLOSING

Closing shall take place at the office of the Title Company or at the Buyer's offices. If the closing takes place anywhere other than at the office of the Title Company, Seller shall arrange for a Title Company representative with authority to update and mark up the commitment for title insurance as required under this Agreement to be present at the closing. If title can be conveyed in the condition required under this Agreement and all contingencies have been satisfied or waived, closing shall take place on a date and time as is mutually agreeable to the parties and as dictated by the ability and availability of Buyer's lender, if any, to close, provided, however, that closing shall occur not later than **June 15, 2023**. Seller shall provide a complete package of every document (other than loan documents) to be executed by Buyer to Buyer's attorney at least 48 hours before closing.

PAYMENT OF FEES, CLOSING COSTS, ETC.

Buyer shall pay all closing fees and all costs associated with recording the required Deed and any loan documents. The parties agree that the Title Company shall prepare the required Deed and closing documents necessary to complete this transaction, that the Title Company shall conduct the closing, and that the cost of same, together with any settlement, document preparation, or disbursement fee, shall be borne equally by Buyer and Seller. Seller shall also pay the required transfer tax, the cost of an owner's commitment and policy of title insurance, and applicable recording fees relative to the discharge of Seller's mortgage, if any. At closing, the parties shall execute closing statements prepared by the Title Company and all income or other tax reporting documents as required by the Title Company.

BUYER'S CONTINGENCIES

Buyer's obligations under this Agreement shall be contingent on the following:

Survey. At Buyer's sole option and expense, Buyer obtaining a survey (of any type, e.g., mortgage report, ALTA/ASCM survey with any Table A options Buyer desires) of the Property within forty-five (45) days after the Effective Date (as defined below). If Buyer is not satisfied with the results of the survey for any reason related to title, marketability, or Buyer's use of the Property, or if, for any reason, the survey is insufficient to cause the survey exception to be deleted from the standard exceptions to the policy of title insurance, Buyer shall so notify Seller in writing at any time within fourteen (14) business days after the expiration of the forty-five (45) day survey period. On receipt of written notice of same, Seller shall immediately refund to Buyer all sums deposited by Buyer and this Agreement shall be terminated and of no further force and effect. If no written objection is made by Buyer within the stated period, this survey

contingency shall be deemed to be waived by Buyer and the parties shall proceed to closing in accordance with the terms of this Purchase Agreement and Buyer shall be deemed to have purchased the Property in an "AS IS" condition.

Environmental. Buyer obtaining satisfactory inspections and testing of the Property for radon, asbestos, toxic mold, and/or environmental contamination, including a Phase I Environmental Site Assessment (ESA), Phase II ESA, and if applicable a Baseline Environmental Assessment (BEA) of the Property, by a qualified person acceptable to Buyer, at Buyer's sole option and expense, within forty-five (45) days after Buyer's receipt of an accepted copy of this Purchase Agreement from Seller. If this inspection or testing shows any type of Environmental Condition, Buyer shall have the option to terminate this Agreement by written notice to Seller at any time within fourteen (14) days after expiration of the one hundred and forty-five (45) day inspection period. In such event, upon written notice of same to Seller, Buyer shall be immediately refunded all sums deposited by Buyer hereunder and this Agreement shall be terminated and of no further force and effect.

Nothing contained herein, however, shall be construed to mean the Buyer is indemnifying or otherwise holding Seller harmless from third-party actions or suits in regard to asbestos, toxic mold and/or environmental contamination of the Property or any other matter. When used herein, the term "Property" shall include all aspects of the Property, such as, but not limited to, any buildings on the Property and the soil and groundwater beneath the Property. When used herein, "Environmental Condition" shall mean any condition or conditions affecting or relating to the air, soil, groundwater, or surface water at or about the Property and any failure to comply with governmental requirements, including environmental protection laws, relating to such condition or conditions, which could or does require remediation, including abatement, investigation, containment, or removal and/or which could result in Environmental Claim(s).

If no written objection is made by Buyer within the stated period, this survey contingency shall be deemed to be waived by Buyer and the parties shall proceed to closing in accordance with the terms of this Purchase Agreement and Buyer shall be deemed to have purchased the Property in an "AS IS" condition. However, Buyer's obligation to purchase any or all of the Property is subject to and contingent upon Buyer's satisfaction that the Property can be feasibly and economically used for the intended uses with any environmental remediation deemed necessary by Buyer, in its sole and absolute discretion.

To assist in this environmental review, Seller shall provide Buyer with any and all information in its possession regarding the environmental condition of the Property, including any Phase I, Phase II, or BEA information.

SELLER'S REPRESENTATIONS

Seller represents to Buyer as follows:

To the best of Seller's knowledge, there is no pending litigation affecting all or any part of the Property, or Seller's interest in it.

To the best of Seller's knowledge, there are no unrecorded interests of any person(s) or entity(ies) in and to the Property whatsoever (including, but not limited to, easements, profits, and licenses).

To the best of Seller's knowledge, there are no easements, either above the surface, at grade, or subsurface, other than utility easements of record, which would affect or interfere with Buyer's use and enjoyment of the Property, as determined by Buyer, with the sole exception of the Berm Easement described above.

To the best of Seller's knowledge, there are no underground storage tanks or hazardous or toxic substances existing on, under, or above the Property as defined in any federal, state, or local law, regulation, rule, statute, or directive, nor is there any asbestos or urea formaldehyde foam insulation installed in or on the Property.

Seller will transfer all division rights available to Buyer with the Deed.

POSSESSION/RIGHT OF OCCUPANCY

Buyer shall be entitled to possession of the Property at the time of closing.

CONDITION OF PROPERTY

Seller agrees that the Property will remain in substantially the same condition in which it existed as of the date of this Agreement for the period through the last date of Seller's ownership and possession of the Property (with the exception of the demolition and removal of the home and pool described above). Seller and Buyer agree that Buyer shall be permitted to conduct a walk-through inspection of the premises and Property within 48 hours of the date of closing to enable the Buyer to confirm that the Property is in substantially the same condition as existed upon the date of Buyer's physical inspection(s). If Buyer is not then satisfied that the premises and Property have been maintained by Seller as required, Buyer shall have the right to delay the closing until Seller returns the premises and Property to the required condition at Seller's expense. If the Seller fails or refuses to return the premises and Property to the required condition within fourteen (14) days of Buyer's demand for same, Buyer shall have the right (but not the obligation) to declare this agreement to buy and sell the Property null and void and immediately thereafter all deposits paid by Buyer shall be returned to Buyer.

BROKER

There are no brokers involved in this transaction.

EXPIRATION

It is contemplated, but not required, that this Agreement will be signed by the Buyer first, with the Earnest Money Deposit given to the Title Company. In such event, Seller shall have five (5) business days from the date of receipt of the Agreement after it has been executed by Buyer to accept and deliver a countersigned original of this Agreement to Buyer or Title

Company; otherwise this Agreement shall constitute an expired offer to purchase and the Earnest Money Deposit shall be immediately returned to the Buyer.

TIME IS OF THE ESSENCE

At all times under this agreement where certain time constraints are set forth, the parties have agreed that TIME IS OF THE ESSENCE and that no extensions of said time limits are expected or agreed to unless specifically agreed to in writing.

RISK OF LOSS

Seller and Buyer agree that the Michigan Uniform Vendor and Buyer Risk Act (MCLA § 565.701, et seq.) shall be applicable to this Agreement, except that Buyer shall have the sole uncontrolled discretion to determine and define what constitutes “material” damage or destruction.

DUE ON SALE

Seller understands that consummation of the sale or transfer of the Property described in this agreement shall not relieve the Seller of any liability that Seller may have under the mortgage(s) to which the Property is subject, unless otherwise agreed to by the lender or required by law or regulation.

BUYER’S DEFAULT

In the event of material default by the Buyer under this Agreement, Seller may, as Seller’s sole option, declare a forfeiture hereunder and retain the deposit as liquidated damages.

SELLER’S DEFAULT

In the event of material default by Seller under this Agreement, Buyer may, at Buyer’s option, elect to enforce the terms of this agreement, or be entitled to an immediate refund of the entire deposit in full termination of this agreement.

CHOICE OF LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan that are applicable to Agreements made and to be performed in that State. Should any court action be commenced at any time involving or concerning this Agreement, the parties hereto consent and agree to jurisdiction and venue being in the State of Michigan Circuit Court in Oakland County. The agreement of the parties in this paragraph shall survive the Closing of this transaction.

LEGAL DOCUMENT; INTERPRETATION

This is a legal and binding document, and both Buyer and Seller acknowledge that they have been advised to consult an attorney to protect their interests in this transaction. Where the transaction involves financial and tax consequences, the parties acknowledge that they have been advised to seek the advice of their accountant or financial adviser. No provision in this Agreement is to be interpreted for or against any party because that party or that party's legal representative drafted the provision.

NOTICES

All notices and demands required or permitted under this agreement shall be in writing and shall be served personally or by postage prepaid United States first class, certified (return receipt requested), or registered mail, addressed to the party at the address indicated on page 1 hereof or to such other place as may be designed by notice given in accordance with this section. It is agreed to by the parties that offers, acceptances and notices required hereunder may, but are not required to, be delivered by facsimile (fax) copy to the parties or their agents provided a hard copy (originally signed copy) is mailed or delivered in a timely manner. If faxed, the date and time of the receipt of the fax shall be the date and time of said offer, acceptance or notice. If not faxed, notice shall be deemed to have been given on the earlier of (a) the date of personal delivery, (c) the date when received, or (c) one (1) day after mailing if mailed in the State of Michigan.

GRAMMAR AND HEADINGS

Whenever words herein are used in the masculine, they shall be read in the feminine or neuter whenever they would so apply and vice versa, and words in this Agreement that are singular shall be read as plural whenever the latter would so apply and vice versa. The headings contained herein are for the convenience of the parties and are not to be used in construing the provisions of this Agreement.

BINDING EFFECT

The covenants, representations and agreements herein are binding upon and inure to the benefit of the parties hereto, their respective heirs, representatives, successors and assigns, and shall survive the Closing where indicated.

DATE OF EXECUTION

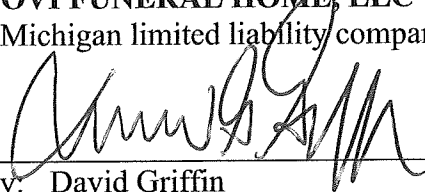
The date of execution of this agreement shall be the date on which the last person to sign this document (in its final form) shall have signed the document. In the event the parties fail to insert the date of execution beneath their signatures below, then the date of execution shall be the date on which Seller actually signed the document. **IT IS THEREFORE VERY IMPORTANT FOR EACH PERSON SIGNING THIS DOCUMENT TO PLACE THE DATE OF SIGNING IN THE SPACE PROVIDED BELOW THEIR SIGNATURE.**

ENTIRE AGREEMENT/WRITTEN AGREEMENTS ONLY

This Agreement contains the entire agreement between Seller and Buyer. There are no agreements, representations, statements, or understandings which have been relied on by Seller or Buyer which are not stated in this Agreement. IT IS THE PARTIES' INTENT IN THEIR DEALINGS THAT IF IT IS NOT IN WRITING, IT IS NOT ENFORCEABLE. This Agreement (and written and signed addenda, if any) cannot be modified, altered, or otherwise amended without a writing being duly signed or initialed, as the case may be, by both Seller and Buyer. The parties agree that facsimile signatures and duly initialed changes are legally enforceable provided the applicable writing contains such signature or initials of all parties to this Agreement.

ACCORDINGLY, Seller and Buyer have executed this Purchase Agreement as of the date written below.

NOVI FUNERAL HOME, LLC
a Michigan limited liability company



By: David Griffin
Its: Managing Member
Dated: March 10, 2023

CITY OF NOVI

By: Robert J. Gatt
Its: Mayor
Dated: March ___, 2023

By: Courtney Hanson
Its: Clerk
Dated: March ___, 2023



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of Introduction of Ordinance 23-64.04, an ordinance to amend Chapter 2, Administration, Article V, Boards and Commissions, Division 2, Beautification Advisory Commission, Section 2-172., Composition. **FIRST READING.**

SUBMITTING DEPARTMENT: City Manager

BACKGROUND INFORMATION: The City of Novi Beautification Commission requests that the Commission Composition be reduced from nine (9) members to seven (7) members.

Over the past two years, the Beautification Advisory Commission has often been unable to obtain a quorum at regular meetings, interrupting their ability to make official decisions and move forward on projects. This problem is twofold, stemming from several members having resigned and insufficient volunteers to replace them as well as current members not being able to consistently attend meetings. There are currently four members who consistently attend the meetings and so in recent discussions the Commission determined that a new composition of seven (7) permanent members would make a quorum with the current members more attainable.

RECOMMENDED ACTION: Approval of Introduction of Ordinance 23-64.04, an ordinance to amend Chapter 2, Administration, Article V, Boards and Commissions, Division 2, Beautification Advisory Commission, Section 2-172., Composition. **FIRST READING.**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 23-64.04

AN ORDINANCE TO AMEND CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMISSIONS," DIVISION 2, "BEAUTIFICATION ADVISORY COMMISSION," SECTION 2-172., "COMPOSITION," TO AMEND THE NUMBER OF MEMBERS ON THE COMMISSION.

THE CITY OF NOVI ORDAINS:

Part I. That Chapter 2, Administration, Article V, Boards and Commissions, Division 2, Beautification Advisory Commission, Section 2-172., Composition, shall be amended to read as follows:

Sec. 2-172. - Composition

The beautification advisory commission shall be composed of seven (7) electors of the city.

Section 2 of Ordinance. Repealer.

All ordinances, parts of ordinances, or sections of the City of Novi Code of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3 of Ordinance. Severability.

Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date

of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

Robert J. Gatt, Mayor

Cortney Hanson, City Clerk

**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 tee 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 doorstep, 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



CITY OF NOVI CITY COUNCIL

MARCH 20, 2023

SUBJECT: Adoption of Resolutions requesting the Michigan Department of Transportation (MDOT) include the existing bridges on 9 Mile Road over Thornton Creek and on Ashbury Drive over the Middle Rouge River in the State Local Bridge Program List for Replacement. If MDOT selects one or both bridges, the City of Novi will accept 100% of the design engineering costs and 5% of the total construction cost.

SUBMITTING DEPARTMENT: Department of Public Works, Engineering Division

BACKGROUND INFORMATION:

The City of Novi retained OHM Advisors to complete the 2022 Annual Bridge Inspection of the twelve City-owned and maintained bridges. This round of inspections identified two bridges recommended for replacement. The first being the bridge on 9 Mile Road over Thornton Creek, recommended for replacement in the next 3-5 years. This bridge was identified in previous inspections. The second bridge is on Ashbury Drive over the Middle Rouge River. Both bridges will be inspected on a more frequent basis (annually vs. bi-annually) until replacement occurs.

These bridges qualify as candidates for the Michigan Department of Transportation (MDOT) Local Bridge Program for replacement. MDOT is currently accepting applications for the (FY 2026) Local Bridge Program. OHM would submit applications to MDOT to include these bridges in the Local Bridge Program. If the bridge is selected, the City would only be responsible for 5% of the construction costs. These projects are currently estimated at \$3,214,000 for the Nine Mile bridge and \$2,168,000 for the Ashbury bridge, for a total of \$5,382,000. The City would be responsible for 100% of the associated design engineering fees in the amount of \$349,830 (6.5% of \$5,382,000). The estimated construction cost the City would be responsible for is \$269,100 (5% of \$5,382,000).

As part of the application process, the applicant is required to provide a current resolution, signed, and dated, from the governing board supporting the project. The adoption of the proposed resolution would demonstrate support from the City to MDOT for the replacement of the bridge and that the City will make the reasonable effort necessary to accomplish this effort. Any application not containing a signed resolution will be considered incomplete and will be rejected.

The City Attorney has reviewed the resolution and sees no legal impediment (Beth Saarela, March 9, 2023).

RECOMMENDED ACTION:

Adoption of Resolutions requesting the Michigan Department of Transportation (MDOT) include the existing bridges on 9 Mile Road over Thornton Creek and on Ashbury Drive over the Middle Rouge River in the State Local Bridge Program List for Replacement. If MDOT selects one or both bridges, the City of Novi will accept 100% of the design engineering costs and 5% of the total construction cost.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION REQUESTING THAT THE MICHIGAN DEPARTMENT OF TRANSPORTATION INCLUDE THE BRIDGE ON ASHBURY DRIVE OVER THE MIDDLE ROUGE RIVER IN THE STATE LOCAL BRIDGE PROGRAM LIST FOR REPLACEMENT

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on March 20, 2023, at 7 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS; OHM Advisors, Consulting Engineers for the City of Novi, completed the 2022 annual inspection of twelve bridges in the City; and

WHEREAS; based on the 2022 inspection, OHM Advisors prepared a 2022 Bridge Inspection Report for the bridge on Ashbury Drive over the Middle Rouge River; and

WHEREAS; the 2022 Bridge Inspection Report concludes that the bridge on Ashbury Drive over the Middle Rouge River is in need of replacement; and

WHEREAS; based on the findings and recommendations of OHM Advisors, the DPW Director recommends that City Council authorize OHM Advisors to submit the LAP Bridge Applications to the Michigan Department of Transportation for the bridge on Ashbury Drive over the Middle Rouge River on the Local Bridge Program for Replacement funding; and

WHEREAS; the City of Novi's cost participation amount would be 5% of the total cost and 100% of the design and construction engineering cost; and

WHEREAS; the Mayor and City Clerk are authorized to execute said resolution.

NOW THEREFORE, IT IS THEREFORE RESOLVED that the City of Novi is actively seeking financial participation to replace the bridge on Ashbury Drive over the Middle Rouge River and authorizes OHM Advisors to submit the LAP Bridge application to the Michigan

Department of Transportation to include this bridge on the State Local Bridge Program List for Replacement, to make application for financial assistance from the State of Michigan and Federal Government and to do those things reasonably necessary or required in order to accomplish the replacement of this bridge.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2023, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION REQUESTING THAT THE MICHIGAN DEPARTMENT OF TRANSPORTATION INCLUDE THE BRIDGE ON 9 MILE ROAD OVER THORNTON CREEK IN THE STATE LOCAL BRIDGE PROGRAM LIST FOR REPLACEMENT

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on March 20, 2023, at 7 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers_____

ABSENT: Councilmembers_____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS; OHM Advisors, Consulting Engineers for the City of Novi, completed the 2022 annual inspection of twelve bridges in the City; and

WHEREAS; based on the 2022 inspection, OHM Advisors prepared a 2022 Bridge Inspection Report for the bridge on 9 Mile Road over Thornton Creek; and

WHEREAS; the 2022 Bridge Inspection Report concludes that the bridge on 9 Mile Road over Thornton Creek is in need of replacement; and

WHEREAS; based on the findings and recommendations of OHM Advisors, the DPW Director recommends that City Council authorize OHM Advisors to submit the LAP Bridge Applications to the Michigan Department of Transportation for the bridge on 9 Mile Road over Thornton Creek on the Local Bridge Program for Replacement funding; and

WHEREAS; the City of Novi's cost participation amount would be 5% of the total cost and 100% of the design and construction engineering cost; and

WHEREAS; the Mayor and City Clerk are authorized to execute said resolution.

NOW THEREFORE, IT IS THEREFORE RESOLVED that the City of Novi is actively seeking financial participation to replace the bridge on 9 Mile Road over Thornton Creek and authorizes OHM Advisors to submit the LAP Bridge application to the Michigan Department of Transportation to include this bridge on the State Local Bridge Program

List for Replacement, to make application for financial assistance from the State of Michigan and Federal Government and to do those things reasonably necessary or required in order to accomplish the replacement of this bridge.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

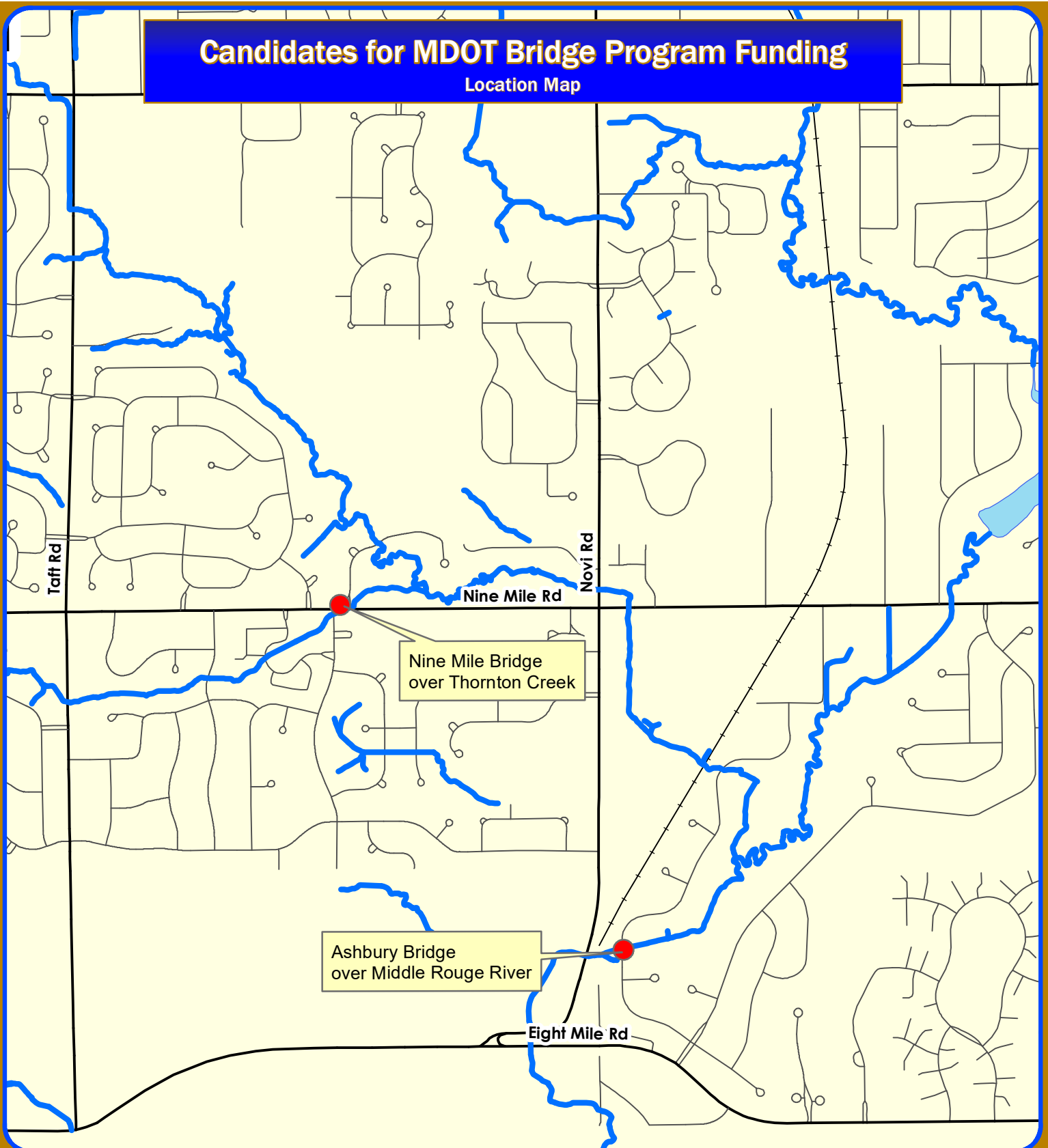
CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2023, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

Candidates for MDOT Bridge Program Funding

Location Map



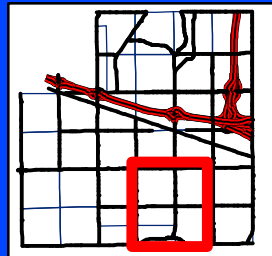
Map Author: Ben Croy
Date: 3/9/2023
Project: Bridge Candidates
Version: v1.0

Amended By:
Date:
Department:

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

● Proposed Bridge Candidate



City of Novi

Engineering Division
Department of Public Works
26300 Lee BeGole Drive
Novi, MI 48375
cityofnovi.org

0 270 540 1,080 1,620
Feet

1 inch = 1,334 feet



Exhibit 4 - Cost Estimating Worksheet

2023

BRIDGE COST ESTIMATE WORKSHEET

REV. 01/31/2023

- CPM, REHAB, REPLACE -

OWNER:	NOVI	FISCAL YEAR:	2026	Out to Out	Curb to Curb	DATE:	3/13/2023
REGION:	Metro			LENGTH	WIDTH	ENGINEER:	AJR
TSC:	Oakland	PR: 633603	MP: 5.699	26.6	0.0	24.0	
						STRUCTURE ID:	14274
						BRIDGE ID:	N/A
	LOCATION:	9 MILE ROAD over THORNTON CREEK					
	PRIMARY WORK ACTIVITY	Culvert Replacement	DECK AREA:	N/A	SFT	STR. TYPE:	Steel
	OTHER WORK:		CLEAR ROADWAY:	638	SFT		Culvert

WORK ACTIVITY	MDOT Bridge Design Guides	QUANTITY	UNIT	UNIT COST	TOTAL
NEW BRIDGE (increase deck area based on design standards and hydraulic requirements)					
Single or Multiple Spans, Grade Separation	(add demo, approach, MOT)		SFT	\$415.00/SFT	
Single Span, Over Water	Length < 100ft (add demo, approach, MOT)		SFT	\$500.00/SFT	
Multiple Spans, Over Water	Length > 100ft (add demo, approach, MOT)		SFT	\$450.00/SFT	
Precast Culvert	Length < 40ft (add demo, approach, MOT)	3,360.0	SFT	\$540.00/SFT	\$1,814,400.00
NEW SUPERSTRUCTURE					
New Superstructure, Grade Separation	(incl. remove exist deck/super; add MOT & approach)		SFT	\$295.00/SFT	
New Superstructure, Over Water	(incl. remove exist deck/super; add MOT & approach)		SFT	\$300.00/SFT	
WIDENING					
Structure Widening, _____ ft	(incl. deck/super/sub widening, add approach transition)		SFT	\$630.00/SFT	
NEW DECK					
New Bridge Deck & Barrier	(incl. remove exist deck/railing, add approach, MOT)		SFT	\$150.00/SFT	
DEMOLITION					
Entire Structure, Grade Separation			SFT	\$75.00/SFT	
Entire Structure, Over Water			SFT	\$95.00/SFT	
Other (Culvert Removal)		1.0	LSUM	\$30,000.00/LSUM	\$30,000.00
DECK REPAIR / TREATMENTS					
Bridge Railing Replacement	(incl. removal and replacement)		FT	\$750.00/FT	
Concrete Brush Block / Curb Patch	(incl. hand chipping and formwork)		FT	\$29.00/FT	
Concrete Barrier Patch	(incl. hand chipping and formwork)		SFT	\$85.00/SFT	
Concrete Deck Patch	(incl. hand chipping)		SFT	\$68.00/SFT	
Deep Overlay	(incl. joint repl & hydro)		SFT	\$46.00/SFT	
Epoxy Overlay	(incl. warranty)		SYD	\$48.00/SYD	
Expansion Joint Gland Replacement	(remove and replace elastomeric gland)		FT	\$125.00/FT	
Expansion Joint Replacement	(incl. removal)		FT	\$860.00/FT	
Full Depth Patch			SFT	\$140.00/SFT	
Healer / Sealer	(penetrates cracks in bridge deck)		SYD	\$30.00/SYD	
HMA Overlay with WP membrane			SYD	\$60.00/SYD	
Overlay Removal	(Epoxy: \$22/syd Latex: \$26/syd HMA: \$7/syd)		SYD	\$22.00/SYD	
Reseal Bridge Joints			FT	\$28.00/FT	
Shallow Overlay	(incl. joint repl & hydro)		SFT	\$46.00/SFT	
SUPERSTRUCTURE REPAIR					
Bearing Realignment / Replacement	(incl. temporary supports)		EA	\$6,450.00/EA	
Heat Straightening	(incl. clean and coat)		EA	\$57,000.00/EA	
Pack Rust Repair	(greater than 3/8" separation)		FT	\$1,150.00/FT	
Paint - Complete	(incl. clean & coat)		SFT	\$30.00/SFT	
Paint - Partial / Spot / Zone	(incl. clean & coat - \$20k minimum)		SFT	\$60.00/SFT	
PCI Beam End Blockout	(incl. temporary supports)		EA	\$7,200.00/EA	
Pin & Hanger Replacement	(incl. temporary supports)		EA	\$17,000.00/EA	
Structural Steel Repair	(based on 6ft repair length)		EA	\$4,000.00/EA	
Structural Steel Repair - Stiffener	(includes each side of beam)		EA	\$1,500.00/EA	
SUBSTRUCTURE REPAIR					
Substructure Patching	(measured x 2) replace if repair area > 30%		CFT	\$360.00/CFT	
Substructure Replacement	(incl. temporary supports, excavation)		CFT	\$375.00/CFT	
Substructure Horizontal Surface Sealer			SYD	\$75.00/SYD	
Temporary Supports	(add Structural Steel Repair - Stiffener for ea steel beam)		EA	\$4,000.00/EA	
MISCELLANEOUS					
Articulating Concrete Block System (ACB)			SYD	\$320.00/SYD	
Concrete Surface Coating			SYD	\$47.00/SYD	
Culvert Cleanout			FT	\$125.00/FT	
Epoxy Crack Injection	(structural crack repair)		FT	\$70.00/FT	
Metal Mesh Panels	(48" width, max 6'-6" length)		SFT	\$28.00/SFT	
Pressure Relief Joint	(use when approach concrete roadway exceeds 1,000ft)		FT	\$110.00/FT	
Riprap	(assume 10ft distance around perimeter of substructure)		SYD	\$275.00/SYD	
Silane Treatment	(penetrating sealer for concrete surfaces)		SFT	\$7.00/SFT	
Slope Protection Repairs			SYD	\$150.00/SYD	
Other	(Scour Countermeasures)	1.0	LSUM	\$25,000.00/LSUM	\$25,000.00

STRUCTURE CONSTRUCTION BUDGET \$1,869,400

ROAD WORK					
Approach Pavement, 12" RC	(incl. removal; add curb, gutter, guardrail) 40' ea. end		SYD	\$230.00/SYD	
Approach Curb & Gutter	(incl. removal) 40' ea. quadrant		FT	\$57.00/FT	
Guardrail Anchorage to Bridge	(each quadrant)		EA	\$2,540.00/EA	
Guardrail	(incl. removal) < 200ft beyond reference line		FT	\$41.00/FT	
Guardrail Terminal	(each quadrant)		EA	\$3,900.00/EA	
Roadway Approach Work	(beyond approach pavement)	1.0	LSUM	\$200,000.00/LSUM	\$200,000.00
Utilities		1.0	LSUM	\$30,000.00/LSUM	\$30,000.00
TRAFFIC CONTROL Unit Cost to be determined by Region or TSC Traffic & Safety					
Part Width Construction			LSUM		LSUM
Crossovers			EA		/EA
Temporary Traffic Signals			set		/set
RR Flagging			LSUM		LSUM
Detour		1.0	LSUM	\$75,000.00/LSUM	\$75,000.00

RELATED ROAD/TRAFFIC CONSTRUCTION BUDGET \$305,000

CONTINGENCY	(10% - 20%) (use higher contingency for small projects)	20	%	\$2,174,000.00	\$435,000
MOBILIZATION	(estimate at 10%)	10	%	\$2,609,000.00	\$261,000
INFLATION	(assume 4% per year, beginning in 2024)	12	%	\$2,870,000.00	\$344,000

(Does not include PE or CE)

TOTAL CONSTRUCTION BUDGET \$3,214,000

Approximate City Out of Pocket Costs	APPROXIMATE CITY RESPONSIBILITY OF CONSTRUCTION COST (5% OF CONSTRUCTION)	\$160,700
	15 % CE	INSPECTION BUDGET \$462,100
	10 % PE	DESIGN BUDGET \$321,400

Exhibit 4 - Cost Estimating Worksheet

2023

BRIDGE COST ESTIMATE WORKSHEET

REV. 01/31/2023

- CPM, REHAB, REPLACE -

DATE: 3/13/2023

ENGINEER: AJR

OWNER: NOVI
REGION: Metro
TSC: OaklandFISCAL YEAR: 2026
PR: #N/A MP: #N/ALENGTH 46.1
WIDTH 44.4
Curb to Curb WIDTH 28.0STRUCTURE ID: 13828
BRIDGE ID: N/ALOCATION: ASHBURY DRIVE over MIDDLE BR ROUGE RIVER
PRIMARY WORK ACTIVITY Bridge Replacement
OTHER WORK:DECK AREA: 2,047 SFT
CLEAR ROADWAY: 1,291 SFTSTR. TYPE: Prestressed Concrete
Box Beam or Girders - Mu

WORK ACTIVITY	MDOT Bridge Design Guides	QUANTITY	UNIT	UNIT COST	TOTAL
NEW BRIDGE (increase deck area based on design standards and hydraulic requirements)					
Single or Multiple Spans, Grade Separation	(add demo, approach, MOT)		SFT	\$415.00/SFT	
Single Span, Over Water	Length < 100ft (add demo, approach, MOT)	2,046.8	SFT	\$500.00/SFT	\$1,023,420.00
Multiple Spans, Over Water	Length > 100ft (add demo, approach, MOT)		SFT	\$450.00/SFT	
Precast Culvert	Length < 40ft (add demo, approach, MOT)		SFT	\$540.00/SFT	
NEW SUPERSTRUCTURE					
New Superstructure, Grade Separation	(incl. remove exist deck/super; add MOT & approach)		SFT	\$295.00/SFT	
New Superstructure, Over Water	(incl. remove exist deck/super; add MOT & approach)		SFT	\$300.00/SFT	
WIDENING					
Structure Widening, _____ ft	(incl. deck/super/sub widening, add approach transition)		SFT	\$630.00/SFT	
NEW DECK					
New Bridge Deck & Barrier	(incl. remove exist deck/railing, add approach, MOT)		SFT	\$150.00/SFT	
DEMOLITION					
Entire Structure, Grade Separation			SFT	\$75.00/SFT	
Entire Structure, Over Water		2,046.8	SFT	\$95.00/SFT	\$194,449.80
DECK REPAIR / TREATMENTS					
Bridge Railing Replacement	(incl. removal and replacement)		FT	\$750.00/FT	
Concrete Brush Block / Curb Patch	(incl. hand chipping and formwork)		FT	\$29.00/FT	
Concrete Barrier Patch	(incl. hand chipping and formwork)		SFT	\$85.00/SFT	
Concrete Deck Patch	(incl. hand chipping)		SFT	\$68.00/SFT	
Deep Overlay	(incl. joint repl & hydro)		SFT	\$46.00/SFT	
Epoxy Overlay	(incl. warranty)		SYD	\$48.00/SYD	
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Expansion Joint Replacement	(incl. removal)		FT	\$860.00/FT	
Full Depth Patch			SFT	\$140.00/SFT	
Healer / Sealer	(penetrates cracks in bridge deck)		SYD	\$30.00/SYD	
HMA Overlay with WP membrane			SYD	\$60.00/SYD	
Overlay Removal	(Epoxy: \$22/syd Latex: \$26/syd HMA: \$7/syd)		SYD	\$22.00/SYD	
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Shallow Overlay	(incl. joint repl & hydro)		SFT	\$46.00/SFT	
SUPERSTRUCTURE REPAIR					
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Paint - Complete	(incl. clean & coat)		SFT	\$30.00/SFT	
Paint - Partial / Spot / Zone	(incl. clean & coat - \$20k minimum)		SFT	\$60.00/SFT	
PCI Beam End Blockout	(incl. temporary supports)		EA	\$7,200.00/EA	
Pin & Hanger Replacement	(incl. temporary supports)		EA	\$17,000.00/EA	
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Articulating Concrete Block System (ACB)			SYD	\$320.00/SYD	
Concrete Surface Coating			SYD	\$47.00/SYD	
Culvert Cleanout			FT	\$125.00/FT	
Epoxy Crack Injection	(structural crack repair)		FT	\$70.00/FT	
Metal Mesh Panels	(48" width, max 6'-6" length)		SFT	\$28.00/SFT	
Pressure Relief Joint	(use when approach concrete roadway exceeds 1,000ft)		FT	\$110.00/FT	
Riprap	(assume 10ft distance around perimeter of substructure)	188.9	SYD	\$275.00/SYD	\$51,944.44
Silane Treatment	(penetrating sealer for concrete surfaces)		SFT	\$7.00/SFT	
Slope Protection Repairs			SYD	\$150.00/SYD	
Other					

STRUCTURE CONSTRUCTION BUDGET \$1,269,814

ROAD WORK					
Approach Pavement, 12" RC	(incl. removal; add curb, gutter, guardrail) 40' ea. end	248.9	SYD	\$230.00/SYD	\$57,244.44
Approach Curb & Gutter	(incl. removal) 40' ea. quadrant	160.0	FT	\$57.00/FT	\$9,120.00
Guardrail Anchorage to Bridge	(each quadrant)	4.0	EA	\$2,540.00/EA	\$10,160.00
Guardrail	(incl. removal) < 200ft beyond reference line		FT	\$41.00/FT	
Guardrail Terminal	(each quadrant)	4.0	EA	\$3,900.00/EA	\$15,600.00
Roadway Approach Work	(beyond approach pavement)	1.0	LSUM	\$75,000.00/LSUM	\$75,000.00
Utilities			LSUM		
TRAFFIC CONTROL Unit Cost to be determined by Region or TSC Traffic & Safety					
Part Width Construction			LSUM		
Crossovers			EA	/EA	
Temporary Traffic Signals			set	/set	
RR Flagging			LSUM		
Detour		1.0	LSUM	\$30,000.00/LSUM	\$30,000.00

RELATED ROAD/TRAFFIC CONSTRUCTION BUDGET \$197,124

CONTINGENCY	(10% - 20%) (use higher contingency for small projects)	20	%	\$1,467,000.00	\$293,000
MOBILIZATION	(estimate at 10%)	10	%	\$1,760,000.00	\$176,000
INFLATION	(assume 4% per year, beginning in 2024)	12	%	\$1,936,000.00	\$232,000

(Does not include PE or CE)

TOTAL CONSTRUCTION BUDGET \$2,168,000

Approximate City Out of Pocket Costs	APPROXIMATE CITY RESPONSIBILITY OF CONSTRUCTION COST (5% OF CONSTRUCTION)	\$108,400
	15 % CE	INSPECTION BUDGET \$325,200
	10 % PE	DESIGN BUDGET \$216,800

ELIZABETH KUDLA SAARELA
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Farmington Hills, Michigan 48331
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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

March 9, 2023

Ben Croy, City Engineer
City of Novi
Department of Public Works
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

Re: MDOT Local Bridge Program – Asbury Bridge over Middle Rouge River

Dear Mr. Croy:

You have indicated that the City will be resubmitting its application for participation in MDOT's 2023 Local Bridge Program using the same Resolution as approved for the 2020 submittal. We previously reviewed and approve use of the proposed Resolution Requesting that the Michigan Department of Transportation Include the Asbury Bridge over the Middle Rouge River in the State Local Bridge Program List. The Resolution is provided for the limited purpose of acknowledging that the City agrees pay 5% of the bridge replacement cost and 100% of the design and construction engineering cost in the event that a grant is awarded by MDOT.

Based on the limited purpose of the Resolution, we see no legal impediment to City Council approving the enclosed version of the Resolution.

If you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

Elizabeth Kudla Saarela

Enclosure

C: Cortney Hanson, Clerk (w/Enclosure)
Jeffrey Herczeg, Director of Public Works (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

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ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

March 9, 2023

Ben Croy, City Engineer
City of Novi
Department of Public Works
Field Services Complex
26300 Lee BeGole Drive
Novi, MI 48375

Re: MDOT Local Bridge Program – 9 Mile Road Over Thornton Creek

Dear Mr. Croy:

You have indicated that the City will be resubmitting its application for participation in MDOT's 2023 Local Bridge Program using the same Resolution as approved for the 2020 submittal. We previously reviewed and approve use of the proposed Resolution Requesting that the Michigan Department of Transportation Include the 9 Mile Road Over Thornton Creek in the State Local Bridge Program List. The Resolution is provided for the limited purpose of acknowledging that the City agrees pay 5% of the bridge replacement cost and 100% of the design and construction engineering cost in the event that a grant is awarded by MDOT.

Based on the limited purpose of the Resolution, we see no legal impediment to City Council approving the enclosed version of the Resolution.

If you have any questions regarding the above, please do not hesitate to contact me.

Very truly yours,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC

Elizabeth Kudla Saarela

Enclosure

C: Cortney Hanson, Clerk (w/Enclosure)
Jeffrey Herczeg, Director of Public Works (w/Enclosure)
Thomas R. Schultz, Esquire (w/Enclosure)

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14274

CULVERT SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4519 / -83.4841	634489000010C02	Poor Condition(4)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	26.6 / 0 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.5 MI W OF NOVI RD	1970 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / AZ6H	8 Stable Above Footing	

CULVERT INSPECTION

AZ6H

Inspector Name	Agency / Company Name	Insp. Freq.	Insp. Date
Adam Rychwalski	Orchard, Hiltz & McCliment Inc	12	09/15/2022

GENERAL NOTES

Adjacent CMP arch pipe approximately 280' long each at heavy skew to 9 Mile road. Heavy corrosion and deterioration in first 40-70 feet of each pipe from inlet. Pipe shape change from CMP arch to CMP ellipse leaving exposed joint. Several blind taps with heavy corrosion at taps. Rust and scaling along the waterline for full length with the exception of the last 30 feet or so which appears to be new pipe. Large area of deflected pipe in east pipe at approximately 166' in from inlet. detailed inspection is difficult without robotics due to low rise of pipe. Deflection in north pipe approximately 25 feet from inlet and in south pipe approximately 24 feet from inlet. Assisted by Nick Aukerman (2022).

NBI INSPECTION

	09/20	09/21	09/22	
1. Culvert Rating (SIA-62)	4	4	4	(09/22) (09/21) (09/20)
2. Channel (SIA-61)	6	6	6	Upstream and downstream ends are aligned with channel. there is a 45 degree kink in the pipe approximately 30' from outlet. upstream end has rock ladder controlling stream profile. (09/22) Upstream and downstream ends are aligned with channel. there is a 45 degree kink in the pipe approximately 30' from outlet. upstream end has rock ladder controlling stream profile. (09/21) Upstream and downstream ends are aligned with channel. there is a 45 degree kink in the pipe approximately 30' from outlet. upstream end has rock ladder controlling stream profile. (09/20)
3. Scour	7	7	7	armoring at both ends. no scour noted. full invert on pipe throughout. (09/22) armoring at both ends. no scour noted. full invert on pipe throughout. (09/21) armoring at both ends. no scour noted. full invert on pipe throughout. (09/20)

AASHTO ELEMENTS

(English Units)

Element Number	Element Name	Total Quantity	Unit	Good CS1	Fair CS2	Poor CS3	Severe CS4
Culvert							
240	Steel Culvert	560	ft	60 11%	350 62%	140 25%	10 2%

Adjacent CMP arch pipe approximately 280' long each at heavy skew to 9 Mile road. Heavy corrosion and deterioration in first 40-70 feet of each pipe from inlet. Pipe shape change from CMP arch to CMP ellipse leaving exposed joint subject to attacking water from normal flow. Several blind taps with heavy corrosion at taps. Rust and scaling along the waterline for full length with the exception of the last 30 feet or so which appears to be new pipe. Large area of deflected pipe in east pipe at approximately 166' in from inlet. detailed inspection is difficult without robotics due to low rise of pipe. Robotic inspection is still difficult due to small riprap that has washed into pipe. Deflection in north pipe approximately 25 feet from inlet and in south pipe approximately 24 feet from inlet.

Scour Countermeasure

830	Plain Riprap	400	sq.ft	400 100%	0 0%	0 0%	0 0%
new riprap at outlet in good condition. New riprap and slope paving at inlet in good condition.							
837	Other Scour Protect	20	ft	20 100%	0 0%	0 0%	0 0%

Slope paving at upstream end has been replaced.

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14274

CULVERT SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition
9 MILE ROAD	42.4519 / -83.4841	634489000010C02	Poor Condition(4)
Feature	Length / Width / Spans	Owner	
THORNTON CREEK	26.6 / 0 / 2	City: NOVI(4890)	
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status
0.5 MI W OF NOVI RD	1970 / / /	Oakland(23)	A Open, no restriction(A)
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / AZ6H	8 Stable Above Footing



MISCELLANEOUS

Guard Rail

<u>Item</u>	<u>Rating</u>
36A. Bridge Railings	N
36B. Transitions	N
36C. Approach Guardrail	N
36D. Approach Guardrail Ends	N

Other Items

<u>Item</u>	<u>Rating</u>
71. Water Adequacy	6
72. Approach Alignment	4
Special Insp. Equipment	9
Underwater Insp. Method	1

RECOMMENDATIONS & ACTION ITEMS

Recommendation Type	Priority	Description
Culvert Repl.	H	Replace culvert due to poor condition, pipe damage, pipe alignment.

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14274

STRUCTURE INVENTORY AND APPRAISAL

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4519 / -83.4841	634489000010C02	Poor Condition(4)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	26.6 / 0 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.5 MI W OF NOVI RD	1970 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / AZ6H	8 Stable Above Footing	

Bridge History, Type, Materials		Route Carried By Structure(ON Record)		Route Under Structure (UNDER Record)	
27 - Year Built	1970	5A - Record Type	1	5A - Record Type	
106 - Year Reconstructed		5B - Route Signing	5	5B - Route Signing	
202 - Year Painted		5C - Level of Service	1	5C - Level of Service	
203 - Year Overlay		5D - Route Number	00000	5D - Route Number	
43 - Main Span Bridge Type	3 19	5E - Direction Suffix	0	5E - Direction Suffix	
44 - Appr Span Bridge Type		10L - Best 3m Unclr-Lt	0 0	10L - Best 3m Unclr-Lt	
77 - Steel Type		10R - Best 3m Unclr-Rt	0 0	10R - Best 3m Unclr-Rt	
78 - Paint Type		PR Number		PR Number	
79 - Rail Type	0	Control Section		Control Section	
80 - Post Type		11 - Mile Point	0	11 - Mile Point	
107 - Deck Type	N	12 - Base Highway Network	0	12 - Base Highway Network	
108A - Wearing Surface	6	13 - LRS Route-Subroute	0000006336 03	13 - LRS Route-Subroute	
108B - Membrane	N	19 - Detour Length	4	19 - Detour Length	
108C - Deck Protection	0	20 - Toll Facility	3	20 - Toll Facility	
Structure Dimensions		26 - Functional Class	16	26 - Functional Class	
34 - Skew	64	28A - Lanes On	2	28B - Lanes Under	
35 - Struct Flared	N	29 - ADT	8260	29 - ADT	
45 - Num Main Spans	2	30 - Year of ADT	2014	30 - Year of ADT	
46 - Num Apprs Spans	0	32 - Appr Roadway Width	24	42B - Service Type Under	5
48 - Max Span Length	12.2	32A/B - Ap Pvt Type/Width	4 24	47L - Left Horizontal Clear	
49 - Structure Length	26.6	42A - Service Type On	1	47R - Right Horizontal Clear	
50A - Width Left Curb/SW	0	47L - Left Horizontal Clear	0.0	54A - Left Feature	
50B - Width Right Curb/SW	0	47R - Right Horizontal Clear	24.0	54B - Left Underclearance	99 99
33 - Median	0	53 - Min Vert Clr Ov Deck	99 99	54C - Right Feature	
51 - Width Curb to Curb	0	100 - STRAHNET	0	54D - Right Clearance	99 99
52 - Width Out to Out	0	102 - Traffic Direct	2	Under Clearance Year	0
112 - NBIS Length	Y	109 - Truck %	0	55A - Reference Feature	N
Inspection Data		110 - Truck Network	0	55B - Right Horiz Clearance	0
90 - Inspection Date	09/15/2022	114 - Future ADT	9500	56 - Left Horiz Clearance	0
91 - Inspection Freq	12	115 - Year Future ADT	2034	100 - STRAHNET	
92A - Frac Crit Req/Freq	N	Freeway	0	102 - Traffic Direct	
93A - Frac Crit Insp Date		Structure Appraisal		109 - Truck %	
92B - Und Water Req/Freq	N	36A - Bridge Railing	N	110 - Truck Network	
93B - Und Water Insp Date		36B - Rail Transition	N	114 - Future ADT	
92C - Oth Spec Insp Req/Freq	N	36C - Approach Rail	N	115 - Year Future ADT	
93C - Oth Spec Insp Date		36D - Rail Termination	N	Freeway	
92D - Fatigue Req/Freq	N	67 - Structure Evaluation	4	Proposed Improvements	
93D - Fatigue Insp Date		68 - Deck Geometry	N	75 - Type of Work	
176A - Und Water Insp Method	1	69 - Underclearance	N	76 - Length of Improvement	
58 - Deck Rating	N	71 - Waterway Adequacy	6	94 - Bridge Cost	
58A/B - Deck Surface/Bottom		72 - Approach Alignment	4	95 - Roadway Cost	
59 - Superstructure Rating	N	103 - Temporary Structure		96 - Total Cost	
59A - Paint Rating		113 - Scour Criticality	8	97 - Year of Cost Estimate	
60 - Substructure Rating	N	Miscellaneous		Load Rating and Posting	
61 - Channel Rating	6	37 - Historical Significance	5	31 - Design Load	0
62 - Culvert Rating	4	98A - Border Bridge State		41 - Open, Posted, Closed	A
Navigation Data		98B - Border Bridge %	0	63 - Fed Oper Rtg Method	6
38 - Navigation Control		101 - Parallel Structure	N	64F - Fed Oper Rtg Load	2.03
39 - Vertical Clearance	0	EPA ID		64MA - Mich Oper Rtg Method	6
40 - Horizontal Clearance	0	Stay in Place Forms		64MB - Mich Oper Rtg	3.61
111 - Pier Protection		143 - Pin & Hanger Code	0	64MC - Mich Oper Truck	19
116 - Lift Brdg Vert Clear	0	148 - No. of Pin & Hangers	0	65 - Inv Rtg Method	6
				66 - Inventory Load	1.22
				70 - Posting	5
				141 - Posted Loading	
				193 - Overload Class	A N

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14274

WORK RECOMMENDATIONS

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4519 / -83.4841	634489000010C02	Poor Condition(4)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	26.6 / 0 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.5 MI W OF NOVI RD	1970 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / AZ6H	8 Stable Above Footing	

WORK RECOMMENDATIONS

AZ6H

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14275

CULVERT SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4522 / -83.4729	634489000010C03	Good Condition(7)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	21.5 / 104 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.06 MI E OF NOVI RD	1990 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / KM5A	8 Stable Above Footing	

CULVERT INSPECTION

KM5A

Inspector Name	Agency / Company Name	Insp. Freq.	Insp. Date
Adam Rychwalski	Orchard, Hiltz & McCliment Inc	24	09/15/2022

GENERAL NOTES

Dual CMP arch pipe. Pipe in overall good to fair condition with minor puncture under westbound lane. Assisted by Nick Aukerman (2022).

NBI INSPECTION

	11/18	09/20	09/22	
1. Culvert Rating (SIA-62)	7	7	7	(09/22) (09/20) (11/18)
2. Channel (SIA-61)	5	5	5	Main channel is in east bore with stream entering from northeast. west bore is mainly an overflow. Debris has been cleared from the west bore. Stream conditions do not appear to affect the pipe. (09/22) Main channel is in east bore with stream entering from northeast. west bore is mainly an overflow as debris has built up between the pipes up to approximately bankful height. debris dam causes approximate 1.5' waterfall 30' downstream. stream conditions do not appear to affect the pipe. (09/20) Main channel is in east bore with stream entering from northeast. west bore is mainly an overflow as debris has built up between the pipes up to approximately bankful height. debris dam causes approximate 1.5' waterfall 30' downstream. stream conditions do not appear to affect the pipe. (11/18)
3. Scour	6	6	6	no natural bottom at upstream end of pipe but no scour noted. (09/22) no natural bottom at upstream end of pipe but no scour noted. (09/20) no natural bottom at upstream end of pipe but no scour noted. (11/18)

AASHTO ELEMENTS

(English Units)

Element Number	Element Name	Total Quantity	Unit	Good CS1	Fair CS2	Poor CS3	Severe CS4
Culvert							
240	Steel Culvert	240	ft	220 92%	20 8%	0 0%	0 0%
861	Culvert Wingwall	2	(EA)	2 100%	0 0%	0 0%	0 0%
863	Culvert Headwall	1	(EA)	1 100%	0 0%	0 0%	0 0%

MISCELLANEOUS

Guard Rail

Item	Rating
36A. Bridge Railings	N
36B. Transitions	N
36C. Approach Guardrail	N
36D. Approach Guardrail Ends	N

Other Items

Item	Rating
71. Water Adequacy	8
72. Approach Alignment	6
Special Insp. Equipment	
Underwater Insp. Method	1

RECOMMENDATIONS & ACTION ITEMS

Recommendation Type	Priority	Description
Modified by: RYCHWALS KIA4444 on 09/15/2022	Printed on 09/15/2022	Page 1 of 2

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14275

CULVERT SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4522 / -83.4729	634489000010C03	Good Condition(7)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	21.5 / 104 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.06 MI E OF NOVI RD	1990 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / KM5A	8 Stable Above Footing	
Other	L	plug puncture hole in culvert with grout during the next project in the area.		

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14275

STRUCTURE INVENTORY AND APPRAISAL

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4522 / -83.4729	634489000010C03	Good Condition(7)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	21.5 / 104 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.06 MI E OF NOVI RD	1990 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / KM5A	8 Stable Above Footing	

Bridge History, Type, Materials		Route Carried By Structure(ON Record)		Route Under Structure (UNDER Record)	
27 - Year Built	1990	5A - Record Type	1	5A - Record Type	
106 - Year Reconstructed		5B - Route Signing	5	5B - Route Signing	
202 - Year Painted		5C - Level of Service	1	5C - Level of Service	
203 - Year Overlay		5D - Route Number	00000	5D - Route Number	
43 - Main Span Bridge Type	3 19	5E - Direction Suffix	0	5E - Direction Suffix	
44 - Appr Span Bridge Type		10L - Best 3m Unclr-Lt	0 0	10L - Best 3m Unclr-Lt	
77 - Steel Type		10R - Best 3m Unclr-Rt	0 0	10R - Best 3m Unclr-Rt	
78 - Paint Type		PR Number		PR Number	
79 - Rail Type	0	Control Section		Control Section	
80 - Post Type		11 - Mile Point	0	11 - Mile Point	
107 - Deck Type	N	12 - Base Highway Network	0	12 - Base Highway Network	
108A - Wearing Surface	6	13 - LRS Route-Subroute	0000006336 03	13 - LRS Route-Subroute	
108B - Membrane	N	19 - Detour Length	0	19 - Detour Length	
108C - Deck Protection	0	20 - Toll Facility	3	20 - Toll Facility	
Structure Dimensions		26 - Functional Class	16	26 - Functional Class	
34 - Skew	0	28A - Lanes On	4	28B - Lanes Under	
35 - Struct Flared	N	29 - ADT	11126	29 - ADT	
45 - Num Main Spans	2	30 - Year of ADT	2012	30 - Year of ADT	
46 - Num Apprs Spans	0	32 - Appr Roadway Width	52	42B - Service Type Under	5
48 - Max Span Length	10	32A/B - Ap Pvt Type/Width	4 52	47L - Left Horizontal Clear	
49 - Structure Length	21.5	42A - Service Type On	1	47R - Right Horizontal Clear	
50A - Width Left Curb/SW	0	47L - Left Horizontal Clear	0.0	54A - Left Feature	
50B - Width Right Curb/SW	8	47R - Right Horizontal Clear	27.5	54B - Left Underclearance	99 99
33 - Median	0	53 - Min Vert Clr Ov Deck	99 99	54C - Right Feature	
51 - Width Curb to Curb	52	100 - STRAHNET	0	54D - Right Clearance	99 99
52 - Width Out to Out	104	102 - Traffic Direct	2	Under Clearance Year	0
112 - NBIS Length	Y	109 - Truck %	0	55A - Reference Feature	N
Inspection Data		110 - Truck Network	0	55B - Right Horiz Clearance	0
90 - Inspection Date	09/15/2022	114 - Future ADT	12800	56 - Left Horiz Clearance	0
91 - Inspection Freq	24	115 - Year Future ADT	2032	100 - STRAHNET	
92A - Frac Crit Req/Freq	N	Freeway	0	102 - Traffic Direct	
93A - Frac Crit Insp Date		Structure Appraisal		109 - Truck %	
92B - Und Water Req/Freq	N	36A - Bridge Railing	N	110 - Truck Network	
93B - Und Water Insp Date		36B - Rail Transition	N	114 - Future ADT	
92C - Oth Spec Insp Req/Freq	N	36C - Approach Rail	N	115 - Year Future ADT	
93C - Oth Spec Insp Date		36D - Rail Termination	N	Freeway	
92D - Fatigue Req/Freq	N	67 - Structure Evaluation	7	Proposed Improvements	
93D - Fatigue Insp Date		68 - Deck Geometry	4	75 - Type of Work	
176A - Und Water Insp Method	1	69 - Underclearance	8	76 - Length of Improvement	
58 - Deck Rating	N	71 - Waterway Adequacy	N	94 - Bridge Cost	
58A/B - Deck Surface/Bottom		72 - Approach Alignment	6	95 - Roadway Cost	
59 - Superstructure Rating	N	103 - Temporary Structure		96 - Total Cost	
59A - Paint Rating		113 - Scour Criticality	8	97 - Year of Cost Estimate	
60 - Substructure Rating	N	Miscellaneous		Load Rating and Posting	
61 - Channel Rating	5	37 - Historical Significance	5	31 - Design Load	5
62 - Culvert Rating	7	98A - Border Bridge State		41 - Open, Posted, Closed	A
Navigation Data		98B - Border Bridge %	0	63 - Fed Oper Rtg Method	6
38 - Navigation Control		101 - Parallel Structure	N	64F - Fed Oper Rtg Load	3.59
39 - Vertical Clearance	0	EPA ID		64MA - Mich Oper Rtg Method	6
40 - Horizontal Clearance	0	Stay in Place Forms		64MB - Mich Oper Rtg	6.38
111 - Pier Protection		143 - Pin & Hanger Code	0	64MC - Mich Oper Truck	19
116 - Lift Brdg Vert Clear	0	148 - No. of Pin & Hangers	0	65 - Inv Rtg Method	6
				66 - Inventory Load	2.15
				70 - Posting	5
				141 - Posted Loading	
				193 - Overload Class	A N

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 14275

WORK RECOMMENDATIONS

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition	
9 MILE ROAD	42.4522 / -83.4729	634489000010C03	Good Condition(7)	
Feature	Length / Width / Spans	Owner		
THORNTON CREEK	21.5 / 104 / 2	City: NOVI(4890)		
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status	
0.06 MI E OF NOVI RD	1990 / / /	Oakland(23)	A Open, no restriction(A)	
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation	
Metro(7) / Oakland(63)	3 Steel / 19 Culvert	09/15/2022 / KM5A	8 Stable Above Footing	

WORK RECOMMENDATIONS

KM5A

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 13828

BRIDGE SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition
ASHBURY DRIVE	42.4427 / -83.4728	635489000067B01	Poor Condition(4)
Feature	Length / Width / Spans	Owner	
MIDDLE BR ROUGE RIVER	46.1 / 44.4 / 1	City: NOVI(4890)	
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status
CHASE FARMS SUBDIVISION	1991 / / /	Oakland(23)	A Open, no restriction(A)
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation
Metro(7) / Oakland(63)	5 Prestressed Concrete / 05 Box Bm/Gird- Multiple	09/15/2022 / 9LGY	8 Stable Above Footing



NBI INSPECTION

9LGY

Inspector Name	Agency / Company Name	Insp. Freq.	Insp. Date
Adam Rychwalski	Orchard, Hiltz & McCliment Inc	12	09/15/2022

GENERAL NOTES

Assisted by Nick Aukerman.

DECK

	09/18	09/20	09/22	
1. Surface (SIA-58A)	6	6	6	HMA surface with sealed longitudinal crack at centerline. Two other sealed longitudinal cracks near mid span. Previously unsealed crack have been sealed. SE quad has break up of HMA at east curb line. General scaling of HMA surface along west curb line. (09/22) HMA surface with sealed longitudinal crack at centerline. Two other sealed longitudinal cracks near mid span. A few unsealed cracks. SE quad has break up of HMA at east curb line. General scaling of HMA surface along west curb line. (09/20) HMA surface with sealed longitudinal crack at centerline. Two other sealed longitudinal cracks near mid span. A few unsealed cracks. SE quad has break up of HMA at east curb line. (09/18)
2. Expansion Joints	7	7	7	Sealed cracks at reference lines. Sealant sinking in areas but still intact. Some drying of HPJS. (09/22) Sealed cracks at reference lines. Sealant sinking in areas but still intact. Some drying of HPJS. (09/20) Sealed cracks at reference lines. Sealant sinking in areas but still intact. (09/18)
3. Other Joints	N	N	N	(09/22) (09/20) (09/18)
4. Railings	7	7	7	Concrete rail with painted timber insets and wood rail on top. Concrete has some vertical cracks at 5-6' spacing. Timber has been recently replaced. (09/22) Concrete rail with painted timber insets and wood rail on top. Concrete has some vertical cracks at 5-6' spacing. Timber has been recently replaced. (09/20) Concrete rail with painted timber insets and metal rail on top. Concrete has some vertical cracks at 5-6' spacing. Timber and metal with no deficiencies. (09/18)
5. Sidewalks or Curbs	7	7	7	A few longitudinal and transverse cracks on sidewalk. (09/22) A few longitudinal and transverse cracks on sidewalk. (09/20) A few longitudinal and transverse cracks on sidewalk. (09/18)
6. Deck Bottom Surface (SIA-58B)	N	N	N	Side-by-side box beams. Leaking between all beams. Stalactites present at most beam lines and leachate at all of them. (09/22) Side-by-side box beams. Leaking between all beams. Stalactites present at most beam lines and leachate at all of them. (09/20) Side-by-side box beams. Leaking between all beams. Stalactites present at most beam lines and leachate at all of them. (09/18)
7. Deck (SIA-58)	6	6	6	Surface has some cracking and there is leaking between all beams. Top of beams exposed at sidewalk face near midspan on both sides of bridge. (09/22) Surface has some cracking and there is leaking between all beams. (09/20) Surface has some cracking and there is leaking between all beams. (09/18)
8. Drainage				(09/22) (09/20) (09/18)

SUPERSTRUCTURE

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 13828

BRIDGE SAFETY INSPECTION REPORT

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition
ASHBURY DRIVE	42.4427 / -83.4728	635489000067B01	Poor Condition(4)
Feature	Length / Width / Spans	Owner	
MIDDLE BR ROUGE RIVER	46.1 / 44.4 / 1	City: NOVI(4890)	
Location	Built / Recon. / Paint / Ovly.	TSC	Operational Status
CHASE FARMS SUBDIVISION	1991 / / /	Oakland(23)	A Open, no restriction(A)
Region / County	Material / Design	Last NBI Inspection	Scour Evaluation
Metro(7) / Oakland(63)	5 Prestressed Concrete / 05 Box Bm/Gird- Multiple	09/15/2022 / 9LGY	8 Stable Above Footing



09/18 09/20 09/22

9. Stringer (SIA-59)	7	7	7	Leaching between beams but no distress to beams. Few cracks on fascias at 4' spacing with leaching. (09/22) Leaching between beams but no distress to beams. Few cracks on fascias at 4' spacing with leaching. (09/20) Leaching between beams but no distress to beams. Few cracks on fascias at 4' spacing with leaching. (09/18)
10. Paint (SIA-59A)	N	N	N	(09/22) (09/20) (09/18)
11. Section Loss	N	N	N	(09/22) (09/20) (09/18)
12. Bearings	7	7	7	Not visible but not no signs of issues. Appear to be functioning as intended. (09/22) Not visible but not no signs of issues. Appear to be functioning as intended. (09/20) Not visible but not no signs of issues. Appear to be functioning as intended. (09/18)

SUBSTRUCTURE

09/18 09/20 09/22

13. Abutments (SIA-60)	5	5	4	Pack rust and scaling at base and top near beams is evident on both abutments and has progressed since the previous inspection. Some vertical cracks in concrete pile cap. Evidence of leaking from ends. Holes in sheet piling of north abutment near the middle of the base. Pack rust and scaling on north abutment is allowing water through but no material. Section loss is minor and there is leaching between the sheets of the southern abutment sheet piling. (09/22) Steel sheet piling has pack rust at base and at top near beams. Section loss is minor and there is leaching between the sheets. Some vertical cracks in concrete pile cap. Evidence of leaking from ends. (09/20) Steel sheet piling has pack rust at base and at top near beams. Section loss is minor and there is leaching between the sheets. Some vertical cracks in concrete pile cap. (09/18)
14. Piers (SIA-60)	N	N	N	(09/22) (09/20) (09/18)
15. Slope Protection	N	N	N	(09/22) (09/20) (09/18)
16. Channel (SIA-61)	6	6	6	Banks eroded ~2' high along the waterline. vegetation sloughing into channel. Main channel is relatively flat (09/22) Banks eroded ~2' high along the waterline. vegetation sloughing into channel. Main channel is relatively flat (09/20) Banks eroded ~2' high along the waterline. vegetation sloughing into channel. Main channel is relatively flat (09/18)
17. Scour Inspection	7	7	7	No scour evident. Flat rocky bottom. (09/22) No scour evident. Flat rocky bottom. (09/20) No scour evident. (09/18)

APPROACH

09/18 09/20 09/22

18. Approach Pavement	7	7	7	Sealed longitudinal rack in north approach. No cracks in south approach. General wear in HMA. (09/22) Sealed longitudinal rack in north approach. No cracks in south approach. General wear in HMA. (09/20) Sealed longitudinal rack in north approach. No cracks in south approach. (09/18)
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MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 13828

BRIDGE SAFETY INSPECTION REPORT

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Feature	Length / Width / Spans	Owner	
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Metro(7) / Oakland(63)	5 Prestressed Concrete / 05 Box Bm/Gird- Multiple	09/15/2022 / 9LGY	8 Stable Above Footing



19. Approach 7 7 7 Sidewalk and curb have recently been replaced in all quadrants. (09/22)
Shoulders Sidewalk and curb have recently been replaced in all quadrants. (09/20)
Sidewalks Sidewalk and curb have recently been replaced in all quadrants. (09/18)

20. Approach Gentle grassed slopes with no erosion. (09/22)
Slopes Gentle grassed slopes with no erosion. (09/20)
 Gentle grassed slopes with no erosion. (09/18)

21. Utilities (09/22)
 (09/20)
 (09/18)

22. Drainage (09/22)
Culverts (09/20)
 (09/18)

MISCELLANEOUS

Guard Rail

<u>Item</u>	<u>Rating</u>
36A. Bridge Railings	1
36B. Transitions	0
36C. Approach Guardrail	0
36D. Approach Guardrail Ends	0

Other Items

<u>Item</u>	<u>Rating</u>
71. Water Adequacy	8
72. Approach Alignment	8
Temporary Support	0 No Temporary Supports
High Load Hit (M)	No
Special Insp. Equipment	2
Underwater Insp. Method	1

False Decking (Timber) Removed to Complete Inspection

N/A - No False Decking

Critical Feature Inspections (SIA-92)

	<u>Freq</u>	<u>Date</u>
92A. Fracture Critical		
92B. Underwater		
92C. Other Special		
92D. Fatigue Sensitive		

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 13828

STRUCTURE INVENTORY AND APPRAISAL

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition
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Bridge History, Type, Materials		Route Carried By Structure(ON Record)		Route Under Structure (UNDER Record)	
27 - Year Built	1991	5A - Record Type	1	5A - Record Type	
106 - Year Reconstructed		5B - Route Signing	5	5B - Route Signing	
202 - Year Painted		5C - Level of Service	0	5C - Level of Service	
203 - Year Overlay		5D - Route Number	00000	5D - Route Number	
43 - Main Span Bridge Type	5 05	5E - Direction Suffix	0	5E - Direction Suffix	
44 - Appr Span Bridge Type		10L - Best 3m Unclr-Lt	0 0	10L - Best 3m Unclr-Lt	
77 - Steel Type		10R - Best 3m Unclr-Rt	99 99	10R - Best 3m Unclr-Rt	
78 - Paint Type		PR Number		PR Number	
79 - Rail Type	9	Control Section		Control Section	
80 - Post Type		11 - Mile Point	0	11 - Mile Point	
107 - Deck Type	2	12 - Base Highway Network	0	12 - Base Highway Network	
108A - Wearing Surface	6	13 - LRS Route-Subroute	0000044017 42	13 - LRS Route-Subroute	
108B - Membrane	0	19 - Detour Length	2	19 - Detour Length	
108C - Deck Protection	0	20 - Toll Facility	3	20 - Toll Facility	
Structure Dimensions		26 - Functional Class	19	26 - Functional Class	
34 - Skew	4	28A - Lanes On	2	28B - Lanes Under	
35 - Struct Flared	0	29 - ADT	100	29 - ADT	
45 - Num Main Spans	1	30 - Year of ADT	1991	30 - Year of ADT	
46 - Num Apprs Spans	0	32 - Appr Roadway Width	24	42B - Service Type Under	5
48 - Max Span Length	39.5	32A/B - Ap Pvt Type/Width	24.02	47L - Left Horizontal Clear	
49 - Structure Length	46.1	42A - Service Type On	5	47R - Right Horizontal Clear	
50A - Width Left Curb/SW	6.8	47L - Left Horizontal Clear	0.0	54A - Left Feature	
50B - Width Right Curb/SW	6.8	47R - Right Horizontal Clear	28.0	54B - Left Underclearance	99 99
33 - Median	0	53 - Min Vert Clr Ov Deck	99 99	54C - Right Feature	
51 - Width Curb to Curb	28	100 - STRAHNET	0	54D - Right Clearance	99 99
52 - Width Out to Out	44.4	102 - Traffic Direct	2	Under Clearance Year	
112 - NBIS Length	Y	109 - Truck %	0	55A - Reference Feature	N
Inspection Data		110 - Truck Network	0	55B - Right Horiz Clearance	
90 - Inspection Date	09/15/2022	114 - Future ADT	115	56 - Left Horiz Clearance	
91 - Inspection Freq	12	115 - Year Future ADT	2011	100 - STRAHNET	
92A - Frac Crit Req/Freq	N	Freeway	0	102 - Traffic Direct	
93A - Frac Crit Insp Date		Structure Appraisal		109 - Truck %	
92B - Und Water Req/Freq	N	36A - Bridge Railing	1	110 - Truck Network	
93B - Und Water Insp Date		36B - Rail Transition	0	114 - Future ADT	
92C - Oth Spec Insp Req/Freq	N	36C - Approach Rail	0	115 - Year Future ADT	
93C - Oth Spec Insp Date		36D - Rail Termination	0	Freeway	
92D - Fatigue Req/Freq	N	67 - Structure Evaluation	5	Proposed Improvements	
93D - Fatigue Insp Date		68 - Deck Geometry	7	75 - Type of Work	
176A - Und Water Insp Method	1	69 - Underclearance	N	76 - Length of Improvement	
58 - Deck Rating	6	71 - Waterway Adequacy	8	94 - Bridge Cost	
58A/B - Deck Surface/Bottom	6 N	72 - Approach Alignment	8	95 - Roadway Cost	
59 - Superstructure Rating	7	103 - Temporary Structure		96 - Total Cost	
59A - Paint Rating	N	113 - Scour Criticality	8	97 - Year of Cost Estimate	
60 - Substructure Rating	4	Miscellaneous		Load Rating and Posting	
61 - Channel Rating	6	37 - Historical Significance	5	31 - Design Load	4
62 - Culvert Rating	N	98A - Border Bridge State		41 - Open, Posted, Closed	A
Navigation Data		98B - Border Bridge %		63 - Fed Oper Rtg Method	0
38 - Navigation Control	0	101 - Parallel Structure	N	64F - Fed Oper Rtg Load	1.67
39 - Vertical Clearance	0	EPA ID		64MA - Mich Oper Rtg Method	0
40 - Horizontal Clearance	0	Stay in Place Forms	0	64MB - Mich Oper Rtg	1
111 - Pier Protection		143 - Pin & Hanger Code		64MC - Mich Oper Truck	18
116 - Lift Brdg Vert Clear	0	148 - No. of Pin & Hangers		65 - Inv Rtg Method	0
				66 - Inventory Load	1
				70 - Posting	5
				141 - Posted Loading	
				193 - Overload Class	

MICHIGAN DEPARTMENT OF TRANSPORTATION

STR 13828

WORK RECOMMENDATIONS

Facility	Latitude / Longitude	MDOT Structure ID	Structure Condition
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WORK RECOMMENDATIONS

9LGY

Inspector Name	Agency / Company Name	Insp. Freq.	Insp. Date
Adam Rychwalski	Orchard, Hiltz & McCliment Inc	12	09/15/2022

RECOMMENDATIONS & ACTION ITEMS

Recommendation Type	Priority	Description
Deck Patching	L	Seal cracks in surface.
HMA Overlay	L	Apply waterproofing underneath HMA overlay.
Bridge Repl.	L	



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of the Zoning Map Amendment 18.739 request 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. **SECOND READING**

SUBMITTING DEPARTMENT: Community Development Department - Planning

BACKGROUND INFORMATION:

The petitioner is requesting a Zoning Map amendment for the south 4.14 acre portion of an 8.03 acre site located at 45799 Grand River Avenue (Section 16) from OST (Office Service Technology) to I-1 (Light Industrial). The applicant states that the rezoning to I-1 is being requested to make the zoning consistent across the entirety of the property owned by Paradise Park.

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property as Industrial Research Development Technology. The requested I-1, Light Industrial Zoning District is consistent with the recommended Industrial Research Development Technology land use. The remainder of the property to the north is identified in the Master Plan as Industrial Research Development Technology, the property to the west is identified as One-Family Residential, the property to the east is identified as One-Family Residential, and the property to the south is identified as One-Family Residential.

The north part of the subject property has been used for an indoor/outdoor recreational facility since the mid-2000s. The applicant has stated that there are no immediate plans for changes to the rezoned property. The property subject to the rezoning request remains largely undeveloped, but has a stormwater basin on the east side of the property (adjacent to the Andes Hills condominium), a landscaped berm along the south property line (adjacent to the SV Temple), and has regulated wetlands and woodlands on portions of the site.

Given the proximity of the site to residential zoning districts, any future expansion of the private indoor/outdoor recreation facilities onto the rezoned site would require Special

Land Use approval by the Planning Commission. Some additional uses permitted subject to Special Land Use consideration would be Research and Development, Technical Training, Data Processing, Light Manufacturing, Pet Boarding, and several other uses as described in the ordinance. Other uses permitted as of right in the I-1 District would be professional or medical office uses. Since this site is adjacent to residential zoning and uses, there are limitations on building height, setbacks, and screening. The minimum building and parking setbacks from any residentially zoned land are 100 feet, and the building height would be restricted to a maximum of 25 feet.

In 2017, the City Council accepted a 50-foot-wide perimeter easement on the south, east and west property lines of the property subject to rezoning (attached). The easement ensures that there will be no permanent structures in the easement areas, except as may be allowed as part of an approved site plan. The easement areas may not be developed in any manner that alters the natural vegetation, unless authorized in an approved landscape plan, or as needed for routine maintenance. The location of a future berm is also shown in the easement.

Rezoning the subject property to the I-1 District is consistent with the Master Plan recommended future land use of Industrial Research Development Technology; the rezoning will support and potentially strengthen an existing business, the rezoning will not negatively impact the level of service on the adjacent roadways (as demonstrated in the submitted Rezoning Traffic Impact Study), and the current Zoning Ordinance standards for the Light Industrial District will allow for adequate buffers from the adjacent properties for future development of the subject site, if it were to be developed in the future.

The Planning Commission held a public hearing on February 8, 2023 and continued the public hearing to the next meeting on February 22, 2023. The Planning Commission **recommended approval** of the rezoning request to the City Council. The City Council approved the First Reading of the request at the March 6 City Council meeting.

RECOMMENDED ACTION:

Approval of the Zoning Map Amendment 18.739 request 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. **SECOND 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.

MAPS

Location

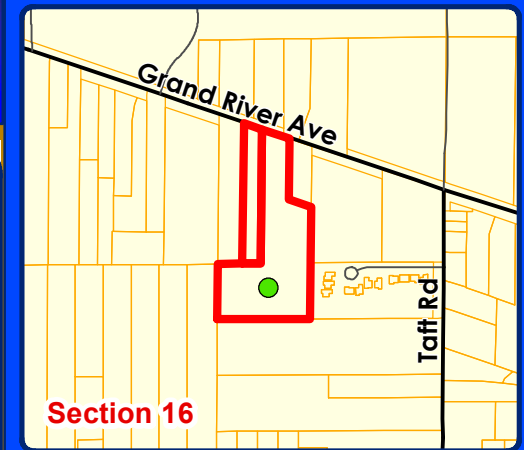
Zoning

Future Land Use

Natural Features

JZ22-31 PARADISE PARK - PARTIAL REZONING

LOCATION



LEGEND

 Subject Property



City of Novi

Dept. of Community Development
City Hall / Civic Center
45175 W Ten Mile Rd
Novi, MI 48375
cityofnovi.org

Map Author: Christian Carroll
Date: 12/28/22
Project: PARADISE PARK PARTIAL REZONING
Version #: 1

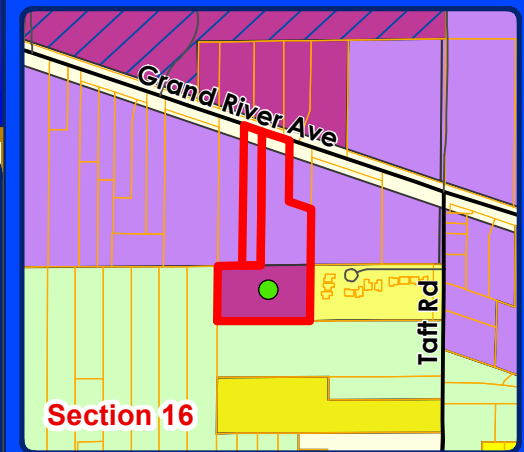
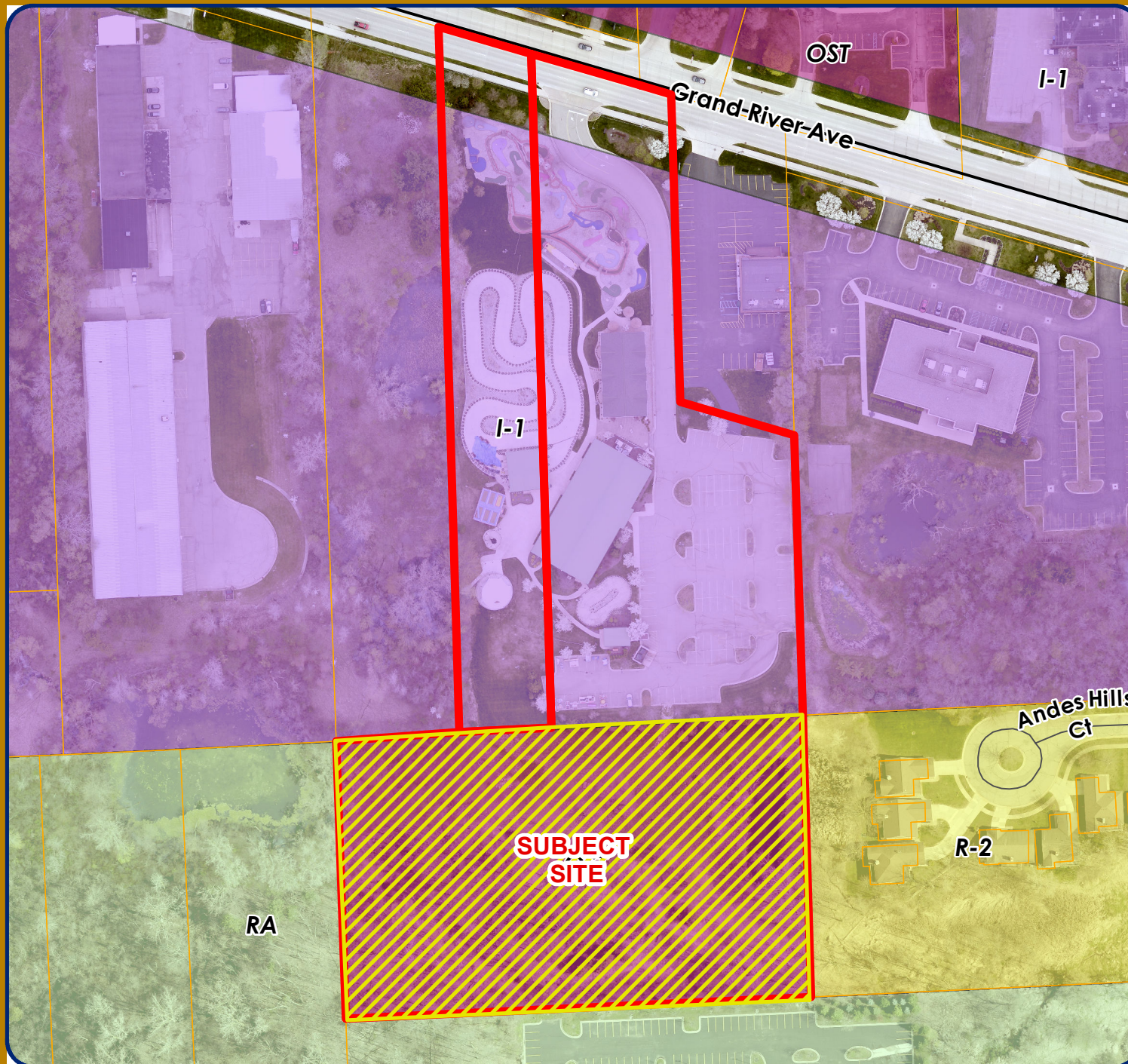
0 37.5 75 150 225 Feet
1 inch = 170 feet



MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

JZ22-31 PARADISE PARK - PARTIAL REZONING ZONING



LEGEND

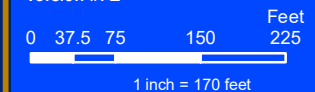
- R-A: Residential Acreage
- R-1: One-Family Residential District
- R-2: One-Family Residential
- R-4: One-Family Residential District
- EXO: OST District with EXO Overlay
- I-1: Light Industrial District
- OST: Office Service Technology
- Subject Property



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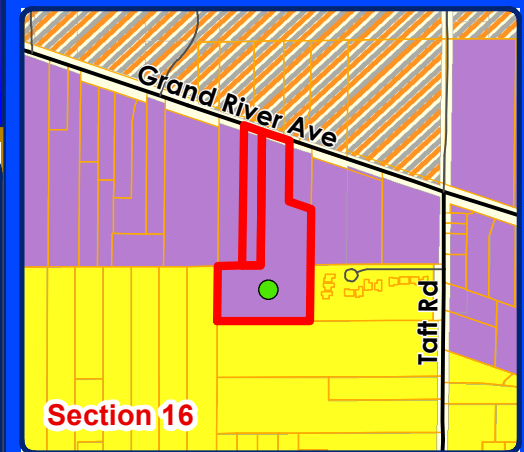
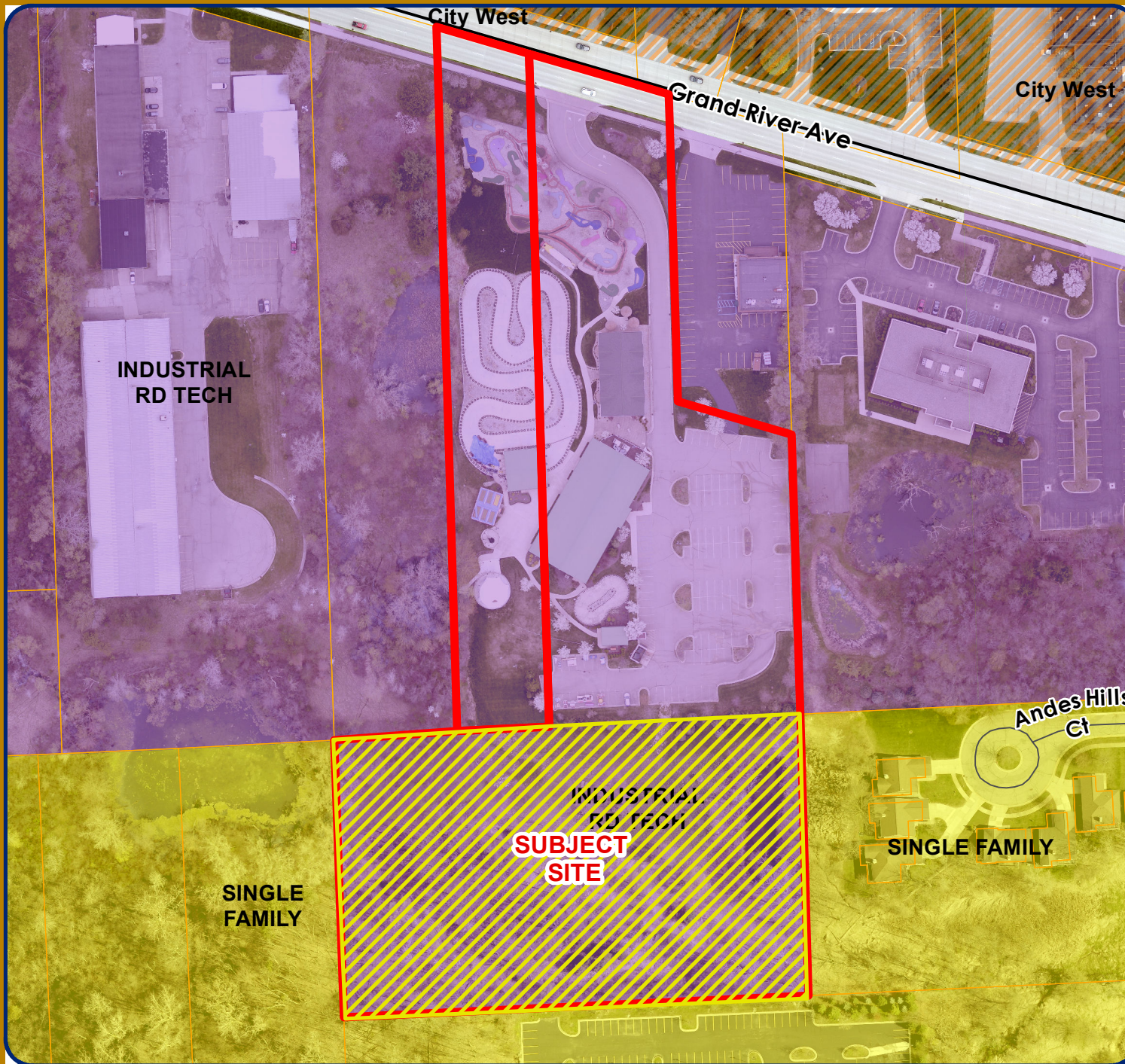


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JZ22-31 PARADISE PARK - PARTIAL REZONING

FUTURE LAND USE



LEGEND

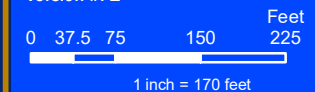
- Single Family
- Industrial Research Development Technology
- City West
- Subject Property



City of Novi

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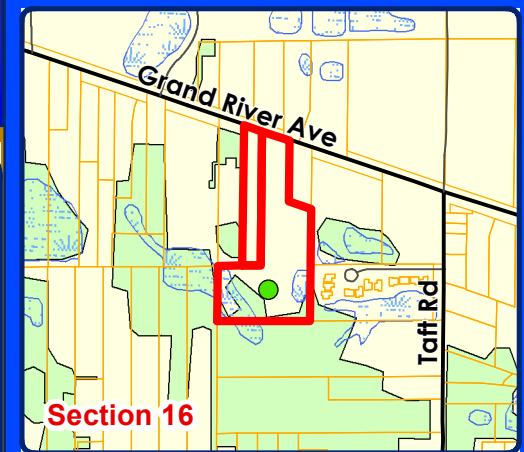


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JZ22-31 PARADISE PARK - PARTIAL REZONING

NATURAL FEATURES



LEGEND

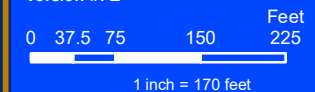
- WETLANDS
- WOODLANDS
- Subject Property



City of Novi

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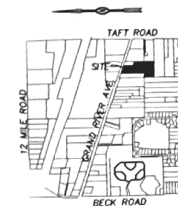


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SITE SURVEY

(Full plan set available for viewing at the Community Development Department.)



LOCATION MAP
SCALE: 1"=2000'

RECEIVED

DEC 20 2022

CITY OF NOVI
COMMUNITY DEVELOPMENT

PARADISE PARK

LEGAL DESCRIPTION 22-18-451-046 & 22-18-451-009 COMBINE

[illegible]**PARADISE BAR**

PROPOSED REZONING DESCRIPTION

A part of the Southeast 1/4 of Section 18, Town 1 North, Range 8 East, City of Nixa, Oakland County, Michigan; more particularly described as commencing at Southeast Corner of said Section 18; thence North 89°42'46" East, 132.76 feet, along the East line of said Section 18 and the centerline of Taft Road, to the Northeast Corner of said "Andres Hille Condominium"; thence South 87°53'17" West, 129.42 feet, along the East line of said "Andres Hille Condominium"; thence South 87°53'17" West, 78.16 feet, along the North line of said "Andres Hille Condominium"; thence South 00°52'44" East, 330.24 feet, along the West line of said "Andres Hille Condominium"; to the Southwest corner of said "Andres Hille Condominium"; thence South 29°23'56" East, 329.38 feet (previously described as 345.94 feet); thence North 89°54'44" East, 82.47 feet, to the point of beginning. Containing 4.14 acres.

REZONING SIGN REQUIREMENTS

SIGN MUST MEET THE FOLLOWING SPECIFICATIONS:

- BLACK LETTERS ON WHITE BACKGROUND
- SIZE MINIMUM FOUR FEET (VERTICAL) BY SIX FEET (HORIZONTAL)
- SIGN FACE MUST BE EXTERIOR PLYWOOD, ALUMINUM OR A SIMILAR DURABLE WEATHER MATERIAL.
- SIGN SUPPORT SYSTEM MUST BE STRUCTURALLY SOUND AND ABLE TO WITHSTAND LATERAL WIND OF FOURTEEN POUNDS PER SQUARE FOOT
- WORDING AND FONT SIZE SHALL BE AS FOLLOWS:

ZONING CHANGE PROPOSED FROM (IDENTIFY CURRENT DISTRICT) TO (IDENTIFY PROPOSED DISTRICT)

For more information call:
New Community Development Department
248-347-0475

—Min 8" high letters

— Min 4" high letters

REZONING SIGNS MUST BE REMOVED WITHIN:

REZONING SIGNS MUST BE REMOVED WITHIN:

- SEVEN DAYS OF ENACTMENT OF THE REZONING REQUEST BY CITY COUNCIL
- SEVEN DAYS OF WITHDRAWING REZONING APPLICATION (IF APPLICANT DELAYS THE REQUEST BEYOND THE FOUR CITY COUNCIL MEETING LIMIT ALLOTTED, THE REZONING APPLICATION WILL BE CONSIDERED WITHDRAWN); OR
- SEVEN DAYS OF DENIAL OF REZONING REQUEST BY CITY COUNCIL

Consulting Engineers • Land Surveyors
1815 Richardson Rd., Commerce Twp. MI 48390
(313) 368-3222 • (313) 368-3222

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ISSUED FOR _____

PROPOSED REZONING

PARADISE PARK

Scale:	1"=50'
Date:	12/13/22
Job No.	11045
Sht. No.	

1

PLANNING REVIEW



PLAN REVIEW CENTER REPORT

February 14, 2023

Planning Review

Paradise Park – Partial Rezoning

JZ22-27 with Rezoning 18.739

PETITIONER

Paradise Park

REVIEW TYPE

Rezoning Request from OST (Office Service Technology) to I-1 (Light Industrial)

PROPERTY CHARACTERISTICS

Section	16	
Site Location	45799 Grand River Ave; South of Grand River Ave, West of Taft Rd (Parcel 22-16-451-046)	
Site School District	Novi Community School District	
Site Zoning	OST Office Service Technology	
Adjoining Zoning	North	I-1 Light Industrial
	East	R-2 One-Family Residential
	West	RA Residential Acreage
	South	RA Residential Acreage
Current Site Use	Vacant	
Adjoining Uses	North	Paradise Park
	East	Andes Hills Subdivision
	West	One-Family Residential
	South	Sri Venkateswara Temple
Site Size	4.14 acres (area proposed to be rezoned)	
Plan Date	December 13, 2022	

PROJECT SUMMARY

The petitioner is requesting a Zoning Map amendment for a 4.14 acre portion of an 8.03 acre site located at 45799 Grand River Avenue (Section 16) from OST (Office Service Technology) to I-1 (Light Industrial). The applicant states that the rezoning is being requested to make the zoning consistent between the two sites owned by Paradise Park. This will allow the property owner to combine the parcels more smoothly and provide opportunity for future expansion, if needed. The applicant is not proposing any changes to the site at this time.

On April 30, 1997, as part of a review of split zoning cases, the Master Plan and Zoning Committee did not recommend approval of a proposed rezoning of the property from Residential Acreage (RA) and Light Industrial (I-1) to OST (Office Service Technology). The Master Plan and Zoning Committee recommended that the issue be reviewed by the Planning Commission. On July 2, 1997, a public hearing for the rezoning request was held by the Planning Commission. The rezoning was recommended for approval by the Planning Commission and was approved by City Council.

At the time, Kimbob LLC was the property owner, who's intent was to build an office. The City's Planning Consultant, Brandon Rogers, did not recommend approval of the proposed rezoning due to concern surrounding the penetration of non-residential zoning into a uniformly residentially zoned area. The area at the time was also planned for residential in the Master Plan. The applicant indicated the intent of rezoning the property to OST was in part to provide a buffer from the residentially zoned land. The Planning Commission minutes from the July 2, 1997 meeting are attached to this report.

MASTER PLAN FOR LAND USE

The Future Land Use Map of the 2016 City of Novi Master Plan for Land Use identifies this property as Industrial Research Development Technology. As the Master Plan states, "this land use is designated for a variety of office, research and development, light industrial and warehousing uses. These uses may range from a single use site to a large mixed use complex. The area may also include facilities for office, research, development and manufacturing support services, higher education and indoor recreation." Given the site's location along Grand River Avenue, it meets the intent of the Master Plan. In addition, the I-1 Zoning District is consistent with the Industrial Research Development Technology land use.

The remainder of the property to the north is identified in the Master Plan as Industrial Research Development Technology, the property to the west is identified as One-Family Residential, the property to the east is identified as One-Family Residential, and the property to the south is identified as One-Family Residential.

The proposal would follow objectives listed in the Master Plan for Land Use including the following:

1. Objective: Retain and support the growth of existing businesses and attract new businesses to the City of Novi.

Staff Comment: Paradise Park is a popular entertainment venue in Novi and the proposed rezoning promotes continued success of the business.

2. Objective: Maintain quality architecture and design throughout the City.
 - a. Zoning Action Item: Establish architectural design, signage, and landscaping conveying Novi's quality image to the community.



Staff Comment: Paradise Park is an identifiable and popular local business in Novi. The attraction is unique to the region and draws visitors from around the region.

Current Image of Subject Property

EXISTING ZONING AND LAND USE

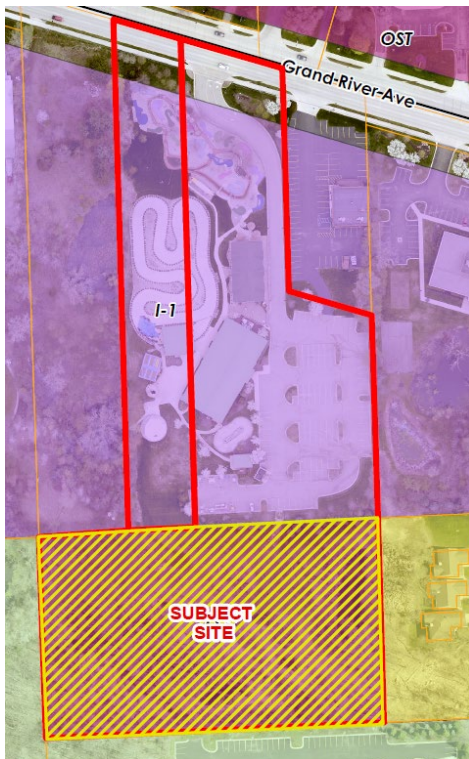
The following table summarizes the zoning and land use status for the subject property and surrounding properties.

Land Use and Zoning: For Subject Property and Adjacent Properties

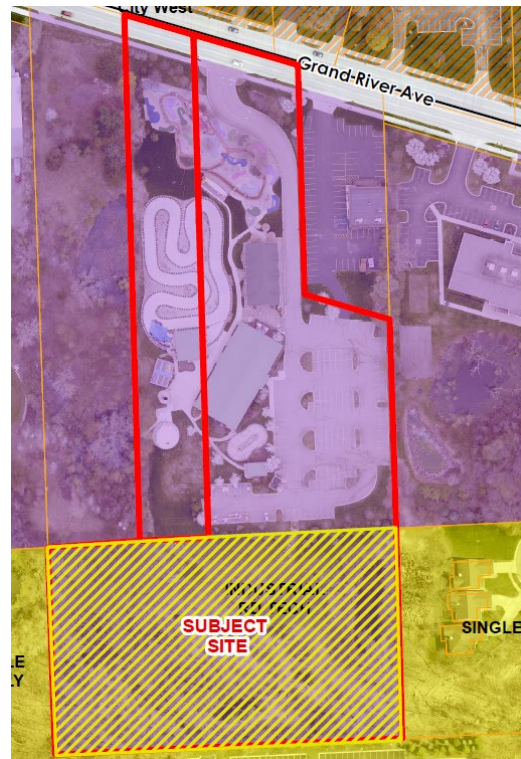
	Existing Zoning	Existing Land Use	Master Plan Land Use Designation
Subject Property (Project Area)	OST Office Service Technology	Vacant	Industrial Research Development Technology (Uses consistent with I-1 District)
Northern Portion of Site	I-1 Light Industrial	Paradise Park	Industrial Research Development Technology (Uses consistent with I-1 District)
Southern Parcel	RA Residential Acreage	Sri Venkateswara Temple	One-Family Residential (Uses consistent with R-1 to R-6 District)
Eastern Parcel	R-2 One-Family Residential	Andes Hills Subdivision	One-Family Residential (Uses consistent with R-1 to R-6 District)
Western Parcel	RA Residential Acreage	One-Family Residential	One-Family Residential (Uses consistent with R-1 to R-6 District)

COMPATIBILITY WITH SURROUNDING LAND USE

The surrounding land uses are shown in the above chart. The compatibility of the proposed rezoning with the zoning and uses on the adjacent properties should be considered by the Planning Commission in making the recommendation to City Council on the rezoning request.



Zoning



Future Land Use

DEVELOPMENT POTENTIAL

The portion of this parcel proposed to be rezoned is currently vacant. Development under either the current OST zoning or the proposed I-1 zoning could result in the construction of fairly similar

uses, but there are some differences. Some uses permitted in the OST zoning district that are not allowed in the I-1 district include hotels, universities, facilities for human care, off-street parking lots, and day care centers. Some uses permitted in the I-1 district that are not allowed in the OST district include warehousing and wholesale establishments, manufacturing, industrial offices and sales, trade schools, greenhouses, pet boarding facilities, and veterinary hospitals/clinics.

Given the location of this site, if it were to be rezoned to I-1 Light Industrial, no special land uses as currently listed in the zoning ordinance would be permitted because the site abuts residentially zoned land. In addition, any use subject to Section 4.45 would be considered a Special Land Use when adjacent to residentially zoned land. For this site, there would be several limitations on building height, uses, setbacks, and screening. The minimum building and parking setbacks from any residentially zoned land would be 100 feet, and the building height would be restricted to a maximum of 25 feet.

The current use of the site was approved as a special land use in 2004. Please see the attached minutes for additional information. Also, the site has several easements, including a perimeter easement and berm area that was approved by City Council on February 6, 2017. The perimeter easement does not allow for the construction of any permanent structures within the easement area, but may with the City's approval as part of an approved site plan to construct surface improvements such as landscaping and utilities. Please see attached for more information.

COMPARISON OF ZONING DISTRICTS

The following table provides a comparison of the current and proposed zoning development standards. The applicant is requesting a change of districts from the existing OST Office Service Technology to I-1 Light Industrial. The types of uses allowed in these districts have some overlap, although they also differ in important ways. The proposed I-1 district allows a maximum building height of up to 40 feet (when not abutting residential) compared to 46 feet in OST district. The building setbacks in the I-1 district are 10 feet shorter in the front yard, and 30 feet shorter (when not abutting residential) in the side and rear yard when compared to the OST district. The parking setbacks in the I-1 district are subject to specific standards in the front yard (Section 3.6.2.E) and are 10 feet shorter in the side and rear yard (when not abutting residential) when compared to the OST district.

	OST (Existing)	I-1 (Proposed)
Principal Permitted Uses & Special Land Uses	Principal Permitted Uses 1. Professional office buildings, offices and office sales and service activities 2. Data processing and computer centers 3. Laboratories 4. Research, testing, design and development, technical training, and design of pilot or experimental products 5. Hotels and business motels 6. Colleges, universities, and other such post-secondary institutions of higher learning, public or private, offering courses in general, technical, or religious education 7. Motion picture, television, radio and photographic production facilities 8. Medical offices, including	Principal Permitted Uses 1. Professional office buildings, offices and office sales and service activities 2. Accessory buildings, structures and uses customarily incident to the above permitted uses 3. Public owned and operated parks, parkways and outdoor recreational facilities 4. Public or private health and fitness facilities and clubs 5. Medical offices, including laboratories and clinics The following uses are subject to Section 4.45: 6. Research and development, technical training and design of pilot or experimental products 7. Data processing and computer centers

	laboratories and clinics 9. Facilities for human care 10. Off-street parking lots 11. Public owned and operated parks, parkways and outdoor recreational facilities 12. Publicly-owned buildings, telephone exchange buildings, and public utility offices, but not including storage yards, transformer stations, substations or gas regulator stations 13. Financial institution uses with drive-in facilities as an accessory use only 14. Public or private indoor and private outdoor recreational facilities 15. Day care centers and adult day care centers 16. Secondary uses 17. Sit down restaurants 18. Other uses similar to the above uses and subject to the same conditions noted 19. Accessory buildings and uses customarily incidental and integral to any of the above permitted uses Special Land Uses (Retail Service Overlay) The following uses are permitted subject to Section 3.19: 1. Retail business use 2. Retail business service uses 3. Restaurants, including sit-down 4. Fast food drive-through restaurants	8. Warehousing and wholesale establishments 9. Manufacturing 10. Industrial office sales, service and industrial office related uses 11. Trade or industrial schools 12. Laboratories experimental, film or testing 13. Greenhouses 14. Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards 15. Public or private indoor recreation facilities 16. Private outdoor recreation facilities 17. Pet boarding facilities 18. Veterinary hospitals or clinics 19. Motion picture, television, radio and photographic production facilities 20. Other uses of a similar and no more objectionable character to the above uses 21. Accessory buildings, structures and uses customarily incident to any of the above permitted uses Special Land Uses The following uses shall be permitted where the proposed site does not abut a residentially zoned district: 1. Metal plating, buffing, polishing and molded rubber products 2. Uses which serve the limited needs of an industrial district (subject to Section 4.43), as follows: a. Financial institutions, unions, union halls, and industrial trade schools or industrial clinics b. Industrial tool and equipment sales, service, storage, and distribution c. Eating and drinking establishments and motels 3. Automobile service establishment 4. Self-storage facilities 5. Retail sales activities 6. Central dry cleaning plants or laundries 7. Railroad transfer, classification and storage yards 8. Tool, die, gauge and machine shops 9. Storage facilities for building materials, sand, gravel, stone,
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		lumber, storage of contractor's equipment and supplies 10. Municipal uses 11. Motion picture, television, radio and photographic production facilities 12. Outdoor space for parking of licensed rental motor vehicles 13. Accessory buildings, structures and uses customarily incident to any of the above permitted uses
Minimum Lot Size	See Section 3.6.2.D	See Section 3.6.2.D
Minimum Lot Width	See Section 3.6.2.D	See Section 3.6.2.D
Building Height	46 feet or 3 stories, whichever is less	40 feet; 25 feet when abutting residential (Section 3.14.5.C)
Building Setbacks	Front Yard: 50 feet Rear Yard: 50 feet Side Yard: 50 feet	Front Yard: 40 feet Rear Yard: 20 feet, 100 feet when abutting residential (Section 3.6.2.H) Side Yard: 20 feet, 100 feet when abutting residential (Section 3.6.2.H)
Parking Setbacks	Front Yard: 20 feet Rear Yard: 20 feet Side Yard: 20 feet	Front Yard: 40 feet (Section 3.6.2.E) Rear Yard: 10 feet, 100 feet when abutting residential (Section 3.6.2.F) Side Yard: 10 feet, 100 feet when abutting residential (Section 3.6.2.F)

INFRASTRUCTURE

Engineering

The Staff Engineer has reviewed the rezoning request and indicated that they have no concerns. See the Engineering Review letter for more information.

Traffic

The City's Traffic Consultant has reviewed the rezoning request and recommends approval of the request as the proposed uses are consistent with the proposed zoning district.

Fire

The City Fire Marshal has reviewed the site plan and has no comments at this time.

NATURAL FEATURES

The site contains regulated wetlands and woodlands. No impact to the regulated wetlands or woodlands is proposed.

REVIEW CONSIDERATIONS

Staff asks for the following items in **bold** to be addressed in the next submittal:

1. Rezoning Sign: The rezoning sign shown on the provided plot plan should be installed no later than 15 days prior to the Planning Commission public hearing, which is scheduled to be continued on February 22, 2023 at 7pm in the Novi Civic Center. **The rezoning sign was installed on February 3, 2023.**
2. Parcel Combination: The two existing parcels under the same ownership have been proposed to be combined. The proposed combination was approved on January 3, 2023

by the City of Novi Assessing Department. **The new parcel number (22-16-451-079) and boundaries should be reflected on any future submittals.**

3. Setbacks (Sec. 3.1.18.D): The proposed site is current vacant. Any future improvements to the site will need to meet current zoning standards and shall be setback a minimum of 100 feet away from any residentially zoned land.
4. Off-Street Parking Adjacent to Residential (Sec. 3.6.2.H): The proposed site is currently vacant. If the site were to be rezoned, any future proposed off-street parking shall be a minimum of 100 feet away from any residentially zoned land and properly screened.
5. Wetland/Watercourse Setback (Sec. 3.6.2.M): If developed in the future, a 25 foot setback from the high watermark of any regulated wetlands shall be maintained.
6. Rezoning Traffic Study (RTS): The applicant has submitted a rezoning traffic study (RTS), which indicates that the proposed rezoning would not result in a significant change in trips generated for the site. *The RTS has been reviewed and recommended for approval by the City's Traffic Consultant.*

SUMMARY OF OTHER REVIEWS:

- a. Engineering (dated 10-20-22): Engineering has no concern regarding the proposed rezoning as it has no impact on the existing utilities.
- b. Traffic Review (dated 1-26-23): Traffic recommends approval of the rezoning request with the revised Rezoning Traffic Study.
- c. Fire Review (dated 10-14-22): Fire recommends approval of the rezoning request.

RECOMMENDATION

Approval of the Rezoning is recommended by Planning staff because the rezoning aligns with the goals and intent of the 2016 Master Plan for Land Use. The intensity of uses in the I-1 Zoning District compared to the OST Zoning District is much different, but the location is heavily traveled and meets the context of the surrounding area.

NEXT STEP: PLANNING COMMISSION PUBLIC HEARING

The public hearing was held on February 8, 2023 and was kept open because the rezoning sign was not installed and visible at least 15 days prior to the public hearing. The public hearing is scheduled to be continued on **February 22, 2023 at 7pm in the Novi Civic Center** before the Planning Commission. It is requested that the applicant or someone familiar with the project be in attendance.

Following the hearing, the Planning Commission will either make a recommendation to City Council or postpone pending further information. If a recommendation is made, the rezoning will then be scheduled for a first reading by the City Council. If the City Council recommends approval at that time, it will go before City Council for a second reading and final approval. If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.735.5607 or ccarroll@cityofnovi.org.



Christian Carroll, Planner



PLANNING REVIEW CHART

Review Date: January 12, 2023
Review Type: Rezoning Review
Project Name: **JZ 22-31 PARADISE PARK - PARTIAL REZONING**
Location: 45799 Grand River Ave; 22-16-451-046
Plan Date: December 13, 2022
Prepared by: Christian Carroll, *Planner*
E-mail: ccarroll@cityofnovi.org **Phone:** (248) 735-5607

Bold	To be addressed with the next submittal
<u>Underline</u>	To be addressed with final site plan submittal
<u>Bold and Underline</u>	Requires Planning Commission and/or City Council Approval
<i>Italics</i>	To be noted

Item	Required Code	Proposed	Meets Code	Comments
Zoning and Use Requirements				
Master Plan (adopted July 26, 2017)	Industrial, Research, Development & Technology	I-1 Light industrial	Yes	
Area Study	The site does not fall under any special category	NA	NA	
Zoning (Effective January 8, 2015)	OST: Office Service Technology	I-1 Light industrial	Yes	
Uses Permitted (Sec 3.1.18.B & C)	Principal Uses Permitted & Special Land Uses	No new use proposed		
Rezoning:	See Site Plan Development Manual for full list of requirements	Seeking straight rezoning to I-1 to match rest of the property	Yes	<u>Will require City Council approval, with a recommendation from Planning Commission.</u>
Height, bulk, density and area limitations (Sec 3.1.18)				
Frontage on a Public Street (Sec. 5.12)	Frontage on a Public Street is required.	Frontage on Grand River	Yes	
Access to Major Thoroughfare (Sec. 5.13)	Vehicular access shall be provided only to an existing or planned major thoroughfare or freeway service drive OR access driveway on other street type is not across street from existing or planned single-family uses.	Access from Grand River	Yes	

Item	Required Code	Proposed	Meets Code	Comments
Minimum Zoning Lot Size for each Unit in Ac (Sec 3.6.2.D)	Except where otherwise provided in this Ordinance, the minimum lot area and width, and the maximum percent of lot coverage shall be determined on the basis of off-street parking, loading, greenbelt screening, yard setback or usable open space	8.03 acres (entire site) – 4.14 acres proposed to be rezoned	NA	
Minimum Zoning Lot Size for each Unit: Width in Feet			NA	
Maximum % of Lot Area Covered (By All Buildings)	(Sec 3.6.2.D)	No new buildings proposed	NA	
Building Height (Sec. 3.1.18.D)	25 feet (Sec. 3.14.5.C)	No new buildings proposed	NA	Height limited to 25 feet when adjacent to residential.
Building Setbacks (Sec 3.1.18.D) Refer to applicable notes in Sec 3.6.2				
Front (north)	40 feet		NA	Setbacks will not affect current conditions as no buildings exist in area zoned OST
Rear (south)	100 feet (Sec. 3.6.2.H)		NA	
Side (east)	100 feet (Sec. 3.6.2.H)		NA	
Side (west)	100 feet (Sec. 3.6.2.H)		NA	
Parking Setback (Sec 3.1.18.D) Refer to applicable notes in Sec 3.6.2				
Front (north)	40 feet (Sec. 3.6.2.E)		NA	Setbacks will not affect current conditions as no parking exists in area zoned OST
Rear (south)	100 feet (Sec. 3.6.2.F)		NA	
Side (east)	100 feet (Sec. 3.6.2.F)		NA	
Side (west)	100 feet (Sec. 3.6.2.F)		NA	
Note to District Standards (Sec 3.6.2)				
Exterior Side Yard Abutting a Street (Sec 3.6.2.C)	All exterior side yards abutting a street shall be provided with a setback equal to front yard.	No side yard abutting street	Yes	
Off-Street Parking in Front Yard (Sec 3.6.2.E)	Off-street parking is allowed in front yard if - the site is a minimum 2 acre site, - does not extend into the minimum required front yard setback of the district, - cannot occupy more than 50% of the area between min. front yard setback & bldg. setback, - must be screened by brick wall or landscaped berm - lighting compatible with surrounding neighborhood	The site is larger than 2 acres, parking does not extend into setback, does not occupy more than 50%, and is screened	Yes	
Off-Street Parking in Side and Rear Yards	Shall not occupy more than fifty (50) percent of the area of the side or rear yard abutting	Abuts residential on three sides, but no parking is	Yes	Any proposed parking in the future shall met this standard.

Item	Required Code	Proposed	Meets Code	Comments
abutting residential (Sec 3.6.2.F)	a residential district; Off-street parking shall be setback no less than one-hundred (100) feet from the residential district.	currently present		
Building Setbacks adjacent to Residential (Sec. 3.6.2.H)	5 feet of horizontal setback for each foot of building height, or 100 feet, whichever is greater.	No building proposed	NA	<i>Any proposed buildings in the future shall met this standard.</i>
Wetland/Watercourse Setback (Sec. 3.6.2.M)	A setback of 25 feet from wetlands and from high watermark course shall be maintained.	Wetlands in the rear of the site	NA	<i>25 foot setback from high watermark of wetlands shall be maintained if developed.</i>
Additional Height (Sec 3.6.2.O)	Additional height(s) for selected building(s) is allowed based on conditions listed in Sec 3.6.2.O	No building proposed	NA	
Parking setback screening (Sec 3.6.2.P)	Required parking setback area shall be landscaped per Sec 5.5.3. When abutting a residential district, a screening wall or berm/landscape planting screen shall be observed.	No parking is proposed area to be rezoned	Yes	<i>Screening shall be provided if developed.</i>
Modification of parking setback requirements (Sec 3.6.2.Q)	The Planning Commission may modify parking setback requirements based on conditions listed in Sec 3.6.2.Q.	Does not apply	NA	
I-1 District Required Conditions (Sec 3.14)				
Outdoor Storage of above ground storage tanks (Sec. 3.14.1.B.ii)	Outdoor placement of above-ground storage tanks of not more than 600 capacity per tank and accessory to an otherwise permitted use. Additional conditions apply.	None proposed at this time	NA	
Outdoor Storage of recreational equipment (Sec. 3.14.1.B.iii)	No more than three vehicles that are licensed and operable owned by the owner or occupant of the property may be stored in an area where an accessory structure is permitted, and the property is developed with at least a 5,000 square foot building. The equipment must clearly be accessory to the primary use of the site. A temporary special exception permit shall be granted by the City Building Official.	None proposed at this time	NA	

Item	Required Code	Proposed	Meets Code	Comments
Other (Sec 3.14.2)	Unless otherwise provided, dealing directly with consumer at retail, is prohibited.	Permitted previously	Yes	<i>Any new use would need to meet this requirement.</i>
Adjacent to Freeway ROW (Sec 3.14.4)	Where a permitted use abuts a freeway right-of way, special conditions listed in section 3.14.4 apply	Does not apply	NA	
Planning Commission findings for permitted uses (Sec 3.14.3)				
Protecting current and future residential uses from adverse impact (Sec 3.14.3.A)	The scale, size, building design, façade materials, landscaping and activity of the use is such that current and future residential uses will be protected from adverse impacts.	Adjacent to residential	NA	<i>If any improvements are proposed in the future, compliance with this standard is required.</i>
Long term truck parking (Sec 3.14.3.B)	No long-term delivery truck parking on site	Shall comply if developed	NA	
Performance standards (Sec 3.14.3.C)	The lighting, noise, vibration, odor and other possible impacts are in compliance with standards and intent of the article and performance standards of Section 5.14	Shall comply if developed	NA	<i>No changes to use proposed</i>
Storage and/use of material (Sec 3.14.3.D)	The storage and/or use of any volatile, flammable or other materials shall be fully identified in application and shall comply with any city ordinances regarding toxic or hazardous materials.	Shall comply if developed	NA	
Hazardous material checklist (Sec 3.14.3.E)	Compliance of City's hazardous materials checklist	Shall comply if developed	NA	
Loading Dock near Residential (Sec. 3.14.5.A)	-No truck well, loading dock or door, shall be permitted on or in the wall of the building which faces the abutting residential district and only pedestrian exits or emergency doors shall be allowed on such wall. -All loading/unloading docks and truck wells shall be placed on or in the wall of the building that is opposite the boundary of the residential district or on the wall that lies approximately at a ninety (90) degree angle to the residential district boundary.	None proposed at this time	NA	

Item	Required Code	Proposed	Meets Code	Comments
	-If such dock, truck well and/or dock faces the front street, then such dock, truck well or door shall be recessed by not less than sixty (60) feet from the front wall of the building in order to provide that a semitrailer truck tractor and cab shall not, when in place for loading or unloading at the dock or well, project past the front wall of the building. -Driveways shall be designed in such a manner to discourage semi-trailer truck traffic access to that portion of the lot or site that is adjacent to a residential district.			
Provisions near Residential (Sec. 3.14.5.B)	-No outside storage of any materials, equipment, trash or waste shall be permitted, except dumpsters may be permitted outdoors where properly screened pursuant to the requirements of this Ordinance, as amended, or revised. Refuse pick-up shall be limited to the hours of 7:00 a.m. to 5:00 p.m., prevailing time. -All off-street parking and areas used for vehicular repair, delivery, loading/ unloading and transport shall be not closer than one-hundred (100) feet from the boundary of a residential district and effectively screened from view from said residential district by landscaping, walls or berms pursuant to the requirements of Section 3.14.5.E. Notwithstanding the restriction of Section 3.6.2.E-F, the Planning Commission may permit front yard and side yard parking where necessary to maintain the separation required by this subsection.	None proposed at this time		
Maximum Height near Residential (Sec.	The maximum heights of any building constructed on a lot or site adjacent to a residential	No building proposed – maximum height		

Item	Required Code	Proposed	Meets Code	Comments
3.14.5.C)	district shall be twenty-five (25) feet, except where there is a street, road, highway or freeway between said lot or site and the abutting residential district.	limited to 25 feet		
Lighting near Residential (Sec. 3.14.5.D)	Exterior site lighting as regulated by Section 5.7. In addition, where a building wall faces an abutting residential district there shall be no floodlighting of such facade. This shall not preclude the lighting of doorways on such facades.	None proposed at this time	NA	
Screening near Residential (Sec. 3.14.5.E)	An earth berm and plantings are required, except that no additional berm shall be required along a street, road, highway or freeway that lies between said use and an abutting residential district.	Shall comply if developed	NA	
Windows (Sec. 3.14.5.F)	Windows and doors of non-office use areas of structures in an I-1 district may not be left open.	Shall comply if developed	NA	

NOTES:

1. This table is a working summary chart and not intended to substitute for any Ordinance or City of Novi requirements or standards.
2. The section of the applicable ordinance or standard is indicated in parenthesis. Please refer to those sections in Article 3, 4, and 5 of the zoning ordinance for further details.
3. Please include a written response to any points requiring clarification or for any corresponding site plan modifications to the City of Novi Planning Department with future submittals.

ENGINEERING REVIEW



PLAN REVIEW CENTER REPORT

10/20/2022

Engineering Review

Paradise Park Partial Rezoning

Applicant

Secure Development Properties LLC, Jeffery Wainwright

Review Type

Pre-Application

Property Characteristics

- Site Location: South of Grand River Ave, West of Taft Road.
- Site Size: 10.03 acres total, parcel 22-16-451-046 and parcel 22-16-451-009
- Plan Date: 07/15/2004
- Design Engineer: Seiber Keast & Associates

Project Summary

- No changes proposed on site, rezoning only.

Comments:

General

1. A full engineering review was not performed due to the limited information provided in this submittal. Further information related to the utilities, easements, etc. will be required to provide a more detailed review.
2. No work proposed in right-of-way.
3. Indicate if any changes are proposed on-site with this project.

Off-Site Easements

4. No off-site easements anticipated.

Please contact Humna Anjum at 248-735-5632 with any questions.

Humna Anjum
Project Engineer

TRAFFIC REVIEW



AECOM
27777 Franklin Road
Southfield
MI, 48034
USA
aecom.com

Project name:

JZ22-31 – Paradise Park Partial Rezoning Traffic Review

From:

AECOM

Date:

January 26, 2023

To:

Barbara McBeth, AICP
City of Novi
45175 10 Mile Road
Novi, Michigan 48375

CC:

Lindsay Bell, Christian Carroll, Humna Anjum, Ben Peacock

Memo

Subject: JZ22-31 – Paradise Park Partial Rezoning Traffic Review

The preliminary rezoning site plan was reviewed to the level of detail provided and AECOM recommends **approval** for the applicant to move forward as long as the comments below are addressed to the satisfaction of the City.

GENERAL COMMENTS

1. The applicant, Secure Development Properties LLC, is proposing rezoning a portion of a parcel to match the rest of the zoning.
2. The development is located on the south side of Grand River Avenue, west of Taft Road. Grand River Avenue is under the jurisdiction of Oakland County.
3. The site is zoned I-1 (Light Industrial) and OST (Office, Service, Technology), with the applicant proposing to rezone the existing OST parcel to I-1.
4. There are no traffic-related deviations indicated at this time.
5. The applicant has provided a plan set with the most recent revisions dated 7-15-2004 to show the parcel. **It is understood that no changes are being proposed to parking lots, buildings, or parcel access.**

TRAFFIC IMPACTS

1. AECOM has not performed an initial trip generation based on the ITE Trip Generation Manual, 11th Edition, as no changes are being proposed.
2. The City of Novi generally requires a traffic impact study/statement if the number of trips generated by the proposed development exceeds the City's threshold of more than 750 trips per day or 100 trips per either the AM or PM peak hour, or if the project meets other specified criteria.

Trip Impact Study Recommendation	
Type of Study:	Justification
RTS	Rezoning proposed.

STUDY REVIEW

1. The preparer included ADT counts from RCOC for Grand River Ave. The peak hour volume is listed as 2,544 vehicles per hour between 4 pm and 5 pm on a weekday. The ADT count and trip generation for the existing land use are included in the appendix of the report.
2. The applicant indicated the highest trip land uses permitted on the parcel:
 - a. Medical-Dental Office Building of 17,500 SF, resulting in 644 trips a day, allowed under both zoning districts.
 - b. General Office Building of 22,040 SF, resulting in 311 trips a day, allowed under both zoning districts.
 - c. Drive-In Bank of 15,000 SF, resulting in 1,505 trips a day, allowed only under existing OST zoning.
 - i. The applicant states this building size, while the largest allowed under the ordinances, is far larger than is typical for this land use.
 - d. Drive-In Bank of 5,000 SF, resulting in 502 trips a day, allowed only under existing OST zoning.
 - i. The applicant has included this as the more typical drive-in bank building size for comparison.
3. The majority of the land uses that are high generators are allowed under both land uses, with the exception of the drive-in bank. This land use is only allowed in the existing zoning.
4. The zoning change is not anticipated to have any major impacts on traffic generation from the site.

Should the City or applicant have questions regarding this review, they should contact AECOM for further clarification.

Sincerely,

AECOM



Patricia Thompson, PE
Traffic Engineer



Paula K. Johnson, PE
Senior Transportation Engineer



Saumil Shah, PMP
Project Manager

FIRE REVIEW



October 14, 2022

TO: Barbara McBeth - City Planner
Lindsay Bell - Plan Review Center
Christian Carroll - Plan Review Center
Ben Peacock – Planning Assistant

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Laura Marie Casey

Hugh Crawford

Justin Fischer

Brian Smith

Ericka Thomas

City Manager
Peter E. Auger

Director of Public Safety
Chief of Police
Erick W. Zinser

Fire Chief
Jeffery R. Johnson

Assistant Chief of Police
Scott R. Baetens

Assistant Fire Chief
John B. Martin

RE: Paradise Park Partial Rezoning

Pre-App# 22-115

Project Description:

Rezoning a part of the parcel.

Comments:

Meets Fire Department Standards

Recommendation:

Approval

Sincerely,

Kevin S. Pierce-Fire Marshal
City of Novi – Fire Dept.

cc: file

Novi Public Safety Administration
45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

**APPLICANT NARRATIVE
AND REZONING
TRAFFIC STUDY**

L A W O F F I C E S
LANDRY, MAZZEO & DEMBINSKI, P.C.

David B. Landry
dlandry@lmdlaw.com

37000 GRAND RIVER AVENUE, SUITE 200
FARMINGTON HILLS, MICHIGAN 48335
www.lmdlaw.com

TELEPHONE
(248) 476-6900

FACSIMILE
(248) 476-6564

December 20, 2022

Barbara McBeth
Planning Director City of Novi
45175 West Ten Mile Road
Novi MI 48375

HAND DELIVERED

RECEIVED

DEC 20 2022

**Re: Application for Partial rezoning
 45799 Grand River Ave
 Parcel ID # 22-16-451-046 and 22-16-451-009**

CITY OF NOVI
COMMUNITY DEVELOPMENT

Dear Ms. McBeth:

Enclosed please find an Application For Land Use Approval/Partial Rezoning which I am submitting on behalf of Secure Development Properties LLC (Paradise Park). This office represents Secure Development Properties LLC with respect to this application for partial rezoning of this parcel of property.

You are no doubt familiar with this parcel on which the Wainwrights operate the business Paradise Park. The property in question currently consists of two parcels: Parcel ID# 22-16-451-046 and Parcel ID# 22-16-451-009. Both parcels front onto Grand River Avenue to the north and together they comprise generally a large reverse "L" shaped parcel. Recently the City of Novi Assessor requested that the applicant combine the two parcels. The applicant has agreed to do so and is working with the City Assessor. Attached is recent communication with the City Assessor indicating that a new parcel number for the combined parcels has not yet been issued by Oakland County.

Both parcels are zoned I-1, however, for some unknown reason the southern most portion of parcel # 22-16-451-046 is currently zoned OST. Thus, that single parcel (#046) has two zoning classifications. This zoning was designation was created prior to the applicant acquiring the property. It is unknown why this was done. With the combining of the two parcels we would request that the entire combined parcel have the zoning designation I-1. I have attached a portion of the City zoning map which shows the OST zoning at the southern end of both parcels. This is truly an "Island" of OST. However, the property information portal from the City's website shows the entire parcel as zoned I-1. (See attached).

It is the desire of the applicant to rezone the southern portion of the parcel to I-1 to make the entire parcel a consistent I-1 zoned parcel. Thus, this request is for a "partial rezoning". The applicant/owner has no intention of changing the use of the

December 20, 2022

Page 2

property and no changes in the existing structures on the property is anticipated at this time. The portion of the property zoned OST is wooded and contains the stormwater detention pond for the larger parcel. When Paradise Park was originally developed the southern portion (zoned OST) was left vacant, wooded and significant berming was constructed to screen the park from the adjacent residential areas. No changes are anticipated at this time. With respect to future development, there is no intent at the present to change the use of the overall property from an amusement park. Within that use the only conceivable development of the rear portion (currently zoned OST) would be to replace a portion of the the existing parking area in the north eastern portion of the property *if* an additional indoor rental event building were ever constructed in the current parking area or to possibly construct a rental event building in the rear portion between the wooded area and the stormwater detention pond.

I have attached the following:

- Exhibit A Application For Land Use/Rezoning Approval
- Exhibit B Four copies of a detailed engineered survey and four copies of recent survey which shows the combined parcels, legal description for the combined parcels and includes a plot plan for the required rezoning sign.
- Exhibit C A rezoning Traffic Impact Study
- Exhibit D Portions of the City Zoning Map and a page from the City's property information portal
- Exhibit E Recent communication with City Assessor's office

Please contact me and let me know the amount of the required Application Fee. Also, let me know if the City requires any further information.

Thank you.

Very truly yours,

LANDRY, MAZZEO & DEMBINSKI, P.C.

/s/ David B. Landry

David B. Landry

LANDRY, MAZZEO & DEMBINSKI, P.C.

December 20, 2022

Page 3

DBL/csw

Cc: Jeff Wainwright



TETRA TECH

January 23, 2023

Mr. Jeffrey Wainwright
Secure Development Properties, LLC
45799 Grand River Avenue
Novi, Michigan 48374

**Re: Existing Paradise Park OST Property
Rezoning Traffic Impact Study
City of Novi, Michigan
200-465143-23001**

Dear Mr. Wainwright:

Tetra Tech (Tt) has completed our revised rezoning traffic impact study related to the existing Paradise Park facility located on the south side of Grand River Avenue approximately ¼ mile west of Taft Road in the City of Novi, Oakland County. The current site is approximately 10.05 acres, of which 5.93 acres is zoned I-1 with an approximately 9,483 sq. ft. activity center building and a 570 sq. ft. park service building, with an adjacent 4.12-acre parcel to the south that is zoned OST that is proposed to be zoned I-1. The proposed overall plan for the combined approximately 10.05-acre site is to maintain the existing Paradise Park family amusement center but to have consistent zoning for the parcel for possible future expansion. This rezoning traffic impact study has been completed in accordance with the requirements specified in the City of Novi's Site Plan and Development Manual for traffic impact studies.

Existing Conditions

In the vicinity of the site, Grand River Avenue is a five-lane curbed arterial road (2 eastbound lanes, 2 westbound lanes, and a center two-way left-turn lane) with pavement markings, but without shoulders, under the jurisdiction of the Road Commission for Oakland County (RCOC) with a posted speed limit of 50 MPH.

A recent Average Daily Traffic (ADT) count obtained from the RCOC website indicates that the daily traffic volume on Grand River Avenue in the vicinity of the site is approximately 22,300 vehicles per day, with the peak hour being between 4:00 – 5:00 p.m., with a bi-directional volume of approximately 2,544 vehicles per hour. A copy of the Grand River Avenue counts from the RCOC website is attached to this letter for reference.

The existing Paradise Park family amusement center is located within I-1: Light Industrial zoning, which continues east and west of the site, and the proposed parcel to be rezoned is zoned OST: Office Service Technology. To the west and south of the OST portion of the site, the current zoning is RA:



Residential Acreage, and to the east is R-2: One-Family Residential. To the north of the site, across Grand River Avenue, the current zoning is a mix of OST: Office Service Technology, I-1: Light Industrial, and EXO: Exposition Overlay zonings.

Currently the proposed 4.12-acre OST: Office Service Technology parcel to be rezoned I-1: Light Industrial is mostly undeveloped, consisting primarily of woodlands and wetland areas, but also contains the storm retention basin for the Paradise Park facility. The existing 5.93-acre I-1: Light Industrial site currently has the Paradise Park family amusement center, and no changes to the building or the operation of the overall site are proposed at this time.

Reviewing the information posted on the facility's website, Paradise Park is closed Monday through Wednesday, opens at 4:00 p.m. Thursday and Friday, and opens at noon on Saturday and Sunday during the non-peak season, which is September through May. From June through August, the facility opens at noon daily, and closes at 10:00 p.m. daily. Your facility generates no trips during the AM peak period throughout the year.

Potential Development

Under the existing OST zoning for the property, your office indicated that, based on zoning standards and the existing features of the property (wetlands and berms), a 17,500 sq. ft. medical office building could be developed on the site. Additionally, a 15,000 sq. ft. bank could be developed on the site, but banks are typically only about a third of this size based on information available in *Trip Generation*, (11th Edition). For comparison, a 22,040 sq. ft. general office building could also be developed on the site. Other traffic-intensive uses, such as restaurants and retail services, would not be feasible on this site due to the requirements of §4.41.4 and §4.78 of the City of Novi Zoning Ordinance, or would require Special Land Use approval.

For the proposed I-1 zoning for the property, again your office indicated that, due to zoning standards and features on the site, a 17,500 sq. ft. medical office building or a 22,040 sq. ft. general office building could be developed on the site. Due to the requirements of §4.45, most of the permitted uses would require a Special Land Use approval, which cannot abut a residential district, and the requirements of §4.31, §4.49 and §4.52, all of which make traffic-intensive uses permitted under the zoning infeasible for the site.

It should be noted that the existing Paradise Park family amusement center is not proposed to change with the rezoning, but rather this rezoning will allow for future potential expansion of the site. If and when this expansion occurs, full site plan submission and approval by the City of Novi will be required under the guidelines for Special Land Uses.

Trip Generation

Using the information and methodologies specified in the latest version of *Trip Generation* (11th Edition) published by the Institute of Transportation Engineers (ITE), Tt forecast the weekday PM

peak hour trips associated with the potential uses under the existing and proposed zonings for the site.

Following are tables that summarize our findings.

Table 1
ITE Trip Generation for 4.12-Acre Site, Existing OST and Proposed I-1
Medical Office Building

Land Use	Land Use Code	Size (sq. ft.)	AM Peak Hour			PM Peak Hour			Week Day
			In	Out	Total	In	Out	Total	
Medical-Dental Office Building	720	17,500	40	10	50	20	48	68	644
TOTAL TRIPS			40	10	50	20	48	68	644

Table 2
ITE Trip Generation for 4.12-Acre Site, Existing OST and Proposed I-1
General Office Building

Land Use	Land Use Code	Size (sq. ft.)	AM Peak Hour			PM Peak Hour			Week Day
			In	Out	Total	In	Out	Total	
General Office Building	710	22,040	40	6	46	8	39	47	311
TOTAL TRIPS			40	6	46	8	39	47	311

Table 3
ITE Trip Generation for 4.12-Acre Site, Existing OST Zoning Only
Bank, Maximum Possible Development

Land Use	Land Use Code	Size (sq. ft.)	AM Peak Hour			PM Peak Hour			Week Day
			In	Out	Total	In	Out	Total	
Drive-In Bank	912	15,000	86	63	149	158	157	315	1,505
TOTAL TRIPS			86	63	149	158	157	315	1,505

Table 4
ITE Trip Generation for 4.12-Acre Site, Existing OST Zoning Only
Bank, Typical Development

Land Use	Land Use Code	Size (sq. ft.)	AM Peak Hour			PM Peak Hour			Week Day
			In	Out	Total	In	Out	Total	
Drive-In Bank	912	5,000	29	21	50	53	52	105	502
TOTAL TRIPS			29	21	50	53	52	105	502

Table 5
ITE Trip Generation Comparison
Maximum Possible Developments under Existing OST and Proposed I-1 Zonings

Land Use	Land Use Code	Size (sq. ft.)	AM Peak Hour			PM Peak Hour			Week Day
			In	Out	Total	In	Out	Total	
Existing OST Zoning Drive-In Bank	912	15,000	86	63	149	158	157	315	1,505
Proposed I-1 Zoning Medical-Dental Office Building	720	17,500	40	10	50	20	48	68	644
DIFFERENCE IN TRIPS IF REZONED TO I-1			-46	-53	-99	-138	-109	-247	-861

Conclusions and Recommendations

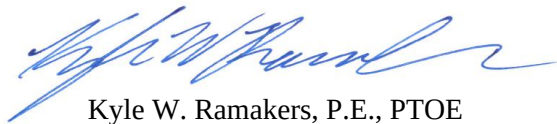
From the tables presented above, both the existing OST zoning and proposed I-1 zoning, similar medical office and general office developments would be feasible based on discussions with your office. A bank development would also be possible under the existing OST zoning, but would not be possible under the proposed I-1 zoning as a Special Use since the property abuts a residential district.

Due to the requirements of both zoning districts, the size of the parcel, the proximity to residential districts, and the features of your site (berms, wetlands, etc.), similarly sized office (general and medical) developments would be possible under both zoning conditions. The only exception would be a bank development, which is permitted under the current OST zoning, but would not be possible as a Special Land Use under the proposed I-1 zoning.

As shown above in Table 5, the maximum potential bank development on the site under the existing OST zoning would be forecast to generate significantly more traffic than the maximum potential medical office development under the proposed I-1 zoning.

We trust that this letter fulfills your current transportation needs regarding your site. If you have any questions, please feel free to call our office at (810)-220-2112.

Sincerely,



Kyle W. Ramakers, P.E., PTOE
Transportation Engineer

Attachments

O:\Projects\Brighton\IER\465143\200-465143-23001\Deliverables\Novi_Paradise-Park_Rezone_Letter_rev-1.docx

GRAND RIVER AVENUE

TRAFFIC COUNT

FROM RCOC WEBSITE

Location Info		Count Data Info	
Location ID	7307	Start Date	8/30/2022
Type	I-SECTION	End Date	8/31/2022
Functional Class	-	Start Time	1:00 PM
Located On	GRAND RIVER	End Time	1:00 PM
AT	TAFT	Direction	
Direction	EB	Notes	
Community	Novi	Count Source	FO382_____
MPO_ID	265370	File Name	00460514957307_____0830130010.prn
HPMS ID		Weather	
Agency	Road Commission for Oakland County	Study	
		Owner	tiacounts
		QC Status	Accepted
Interval: 60 mins			
Time	Hourly Count		
00:00 - 01:00	33		
01:00 - 02:00	22		
02:00 - 03:00	9		
03:00 - 04:00	8		
04:00 - 05:00	30		
05:00 - 06:00	113		
06:00 - 07:00	233		
07:00 - 08:00	483		
08:00 - 09:00	675		
09:00 - 10:00	594		
10:00 - 11:00	651		
11:00 - 12:00	803		
12:00 - 13:00	815		
13:00 - 14:00	663		
14:00 - 15:00	696		
15:00 - 16:00	770		
16:00 - 17:00	842		
17:00 - 18:00	782		
18:00 - 19:00	615		
19:00 - 20:00	511		
20:00 - 21:00	355		
21:00 - 22:00	225		
22:00 - 23:00	117		
23:00 - 24:00	63		
TOTAL	10108		

Location Info		Count Data Info	
Location ID	3380	Start Date	8/30/2022
Type	LINK	End Date	8/31/2022
Functional Class	-	Start Time	1:00 PM
Located On	GRAND RIVER	End Time	1:00 PM
Between	BECK AND TAFT	Direction	
Direction	WB	Notes	
Community	Novi	Count Source	FO400_____
MPO_ID	249741	File Name	004605144403380_____0830130010.prn
HPMS ID		Weather	
Agency	Road Commission for Oakland County	Study	
		Owner	tiacounts
		QC Status	Accepted
Interval: 60 mins			
Time	Hourly Count		
00:00 - 01:00	37		
01:00 - 02:00	17		
02:00 - 03:00	17		
03:00 - 04:00	13		
04:00 - 05:00	34		
05:00 - 06:00	102		
06:00 - 07:00	268		
07:00 - 08:00	512		
08:00 - 09:00	564		
09:00 - 10:00	515		
10:00 - 11:00	568		
11:00 - 12:00	686		
12:00 - 13:00	750		
13:00 - 14:00	725		
14:00 - 15:00	902		
15:00 - 16:00	1161		
16:00 - 17:00	1702		
17:00 - 18:00	1316		
18:00 - 19:00	933		
19:00 - 20:00	502		
20:00 - 21:00	435		
21:00 - 22:00	235		
22:00 - 23:00	144		
23:00 - 24:00	83		
TOTAL	12221		

PARADISE PARK

HISTORIC FACILITY COUNTS

16-28-22

Weekday

Distribution of daily		Vehicles
Time	attendance	per hour
12:00 PM	3%	3.6
1:00 PM	7%	8.4
2:00 PM	11%	13.2
3:00 PM	16%	19.2
4:00 PM	17%	20.4
5:00 PM	9%	10.8
6:00 PM	9%	10.8
7:00 PM	9%	10.8
8:00 PM	10%	12.0
9:00 PM	8%	9.6
10:00 PM	<u>1%</u>	<u>1.2</u>
	100%	120

Weekend

Distribution of daily		Vehicles
Time	attendance	per hour
12:00 PM	3%	7.2
1:00 PM	7%	16.8
2:00 PM	11%	26.4
3:00 PM	16%	38.4
4:00 PM	17%	40.8
5:00 PM	16%	38.4
6:00 PM	9%	21.6
7:00 PM	9%	21.6
8:00 PM	6%	14.4
9:00 PM	5%	12
10:00 PM	1%	2.4
	100%	240

10-28-22.

Calculated based on actual Revenue

Vehicle Trips per day

3 Typical 3.5 guests per car
2.0 Number guest using facility
\$ 25.00 Expenditure per guest
\$ 50.00 Expenditure per car
\$ 6,000.00 Daily Avg Renenue
120 Client cars per day

Vehicle Trips per day

3.5 Typical 3.5 guests per car
2.0 Number guest using facility
\$ 25.00 Expenditure per guest
\$ 50.00 Expenditure per car
\$ 12,000.00 Daily Avg Renenue
240 Client cars per day

**EXCERPT FROM JULY 2, 1997
PLANNING COMMISSION
MEETING MINUTES**

Yes: Canup, Capello, Hoadley, Watza, Weddington
No: None

Chairperson Weddington asked if there were any comments or questions regarding Pioneer Mortgage Company, SP96-32B? Seeing none she entertained a motion to approve.

PM-97-07-184 TO APPROVE PIONEER MORTGAGE COMPANY PRELIMINARY SITE PLAN UNDER THE CONSENT AGENDA

Moved by Capello, seconded by Hoadley, CARRIED UNANIMOUSLY: To approve Pioneer Mortgage Company Preliminary Site Plan under the Consent Agenda.

VOTE ON PM-97-07-184 CARRIED UNANIMOUSLY

Yes: Canup, Capello, Hoadley, Watza, Weddington
No: None

Chairperson Weddington announced if anyone was present for the Matter of Pioneer Mortgage Company, the application has been approved.

PUBLIC HEARINGS

1. ZONING MAP AMENDMENT 18.567

Property located south of Grand River Avenue, west of Taft Road for possible recommendation to City Council for rezoning of property from Residential Acreage District (RA and Light Industrial District (I-1) to Office Service Technology District (OST) or any other appropriate zoning district.

Member Capello stated he has a financial interest in Kimbob LLC. He stated it was his intent to build an office and he would be part owner of the building and occupy it for his law office, as such he thought he should remove himself from the discussion and voting on the issue.

Matt Quinn spoke on behalf of Kimbob, Inc. who is the property owner of the subject property being requested for a rezoning. Taft Road is the north/south road, Grand River Avenue is the east/west road. The Kimbob property is west of Gatsby's. The northerly property which is part of the same parcel and owned by the corporation is already zoned I-1, the preliminary plan is to develop the northern portion of the property as an industrial condominium park with a private road driveway coming in off of Grand River. The back

portion of the property that has been continuously owned by the same corporation has been zoned RA. Mr. Quinn referred to a historical drawing of the industrial property. He stated the I-1 property runs from east to west, everything to the north is I-1 and to the south is Residential. He stated the one property that was involved that did not have a straight line on the Industrial/Residential zoning change was his particular property, it went down to the south area. He stated it made sense to develop the property contiguously with one common plan. The parcel is an isolated parcel for development and the only way it could be developed was for development with the Industrial property to the north. From the east, south and west there is no way to develop the isolated parcel as a residential area which is currently zoned RA, the only way to develop it would be in combination.

Mr. Quinn stated when the OST abuts a Residential district, it requires a minimum of a 100' buffer. He stated there was more than 100' to the south, well more to the east and west and the significant woodlands creates a natural buffer, therefore he believed that the opacity requirement would be met.

Rod Arroyo, Traffic Consultant reviewed Brandon Rogers letter dated June 23, 1997. The Master Plan recommends the site as single family residential. The density is designated for 0.8 dwelling units per acre and the small portion for Light Industrial. The property to the north is proposed for Light Industrial use, the property to the south, east and west is proposed for Residential use. Regarding zoning, directly to the east is R-2, the remainder of the property to the south and west is zoned RA. Mr. Rogers noted that the Master Plan and Zoning Committee reviewed a number of split zoning cases on April 30, 1997 and he indicated that the Committee voted and did not recommend rezoning and recommended that the issue be reviewed by the Planning Commission. Mr. Rogers did not recommend the proposed rezoning. He indicated that there was no proof that the residential roadway could not be introduced into the area, he expressed concern to allow the penetration of non-residential zoning into a uniformly residentially zoned area and also a residentially planned area on the Master Plan, there was concern that it could set a precedence for other similar rezoning requests in the area. There is substantial property to the north which can accommodate future industrial development and Mr. Rogers indicated that the subject property serves as a buffer to the residentially planned and zoned areas to the south. He did not see a compelling reason for it to be developed non-residentially.

Mr. Rogers reported if it were to be rezoned, there would be questions raised about the impact on the Andes Hills development project. It would allow I-1 development on the parcel to the north of the subject property. Further, it appears that the office building footprint would have at least 50% intrusion into the regulated woodlands. Referring to the portrayed concept, the building appears to be at the edge or into a regulated wetlands and would also encroach into a required wetland setback area. Approximately 75% to 80% of the subject site is occupied by regulated woodlands or wetlands. Mr. Rogers did not understand why a 10' strip of I-1 zoned property at the north edge of the property is to be

considered for rezoning to an OST District and thought the issue should be addressed. Prior to any rezoning of the area Mr. Rogers recommended that the Planning Commission first revisit the Master Plan for Land Use.

Mr. Arroyo reviewed his memorandum dated June 25, 1997. He stated the purpose of his memorandum was to provide a trip generation comparison. He stated it has been indicated that it appears that two single family units could be constructed on the property if it were to remain RA zoning. Approximately 20, 24 hour trips, 3 trips during the a.m. and p.m. peak hours. Two other scenarios that were looked into were Research Development, generating 252, 24 hour trips, 30 trips during the a.m. peak hour and 32 trips during the p.m. peak hour and an Office Development under the OST zoning which generated 378, 24 hour trips, 50 trips during the a.m. peak hour and 52 trips during the p.m. peak hour.

Chairperson Weddington announced it was a Public Hearing and opened the Matter to the Public. Seeing no one she closed the Public Hearing and turned the Matter over to the Commission for Discussion.

DISCUSSION

Member Hoadley stated he has been out and walked the property. He stated when the project came before the Committee he served on, he made a motion to leave it the way it was, however, at that point in time he did not have an opportunity to really look at it. He stated the property is basically land-locked and if it were to remain RA, there would still be as much intrusion, if not more, into the wetlands.

Member Hoadley asked Mr. Quinn to clarify the 10' strip as he understood the petitioner to be rezoning 4.3 acres.

Mr. Quinn stated the reason for the 10' strip was because there is so much regulated woodlands and wetlands behind the proposed building, it has been moved up 10' and in order to do that, the rezoning line had to be moved up 10' to keep enough parking.

Member Hoadley asked what was wrong with the idea of making one contiguous zoning of Industrial?

Mr. Quinn answered the intent of the OST also includes being a buffer to Residential. The buffering of the OST is stronger than the buffering for an I-1. In regard to setbacks, the OST requires a minimum of a 100' setback when adjacent to Residential while the I-1 does not. Mr. Quinn stated the OST also gives more flexibility in the possible users that can develop as compared to the I-1.

Member Hoadley stated there was still intrusion into a regulated wetland. Even with a rezoning, there was no guarantee that the property would ever be able to be developed RA, I-1 or OST because of all of the problems. Member Hoadley asked if there was any room to move the site to high ground?

Mr. Quinn stated it was already on the highest ground. One problem was that there was a storm water detention basin for Gatsby's. He stated the property owner made a contract with Gatsby's to allow them to keep their storm water detention basin on the site. He suggested the possibility of moving the parking around, allowing the building to move up, therefore, locating the parking on the higher and dryer areas available.

Member Hoadley stated he was satisfied that the property could not be developed in an RA manner because there were no cuts off of the cul-de-sac. He asked if this was correct?

Mr. Quinn answered that was correct.

**PM-97-07-185 TO SEND A POSITIVE RECOMMENDATION FOR ZONING MAP
AMENDMENT 18.567 TO REZONE FROM RA TO OST**

Moved by Hoadley, seconded by Canup, CARRIED (3-1): To send a positive recommendation for Zoning Map Amendment 18.567 to rezone from RA to OST.

DISCUSSION

Chairperson Weddington expressed concerns about the rezoning request. She thought the proposal was nice and stated she would also like to see the OST Ordinance amended in certain areas, however, she agreed with the comments in Mr. Rogers' letter. She did not see any other parcels changing along that area, therefore, she stated she would not be supporting the motion.

Member Canup stated he seconded the motion because of the fact that he did not see what could be done with the property other than what is proposed. Also because of the fact that it is somewhat landlocked, he felt that it was not feasible as Residential.

Mr. Rogers stated he attended the Master Plan & Zoning Committee Meeting and his feeling was that a significant portion of the site was impacted by regulated wetlands and woodlands. He could not see a real advantage to extend the non-residential into the uniform residentially zoned area.

Chairperson Weddington asked Mr. Rogers to clarify the uniformity issue and the line that has been drawn between the I-1 and Residential Districts.

Mr. Rogers stated the line has been in place since the 1984 Zoning Ordinance and the 1980 Land Use Plan. He recognized that it splits an ownership parcel, however, there are a number of the same types of splits along Grand River. He stated this was what the Master Plan & Zoning Committee was trying to address, however, there was nothing wrong with a zoning district line possibly splitting a large ownership parcel.

Member Hoadley stated the land was not developable under RA zoning. He stated perhaps it could be developed Light Industrial or OST. Member Hoadley stated the applicant should have an opportunity to develop it somehow, but he did not see how it would ever be able to be done under RA zoning.

VOTE ON PM-97-07-185 CARRIED

Yes: Canup, Hoadley, Watza
No: Weddington

2. CORRIGAN MOVING SYSTEMS, SP96-41C

Property located north of Grand River Avenue, east of Taft Road for possible Preliminary Site Plan and Wetland Permit approvals.

Don MacMullen of MacMullen Architects, P.C. introduced himself.

James Marshall, Vice President of Corrigan Moving Systems introduced himself.

Mr. Marshall stated the site was a 14 ½ to 15 acre site. He stated it has about 4 acres of wetlands that is not infringed upon. 106,000 square foot storage warehouse is proposed to be built on the northerly end of the property. Access will be off of Grand River where there will be some parking as well as a fire access. He showed the area for truck circulation and office staff parking. Water will come in from Grand River and then looped through an existing vein. Sanitary will come down and go through the wetland, he stated he was currently working with the DEQ to obtain permission to do it. Mr. Marshall stated excel/decel lanes have been provided on Grand River.

Mr. Marshall stated the building will be used for furniture storage. The furniture is put into 7' x 5' x 8 1/2' pallets, they are then stacked three high in the building. The storage comes primarily from international customers. Mr. Marshall stated the north side of the building will be for records storage for commercial customers. He stated there is a 24 hour service and delivery which is serviced by two small trucks.

Brandon Rogers, Planning Consultant stated the plan meets off-street parking, the landbanked option provides additional parking in the event that the building is changed

**EXCERPT FROM FEBRUARY 25, 2004
PLANNING COMMISSION MEETING MINUTES**

**PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, FEBRUARY 25, 2004 7:30 P.M.**

COUNCIL CHAMBERS - NOVI CIVIC CENTER

45175 W. TEN MILE, NOVI, MI 48375 (248) 347-0475

ROLL CALL

Present: Members Avdoulos, Cassis, Gaul, Kocan, Markham, Pehrson, Shroyer, Sprague

Absent: Member Ruyle (excused)

2. NOVI FAMILY FUN PARK, SITE PLAN NUMBER 03-57

Public Hearing on the request of Jeffrey Wainwright, for approval of a Preliminary Site Plan, Special Land Use Permit, and Storm Water Management Plan. The subject property is located in Section 16, on the south side of Grand River Avenue and west of Taft Road in the I-1 (Light Industrial) and OST (Office Service Technology) Districts. The subject property is approximately 10.05 acres. The developer is proposing an indoor/outdoor entertainment complex.

Planner Tim Schmitt located the property on an aerial photo. He said the property is in proximity to the new Novi Expo Center. To the east is the Andes Hills subdivision, zoned R-2 and master planned for Single Family Residential. The subject property is zoned I-1 on the front two-thirds of the property and OST in the rear of the property, and master planned for light industrial uses. The OST does extend ten feet to the north of the Andes Hills property line. The southerly properties are zoned R-A and master planned for Single Family Residential. To the east and west of the subject property it is zoned I-1 and master planned for light industrial. The north side of Grand River Avenue is master planned for Office uses and Office with the EXO Overlay.

Mr. Schmitt said there are light woodlands on the southerly third of the property, mostly along the perimeter of the property. There is a small wetland depression that is part of the stormwater plan for this property and Gatsby's, and is part of a system that includes three nearby off-site wetlands.

Mr. Schmitt said that the north portion of the site will house a miniature golf course, a water feature, a go-cart track and a bumper boat area. The center of the property will house an activity center, small go-cart building, trampoline, climbing wall, soccer cages, mini go-cart track, parking and a family picnic area. The Applicant has stated that the southerly property will remain in its natural state to the extent that is possible.

Mr. Schmitt said this project is considered a Special Land Use, as determined by the Planning Department in October 2003. On December 2, 2003 the ZBA asked the Planning Department to formalize their response in a letter; the December 8, 2003 letter satisfied this requirement. On January 6, 2004 the ZBA agreed with the Planning Department for reasons which included the fact that the property abuts residential.

Mr. Schmitt said no Woodland Permit is required for this project as the regulated woodlands will not be impacted. The Wetland Review, Engineering Review and Fire Department Review indicated minor items to be addressed at the time of Final Site Plan submittal. The Façade

Review indicated that a Section Nine Waiver is required for the cart building, or a redesign is necessary to meet the Ordinance requirements. The building is currently designed to be architecturally compatible with the main activity center. It is substantially smaller and therefore the percentages of certain materials do not meet the Ordinance.

The Traffic Review indicated two driveway spacing waivers – one same side waiver relative to Gatsby's (125 feet provided vs. 275 feet required) and one opposite side waiver relative to both motel drives (69 feet and 145 feet provided vs. 200 feet required). Mr. Schmitt said that given the fact that there are many narrow parcels along Grand River Avenue, these waivers are not surprising. Both he and Bill Stimpson of Birchler Arroyo Associates (Traffic Engineers) believe that the current placement of these driveways is the best suggestion for the project. The left-turn interlock problem is with the motel, but that business is a relatively light traffic generator.

The Landscape Review indicated that waivers for the berms are necessary for the land that is adjacent to residential (easterly Andes Hills, southerly Eleven Mile parcels and the westerly Babinchak parcel); the berms were not provided because of the wetlands and woodlands in the area. The Applicant has now proposed a small berm in one section abutting the Andes Hills residents but it is not on the plan before the Planning Commission at the meeting. A ZBA variance is necessary for the lack of interior building landscaping, approximately 5,700 feet of landscaping are required and only 3,100 feet were provided.

The Planning Review indicated that the plan technically has front yard parking. The Planning Commission must make the finding that the parking and lighting are compatible with the surrounding areas, according to Section 2400 of the Ordinance. The lighting plan does not meet Ordinance, but can be corrected by Final Site Plan. The parking lot closer to Andes Hills is more in compliance than the go-cart/wall/golf area. A ZBA variance for parking setback on the residential-abutting side of the project is required. A 100-foot setback is required under I-1 zoning; 36 feet has been provided.

The Applicant has proposed 122 parking spaces; the Ordinance does not provide a formula for determining parking for this unique use. The Planning Department noted that the miniature golf requires three spaces per hole plus one space per employee (54+ spaces). Additionally, per 2505.c.13, indoor recreation uses requires one space per every two people allowed under the occupancy load (conservatively 155 spaces). The Planning Department would therefore recommend 209 spaces be required for the property. In looking at other communities, the calculation is typically one space per 45 square feet of usable floor area (arcade uses), which would equal a 154-space requirement. Under 2505.10, the Planning Commission can make a determination on what standard will be used to determine the requirement when no specific requirement is listed in the Ordinance. The Planning Commission may also direct the Traffic Consultant to determine the adequate standard.

Mr. Schmitt said that because this is a Special Land Use, special consideration of the project must be made.

The Applicant has supplied a Community Impact Statement (Tab 4 of the packet) that addresses these questions -

Relative to other feasible uses:

Will this use impact traffic to a greater extent?

Will it impact City Services to a greater extent?

Is it compatible with the natural features?

Is it compatible with adjacent uses?

Is it compatible with the goals of the Master Plan?

Will it promote the use of the land in a socially and economically desirable manner?

Is the project a listed Special Land Use and is it in harmony with the requirements of the zoning district?

Director of Planning David Evancoe stated that under Tab Five, page four, the Applicant's Landscape Architect, Karen Gorman, has depicted the berm along the property line adjacent to Andes Hills. The Applicant has agreed to provide this berm. Mr. Evancoe asked for clarification on the mini-go cart attraction.

Jeffrey Wainwright, Applicant, 49232 Hunt Club Court, addressed the Planning Commission. He stated that the "kiddie track" uses small electric carts like the Barbie cars and is designed for children under six.

Joe Galvan addressed the Planning Commission on behalf of the Applicant. He explained how he came to represent Mr. Wainwright at the meeting. Mr. Wainwright told him that he had ten acres in Novi that he wanted to develop: four acres would remain in its natural state, a detention basin would be on site, and the rest would be a family fun park (miniature golf, go-cart track, trampoline, and wall climbing). Mr. Wainwright told him it is a Special Land Use and many waivers and variances are necessary. Mr. Galvin did not think this was a Special Land Use, but a "very special land use" that provides for the community. Mr. Galvin said that the Applicant now has a revised lighting plan that meets the Ordinance. The other physical impacts are not detrimental, and are lesser impacts than the other uses that could go on this parcel.

Mr. Galvin said that the driveways have been located where everyone agrees are the best locations. He said the Section Nine Waiver will provide for architectural conformity. He said that the request for an interior landscaping variance can be addressed and will no longer be needed. The berm waiver is necessary, although the Applicant has now provided one berm in a section by Andes Hills. Mr. Galvin said that family fun is important to the City.

Chair Markham told Mr. Wainwright that his group is only afforded ten minutes. Mr. Wainwright said that this project is designed for a community that is rich with families. He showed a picture of the proposed entrance. He showed a picture of a park in Tennessee that is similar to what he is proposing. He said his plan provides a comfortable environment and was designed as such after visiting over one hundred parks. Landscaping is the primary theme of this park. There are water features in the miniature golf area. They create the atmosphere during the day and at night. Safety is the number one issue in a park like this. A beauty fence will run along Grand River Avenue. The proposed plan is ADA compliant. The trampoline center will be ground mounted. Each trampoline is isolated from the other and one jumper is allowed at a time. The maximum age is 15 years old for the trampoline. The mini go-carts will go 3 mph. The family carts feature aluminum Honda engines. They vary from 5½ to 9 horsepower and are very quiet. This is not a "race" track. The bumper boats provide family fun. There are water cannons for spectators to shoot at the boats. The climbing walls are becoming very popular. This wall will be three-sided and will be overseen by two attendants. This is a business for fun for families; the target market is 4-15 years of age, and 22-102 years of age. The gap from 16-21 years old is intentional. Mr. Wainwright said that the two picnic areas will be open for everyone. Indoors, there is a laser tag area for up to twenty people at a time. The game room will have a maximum of 39 games. The food will be edible and items like cappuccino will be available. Wireless connections for parents will be available. The main activity center has an open ceiling, and insulation and dampening factors will reduce the noise. All employees will be trained in safety and emergency procedures.

This will be a great place for kids' birthday parties. Each day every item in the park will be inspected for safety.

Lee Mammola of Mammola and Associates Architects addressed the more technical aspects of the Planning Review. He had an updated plan that indicated the lighting no longer spilled onto the adjacent property. He said that the parking calculation that the Applicant is proposing is based on a different type of Maximum Occupant Load than what the Building Code recognizes. The Applicant can provide an affidavit that states the maximum is based on all the venues on the property. Based on Mr. Wainwright's calculations of 300+ people for maximum operating load, and using the ratio in the Ordinance (for certain uses) of 2:1, 160+ would be required. However, this is a *family* fun center, meaning that the marketed audience does not drive, and a more logical determination is to consider this project more along the lines of a stadium-type facility, which is calculated at a ratio of 3:1. This would suggest that this project should have 110 spaces; the Applicant has provided 122. An outdoor public swimming area, he noted, is calculated at a ratio of 4:1.

Mr. Mammola said that the 100-foot parking setback in the Ordinance pertains to industrial abutting residential. He showed on the plan that the parking area for this project does not abut the residential area. It is offset by about ten feet. The closest parking spot to a residential structure is 160 feet. In an R-2 District, a 135-foot setback would be required. He said that the proposal meets the intent of the Ordinance. The use of parking in the industrially-zoned land does not abut residential.

Chair Markham opened the floor for public comment:

Matt Rozek, 45950 Eleven Mile: Lives southwest of the proposed fun center. He purchased his lot in Novi for the country-style living and wildlife habitat. He is concerned that the noise and lighting may affect his environment. He said that the Grand River Corridor Study (1997-98) identified the south side of Grand River between Taft and Beck roads as a habitat area that needs to be protected. He said that Asbury Park is affecting the woods already in Section 16. He said now the only other woods in this section may be jeopardized. He said the park is not in harmony with the area – hours of operation and outdoors. Noise and lights are an issue. He doesn't want the value of his home negatively affected. He does not want a problem with the storm drainage. He said the park may provide easier access to his backyard and therefore the potential for vandalism increases.

Steve Babinchak, 45900 Eleven Mile: Lives adjacent to the OST-zoned property where the stormwater will drain. He said that this issue is about an individual who wants to make money off of people with children, and while that is not a problem, he said that the picture Mr. Wainwright painted was just a little too rosy. He took exception to Mr. Wainwright stating that this project is a "beautiful fit" because it does not fit into the area. It is an industrial area. The Novi Expo Center is going to increase the traffic substantially. The ADA requirements are mandatory, not optional. He was also concerned about the lighting, sound, and the potential for people moving through the woods, thereby increasing vandalism. He said that the Planning Commission is charged with protecting the residents and he hoped that they recognize this. He requested at minimum that a berm or fence be placed between this project and the homes.

Jane Gardner, Walden Woods Subdivision: Felt that her subdivision was being overlooked in the discussions. Her property is adjacent to Mr. Rozek's. She is concerned about the noise and whether the Sound Analysis is reliable. She said that the decibels are expected to reach 65 at the property's edge (though she questioned that number as a normal speaking voice is considered 50 decibels). Since she can occasionally hear the expressway truck traffic she believes that she may occasionally hear the Family Fun Park as well. She wondered whether the park is a seasonal operation and what the hours would be. She is concerned that the wildlife that frequents her property will be driven away. The drainage is an issue as the area is on a high water table. She

said the wetlands are dying in Novi. She is also concerned about safety; she noted that there are elementary schools in the immediate area and the increase in the traffic (from this and the Expo Center) could be detrimental. She does not want Novi to be some big rat race.

Rick Birdsahl, Signature Associates: Broker for Mr. Wainwright and a Planning Commission member in his own community. He said that Mr. Wainwright searched all of western metro-Detroit. He said that Mr. Wainwright first came to the Planning Commission to determine where this use would fit. The Planning Department gave him zoning requirements and locations where it could and would fit. They were specifically directed to this zoning and therefore this property was purchased.

Wayne Hogan, Novi: Thought that it should be taken into consideration that Grand River is the commercial corridor in Novi. He said that Mr. Wainwright approached him for assistance in designing the entire site ADA-friendly. He said that Mr. Wainwright was being responsible where safety was concerned, specifically in designing parking spaces that don't require the disabled person going into the flow of traffic when exiting their vehicle. He said that it was commendable that additional ADA items were being added to the inside of the building as well.

Leon Doolin, 23918 Heartwood (Echo Valley Estates): Supported the project. He said that Mr. Wainwright is a man of integrity and the interests of the Novi residents are important to them. He said the project was a commercial use.

Dan Smith, 960 McDonald Drive, Northville: Met Mr. Wainwright for the reason that his company could potentially finance the project. He drove up and down Grand River and found the area to be an ideal location for this project, mixed in with the new businesses and taking advantage of the Grand River expansion project. He agreed to become an equity investor in this project. He said that the Wainwrights are outstanding individuals and encouraged the City to move forward with this project.

Felix Valbuena, Jr., 45505 Andes Hills Court: Has previously spoken with Mr. Wainwright. For the record he said that the sound analysis stated that the go-cart noise near his home will be 40 decibels. He said he was told that the parking lot lights would be lowered from 24 to 18 feet and the dispersal of light would not meet his back yard. He said that he was told that if additional parking were required it would not come back into the four acres of OST near his home.

Phillip Rice, 45139 Roundview (Dunbarton Pines), Novi: Thought this was a nice project for Novi and will draw from ten miles. He said he thought the first speakers were selfish property owners that are unduly trying to influence the Planning Commission. The decision to be made is broader than just three people who about this property. He appreciated Mr. Valbuena's comments. He noted that Taft Road is only a 2.5 miles long and he did not see how this project created a safety issue. He asked the Planning Commission to support the project.

Karen Carlson, 49843 Leyland Circle: Wants to protect the wildlife in her back yard. She said her children love to have fun and love deer and love to be outdoors. She said that Novi is becoming a city of excess. Her kids don't need to be driven from one arcade to another golfing area to indoor skating to outdoor this and that. She said those activities are for Orlando and not what most homeowners want their children being a part of. She said there is more to life for her children than spending money at arcades and driving around in go-carts. She does not want this type of project coming to Novi.

Ward Dietrich, 49829 Leyland Circle: Stated that the City is slowly changing over time. He came to speak on another issue but wished to state for the record that the direction of Novi has changed from what he had anticipated for its future.

Member Avdoulos read the written comments into the record:

Robert Merrell, 46210 Eleven Mile: Objected to the plan. He thought that the Master Plan was leaning toward adding more traffic, noise and density to the City. He thought that big developers were being favored. He did not think this was a 9-5 use like the office and light industrial uses in the area.

Tom and Dora Greaves, 23745 E. LeBost: Supported the plan. They thought this was a good quality recreation location for families.

Mark Guidobono, Cambridge Homes, 47795 Bellagio Drive, Northville: Supported the plan because it promotes family activities.

Daniel B. Smith, 960 McDonald Drive, Northville: Supported this plan for the Grand River corridor.

Leon Doolin, 23918 Heartwood, Novi: Supported the plan and felt that it would help dress up an area of the City that needs attention.

Adorno and Karen Piccinini, 21600 Novi Road, Suite 700, Novi: Thought the plan was ideal and will complement the surrounding businesses.

Hugh Crawford, 46275 Eleven Mile, Novi: Supported the plan and said that the plan exceeds the City's requirements. He thought the plan was compatible with the area.

Paul Root, 23828 East LeBost Drive, and Harold and Audrey Ortwine, 44100 Stassser, Novi: Supported the plan for its entertainment value and thought the plan was harmonious with its surroundings. They thought it was a major improvement to the Grand River corridor.

Jeffrey Vos, 16715 Dundalk, Northville: Supported the plan for its family orientation.

Eugene and Kathy Obrizak, 24703 Venice, Novi: Supported the plan, especially for its placement within the Novi area.

Joseph Johnson, 45701 Grand River (Gatsby's): Supported the family-oriented project.

Beata Gioutsos, 45455 Andes Hills Ct., Novi, and Cynthia Irimescu, 45425 Andes Hills Ct., Novi, and Gladys Broxie, 45485 Andes Hills Ct., Novi: Supported the project as presented. They requested that the parking lot not be enlarged.

Art Johnson, Johnson Printing Services, 45525 Grand River, Novi: Thought the project was sound and well thought-out. He supported the landscaping enhancements between their properties.

Liz Lanni, 41467 Burroughs Ave., Novi: Supported the proposal. She thought it was beautiful and hopes that other developers will follow.

Chair Markham said that the Planning Commission's job is to evaluate a development as to whether it meets the requirements of the Zoning Ordinance. She hoped that the questions posed by the public would be answered throughout this review. The Public Hearing was closed as the Planning Commission took a ten minute break.

Member Kocan said the Planning Commission was considering the Special Land Use element and whether the plan met the intent of the Ordinance. She said a Special Land Use indicates that the use may not be totally compatible with the surroundings. When industrial is next to residential this may be an issue. This allows the Planning Commission to be more diligent in reviewing the development. Member Kocan repeated the seven criteria for this review:

Will this use impact traffic to a greater extent?

Will it impact City Services to a greater extent?

Is it compatible with the natural features?

Is it compatible with adjacent uses?

(Is it compatible with the goals of the Master Plan?)

Will it promote the use of the land in a socially and economically desirable manner?

Is the project a listed Special Land Use and is it in harmony with the requirements of the zoning district?

Member Kocan said she looked at the Ordinance (Section 1902) regarding industrial abutting residential; outdoor facilities (play fields, play grounds, soccer fields, swimming pools, tennis and racquetball courts and ice skating facilities) are listed. She said they are non-mechanical. She said the Ordinance lists similar, no-more-objectionable uses as well. She thought go-carts were more intensive, therefore she felt obligated to protect the surrounding residents.

Member Kocan reviewed Ordinance 1905.5.a, which states that the size, scale, building design, façade materials, landscaping and activity of the use are such that current and future adjacent residential owners will be protected from any adverse impacts. She asked for more information on the gas-powered go-carts. She said she understood that the boats would be electric. The mini-carts would be electric. Mr. Wainwright said the bigger go-carts have two styles – one holds one child/adult and the other holds an adult with child. The top speed is 18 mph with a governor and by a condition set forth by the entertainment insurance organization. They can be radio controlled by the management. It is a 900-foot track. The horsepower is from 5.5 to 9.0 horsepower. They are Honda aluminum engines with a classification of a super-quiet muffler, plus they have a spark arrestor. They are safe and are sound controlled.

Member Kocan said that slow carts won't appeal to teenagers. She said laser tag and miniature golf could be for the teen group, so they aren't totally cut out from the fun park audience. Mr. Wainwright responded that the park will be attractive in the evening, specifically the golf course. The teens will be less interested in the trampolines and rock climbing wall. The Laser tag is a small room. The game room has redemption games for the younger audience; there aren't enough video games to entertain an older teen.

Member Kocan said parks have loud speakers and she did not see where this was taken into consideration in the sound analysis. Mr. Wainwright responded that the park is designed so that the noise-inducing areas are strategically located to minimize their impact on the surroundings. The music would play in the gazebo seating area and the golf course. The front and rear picnic areas will not have music. The enunciator system for the go-cart track is manageable; Darren Brown, sound engineer, said the enunciator is a discretionary noise source. It is up to the management to determine the loudness of these speakers, which will face Grand River Avenue. The building will also block the noise. The go-cart workers will be able to perform without the use

of the system as well. The designer from California took "neighbor issues" into consideration when designing the park. Member Kocan confirmed that the noise issue will continue to be reviewed. Member Kocan asked about adding an additional wall around the carts; Mr. Brown said that could be done if necessary, but when his analysis was done on the maximum noise, which is a highly unlikely scenario, the level reached slightly higher than the nighttime limit.

Member Shroyer asked if all of the noises were considered as a whole. Mr. Brown said that determining a compound noise depends on the noise source and if their frequencies are similar. He gave an example that two 90-decibel sources equal a compound decibel of 93; it would take four noise sources to noticeably change the decibel level. He said there are variables to noise that are not easily predicted.

Member Cassis said that he is aware that arborvitae can conceal noise. He asked whether the noise would be favorably mitigated if the Applicant planted similar plantings. Mr. Brown said that moving trees to the perimeter of the property would not make a significant difference in the noise unless they are deep and dense.

Chair Markham asked whether conditions change the outcome of a sound analysis. Mr. Brown responded that for the go-carts, they measured the noise source and created a sound power level. There is a value determined that is not relative to the distance from the source. By putting the sound power level into an acoustic-predictive model an engineer can predict what sound will be produced at property lines. It is reasonably accurate.

Member Sprague confirmed with Mr. Schmitt that this sound analysis is acceptable. Kolano and Saha is a very reputable firm. He said the report was complete. Member Sprague asked how these carts compare to the Farmington carts. Mr. Wainwright responded that those carts are 10-15 years old and don't meet today's standards. Without a governor his carts could reach speeds of 20-25 mph. Older carts can reach 30-40 mph. Mr. Wainwright cannot get insurance for carts that go faster than 18 mph.

Member Sprague thought that the golf-area music and the enunciator system could both be a problem. He agreed that the speakers should be directed at Grand River Avenue. Mr. Schmitt said that Section 2519 lists the performance standards and explains nighttime and daytime decibels. Enforcement is handled by Neighborhood Services. There is no specific requirement for music. City Attorney Tom Schultz interjected that for a Special Land Use everything is discretionary, and the Planning Commission can impose conditions as long as a reasonable relationship exists between the condition and what is being prevented. He confirmed for Member Sprague that it would be acceptable to put a reasonable condition in place to limit the noise.

Member Gaul said that "super-quiet" Honda generators are indeed super quiet – about the same as an idling car engine.

Member Pehrson asked Mr. Wainwright what the hours were. Mr. Wainwright responded that they anticipate the summer hours being from 10:00 a.m. to 11:00 p.m., adjustable by market demand. The demographics may not support an early morning start-up. Member Pehrson asked if the wall were extended to the south side of the go-cart building, would there be a positive affect on the noise for the southerly residents. Mr. Brown responded that 45-46 decibels would be reached at the back of the property in the most conservative case. Toward the residents, the decibel level is 35-36. He said neighbors would not likely hear this noise from the outsides of their homes. The wall would attenuate the sound, but not to a noticeable extent by the neighbors.

Member Kocan asked about cutting noise. Mr. Brown said that from a perception standpoint, cutting the noise in half could be attained by decreasing the decibels by 10 in a 70 decibel

example. From a physical standpoint it would have to be decreased by 6 decibels. It is not a straight progression; noise is determined by a logarithmic scale of sound pressure.

Member Kocan discussed lighting. She said the Applicant planned to meet the Ordinance requirement of 25 feet in the light industrial district. The Applicant's architect, Lee Mammola, said that the Applicant would reduce the lighting to 18 feet. He said that this plan was designed without the understanding that this plan would go forward as a Special Land Use. The plan has since been redesigned to afford less than one foot candle off of the property line. Mr. Wainwright met with the Andes Hills residents and agreed to reduce the parking lights to 18 feet and they have been relocated to the interior islands. The landscaping has also been designed to cut off the light source. The light that reaches Andes Hills is an area of 30x30 feet and reaches a level of .15 foot candle and .08 foot candle. The light in the cart area will also comply with the Ordinance and will maintain a safe environment. He said the lights will turn on via a light sensor and will go off by timer based on management's decision. Mr. Wainwright said that he agreed to allow the Andes Hills residents to determine how many safety lights would remain on all night.

Member Avdoulos confirmed that the cart lights and golf area are 25 feet tall. North of the main building are the 25-foot lights and the parking area is 18 feet. Mr. Mammola said the higher lights are required for safety and view as it reduces dark corners. The Applicant will use the same style fixture throughout the project.

Member Sprague asked whether the Staff had seen the new lighting plan. Mr. Schmitt said no. It is required at Preliminary Site Plan submittal because the property abuts residential. Member Sprague confirmed that if the plan went forward it would have to be subject to the lighting plan meeting the Ordinance standards, and should be stated as such in the motion.

Member Kocan asked whether a full perimeter fence was ever discussed. Mr. Wainwright responded that the fencing has to balance with safety and be architecturally attractive. He has provided an ornamental "secure fence" (three- or four-foot tall) that will prohibit children from leaving the property. It goes around the golf course, bumper boats and then to the first fire entrance coming into the building. Fire Marshal Mike Evans had asked for this design which includes a break-away fence. It will be possible to walk into the park from the back. It is a very wooded lot and it is unlikely that someone would come through that wetland. Mr. Wainwright did not have a solution to ensure that people don't walk through the neighbors' lots. He said that an ornamental fence would prohibit trespassing in the parking lot area. There is a safety gate in the front. The go-carts will be surrounded by a safety (rubber-coated) chain-link fence. Mr. Wainwright said the fence along the front is a 3.5 inch bar centered fence.

Mr. Wainwright showed the aerial photo of the site again and discussed where the trees were. He said that the land slopes from the northwest to southeast. The Friends of River Rouge have inspected the property and determined that the watershed is appropriate.

Member Sprague thought security in the rear of the property was deficient. He said that the property is creating an opportunity for more traffic back there. He did not think the neighbors should have to bear that consequence. Mr. Wainwright said that an ornamental fence could be placed back there, but he cautioned that a fence could be detrimental to the established wildlife in the area, and would have little effect on dishonest people. Member Sprague thought that this was an issue that needed to be addressed. Mr. Evancoe said the Planning Commission should clearly define what goal they would like accomplished, in terms of the front and back sections of the parcels, the City's Landscape Architect could work with the Applicant on a solution that might entail landscaping, fencing, berming or something along that line. Mr. Evancoe said that the best solution may be to leave it open; otherwise policing the area may become more difficult.

Member Cassis confirmed with Mr. Wainwright that he would have twenty employees on staff. Member Cassis said that the solution could include the park's employees keeping their eye on the perimeter of the property. Mr. Wainwright responded that there is also a twenty-camera surveillance system that will run 24-7. The most southerly camera will be mounted on the front side of picnic area number two, aiming at the picnic area and on to the back of the lot. He said that the difference in ground cover in the back area will truly define the park area from the woods.

Member Kocan said that parking was a touchy subject for this project. Member Avdoulos said that the Zoning Ordinance should be weighed against the parking requirement, as well as the Building Code. Member Avdoulos recommended that Mr. Mammola's parking count be used in this design, and the Applicant can sign an Affidavit stating that their provided parking is based on their studies. This can be done in lieu of providing parking that will never be used. If the Applicant finds out that the parking need was underestimated, then they can move forward in correcting that mistake. Since there is nothing concrete in the City's Ordinance to address this type of use this would be an acceptable solution.

Member Sprague agreed but did not want to see additional parking added to the south. He asked where more parking could go.

Member Cassis noted how much effort Mr. Wainwright has already put into this project. He agreed with the other Planning Commission members that the neighbors should not be intruded upon.

Member Sprague asked about bus traffic. Mr. Wainwright responded that a southerly section of the parking lot would be cordoned off for anticipated bus traffic. This area would not block the dumpster.

Member Kocan said that the interior landscape plan provided to the Planning Commission was deficient by 46%. Karen Gorman, the Applicant's Landscape Architect, said that she was working on a plan in conjunction with the City. They plan to increase the depths of their bed adjacent to the building where they can. They will add planters to the wood deck. They will try to meet as much of the requirement as possible. The submitted plan should be recalculated for a more accurate deficiency percentage, and they will add more landscaping. Mr. Shipman said he has not yet seen an updated plan. He said the issue is providing landscaping along the perimeter of the building. In particular, the deck prevents landscaping from being provided against the building. Providing planters will help but will not likely alleviate the need for the variance.

Member Kocan asked if the Planning Commission can grant a waiver conditional upon the preservation of natural features elsewhere on the property. Mr. Shipman did not believe there was a condition as such for interior landscape requirements. Mr. Shipman believed that with the current site layout only the interior landscaping requirements are not resolvable issues. There are other deficiencies that can be resolved prior to Final Site Plan submittal.

Member Kocan said it made sense to place a berm between the condos and the parking. She said that the neighbors seem happy about the size of the berm although it does not meet the Ordinance requirement of 4'6" to 6". Mr. Shipman agreed that in this case the requirement the Ordinance application is for OST adjacent to residential, which is 4'6" to 6"; the proposed berm which has not been reviewed apparently meets that requirement. Mr. Shipman said that requirement is for the berm's location along the property line; the proposed berm is somewhat different than that, although it does provide some screening. He said there are caveats for waiving the berm but there are specific requirements that may need to be met in order for the berm to be waived. These requirements are stated in the review letter.

Member Kocan asked how high the proposed berm was designed. Ms. Gorman said it was designed at three feet high, but they will expand it to four feet high with a crest of 4'6". They don't have any more room to expand it further between the south end of the parking lot and the stormwater detention area. They can use as much space as possible. They were planning to plant 12- to 16-foot evergreens on top of the berm to help screen the views of the lampposts. She noted that Andes Hills is two feet lower than the subject property. This berm will create a strong screen. Mr. Shipman said that the detention basin is an existing use that also serves Gatsby's; moving it is not the best idea.

Member Avdoulos wondered if this use belongs near the new expo center. He thought that there were more appropriate sites that would have less controversy. Grand River has always been a major thoroughfare and has just been widened. Different venues will be planned for this area. This type of family entertainment facility will be marketed to a different demographic (younger) than the similar uses found at Fountainwalk. The Applicant has done an admirable job in collecting his information and presenting it. He said that four of the Applicant's ten acres will be left in its natural state to buffer the use from its neighbors. The go-cart track is about 610 feet from the back of the property line that abuts the other residents. This design puts the activity closer to Grand River. This park will operate mostly in the summer when most of the trees are fully leaved. Grand River will likely be noisier than the park itself. The Applicant has addressed noise, lighting, traffic, parking, emergency access and entry issues. This use could benefit Gatsby's customer count as well as provide them with a sewer line if they wish to connect. Member Avdoulos said that if the noise is an issue after the park is built that the Applicant can look at adding another wall. The building placements have addressed the noise issues as well. The placement of the entrance is in its optimal location. Mr. Wainwright has been diligent.

Member Avdoulos stated that no one will be forced to bring their children to this park. He said that another developer could have purchased this parcel and taken their building or parking all the way to the back of the property and done away with the natural features that currently exist. He was comfortable with this project and felt the Applicant has put forth great effort in working with the City and its residents. He reiterated that Grand River is a major corridor and the local residents should anticipate future projects along this road.

Member Avdoulos did not find the façade issues to be contentious. He was amenable to the Applicant working with the Façade Consultant to arrive at a mutually acceptable design.

Member Shroyer asked when the park would open. Mr. Wainwright responded that each venue will be constructed by a different company. The golf course would be first, the building second, and the rest would follow. Their goal is to be open in June with phases I and II.

Member Shroyer did not see any bike racks on the plan. Mr. Wainwright responded that they will add bike racks.

Member Shroyer asked whether concrete is required anywhere in the Ordinance for the parking lot (to accommodate motorcycles and their kickstands). Civil Engineer Ben Croy responded that the Ordinance allows both asphalt and concrete and it is the choice of the developer. Member Shroyer said that perhaps the Implementation Committee might want to look at that.

Member Shroyer noted that the City's daytime hours end at 10:00 p.m., and therefore there are different Ordinance limitations (decibel levels) associated with 10:00-11:00 p.m. that the Applicant may wish to review. He said that the Applicant could put up "No Trespassing" signs on the OST property. Mr. Wainwright responded that he offered to do so although the residents acknowledged it may not prove to be much of a deterrent.

Member Shroyer asked whether the Applicant looked into a shared driveway with Gatsby's. Mr. Wainwright responded that Seiber Keast designed a complete boulevard entrance to share with Gatsby's and the two companies met, but at this point in time Gatsby's was not able to commit to that entrance.

Member Kocan asked about the façade. Mr. Mammola said that the Applicant cannot meet the Ordinance because of a quirk in the structure of the Ordinance language. The openings in the building cannot be used in the calculations; the very nature of the building calls for those openings to exist. The gabled ends of the building create the problem. The main building has the same gabled ends, and the Applicant believes the complementary character of the building is far superior to providing a different design. If the brick were extended over the openings there would be structural problems and it would not be as aesthetically pleasing. Mr. Schmitt confirmed for Member Kocan that the Planning Commission would need to issue a Section Nine Façade Waiver if the building as designed was acceptable.

Member Kocan said she wanted Mr. Shipman to state the conditions for the berm waiver around the entire OST property. The Planning Commission would have to find that the five conditions were met – the retained wooded area provides screening consistent with (the berm) opacity and is of a depth and height (that is acceptable). She said the Planning Commission can waive the berm around the whole property if the Applicant provides a permanent preservation easement on that property. Mr. Shipman concurred, stating that in order to issue a waiver for that standard the primary thing that must happen is a permanent preservation easement must be provided. It must include maintenance as well as other documentation that goes along with that. He said there are five criteria that must be met. Some of those may be applicable; others may have to be reviewed. In particular, he said, there is a screening requirement that the retained woodlands must provide; perhaps the area may require supplemental plantings. He said the plants in the area should be evaluated and a determination made as to whether the plants are valuable and should be saved.

Member Kocan stated that the Planning Commission cannot yet issue the waiver because the determination of these five criteria has not been done. She asked whether the Planning Commission could take the next step and state that no development can ever be proposed on this section of the property. If a preservation easement is required to satisfy the Ordinance requirement for the waiver, then future development cannot be considered. She asked if there is any future development under consideration for this section of the property. Mr. Galvin responded that there are no current plans. The notion of placing of preservation easement on the entire four acres is not something that Mr. Wainwright has yet considered. Mr. Galvin suggested that, as part of the motion, the Planning Commission state that compliance with the requirements for granting of the waiver must be met, or compliance with the Ordinance must be met. In this manner, the Applicant has a choice to look at the entire situation and make up his mind how he wants to proceed, and the forward progress of this plan is still in motion. This option would not have a down side for the City.

Mr. Schultz stated that he did not disagree with Mr. Galvin's statements with regard to the berm. He said that Member Kocan's question encompasses a bigger issue. He said that he heard Member Avdoulos state that the back section of land was going to be a buffer and remain undeveloped. Mr. Schultz said this is not a statement in the plans; Mr. Galvin also said that it's never been discussed that this land will never be developed. It becomes a significant issue when one considers that the back land was zoned OST with the understanding that the land would be developed as a whole with the industrial land in the front along Grand River. The way this plan is currently designed, the entry does not meet the Ordinance requirements for a road leading to a different development.

Mr. Schultz said that one of the requirements of granting a Special Land Use is whether the plan is consistent with the Master Plan and is an orderly development of the property. Mr. Schultz said that the Master Plan suggests that the rear of the property is master planned industrial but it is

zoned OST; can it really be accessed and developed the way the front portion of the property is set up? Mr. Schultz said that is something that the Planning Commission should think about – should they discuss a conservation easement or something else that will help them in the future if the Applicant comes forward with an office building proposal for the rear property that will require some kind of variance for the inadequate entry design? He said that the Planning Commission should consider this possibility in their motion.

Mr. Schultz reiterated that Mr. Galvin's answer responded to the berm issue but touched on the larger question of what is the future of the rear of this property. How does this layout affect the future of the rear property? Member Kocan asked whether there were enough woodlands on the rear parcel (or sections of woodlands) that the Planning Commission could require its preservation. Mr. Shipman responded that the easement would represent the same amount of land that would otherwise have the berm upon it. Then it would have to be determined whether the plant material met the criteria. Typically the berm would be placed along the boundaries and the Applicant would likely apply for the easement in that location, although he could propose interior land if he chose to do so. Member Kocan confirmed that this was the 4'6" to 6' berm, so the easement would encompass 6' x 318' (Mr. Shipman said it was a forty-foot berm) around the perimeter, but she said that the Planning Commission could use their discretion. Mr. Schmitt said that the Planning Commission has previously granted waivers and the easement covered the entire woodland area. Presumably, the measurement could follow the woodland line, which is essentially the entire western half of the back portion, and runs along the southern property line. That would preserve all of the regulated woodlands.

Member Kocan said that if there was a deficiency in the interior landscaping, the preservation of the woodlands in that area could be used as a reason for the deficiency in the interior landscaping being allowed. However, Mr. Shipman did not believe that was the case. The variance would be sought from the ZBA; it would fall under their purview as to how they would choose to handle it.

Member Kocan asked about the parking setback from the residential property. She was concerned that if additional parking is someday required she wondered where it would go. She understood that the I-1 did not touch the residential but the OST does. If it were measured from the parking space to the actual residential property line it is 39 feet away. Mr. Schmitt added that the Ordinance does not speak to the district, but to the property abutting the residential. It does not speak to the use or the zoning district abutting the residential. This is an important distinction to make because there is an I-1 use on a property that does abut residential, which is why the 100-foot setback does apply. The Planning Department and the Planning Commission have consistently applied the concept from the nearest residential property line. The ten-foot OST can therefore be included in the setback as it is in the straight-line path to the nearest residential district. The hundred-foot setback is from the corner of the Andes Hills subdivision measuring northwest.

Mr. Galvin said there is no compelling necessity for the Planning Commission to find adjacency with respect to this requirement. The Planning Commission can interpret the Ordinance, that in order for the 100-foot requirement to be applicable, there must be adjacency and it is clear that there is no physical adjacency. There is adjacency of the property at large. He said that if the parking were moved ten feet to the south, the 35 feet would be met. Mr. Mammola showed the exhibit that demonstrated that the physical limitation was outside what would exist and therefore Mr. Galvin offered the Planning Commission some rationale. He said that the 100-foot setback is designed for what is traditionally viewed as "industrial traffic" but this traffic is not industrial. This parking lot will accommodate what an OST parking lot would accommodate. Therefore, the Applicant would ask the Planning Commission to construe their Ordinance's intent, with respect to the parking setback only, to require an adjacency which meets the dictionary's definition of adjacency or abutting, that it means "it comes together."

Chair Markham said that Mr. Freeland of Tilton and Associates wrote a review letter stating that the Applicant had not complied with certain issues. Mr. Wainwright said he would comply with all of the issues cited in the review letter. Some voluntary adjustments have also been made to protect some of the wetland buffer.

Chair Markham confirmed that there are two lots, two sidwell numbers and two zoning classifications.

Mr. Schmitt said that the setback requirement between OST and residential is twenty feet. The Planning Department would not necessarily look favorably on the Applicant moving his parking over to the OST-zoned property. He said that the setback requirement has always been applied to the residential property line, regardless of the zoning district, which is why the setback applies even though there may sometimes be intervening circumstances such as a wildlife corridor.

Member Kocan asked whether the plan would change if the Applicant was asked to meet the 100-foot setback requirement. Mr. Schmitt responded that there are about 20-25 spaces within the 100-foot arc of Andes Hills. The loading zone would become a stub to the south and the parking lot would extend into the OST portion, or some other configuration of the northern property would have to occur. Ultimately, with the Affidavit signed by the Applicant, there would have to be parking spilling onto the OST parcel. Member Kocan did not see a problem with parking spilling onto that area. Mr. Schmitt said that from a planning perspective they have never viewed the OST parcel as industrial because a variety of uses have been suggested for that land throughout this process. After the December ZBA meeting, the plan evolved into one that did not have any development proposed on the OST land. The Planning Department now believes that the Applicant is not proposing anything for the OST. Presumably they maintained the argument that they were not adjacent; now that the ZBA has made their decision, the argument could be made that the parking lot should be extended to the south onto the OST parcel. The only change that may result is there was no woodland permit noticed for the Public Hearing tonight. If the parking lot ends up affecting the woodlands, which it likely will, the project would require another Public Hearing for a Woodland Permit. He reiterated that if the Planning Commission requests the parking be relocated to the south to avoid the 100-foot setback then the plan will likely need to be re-noticed for a Woodland Permit Public Hearing.

Mr. Schultz said that the Applicant has done his best to keep his entire project on the industrial property and perhaps the Planning Commission should ask him what his intentions for the OST property is. Chair Markham asked the question. Mr. Wainwright said that a water park was a bad idea that was nixed. He has no current plans for the OST property. He said it is developable and beautiful. It has access from Grand River. He does not plan to sell it. He said they have an ethical obligation to the people of Andes Hills. They do not want asphalt going back there. They like the proposed plan for aesthetic reasons. The setback reasoning is applicable. This plan is currently mutually beneficial. The woodland area in the rear is in good shape. The grass line area is not. Dr. Tilton has suggested things, and Mr. Shipman has suggested things, to return that area back to its original plant base. One year ago the Applicant had a plan for a nature trail on the OST property, and the Friends of River Rouge were going to add signage for the various species of plants. Andes Hills' residents asked Mr. Wainwright not to do that. It was then removed from the plans.

Mr. Schultz said that the Applicant made the comment that the OST was accessible from Grand River. Mr. Schultz said that statement should be explored and determined whether it is correct. Mr. Evancoe said that if the driveway was designed as a private street meeting the standards of a public road, then the OST would have access. However because it is a driveway for a particular business the back property really is landlocked.

Member Sprague said that his intention at this meeting was to ensure that whatever motion approves this plan, it would have to be subject to the OST property being left alone. The

Applicant has gone to great lengths to work with the neighbors. There are difficult issues that can be resolved for this project, but he would like permanent protection on the southerly land. He told the Applicant to state his intention if it is such that he is willing to provide a permanent preservation easement on the southerly property. Member Sprague said that the proposal could also be postponed to give the Applicant time to decide what he would like to do.

Chair Markham asked Mr. Wainwright if he were willing to state that he would permanently preserve the southerly parcel. Mr. Schmitt interjected that a conservation easement is not an option, it's a requirement of the berm waiver. Additionally, under the Special Land Use, the easement can be expanded to a greater extent. Mr. Schultz also said that the problem stems from a more intrusive use having to use the driveway for access. There may be a less intrusive way of dealing with this, such as limiting what kind of access can go through this development. It is difficult to determine at this moment what language would most appropriately address this matter. He said that another recreational use might be appropriate; an office use may not. Mr. Galvin said that the Applicant does not want to be postponed. Mr. Galvin said that, with respect to the granting of the waiver of the berm, he would request that the Planning Commission state that the Applicant must either get the waiver (meeting the requirements set forth in the Ordinance) or meet the berm requirement. He said that this would solve the problem on the usage. It doesn't deal with the access issue about which Mr. Schultz spoke.

Mr. Galvin also suggested that a condition be imposed that because a Special Land Use is being granted on this property, any future development of this property would require the Applicant dealing with the access issue. This provides flexibility to the owners but doesn't suggest that the access is adequate beyond what has already been determined. He said that Applicant needs time to think about what it is he wants to do without holding up the progress on this plan.

Member Pehrson did not want see the Applicant's flexibility limited.

Moved by Member Shroyer, seconded by Member Avdoulos:

In the matter of Family Fun Park, SP03-57, motion to grant approval of the Preliminary Site Plan, Special Land Use permit and Stormwater Management Plan subject to: 1) A ZBA variance for lack of parking lot setback adjacent to the residentially-zoned property; 2) Resolution of parking space requirements - Planning Commission's determination under Section 2505.10 that the Applicant's recommendation as to what the parking standards are shall be applied to this use; 3) Planning Commission's Section Nine Waiver for the cart building or a redesign of the building to meet Ordinance requirements, to allow for a more uniform architectural appearance to the site; 4) A Planning Commission Waiver for Same Side Driveway Spacing requirements relative to the existing Gatsby's Restaurant driveway; 5) A Planning Commission Waiver for Opposite Side Driveway Spacing requirements relative to the existing motel driveways; 6) A Planning Commission determination that parking and lighting are compatible with surrounding properties; 7) Loading areas meeting the intent of Section 2507.3; 8) The conditions and items listed in the Staff and Consultant review letters; for the reasons that the proposed use will promote the use of the land in a socially and economically desirable manner and the Applicant has made a significant effort to work with surrounding property owners to minimize their lighting and address the noise concerns and provide them within the Ordinance requirements.

DISCUSSION

Member Sprague offered the following additions to the motion:

A lighting plan being submitted that is in compliance with City Ordinance.

A limitation that music can only be available on the miniature golf course.

If an enunciator system is installed it will comply with a sound study and will be found acceptable by City Staff and that it will not be disruptive.

The number of safety lights that run for 24 hours will be subject to the Andes Hills Condominium Association's review, not to be less than one or as required by whichever City Department oversees that particular function.

Vinyl coated fencing being used.

The security system along the south border of the park (pointed at the south property) containing signage as mentioned by the Applicant.

The landscaping plan being submitted is acceptable to the City Landscape Architect but not stricter than City Ordinance requirements.

The berm at the southeast corner of the parking lot against the Andes Hills Condominium property being installed with a four-foot height and 4'6" crest and a contour per page four of February 19, 2004 Design Resource Associates' letter, with evergreens as per the Applicant's consultant's comments.

Both members Shroyer and Avdoulos accepted those changes to the motion.

Member Kocan asked about adding this condition:

Placement of a four-foot barrier wall west of the bumper cars that would make the design comply with the Noise Ordinance and would help mitigate the noise.

Members Shroyer and Avdoulos accepted the addition.

Member Kocan said that there must be verbiage stating:

Waiving of the berm around the OST with the condition of permanent preservation of the woodlands on the entire back lot, or compliance with the berming requirements on the OST portion of the property.

Later in the meeting, this requirement was restated by Lance Shipman as:

The Applicant must meet the conditions of achieving the waiver in the rear or they will provide a berm as required by the Ordinance.

Member Kocan noted that bike racks were also discussed. She asked to include in the motion:

The plan must come back to the Planning Commission for Final Site Plan approval.

Member Shroyer asked whether there are additional costs to the Applicant if the plan was to come back before the Planning Commission. Mr. Schmitt said that the costs associated with this condition would be the additional 13 sets of prints for the Planning Commission. Member Shroyer and Member Avdoulos accepted those changes to the motion.

Member Cassis asked what would happen if the Applicant came back in the future and asked to do something on the back portion of the property. He asked whether this request would be considered a Special Land Use. Mr. Schultz responded that this can be covered by stating this plan as presented is approved, but anything that is proposed in the rear is going to have to return to the Planning Commission. Without the condition that would have to happen. **One way that the inaccessibility to the rear of the parcel can be dealt with is to indicate that this plan is approved as a single parcel, with the rear space shown as undeveloped, and that any development of that rear portion would come back as a Special Land Use because it will necessarily affect the front Special Land Use area that is being approved tonight.** Though Mr. Schultz would have preferred for the plan to be postponed so that more thought could go into this situation, he felt this language protects the City. There is a fair amount of green space back behind the proposed site plan and its future development could and should be considered a Special Land Use since it will affect this plan. Mr. Schultz said that in order for the Applicant to get the Special Land Use for the front of the parcel, the Planning Commission can require a Special Land Use designation for the rear of the parcel. The OST designation allows for several uses that wouldn't be Special Land Use items without the Special Land Use in the front. Member Cassis asked Mr. Galvin whether the Applicant would accept this condition.

Mr. Galvin responded that if administrative approval was acceptable for the Final Site Plan submittal then the condition proposed by Mr. Schultz would give the Planning Commission the authority they are seeking. He reminded the Commission that time is of the essence, and if anything is changed on the plan it would require the plan coming back to the Planning Commission anyway. Member Cassis proposed that this change be made to the motion.

Chair Markham repeated the condition as:

Special Land Use approval on the OST property if it is ever proposed for future development.

Mr. Schultz said this was a reasonable condition for granting the Special Land Use on the front half of the parcel. Mr. Schultz said he thought Mr. Galvin agreed to that condition, although they preferred not to come back for final site plan approval. Member Cassis suggested that Mr. Galvin work with Mr. Schultz and they can draft the appropriate language for this issue. Member Shroyer agreed to the change, and he agreed that the plan did not need to come back to the Planning Commission for Final Site Plan approval. **Member Kocan withdrew her request to add language to the motion for the plan's return to the Planning Commission for Final Site Plan approval.** Members Shroyer and Avdoulos agreed to these changes.

Mr. Shipman asked for clarification on the rear berm and the variance for interior landscape requirements. Both Member Kocan and Member Shroyer said that the Applicant agreed to comply, and that a variance was not necessary. Member Kocan said that it could be made part of the motion, that the Applicant agreed to comply with the interior landscape. Mr. Galvin concurred, stating that they understood that they would have to comply or go to the ZBA.

Mr. Schmitt said that the Planning Department did not think there was any way to comply with the interior requirements, given the amount of paving on the site. Mr. Shipman said that currently the Applicant is proposing a deck on the rear of the activity center. This would not meet the requirements. Also, they would have to apply some treatment to the service building in order for that area to comply. They have the ability to get closer to the requirement by adding more plantings. If the Applicant proposes the deck along the rear they cannot meet the requirements. Member Shroyer confirmed that they cannot meet the requirements if the deck was the entire length of the building, but they could make the deck smaller. The Applicant's landscape architect said that more plantings and planting beds could be added. She also remembered Mr. Shipman's comment about surrounding the property with an eight-foot greenbelt. Mr. Shipman said that the current calculation uses an eight-foot measurement multiplied by the perimeter of the building.

The minimum requirement is a four-foot strip around the perimeter, save for entrances. He said that there are creative ways to manipulate that measurement, but that greenspace must be provided around the building or the drip line of the building.

Mr. Schultz said that it could be stated in the motion that the Applicant must work with the Landscape Architect to reduce the amount of variance. Member Sprague interjected that his addition to the motion stated, "...subject to the landscaping plan being submitted that is acceptable to the Landscape Architect."

Member Cassis asked if the Applicant could use a mixture of planters and natural landscaping. Mr. Shipman said that there probably is a creative solution that can be found.

Mr. Shipman restated that the berm issue as:

The Applicant must meet the conditions of achieving the waiver in the rear or they will provide a berm as required by the Ordinance.

Chair Markham called for the vote.

ROLL CALL VOTE ON NOVI FAMILY FUN PARK, SP03-57, MOTION MADE BY MEMBER SHROYER AND SECONDED BY MEMBER AVDOULOS:

In the matter of Family Fun Park, SP03-57, motion to grant approval of the Preliminary Site Plan, Special Land Use permit and Stormwater Management Plan subject to: 1) A ZBA variance for lack of parking lot setback adjacent to the residentially-zoned property; 2) Resolution of parking space requirements - Planning Commission's determination under Section 2505.10 that the Applicant's recommendation as to what the parking standards are shall be applied to this use; 3) Planning Commission's Section Nine Waiver for the cart building or a redesign of the building to meet Ordinance requirements, to allow for a more uniform architectural appearance to the site; 4) A Planning Commission Waiver for Same Side Driveway Spacing requirements relative to the existing Gatsby's Restaurant driveway; 5) A Planning Commission Waiver for Opposite Side Driveway Spacing requirements relative to the existing motel driveways; 6) A Planning Commission determination that parking and lighting are compatible with surrounding properties; 7) Loading areas meeting the intent of Section 2507.3; 8) The conditions and items listed in the Staff and Consultant review letters; 9) A lighting plan being submitted that is in compliance with City Ordinance; 10) A limitation that music can only be available on the miniature golf course; 11) If an enunciator system is installed it will comply with a sound study and will be found acceptable by City Staff and that it will not be disruptive; 12) The number of safety lights that run for 24 hours will be subject to the Andes Hills Condominium Association's review, not to be less than one or as required by whichever City Department oversees that particular function; 13) Vinyl coated fencing being used; 14) The security system along the south border of the park (pointed at the south property) containing signage as mentioned by the Applicant; 14) The landscaping plan being submitted is acceptable to the City Landscape Architect but not stricter than City Ordinance requirements; 15) The berm at the southeast corner of the parking lot against the Andes Hills Condominium property being installed with a four-foot height and 4'6" crest and a contour per page four of February 19, 2004 Design Resource Associates' letter, with evergreens as per the Applicant's consultant's comments; 16) Placement of a four-foot barrier wall west of the bumper cars that would make the design comply with the Noise Ordinance and would help mitigate the noise; 17) The Applicant must meet the conditions of achieving the waiver in the rear or they will provide a berm as required by the Ordinance; and 18) Special Land Use approval on the OST property if it is ever proposed for future development; for the reasons that the proposed use will promote the

use of the land in a socially and economically desirable manner and the Applicant has made a significant effort to work with surrounding property owners to minimize their lighting and address the noise concerns and provide them within the Ordinance requirements.

Motion carried 8-0.

The Planning Commission took a ten minute break. Member Gaul left at midnight.

**PLANNING COMMISSION
ACTION SUMMARY
FEBRUARY 22, 2023**



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI

Regular Meeting

February 22, 2023 7:00 PM

Council Chambers | Novi Civic Center
45175 W. Ten Mile (248) 347-0475

CALL TO ORDER

The meeting was called to order at 7:00 PM.

ROLL CALL

Present: Member Avdoulos, Member Becker, Chair Pehrson, Member Roney
Absent Excused: Member Dismondy, Member Lynch, Member Verma
Staff: Barbara McBeth, City Planner; Tom Schultz, City Attorney; Lindsay Bell, Senior Planner; Ben Peacock, Planner

APPROVAL OF AGENDA

Motion to approve the February 22, 2023 Planning Commission Agenda. Motion carried 4-0.

PUBLIC HEARINGS

1. 2023-2029 CAPITAL IMPROVEMENT PROGRAM

In the matter of 2023-2029 Capital Improvement Program, motion to adopt the 2023-2029 Capital Improvement Plan as presented. Motion carried 4-0.

2. PARADISE PARK PARTIAL REZONING JZ22-31 WITH REZONING 18.739

Public hearing at the request of Paradise Park for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) to Light Industrial (I-1). The subject site is approximately 4.14 acres of an 8.03-acre site and is located at 45799 Grand River Avenue, which is on the south side of Grand River Avenue and west of Taft Road (Section 16). The applicant has indicated that the proposed rezoning is being requested to make the zoning consistent throughout the entirety of the property.

In the matter of Paradise Park Partial Rezoning, JZ22-31, with Zoning Map Amendment 18.739 motion to recommend approval to City Council to rezone the subject property from Office Service Technology (OST) to Light Industrial (I-1) 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.**

Motion carried 4-0.

3. TOWNES OF MAIN STREET JSP 20-35

Public hearing at the request of Singh Development for JSP 20-35 Townes of Main Street for a revised Wetland Permit. The subject property is zoned TC-1 (Town Center One) and is approximately 17.7 acres. It is located north and south of Main Street, east of Novi Road, in Section 23. The applicant received City Council approval of their Preliminary Site Plan for a multifamily development with 192 townhouse-style apartments on May 23, 2022. On April 27, 2022 Planning Commission approved the wetland permit with the condition that wetland mitigation plans in compliance with the Code of Ordinances be provided at the time of Final Site Plan submittal. The applicant now proposes wetland mitigation through the purchase of bank credits outside the city.

In the matter of Townes at Main Street JSP20-35, motion to deny the Wetland Permit for the following reasons:

- a. **The plan is not in compliance with Chapter 12 of the Code of Ordinances.**
- b. **The applicant has offered alternatives that would comply with the ordinance standards.**
- c. **Allowing developers to purchase wetland mitigation credits outside the City, if permitted with increased regularity, would not allow the City to enjoy for the benefits that wetlands provide, including floodwater management, plant and wildlife habitat, open space, passive recreation and filtering of runoff pollutants.**

Motion carried 4-0.

MATTERS FOR CONSIDERATION

1. INTRODUCTION TO TEXT AMENDMENT – 2023 SITE PLAN AND DEVELOPMENT MANUAL

Set public hearing for Text Amendment 18.300 to update Section 6.1, Site Plan Review (All Districts), to reference the updated Novi Site Plan and Development Manual, dated 2023. The manual has been updated to reflect current processes and practices, and in particular the new Planned Rezoning Overlay ordinance adopted in 2021.

In the matter of Introduction to Text Amendment – 2023 Site Plan and Development Manual, motion to set a public hearing pending availability on the agenda. *Motion carried 4-0.*

2. APPROVAL OF THE FEBRUARY 8, 2023 PLANNING COMMISSION MINUTES

Motion to approve the February 8, 2023 Planning Commission minutes. *Motion carried 4-0.*

ADJOURNMENT

Motion to adjourn the February 22, 2023 Planning Commission meeting. *Motion carried 4-0.*

The meeting adjourned at 7:52 PM.

*Actual language of the motion sheet subject to review.

APPROVED PERIMETER EASEMENT

PERIMETER EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that Secure Development Properties, LLC, a Michigan limited liability company, whose address is 45799 Grand River Avenue, Novi, Michigan 48374 ("Grantor"), owns the following described parcel of land, to-wit:

(See Exhibit "A" attached hereto)

Tax Identification No.: 22-16-451-046

For and in consideration of One Dollars (\$1,00), receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to the City of Novi, Michigan, a municipal corporation, whose address is 45175 Ten Mile Road, Novi, Michigan 48275 ("The City"), a nonexclusive easement for a perimeter area and a specific berm area (the "Easement Areas"), both as depicted in Exhibit B and described in Exhibit C attached hereto and part of this document, of which is over, upon, across, in through and under the following described real property, to-wit:

See Exhibit B and Exhibit C, attached to and part of this document)

And to be granted henceforth access and privilege to confirm sustainment of such noted easement.

Grantor agrees not to build or to convey to others permission to build any permanent structures on, over across, in through, or under the above-described Easement Areas, except that subject to The City's approval as part of an approved site plan, the Grantor may construct and/or install surface improvements to the property, including and otherwise not limited to landscaping, utilities, and other such items as may facilitate usage of the surrounding properties, or as otherwise provided by the City as part of the aforementioned approved site plan and/or City-approved permits as may be required.

Areas designated as the Easement Areas, shall not be developed in any manner which alters the natural vegetation. Except for and subject to the activities which have been expressly authorized in the approved landscape plans, and for routine maintenance, there shall be no disturbance of the natural vegetation, including altering the topography, placing fill materials, removing or excavating of soil, minerals, or trees, constructing or placing any structures on; or otherwise altering and/or constructing, operating, maintaining any use or development.

The Grantor shall have the authority and responsibility, at its expense, to preserve and maintain all trees, buffers and landscape located in the Easement Areas. The Grantor shall establish and implement a regular and systematic program for the preservation, repair and maintenance of the Easement Areas.

In the event that the Grantor shall at any time fails to carry out the specified responsibilities and/or in the event of a failure to preserve and/or maintain such Easement Areas or facilities in reasonable order and condition, the City may serve written notice upon the Grantor setting forth the deficiencies in maintenance and/or preservation. Notice shall also set forth a demand that the deficiencies be cured within a stated reasonable time period, and the date, time and place of the hearing before the City Council, or such other council, body or official delegated by the City Council, for the purpose of allowing the Grantor to be heard as to why the City should not proceed with the maintenance and/or preservation of the Easement Areas which has not been undertaken. At the hearing, the time for curing the deficiencies and the hearing itself may be extended and/or continued to a date certain. If, following the hearing, the City Council, or other body or official designated to conduct the hearing, shall determine that maintenance and/or preservation have not been undertaken within the time specified in the notice, the City shall thereupon have the power and authority, but not obligation, to enter upon the property, or cause its agents or contractors to enter upon the property and perform such maintenance and/or preservation as reasonably found by the City to be appropriate. The cost and expense of making and financing such maintenance and/or preservation, including the cost of notices by the City and reasonable legal fees incurred by the City, plus an administrative fee in the amount of 18% of the total of all costs and expenses incurred, shall be paid by the Grantor, and such amount shall constitute a lien as to the property. The City may require the payment of such monies prior to the commencement of work. If such costs and expenses have not been paid within thirty (30) days of a billing to the Grantor, all unpaid amounts may be placed on the delinquent tax roll of the City, and shall accrue interest and penalties, and shall be collected as, and shall be deemed delinquent real property taxes, according to the laws made and provided for the collection of delinquent real property taxes. In the discretion of the City, such costs and expenses may be collected by suit initiated against the Grantor, and, in such event, the Grantor shall pay all court costs and reasonable attorney fees incurred by the City in connection with such suit. Should such repairs by the City or its designated agents or contractor cause damage or in any way adversely alter the subject Easement Areas, any of the included easement, or any of the adjacent properties owned by the Grantor inclusive of this property, or other immediately adjacent or abutting adversely affected property, restoration of such damage to its previous condition is the full responsibility of the City and/or its representatives. The City is responsible to ensure that its workers, employees, agents or representatives performing such work are properly and completely insured regarding but not limited to liability, workers' compensation and personal injury.

In addition, while this Agreement is in effect, the City shall maintain, and shall require its contractors employed in connection with this Agreement to maintain, in effect a policy of Comprehensive General Liability Insurance with a minimum combined bodily injury and property damage single limit of \$1,000,000.00 which insurance shall either include a Cross Liability Endorsement or shall not preclude recovery by a named insured as a result of the negligence of any other named insured under said policy. Said policy of insurance shall be written by an insurance company authorized to do business in the State of Michigan and shall name Grantor as an additional insured. This instrument shall run with the land first described above and

shall be binding upon and inure to the benefit of the Grantor, The City and their respective heirs, representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned Grantor has affixed 415 signature this 28th day of DEC., 2016.

GRANTOR:
Secure Development Properties, LLC, a Michigan limited liability company

By: *Jeff L. Wainwright*
Its: C.O.O. / OWNER

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

Jeff L. Wainwright

On this 28th day of December, 2016, before me, personally appeared the above-named Jeffrey Wainwright, the Owner of Secure Development Properties LLC, a MI limited liability co., to me known to be the person described in and who executed the foregoing instrument and acknowledged that they executed the same as his free act and deed.

Julie Clear
Notary Public
Acting in Oakland County, Michigan
My Commission Expires: 9/20/20

THIS INSTRUMENT DRAFTED BY:
Elizabeth K. Saarela
Johnson, Rosati, Schultz & Joppich, P.C.
27555 Executive Drive, Suite 250
Farmington Hills, MI 48331

WHEN RECORDED, RETURN TO:
Cortney Hanson, Clerk
City of Novi
45175 Ten Mile Road
Novi, MI 48334

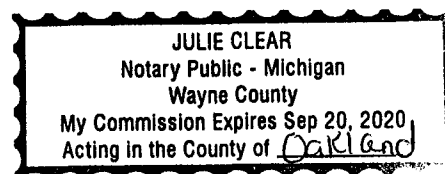


EXHIBIT A

LEGAL DESCRIPTION OVERALL SUBJECT PARCEL

A part of the Southeast 1/4 of Section 16, Town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; more particularly described as commencing at Southeast Corner of said Section 16; thence North 00°59'30" East, 1325.52 feet, along the East line of said Section 16 and the centerline of Taft Road, to the Northeast corner of "Andes Hills Condominium", O.C.C.P. #784, as recorded in Liber 12942, on Pages 685 through 733, Oakland County Records; thence South 89°53'10" West, 786.14 feet, along the North line of said "Andes Hills Condominium", to the Northwest corner of said "Andes Hills Condominium" and the POINT OF BEGINNING; thence South 00°59'48" West, 330.24 feet, along the West line of said "Andes Hills Condominium", to the Southwest corner of said "Andes Hills Condominium"; thence Due West, 545.99 feet (previously described as 545.94 feet); thence North 00°42'26" East, 329.38 feet (previously described as 328.96 feet); thence North 89°54'44" East, 144.79 feet (previously described as 144.63 feet); thence North 00°59'30" East, 826.59 feet (previously described as 826.52 feet), to the centerline of Grand River Avenue right-of-way; thence South 71°06'18" East, 284.26 feet, along the centerline of said Grand River Avenue right-of-way; thence South 00°59'30" West, 360.01 feet; thence South 71°06'18" East, 139.07 feet; thence South 00°59'45" West, 328.86 feet, to the Point of Beginning. All of the above containing 10.053 Acres. All of the above being subject to the rights of the public in Grand River Avenue. All of the above being subject to easements, restrictions, and right-of-ways of record.
Sidwell No.'s 22-16-451-009, 22-16-451-046



40399 GRAND RIVER AVENUE, SUITE 110, NOVI, MI 48375-2123
(248) 473-7880



LAND SURVEYORS

SCALE: 1" = 150'

DATE: 03-24-04

JOB NO.: 03-010

DWG FILE: 03-010EE

DRAWN BY: NLW

CHECK: KAL

SHEET: 1 OF 2

EXHIBIT C

LEGAL DESCRIPTION

EASEMENT FOR PERIMETER/ LANDSCAPE BERM

(1) A 50' wide easement, being part of the Southeast ¼ of Section 16, town 1 North, Range 8 East, City of Novi, Oakland County, Michigan; said easement being more particularly described as commencing 50' west of the Southeast Corner of the Zoning Boundary Line located north of S 89 degrees, 53 minutes, and 10 seconds lot line identification, thence South to a line 50' north of the southern most property line, N 359490.7887 / E. 13357534.5385 (corner), thence west to a line 50' east of the eastern most property line, N. 359465.0662 / E. 13356989.1508 (corner), thence northward to property line commencing at N. 359794.2425 / E. 13356977.6959.

(2) An easement of size 40' by 140' rectangular in shape, reserved for the purpose of becoming a potential future landscape berm and being part of Southeast ¼ of Section 16, town 1 North, Range 8 East, City of Novi, Oakland County, Michigan: said easement being located 90' from the eastern most property line, S 89 degrees, 53 minutes, and 10 seconds lot line identification, thence, the southern most boundary of the said easement being located 120' north of the southern property line commencing at corner N 3594490.7887 / E. 1335757534.5385.

All of the above being subject to easements, restrictions, and right-of-way of record.

Sidwell Numbers: 22-16-451-009, 22-16-451-046

**EXCERPT FROM
PLANNING COMMISSION
MINUTES
FEBRUARY 8, 2023**

required for park purposes by the City.

- d. A change to the Residential Density Map to allow for a density of 2.7 dwelling units per acre at the area of Ella Mae Power Park, as shown in the amended Residential Density map.

This motion is made for the reasons stated in the Planning Report, as well as the following:

1. The Home Rule Cities Act states that a City may not sell land that is a park except where the park is not required under an official Master Plan of the city (MCL117.5(e)). Since the City land that is being exchanged is designated as "public park" on the Future Land Use Map, opening up the plan for review and amendment is appropriate to ensure that the Home Rule City Act is complied with (even though the City land is not technically being "sold").
2. The identified properties designated as "Public Park" on the City's Future Land Use Map are not used in a significant way as parkland available to the City's residents, but are instead being leased for use by the Novi Community School District, and are no longer deemed necessary as "Public Parks",
3. If the amendment is approved, the land that will be reclassified as "Public Park" on the Future Land Use Map encompasses 75.61 acres, which is 6.11 acres more than the area that is proposed to be removed from the map.
4. The land swap was designed to satisfy both the Novi Community School District and the City of Novi in meeting the overall needs of those entities and the community members they serve.
5. All land designated for residential purposes generally has a maximum density provided on the Residential Density Map in the event that the property may someday be developed for residential purposes.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE AMENDMENT TO THE MASTER PLAN'S FUTURE LAND USE MAP RELATING TO CITY PARKLAND MADE MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion to recommend approval to the City Council to approve the proposed amendments to the Future Land Use Map. Motion carried 7-0.

2. PARADISE PARK PARTIAL REZONING JZ22-31 WITH REZONING 18.739

Public hearing at the request of Paradise Park for Planning Commission's recommendation to City Council for a Zoning Map amendment from Office Service Technology (OST) to Light Industrial (I-1). The subject site is approximately 4.14 acres of an 8.03 acre site and is located at 45799 Grand River Avenue, which is on the south side of Grand River Avenue and west of Taft Road (Section 16). The applicant has indicated that the proposed rezoning is being requested to make the zoning consistent throughout the entirety of the property.

In the matter of Paradise Park Partial Rezoning, JZ22-31, with Zoning Map Amendment 18.739 motion to postpone the consideration to a later date since the rezoning sign, as required by City of Novi Site Plan and Development Manual, was not installed and visible a minimum of fifteen days prior to the public hearing. Motion carried 7-0.

Planner Carroll relayed that this will need to come before the Planning Commission again. This is an approximate 8 acre site at 45799 Grand River Avenue. The applicant is proposing to rezone the back portion of the site from I-1 to OST. This is near Gatsby's Restaurant and Andes Hills condos to the east, vacant wetland to the west, SB Temple to the south and Suburban Collection to the north. To note, in looking at the Future Land Use, it is Industrial, Research Development and Technology for the entirety of the property, across the street is City West, with single family surrounding the site. It does contain some regulated woodlands and wetlands.

Planner Carroll noted that the rezoning sign was installed last Friday but was not installed within the required 15-day time frame. The Planning Commission is asked to consider the motion, hold the public hearing, and consider postponing the motion. The representative for the applicant is in attendance to answer any questions.

Chair Pehrson invited the representative for the applicant to approach the podium.

The applicant's representative stated that information in the packet is consistent with the request, and the Wainwrights will be in attendance to answer questions at the next opportunity, and are ultimately requesting the Planning Commissioners approve the rezoning request.

Chair Pehrson noted that this is a motion to postpone due to the sign not being posted in a timely manner. Chair Pehrson opened the public hearing and invited members of the audience who wished to participate in the public hearing to approach the podium. As there were none, Member Lynch summarized the written responses.

Chair Pehrson kept the Public Hearing open until the next opportunity for when the applicant's request would return to the Planning Commission. Chair Pehrson turned it over to the Planning Commission for consideration or a motion.

Motion made by Member Avdoulos and seconded by Member Lynch.

In the matter of Paradise Park Partial Rezoning, JZ22-31, with Zoning Map Amendment 18.739 motion to postpone the consideration to a later date since the rezoning sign, as required by City of Novi Site Plan and Development Manual, was not installed and visible a minimum of fifteen days prior to the public hearing.

ROLL CALL VOTE TO RECOMMEND APPROVAL OF THE AMENDMENT TO THE MASTER PLAN'S FUTURE LAND USE MAP RELATING TO CITY PARKLAND MADE MEMBER AVDOULOS AND SECONDED BY MEMBER RONEY.

Motion carried 7-0.

MATTERS FOR CONSIDERATION

1. APPROVAL OF THE JANUARY 11, 2023 PLANNING COMMISSION MINUTES

Motion made by Member Lynch and seconded by Member Dismondy.

ROLL CALL VOTE TO APPROVE THE JANUARY 11, 2023 PLANNING COMMISSION MINUTES WAS MADE BY MEMBER LYNCH AND SECONDED BY MEMBER DISMONDY.

Motion to approve the January 11, 2023 Planning Commission Minutes. Motion carried 7-0.

CONSENT AGENDA REMOVALS FOR COMMISSION ACTION

There were no consent agenda items.

SUPPLEMENTAL ISSUES/TRAINING UPDATES

There were no supplemental issues/training updates.

AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing that nobody wished to participate, Chair Pehrson closed the final audience participation.

ADJOURNMENT

Motion to adjourn the meeting made by Member Lynch.

VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER Lynch.

Motion to adjourn the February 8, 2023 Planning Commission meeting. Motion carried 7-0.



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of Pawnbroker License renewal requested by Joseph Haddad, owner of Gold Buy and Jewelry, 41490 Grand River Avenue.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

This is the annual renewal of Gold Buy and Jewelry Pawnbroker License in accordance with Act 273 of 1917. Gold Buy and Jewelry has been in business in Novi since 2005, receiving their first Pawnbroker license in 2012.

The Police Department, Fire Department and Building Department have reviewed the request and have no objections to the renewal of this license.

RECOMMENDED ACTION: Approval of Pawnbroker License renewal requested by Joseph Haddad, owner of Gold Buy and Jewelry, 41490 Grand River Avenue.



NOVI CITY CLERK'S OFFICE
45175 TEN MILE ROAD
NOVI, MI 48375
(248) 347-0456
Fax (248) 347-0577

PAWNBROKER LICENSE APPLICATION
Act 273 of 1917

Business information:

Name of business: Gold Buy and Jewelry Inc
Business address: 41490 Grand River Ave Suite D
City: NOVI State: MI Zip: 48375 Phone number: 248-465-1118
Select the type of ownership: ☐ Individual ☐ Partnership ☒ Corporation ☐ Other: _____

Applicant information:

Name of applicant: Joseph S. Haddad

Provide the names and addresses of three adult residents in Oakland County who will serve as character references, who must be persons other than relatives and business associates:

1) Name: _____

Address: _____

2) Name: _____

Address: _____

3) Name: _____

Address: _____

Employee information (For additional employees, please complete a separate "Pawnbroker Application for Additional Employee" form)

Name of employee: _____ Date of birth: _____

Employee's home address: _____

City: _____ State: _____ Zip: _____ Phone number: _____

Employee's driver's license number (attach copy): _____

Name of employee: _____ Date of birth: _____

Employee's home address: _____

City: _____ State: _____ Zip: _____ Phone number: _____

Employee's driver's license number (attach copy): _____

MERCHANTS BONDING COMPANY,™

CLIENT'S COPY

MERCHANTS BONDING COMPANY (MUTUAL) P.O. BOX 14498, DES MOINES, IOWA 50306-3498
PHONE: (800) 678-8171 FAX: (515) 243-3854

CONTINUATION CERTIFICATE

(to be filed with the obligee)

MI 7659 3,000 FAIRBROKER
BOND NO. AMOUNT DESCRIPTION
OBLIGEE CITY OF NOVI, CITY CLERK
MERCHANTS BONDING COMPANY (MUTUAL) hereby continues in force Bond for:
PRINCIPAL GOLD BUY AND JEWELRY, INC.
DBA _____

All liability under this Continuation Certificate is effective 10/16/19 and terminates midnight 10/16/20
This continuation is executed upon the express condition that the Company's liability under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed in the aggregate the largest single amount named in the Bond, the endorsement attached thereto, or any continuation certificate.
Witness the signature of its President under the corporate seal on 08/01/19

MERCHANTS BONDING COMPANY (MUTUAL)

Attest:

William Warner Jr.
Secretary



Larry Taylor
President

CERTIFICATION

I hereby certify that the following is a true and correct copy of Section 1(b) and Section 1(d) of Article VI of the Bylaws of Merchants Bonding Company (Mutual) duly adopted and recorded to-wit: Section 1(b) "The President, Secretary, or Treasurer or any Assistant Treasurer or any Assistant Secretary shall have power and authority to execute on behalf of the Company and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof," and Section 1(d) "The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."
I further certify that the following are duly elected officers of the Company: Larry Taylor, President; and William Warner, Jr., Secretary.

IN TESTIMONY WHEREOF, I have hereunto set my hand as President and affix the Corporate Seal of the MERCHANTS BONDING COMPANY (MUTUAL)

this 1ST day of AUGUST, 2019

Attest:

William Warner Jr.
Secretary



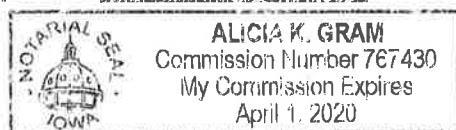
MERCHANTS BONDING COMPANY (MUTUAL)

Larry Taylor
President

On this 1ST day of AUGUST, 2019 before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL), the corporation described in the foregoing instrument and that the Seal affixed to the said instrument is the Corporate Seal of the said Corporation and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors.

Witnessed to and subscribed by me on 08/01/19

Alicia K. Gram
Notary Public





cityofnovi.org

Receipt: 9508

06/16/20

Page

PAWNBROKER LICENSE RENEWAL

The sum of: \$250.00

**GOLD BUY AND JEWELRY INC
41490 GRAND RIVER AVE SUITE D**

NOVI MI 48375

PAWNBKR 2020 LICENSE

250.00

Total

250.00

TENDERED:

CHECKS

230

250.00

Signed: _____

MEMORANDUM



TO: Melissa Morris, Deputy City Clerk
FROM: Larry Butler, Deputy Director of CD
SUBJECT: GOLD BUY AND JEWELRY INC
DATE: 02/24/23

The property located at **41490 GRAND RIVER AVE D** has received a Special Inspection permit **(PSI23-0016)** for the purpose of:

- ☐ Auctions
- ☐ Liquor license
- ☐ Arcade license
- ☐ Massage license
- ☐ Outdoor gathering
- ☐ Outdoor seating
- ☒ Other: Pawnbroker License

The Community Development Department has the following recommendation:

- ☒ Approved
- ☐ Approved with conditions (listed below)
- ☐ Not approved

Conditions:

If you have any questions, do not hesitate to contact me at (248) 347-0417.

Thank you!

2/24/2023
Larry Butler



February 27, 2023

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Laura Marie Casey

Hugh Crawford

Justin Fischer

Brian Smith

Ericka Thomas

Interim City Manager
Victor Cardenas

City Clerk
Cortney Hanson

TO: Cortney Hanson, City Clerk

FROM: Fire Marshal – Kevin Pierce

SUBJECT: -Renewal of Pawnbroker License –
Gold Buy and Jewelry Inc

A fire inspection has been conducted at the above business located at 41490 Grand River, Novi MI 48375 and the business has been found to be in compliance with the adopted fire prevention code. Renewal of the Pawnbroker License for 2023 is recommended.

Novi Public Safety Administration
45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

MEMORANDUM



TO: CORTNEY HANSON
CITY CLERK

FROM: ERICK W. ZINSER 
DIRECTOR OF PUBLIC SAFETY/CHIEF OF POLICE

SUBJECT: PAWNBROKER LICENSE RENEWAL / GOLD BUY & JEWELRY

DATE: MARCH 7, 2023

A pawnbroker license renewal for Gold Buy & Jewelry c/o Joseph Samuel Haddad, located at 41490 Grand River Ave, Suite D, in the City of Novi has been reviewed.

With this we find no reason to deny this request.

COMPLETED


3.9.23



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval to renew Dispatch Agreement with the City of South Lyon beginning July 1, 2023 through June 30, 2026.

SUBMITTING DEPARTMENT: Public Safety - Police

BACKGROUND INFORMATION:

The City of Novi Police Department has provided emergency dispatch service for the City of South Lyon Police and Fire Departments for over twenty years. The new agreement reflects a 4% increase per year. Legal counsel has reviewed this contract and opines there is no legal impediment which precludes the City from executing this agreement. The terms and conditions of this agreement were approved by the City of South Lyon City Council Meeting on March 13, 2023.

The City of South Lyon is currently paying the City of Novi \$151,411 for dispatch services. The proposed schedule recommends the following:

City of Novi Dispatch Services			
South Lyon			
Time Period	Annual	Yealy Increase	%
July 1, 2023 through June 30, 2024	\$157,467	\$6,056	4.0%
July 1, 2024 through June 30, 2025	\$163,766	\$6,299	4.0%
July 1, 2025 through June 30, 2026	\$170,317	\$6,551	4.0%

RECOMMENDED ACTION: Approval to renew Dispatch Agreement with the City of South Lyon beginning July 1, 2023 through June 30, 2026.

Agreement for Dispatch Services

Between the

City of Novi

And the

City of South Lyon

This Agreement is made and effective as of the date of the last signature and is between the *City of South Lyon* ("South Lyon"), whose address is 335 South Warren, South Lyon, Michigan 48178, Oakland County, Michigan and the *City of Novi* ("Novi") whose address is 45175 West Ten Mile Road, Novi, Michigan 48375, Oakland County, Michigan.

WHEREAS: It is the intention of South Lyon to secure and Novi to furnish Dispatch Services, and

WHEREAS: It is the intention of South Lyon and Novi to enter into an Agreement for the provision of said Dispatch Services through June 30, 2026, and to have the compensation for said services set forth in this Agreement.

NOW THEREFORE, in consideration of the mutual promises, covenants and conditions contained herein, the parties agree as follows:

1. This Agreement is for a term ending June 30, 2026. The obligation to provide services under this Agreement may be terminated by either party upon ninety (90) days prior written notice to the other party, delivered via First Class Certified United States Mail with Return Receipt requested. Unless prior to the ending date of this Agreement, a written extension is negotiated and executed, the provisions of this Agreement may be extended on a month-to-month basis by agreement of the parties.
2. Novi agrees to furnish Police and Fire Department Dispatch Services on a 24 hours a day, 7 days a week basis to South Lyon.
3. Novi agrees to serve as the Primary Safety Answering Point for South Lyon as part of the Oakland County E-911 Emergency Communications System. Dispatch Services to be provided by Novi shall include all emergency communication for South Lyon in accordance with the City of Novi – Telecommunications Proposal attached hereto as Exhibit A and incorporated herein by reference. Any requests from South Lyon that increase the scope of dispatch services from what is currently required shall not be binding on the City of Novi unless approved in writing by the Novi Police Chief.
4. Novi agrees to furnish Dispatch Services as outlined in this Agreement, specifically Paragraphs 2 and 3, and to provide training necessary for all dispatchers to comply with and obtain any certifications required by applicable law. Novi further agrees to provide emergency telecommunicator and fire dispatcher training for its dispatchers to obtain certifications in those fields at locations and times determined by the Novi Police Chief

Agreement for Dispatch Services
Between the City of South Lyon and the City of Novi

through outside accredited or recognized courses or programs that are established by South Lyon Police and Fire Chiefs and the Novi Police Chief.

5. In consideration for furnishing of said dispatch services as outlined in this Agreement, South Lyon agrees to pay Novi the following amounts for the periods indicated, with quarterly payments made on or before the first day of each quarter:

Time Period	Annual Amount
July 1, 2023 through June 30, 2024	\$157,467
July 1, 2024 through June 30, 2025	\$163,766
July 1, 2025 through June 30, 2026	\$170,317

6. South Lyon and Novi agree that any change in the Emergency Service Area or any change in the scope of dispatch services to be provided, is subject to re-negotiation and mutual written Agreement of the parties. In any event, South Lyon agrees that any expansion of the South Lyon Emergency Service Area will be preceded by ninety (90) days written notice to Novi to provide time for discussion and negotiation of satisfactory terms and to provide sufficient time to make equipment and record keeping modifications.
7. To the extent allowed by law, throughout the effective period of this Agreement and during any extension hereof pursuant to any written extension agreement or on a month-to-month basis, Novi agrees to hold harmless, indemnify, represent and defend South Lyon, its officers, officials, and employees from any and all claims, causes of action, liabilities, judgments, costs, damages and/or expenses for bodily injury Novi's delivery of dispatch services as specifically identified in the provisions of this Agreement, most specifically Paragraphs 2 and 3.

To the extent allowed by law, throughout the effective period of this Agreement and during any extension hereof pursuant to any written extension agreement or on a month-to-month basis, the City of South Lyon agrees to hold harmless, indemnify, represent and defend Novi, its officers, officials, and employees from any and all claims, causes of action, liabilities, judgments, costs, damages and/or expenses for bodily injury and/or property damage and/or any other claim relating to or solely arising out of South Lyon's delivery of services, by the City of South Lyon or its Police or Fire Departments.

The obligation of the parties pursuant to this indemnification paragraph shall continue following termination of this Agreement and for all times during which lawful claims may be made in relation to any acts arising out of this Agreement. Under the provisions of this Paragraph, the indemnitor, whether Novi or South Lyon, shall provide reasonable and adequate legal representation on behalf of the indemnitee, and shall pay all claims, judgments and/or liabilities which become due.

8. All employee rights of the contracted dispatchers will be governed by the respective collective bargaining agreement and the policies of the City of Novi.

Agreement for Dispatch Services
Between the City of South Lyon and the City of Novi

9. This Agreement and its incorporated Exhibit A constitute the entire Agreement for Dispatch Services between South Lyon and Novi.

Witness and Date

3/14/23

Carol Y. Brandon

Carol Y. Brandon 3/14/23

CITY OF SOUTH LYON

D. L. Pelchat

Daniel L. Pelchat, Mayor

Lisa Deaton

Lisa Deaton, Clerk

Witness and Date

CITY OF NOVI

Robert J. Gatt

Robert J. Gatt, Mayor

Cortney Hanson

Cortney Hanson, Clerk

CITY OF NOVI
TELECOMMUNICATIONS PROPOSAL EXHIBIT A

It is the mission of the Novi Regional 911 Center to provide a fast and effective communications link between the citizens requesting public safety services and the public safety agencies charged with providing emergency and non-emergency services to those citizens.

The "City of Novi Telecommunications Proposal" provides dispatching services 365 days a year on a 24/7 basis. It includes the following services and ensures Tele-Communicators will:

- Successfully undergo a recognized extensive communications Training Program.
- Have a thorough understanding of all radio console functions and public safety communications system used by the Novi Regional 911 Center.
- Answer 911 and non-emergency phone calls from the public and dispatch appropriate law enforcement, fire and/or EMS units as needed.
- Maintain contact with the caller throughout an emergency and update responding personnel of a changing situation.
- Activate weather sirens for inclement weather as needed.
- Have a thorough understanding of geography and addressing in all regional service areas.
- Be knowledgeable of mutual aid agreements between regional agencies.
- Assign complaint numbers for Calls for Service utilizing a computer aided dispatch system tracking complainant and officer response time information.
- Respond to requests from authorized public safety personnel i.e. LEIN, CLEMIS, NCIC checks, make follow-up phone calls, dispatch wreckers, etc.
- Maintain audio recordings of all radio traffic and telephone calls.
- Attend basic and advanced training as directed to stay up to date with dispatching methods and procedures.
- Maintain and make available Dialogic Reverse 911 Notification System.
- Provide short-term custody of arrested subjects, absent any major medical concerns and based on decision of Shift Commander.



CITY OF NOVI CITY COUNCIL

MARCH 20, 2023

SUBJECT: Approval for the dissolution of the Housing and Community Development Advisory Committee and for its responsibilities to be reassigned to the City of Novi Beautification Advisory Committee.

SUBMITTING DEPARTMENT: Finance

BACKGROUND INFORMATION:

The Housing and Community Development Advisory Committee ("HCD") was created at a regular city council meeting on February 25, 2002. The mission of the HCD committee is to maximize the impact of the Community Development Block Grant ("CDBG") funds in an efficient economic fashion that represents the best interest for the public. The committee's purpose and responsibility is to make recommendations to Novi City Council in this regard. Additionally, the committee serves in an advisory role reviewing the administration of the approved spending program.

Novi receives CDBG funding as a subrecipient of Oakland County which means the City must comply with national U.S. Department of Housing and Urban Development (HUD) requirements as well as guidelines established by Oakland County.

CDBG funds can be used for the acquisition and disposition of real property, public facilities and improvements, public services, and housing services. The County also restricts that a community is only allowed to allocate funds to four programs, each program must have a minimum of \$3,500 allocated to it, and public services type projects can be allocated no more than 30% of the City's total annual funds received. In addition, for funds to be utilized, they must benefit low to moderate income clientele or a low to moderate service area.

Over the last 10 years, the City has received, on average, approximately \$116,000 annually. In general, the funds the City receives are not large enough to acquire or dispose of real property or improve a public facility. In an effort to maximize the impact of the CDBG funds, the money has been allocated to Novi Youth Assistance (summer program grants), Haven, and Minor Home Repair. In addition, since 2018, funds have been allocated to Hospitality House for emergency services (food bank).

The City of Novi is very fortunate to provide its residents with many services using other City and County resources (i.e., senior services, transportation services, crime awareness/prevention, housing counseling, fair housing activities, etc.). The organizations requesting funds are those which provide services outside the normal course of business from the City and or Oakland County. Each year, the funds are typically allocated to the same organizations as they provide so many wonderful benefits to the residents of Novi. In addition, past committees have looked at possible other organizations; however, were unsuccessful finding any that met both the HUD and County federal requirements as an organization nor were any better for the residents than the current programs.

Given the restrictions of the County on the number and types of programs allowed, the City of Novi Finance Department feel the HCD committee is not utilized as the Council originally had intended. The committee meets once a year to discuss the annual CDBG funds (the programs do not change as they are limited to four) and how the funds should be allocated (the amount awarded annually changes slightly so minor adjustments are made to the four programs). Given the limitations of the committee, it is rare to have new items to discuss. In past years, the meetings have needed to be rescheduled multiple times in order to ensure we have a quorum to make a recommendation to council. Rescheduling the meeting is an issue each year due to the tight time frame the County provides to return the funding application. We typically have anywhere from 4-6 weeks to convene the committee, have a public hearing and get the application approved by council. In addition, each year it is a struggle to fill the positions on the committee.

Given the above factors, the City of Novi Finance Department propose that the committee be dissolved and the responsibilities be given to the Beautification Commission.

RECOMMENDED ACTION: Approval for the dissolution of the Housing and Community Development Advisory Committee and for it's responsibilities to be reassigned to the City of Novi Beautification Advisory Committee.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION APPROVING THE HOUSING AND COMMUNITY
DEVELOPMENT ADVISORY COMMITTEE DISSOLUTION**

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, 2023, at ____ o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

RECITALS

WHEREAS, the City of Novi annually receives Community Development Block Grant funds, which are federal funds administered through Oakland County; and

WHEREAS, these funds are designed to address a number of public purposes, including residential rehabilitation for low and moderate income individuals; and

WHEREAS, the Novi City Council wishes to maximize public input into the development of a targeted spending program.

WHEREAS, the Novi City Council created the Housing and Community Development Advisory Committee at a Regular Meeting held on February 25, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and council hereby conclude to dissolve the Housing and Community Development Committee and that the members of the committee terms will also be terminated.

BE IT FURTHER RESOLVED that the recommendations for the expenditure of the Community Development Block Grant funds will be charged to the existing Beautification Committee.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2023, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of request for Pyrotechnics Display Permit by Brightmoor Christian Church to be operated by James Herr, on Wednesday, March 29 through Sunday, April 2, 2023 for their daily Easter programs.

SUBMITTING DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Brightmoor Christian Church would like to enhance their Easter Programs with the addition of a pyrotechnics display once each day between Wednesday, March 29th through Sunday, April 2nd, 2023 .

The pyrotechnics show will be launched from the worship center stage.

The Michigan Fireworks Safety Act requires the applicant to furnish adequate insurance coverage with the Fireworks Permit Application. The Certificate of Liability Insurance is acceptable and provides an endorsement listing the City of Novi as an Additional Insured.

The Novi Fire Department has conducted a site inspection and an additional inspection will occur once the show is complete. Additional Police and Fire Department personnel will be assigned for the duration of the event to assure that all safety measures and processes are adhered to according to the fireworks permit.

RECOMMENDED ACTION: Approval of request for Pyrotechnics Display Permit by Brightmoor Christian Church to be operated by James Herr, on Wednesday, March 29 through Sunday, April 2, 2023 for their daily Easter programs.

2023 Permit for Fireworks Other than Consumer or Low Impact

Authority: 2011 PA 256	The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.
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This permit is not transferable. Possession of this permit authorizes the herein named person to possess, transport and display fireworks in the amounts, for the purpose of and at the place listed below only through permit expiration date.

TYPE OF PERMIT(S) (Select all applicable boxes) ☐ Agricultural or Wildlife Fireworks ☒ Articles Pyrotechnic ☐ Display Fireworks ☒ Public Display ☐ Private Display ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes	FOR USE BY LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD ONLY. PERMIT(S) EXPIRATION DATE (ENTER DATE OF EXPIRATION)
--	--

NAME OF PERSON PERMIT ISSUED TO <u>James Herr</u>	AGE (18 YEARS OR OLDER) ☒ YES ☐ NO
ADDRESS OF PERSON PERMIT ISSUED TO	

NAME OF ORGANIZATION, GROUP, FIRM OR CORPORATION <u>Brightmoor Christian Church</u>
ADDRESS <u>40800 W. 13 Mile Road Novi MI 48377</u>

NUMBER AND TYPES OF FIREWORKS (Please attach additional pages if necessary) <u>4- Fire Fly Propane Flame Units</u> <u>4- Theatrical Flash</u> <u>4- Mortar Hits</u> <u>4- Handheld Torches</u>
--

EXACT LOCATION OF DISPLAY OR USE <u>Brightmoor Christian Church, Worship Center Stage</u>		
CITY, VILLAGE, TOWNSHIP <u>Novi</u>	DATE <u>3/29/23 - 4/2-/23</u>	TIME <u>7pm</u>
BOND OR INSURANCE FILED ☒ YES ☐ NO	AMOUNT <u>\$8,000,000</u>	

Issued by action of the Legislative Body of a	
☐ City ☐ Village ☐ Township of _____	on the _____ day of _____
(Signature and Title of Legislative Body Representative)	

THIS FORM IS VALID UNTIL THE DATE OF EXPIRATION OF PERMIT

2023 Application for Fireworks Other Than Consumer or Low Impact

FOR USE BY LEGISLATIVE BODY
OF CITY, VILLAGE OR TOWNSHIP
BOARD ONLY

DATE PERMIT(S) EXPIRE:

Authority: 2011 PA 256

The LEGISLATIVE BODY OF CITY, VILLAGE OR TOWNSHIP BOARD will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this Legislative Body of City, Village or Township Board.

TYPE OF PERMIT(S) (Select all applicable boxes)

- ☐ Agricultural or Wildlife Fireworks ☒ Articles Pyrotechnic ☐ Display Fireworks
- ☒ Public Display ☐ Private Display
- ☐ Special Effects Manufactured for Outdoor Pest Control or Agricultural Purposes

NAME OF APPLICANT James Herr	ADDRESS OF APPLICANT	AGE OF APPLICANT 18 YEARS OR OLDER ☐ YES ☐ NO
---------------------------------	----------------------	--

NAME OF PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER James Herr	ADDRESS PERSON OR RESIDENT AGENT REPRESENTING CORPORATION, LLC, DBA OR OTHER
--	--

IF A NON-RESIDENT APPLICANT (LIST NAME OF MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	ADDRESS (MICHIGAN ATTORNEY OR MICHIGAN RESIDENT AGENT)	TELEPHONE NUMBER
---	--	------------------

NAME OF PYROTECHNIC OPERATOR James Herr	ADDRESS OF PYROTECHNIC OPERATOR	AGE OF PYROTECHNIC OPERATOR 18 YEARS OR OLDER ☐ YES ☐ NO
--	---------------------------------	---

NO. YEARS EXPERIENCE 11	NO. DISPLAYS 6	WHERE Various
----------------------------	-------------------	------------------

NAME OF ASSISTANT	ADDRESS OF ASSISTANT	AGE OF ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
-------------------	----------------------	--

NAME OF OTHER ASSISTANT	ADDRESS OF OTHER ASSISTANT	AGE OF OTHER ASSISTANT 18 YEARS OR OLDER ☐ YES ☐ NO
-------------------------	----------------------------	--

EXACT LOCATION OF PROPOSED DISPLAY
Brightmoor Christian Church, Worship Center Stage

DATE OF PROPOSED DISPLAY 3/29/23 - 4/2/23	TIME OF PROPOSED DISPLAY 3pm & 7pm
--	---------------------------------------

MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1126 AND OTHER STATE OR FEDERAL REGULATIONS.
PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT
All products are stored in a metal flammables cabinet prior to being installed into the show.

AMOUNT OF BOND OR INSURANCE (TO BE SET BY LOCAL GOVERNMENT) \$58,000,000	NAME OF BONDING CORPORATION OR INSURANCE COMPANY Brotherhood Mutual
---	--

ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY
P.O. Box 2227
Fort Wayne, IN 46801

NUMBER OF FIREWORKS	KIND OF FIREWORKS TO BE DISPLAYED (Please provide additional pages as needed)
4	Firefly Propane Flame Units
4	Theatrical Flashes
4	Mortar Hits
4	Handheld Theatrical Torches

SIGNATURE OF APPLICANT

DATE

3/8/23



OP ID: MB

EVIDENCE OF COMMERCIAL PROPERTY INSURANCEDATE (MM/DD/YYYY)
03/08/2023

THIS EVIDENCE OF COMMERCIAL PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THIS EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

PRODUCER NAME, CONTACT PERSON AND ADDRESS Shilton & Associates, Inc. Dave Shilton 660 Cascade West Parkway, SE Grand Rapids, MI 49546 Jared Nathan Shilton		PHONE (A/C, No, Ext): 616-956-5300	COMPANY NAME AND ADDRESS Brotherhood Mutual P O Box 2227 Fort Wayne, IN 46801		NAIC NO:
FAX (A/C, No): 616-956-9993	E-MAIL ADDRESS:		IF MULTIPLE COMPANIES, COMPLETE SEPARATE FORM FOR EACH		
CODE:	SUB CODE:		POLICY TYPE Commercial Package		
AGENCY CUSTOMER ID #: BRIGH-3			LOAN NUMBER		
NAMED INSURED AND ADDRESS Brightmoor Christian Church 40800 W 13 Mile Rd Novi, MI 48377-2327			POLICY NUMBER 21MRA0437802		
ADDITIONAL NAMED INSURED(S)			EFFECTIVE DATE 09/01/2022	EXPIRATION DATE 09/01/2023	☐ CONTINUED UNTIL TERMINATED IF CHECKED
			THIS REPLACES PRIOR EVIDENCE DATED:		

PROPERTY INFORMATION (ACORD 101 may be attached if more space is required) ☒ BUILDING OR ☐ BUSINESS PERSONAL PROPERTY

LOCATION / DESCRIPTION 40800 W 13 Mile Rd Novi, MI 48377	Location 101 Church-\$50,406,000 Contents-\$8,000,000
THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.	

COVERAGE INFORMATION		PERILS INSURED	BASIC	BROAD	☒ SPECIAL	
COMMERCIAL PROPERTY COVERAGE AMOUNT OF INSURANCE: \$		58,611,000		DED: 2,500		
		YES	NO	N/A		
☐ BUSINESS INCOME ☐ RENTAL VALUE					If YES, LIMIT: Actual Loss Sustained; # of months:	
BLANKET COVERAGE					If YES, indicate value(s) reported on property identified above: \$	
TERRORISM COVERAGE		☒			Attach Disclosure Notice / DEC	
IS THERE A TERRORISM-SPECIFIC EXCLUSION?						
IS DOMESTIC TERRORISM EXCLUDED?						
LIMITED FUNGUS COVERAGE					If YES, LIMIT: DED:	
FUNGUS EXCLUSION (If "YES", specify organization's form used)						
REPLACEMENT COST		☒				
AGREED VALUE						
COINSURANCE					If YES, %	
EQUIPMENT BREAKDOWN (If Applicable)		☒			If YES, LIMIT: 58,611,000 DED: 2,500	
ORDINANCE OR LAW - Coverage for loss to undamaged portion of bldg		☒			If YES, LIMIT: 100,000 DED: 2,500	
- Demolition Costs		☒			If YES, LIMIT: 350,000 DED: 2,500	
- Incr. Cost of Construction		☒			If YES, LIMIT: DED: 2,500	
EARTH MOVEMENT (If Applicable)					If YES, LIMIT: DED:	
FLOOD (If Applicable)					If YES, LIMIT: DED:	
WIND / HAIL INCL ☐ YES ☐ NO Subject to Different Provisions:					If YES, LIMIT: DED:	
NAMED STORM INCL ☐ YES ☐ NO Subject to Different Provisions:					If YES, LIMIT: DED:	
PERMISSION TO WAIVE SUBROGATION IN FAVOR OF MORTGAGE HOLDER PRIOR TO LOSS						

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

CONTRACT OF SALE	LENDER'S LOSS PAYABLE	LOSS PAYEE	LENDER SERVICING AGENT NAME AND ADDRESS
MORTGAGEE			
NAME AND ADDRESS			AUTHORIZED REPRESENTATIVE <i>Jared Shilton</i>

EVIDENCE OF PROPERTY INSURANCE
PROPERTY SCHEDULE

DATE (MM/DD/YY)

03/08/2023

PAGE 2

PROPERTY INFORMATION

LOCATION/DESCRIPTION

23745 Research Dr

Farmington Hills, MI 48335

Location 0201

Storage Building Contents-\$45,000

PROPERTY INFORMATION

LOCATION/DESCRIPTION

28265 Beck Rd Ste C13 C14

Wixom, MI 48393

Location 0301

Storage Unit Contents-\$60,000

PROPERTY INFORMATION

LOCATION/DESCRIPTION

PROPERTY INFORMATION

LOCATION/DESCRIPTION

PROPERTY INFORMATION

LOCATION/DESCRIPTION

PROPERTY INFORMATION

LOCATION/DESCRIPTION

PROPERTY INFORMATION

LOCATION/DESCRIPTION

PROPERTY INFORMATION

LOCATION/DESCRIPTION

Controller Interface



Zach Gilbert

Updated 7 months ago



A) Antenna Connector

Connect the standard omnidirectional antenna, COBRA Booster, COBRA DISH, or a combination of the three.

C) Cue LED Indicators (1-18)

B) CH+, CH- Buttons

Press up or down to navigate between channels. Holding the CH+ or CH- button will allow for fast scrolling.

D) ARM/PAUSE Button

Press to ARM the 18R2 or pause/resume an

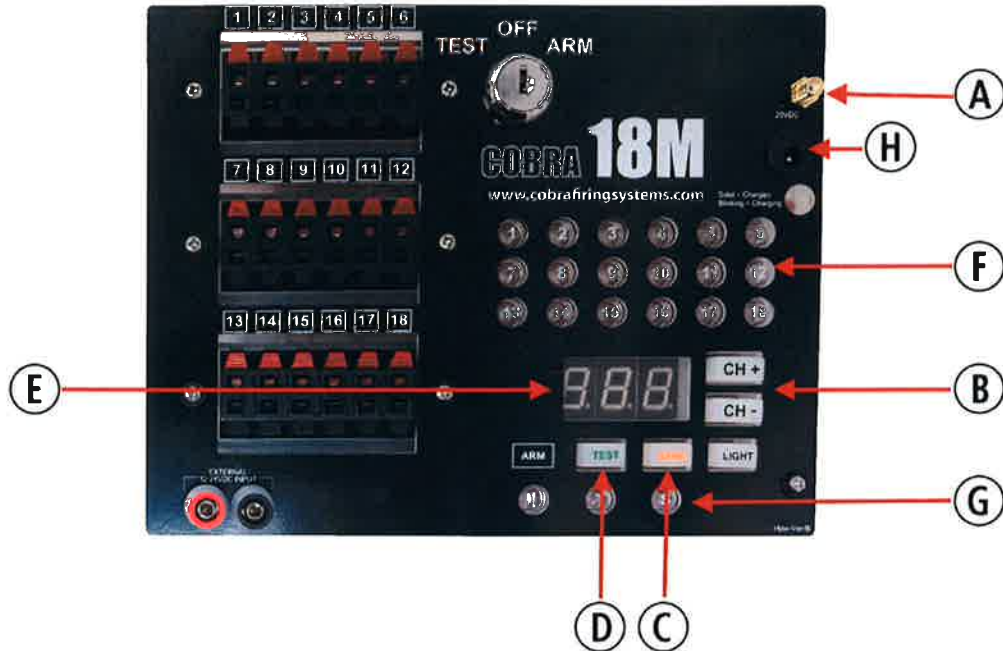
Connect to COBRA Control Panel, load automated scripts and firmware updates.	power the 18R2.
(Q) Deadman Port (Optional Upgrade) Connect to the COBRA Deadman Trigger.	(R) Timecode RCA Port (Optional Upgrade) Connect an RCA cable to support SMPTE Timecode control.
(S) Charge Port (Optional Upgrade) Connect a COBRA charger to charge the internal LiPo battery.	

Interface



Brandon Brown

Updated 7 months ago



A) Antenna Connector

Connect the standard **omnidirectional antenna**, **COBRA Booster**, **COBRA DISH**, or a combination of the three.

B) CH+, CH- Buttons

Press and release to increment (CH+) or decrement (CH-) the channel for the selected bank.

C) SYNC Button

D) TEST Button

16th September 2019

SAFETY DATA SHEET

SECTION 1 – PRODUCT IDENTIFICATION

1.1 Product identifier

Product Name: SIMULATION EFFECTS (Napalm, Shellburst, Giant Fireball, Goldstar, Mortar Hit, Thunderflash)

1.2 Relevant identified uses of the substance or mixture and uses advised against

Relevant identified uses: Articles pyrotechnic for technical purposes

1.3 Details of the Supplier of the Safety Data Sheet

Supplier: Le Maitre Ltd
Street/P.O. Box: 6 Forval Close
Postcode/City: CR4 4NE, Mitcham
Country: England
Telephone number: +44 (0)20 8646 2222
Email: info@lemaitreLtd.com

1.4 Emergency telephone number

Please contact: +44 (0)151 951 3317 Health and Safety Executive (HSE) Chemicals Regulation Directorate
Other comments: Only available during office hours

SECTION 2 – HAZARDS IDENTIFICATION

2.1 Classification of the substance or mixture

H204: Fire or projection hazard

2.2 Label elements

Labelling according to Regulation (EC) No. 1272/2008 (CLP)

Hazard category: Division 1.4

Signal word: Warning

Hazard statement: H204 Fire or projection hazard

Precautionary Statements Prevention: P210, P234

Precautionary Statements Response: P370 + P372 + P380 + P373

Precautionary Statements Storage: P401

Precautionary Statements Disposal: P501

Hazard pictograms:



2.3 Other hazards

There are no chronic effects from handling the product appropriately
 When used in the correct manner, any fallout does not pose a risk to personal health.

SIMULATION EFFECTS

SECTION 3 – COMPOSITION / INFORMATION ON INGREDIENTS

3.1 Substances

Name	CAS No.	EC No.
Aluminium powder	7429-90-5	231-072-3
Charcoal	16291-96-6	240-383-3
Lycopodium powder	8023-70-9	282-002-3
Magnesium powder	7439-54-4	231-104-6
Naphthalene	91-20-3	202-049-5
Potassium Nitrate	7757-79-1	231-818-8
Potassium Perchlorate	7778-47-7	231-912-9
Starch	9005-25-8	232-679
Strontium Oxalate	814-95-9	212-415-6
Sulphur	7704-34-9	231-722-6

List above covers all products within the Simulation effect families

SECTION 4 – FIRST AID MEASURES

4.1 Description of first aid measures

General notes: In the case of accident or sickness, seek medical advice immediately.

Following inhalation: Remove casualty to fresh air and keep warm and at rest.

Following skin contact: Wash immediately with soap and water

Following eye contact: Immediately flush with water

Following ingestion: If accidentally swallowed, rinse the mouth with plenty of water (only if the person is conscious) and obtain medical attention

Self protection of the first aider: Pay attention to self protection!

4.2 Most important symptoms and effects, both acute and delayed

Irritation to the eyes and irritation to the skin

4.3 Indication of any immediate medical attention and special treatment needed

First aid, decontamination, treatment of symptoms

SECTION 5 – FIREFIGHTING MEASURES

5.1 Extinguishing media

Suitable extinguishing media: If there is a small flame persisting from the effect itself (or from the surrounding area) this can be extinguished with a dry powder or Carbon Dioxide Fire Extinguisher if trained to do so.

For larger fires do not attempt to extinguish any fire unless specifically trained to do so. Evacuate area and contact emergency services

Unsuitable extinguishing media: N/A

5.2 Special hazards arising from the substance or mixture

Hazardous combustion products may be produced.

Pyrotechnic devices can burn violently and the state of the fire will be dependent on composition, packaging and containment.

5.3 Advice for firefighters

Exercise extreme caution. Special protective equipment for firefighters: wear self-contained breathing apparatus and chemical protective clothing

SIMULATION EFFECTS

SECTION 6 – ACCIDENTAL RELEASE MEASURES

6.1 Personal precautions, protective equipment and emergency procedures

6.1.1 For non-emergency personnel: Suitable personal protective equipment. Remove ignition sources.

6.1.2 For emergency responders: Remove persons to safety. Isolate hazard area and deny entry. Ventilate closed spaces before entering.

6.2 Environmental precautions

Prevent large spillages from entering surface water or drains.

6.3 Methods and material for containment and cleaning up

Dispose of as special waste in compliance with local and national regulations.

6.4 Reference to other sections

See sections 8 and 13

SECTION 7 – HANDLING AND STORAGE

7.1 Precautions for safe handling

Protective measures: Handle with caution.

Measures to prevent fire: No smoking and no naked flames.

Measures to prevent aerosol and dust generation: Do not tamper with the item.

Advice on general occupational hygiene: Do not eat, drink or smoke in work areas. Wash hands after use.

7.2 Conditions for safe storage, including any incompatibilities

Technical measures and storage conditions: Store in cool, dry place.

Requirements for storage rooms and vessels: Always store in original packaging with appropriate marking and labelling. Stores should be adequately secured and identified.

7.3 Specific end use(s)

The identified use for this product is detailed in section 1.2.

8.1

SECTION 8 – EXPOSURE CONTROLS / PERSONAL PROTECTION

Control

parameters

Workplace exposure limits.

8.2 Exposure controls

8.2.1 Appropriate engineering controls: Provide adequate ventilation.

8.2.2 Personal protection equipment: Appropriate Safety goggles.

8.2.3 Environmental exposure controls: No specific measures.

SIMULATION EFFECTS

SECTION 9 – PHYSICAL AND CHEMICAL PROPERTIES

9.1 Information on basic physical and chemical properties

Appearance: Solid sealed tube

As this is a sealed unit chemical properties are not applicable

9.2 Other information

No additional information relevant to safe use.

SECTION 10 – STABILITY AND REACTIVITY

10.1 Reactivity

No specific data related to reactivity available.

10.2 Chemical stability

Stable under recommended conditions of storage and use.

10.3 Possibility of hazardous reactions

No hazardous reaction when handled and stored according to provisions.

10.4 Conditions to avoid

Avoid high temperatures, shock, static discharge, vibrations or other physical stresses that might result in a hazardous situation.

10.5 Incompatible materials

As this is a sealed unit incompatible materials are not applicable.

10.6 Hazardous decomposition products

Decomposition does not occur during normal circumstances of storage, transport and handling. Upon functioning various gases may be emitted including oxides.

SECTION 11 – TOXICOLOGICAL INFORMATION

11.1 Information on toxilogical effects

As this is a sealed unit this only applies to spillages.
May cause eye and skin irritation. Inhalation or ingestion may cause discomfort.

SECTION 12 – ECOLOGICAL INFORMATION

12.1 Toxicity

Not classified as dangerous for the environment/aquatic toxicant

12.2 Persistence and degradability N/A

12.3 Bioaccumulative potential N/A

12.4 Mobility in soil N/A

12.5 Results of PBT and vPvB assessment N/A

12.6 Other adverse effects N/A**SECTION 13 – DISPOSAL CONSIDERATIONS****13.1 Waste treatment methods**

No specific regulations apply to packagings or spent devices.

Unused devices should be returned to the manufacturer, functioned in a safe manner or soaked in a vessel of water for 48 hours. If soaked in water review local and national requirements prior to disposal.

SECTION 14 – TRANSPORT INFORMATION**14.1 UN number**

UN0431 or UN0432

14.2 UN proper shipping name

Articles pyrotechnic for technical purposes

14.3 Transport hazard class(es)

1.4G (UN0431) or 1.4S (UN0432)

14.4 Packing group

N/A

14.5 Environmental hazards

None

14.6 Special precautions for user

No smoking or naked flames

14.7 Transport in bulk according to Annex II of MARPOL and the IBC Code

N/A

SECTION 15 – REGULATORY INFORMATION**15.1 Safety, health and environmental regulations/legislation specific for the substance or mixture**

Explosives Regulations 2014 and all orders of council, HSG 36, Local Authorities and the Health and Safety Executive.

Pyrotechnic Articles European Directive 2013/29/EU

15.2 Chemical Safety Assessment

N/A

SECTION 16 – OTHER INFORMATION

Information for this safety data sheet was obtained from sources considered technically accurate and reliable. Whilst every effort has been made to ensure full disclosure of product hazards, in some cases data is not available and is so stated. No warranty, expressed or implied, is made and supplier will not be liable for any losses, injuries or consequential damages which may result from the use of, or reliance on, any information contained in this form.

Safety Data Sheet
29 CFR 1910.1200

Section 1: Company and Product Identification

Product Name: Pyrowizard Flash Cotton

Product Code(s): FP11

Company: Theatre Effects
1810 Airport Exchange Blvd.
Suite 400
Erlanger, KY 41018
800-791-7646
24 Hr Emergency: INFOTRAC, 1-800-535-5053
(outside USA +1-352-323-3500)

Section 2: Hazards Identification

Hazard Pictograms:



Signal Word: Danger

Hazard Category: Flammable Solid

Hazard Statements: H228: Flammable solid

Precautionary
P210: Keep away from heat/sparks/open flames/hot surfaces – No smoking
P241: Use explosion-proof lighting or other equipment in proximity of product
P230: Keep wetted with water until usage
P280: Wear protective gloves/protective clothing/eye protection/face protection
P370+378: In case of fire: use water for extinction

Hazards not otherwise classified: Not applicable, none known.

Section 3: Composition / Information on Ingredients

Hazardous substance (name)	Hazard Category	CAS#	Weight %
nitrocellulose	Flam Sld 1	9004-70-0	<75
water	not classified	1330-20-7	>25

Section 4: First Aid Measures

General Info: No specific measures necessary for first aid response. Material does not represent a health hazard.

Notable Exposure symptoms: Exposure to product is not likely to result in symptoms.

If ingested: Rinse mouth. Drink plenty of water.

If inhaled: Remove to fresh air.

Eye contact: Eye contact not likely to result in any health hazards. Rinse eye to remove any particulates.

Skin contact: Rinse with water. Consult medical advise if irritation develops.

Additional Info: No further information.

Section 5: Fire Fighting Measures

General Info: Product is highly flammable when dried. It can be handled safely when wetted with water. After drying, this product will burn very rapidly releasing extreme heat.

Extinguishing Method / Water is the preferred extinguishing agent. Isolate area, and if possible fight fire from upwind. Wetted **Equipment:** product that is in contact with fire will dry and combust, increasing fire hazard.

Hazardous Constituents associated with burning / combustion are to be considered hazardous. Utilize product where **Decomposition Info:** ventilation is adequate. Large quantities should not be burned in small spaces.

Section 6: Accidental Release Measures

Personal precautions, Eliminate all ignition sources (no smoking, flares, sparks, or flames in immediate area). Released material **protective equipment** will be a solid article that can be made less hazardous by wetting further with water. Ensure area is properly **and procedures:** ventilated.

Containment Equipment Not applicable. Material can be stored in the original receptacle. **and Procedures:**

Cleanup Procedures: Care should be taken to avoid ignition. Wetting product with water will render released material non-hazardous.

Section 7: Handling and Storage

Safe Handling Do not handle until all safety precautions have been read and understood. Do not handle near an open flame **Precautions:** or sources of ignition until product effect is desired. Ensure adequate ventilation. Take precautionary measures against static discharges. Avoid breathing vapors.

Recommendations for Store in product package until usage is warranted. **Storage:**

Incompatibilities: Store away from strong acids or oxidizing agents. Refer to Section 10.

Section 8: Exposure Control / Personal Protection

General / Engineering Local exhaust ventilation should be utilized to control fumes. Nearby water supply may be necessary to wet **Controls:** product (if needed) or to combat any uncontrolled fire.

Work Clothing: No specific protective clothing needed.

Eye/face protection: None needed for product as received. When using product, utilize eyewear if situation necessitates additional safe measures.

Skin Protection: None needed for product as received. When using product, utilize fire resistant gloves if situation necessitates additional safe measures.

Respiratory Protection: Not required under normal usage.

Additional Information: Observe good chemical hygiene practices. Do not smoke while using this product. Care should be taken to observe surroundings prior to utilizing.

Section 9: Physical and Chemical Properties

State: Solid article	Melting Point: Not avail	Freezing Point: Not avail
Color: White or tan	Boiling Point/Range: Not avail	pH: Not avail
Sp Grav: Not avail	Odor: Odorless	Water Solubility: Insoluble
Evaporation rate: Not avail	Flash Point: (see autoign)	Part. Coeff (n-octanol/water): Not avail
Upper Flam Limits: Not avail	Lower Flam Limits: Not avail	Vapor Pressure:
VOC Content (lbs/gal): Not avail	Viscosity: Not avail	Autoignition: 160C (320F)
		Temp:

Section 10: Stability and Reactivity

General: Product becomes less stable as it dries. Flammability characteristics increase as water is lost from product.

Incompatible materials: Strong oxidizing agents, strong acids.

Decomposition products: No decomposition products known. Constituents associated with burning may be harmful.

Section 11: Toxicological Information

General Information: Product does not pose a health hazard.

Toxicological Information (product): Product has not been tested, yet is not considered to be an acute or chronic health hazard.

Likely Routes of Exposure: Inhalation of vapors during burning.

Carcinogenicity or mutagenicity: Product is not a carcinogen or mutagen.

Sensitization: Product is not expected to be a sensitizer.

Other Notes: Not applicable.

Section 12: Ecological Information

General information: Product not tested. Not expected to pose an environmental hazard.

Aquatic toxicity: Not expected to have any aquatic toxicity characteristics.

Degradation / Mobility info: No specific data available.

Bioaccumulative potential: Product is not bioaccumulative.

Section 13: Disposal Information

Product disposal: Dispose of product in accordance with local, regional, and national regulations. Product is to be considered a flammable solid / ignitable waste.

Container disposal: No further information.

Section 14: Transport Information

DOT: Classified as Dangerous Goods per 49 CFR (UN2555). Product is sold in excepted quantities.

Comments: Inquire for further information.

Section 15: Regulatory Information

TSCA: All components listed on the TSCA 8(b) inventory.

CERCLA RQ: Not applicable.

SARA 311/312: Product is a flammable hazard.

SARA 313 Not applicable.

California Prop 65 Not applicable.

Substances:

Section 16: Other Information

HMIS Rating: H:1, F:3, R:3

SDS Author: CCS, LLC

Version Date: 5/19/2015

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Safety Data Sheet
29 CFR 1910.1200

Section 1: Company and Product Identification

Product Name: Pyrowizard Flash Paper

Product Code(s): FP01, FP02, FP03, FP06, FP07, FP08

Company: Theatre Effects
1810 Airport Exchange Blvd.
Suite 400
Erlanger, KY 41018
800-791-7646
24 Hr Emergency: INFOTRAC, 1-800-535-5053
(outside USA +1-352-323-3500)

Section 2: Hazards Identification

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Signal Word: Danger

Hazard Category: Flammable Solid

Hazard Statements: H228: Flammable solid

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Hazards not otherwise classified: Not applicable, none known.

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water	not classified	1330-20-7	>25

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If ingested: Rinse mouth. Drink plenty of water.

If inhaled: Remove to fresh air.

Eye contact: Eye contact not likely to result in any health hazards. Rinse eye to remove any particulates.

Skin contact: Rinse with water. Consult medical advise if irritation develops.

Additional Info: No further information.

Section 5: Fire Fighting Measures

General Info: Product is highly flammable when dried. It can be handled safely when wetted with water. After drying, this product will burn very rapidly releasing extreme heat.

Extinguishing Method / Water is the preferred extinguishing agent. Isolate area, and if possible fight fire from upwind. Wetted **Equipment:** product that is in contact with fire will dry and combust, increasing fire hazard.

Hazardous Constituents associated with burning / combustion are to be considered hazardous. Utilize product where **Decomposition Info:** ventilation is adequate. Large quantities should not be burned in small spaces.

Section 6: Accidental Release Measures

Personal precautions, Eliminate all ignition sources (no smoking, flares, sparks, or flames in immediate area). Released material **protective equipment** will be a solid article that can be made less hazardous by wetting further with water. Ensure area is properly **and procedures:** ventilated.

Containment Equipment Not applicable. Material can be stored in the original receptacle. **and Procedures:**

Cleanup Procedures: Care should be taken to avoid ignition. Wetting product with water will render released material non-hazardous.

Section 7: Handling and Storage

Safe Handling Do not handle until all safety precautions have been read and understood. Do not handle near an open flame **Precautions:** or sources of ignition until product effect is desired. Ensure adequate ventilation. Take precautionary measures against static discharges. Avoid breathing vapors.

Recommendations for Store in product package until usage is warranted. **Storage:**

Incompatibilities: Store away from strong acids or oxidizing agents. Refer to Section 10.

Section 8: Exposure Control / Personal Protection

General / Engineering Local exhaust ventilation should be utilized to control fumes. Nearby water supply may be necessary to wet **Controls:** product (if needed) or to combat any uncontrolled fire.

Work Clothing: No specific protective clothing needed.

Eye/face protection: None needed for product as received. When using product, utilize eyewear if situation necessitates additional safe measures.

Skin Protection: None needed for product as received. When using product, utilize fire resistant gloves if situation necessitates additional safe measures.

Respiratory Protection: Not required under normal usage.

Additional Information: Observe good chemical hygiene practices. Do not smoke while using this product. Care should be taken to observe surroundings prior to utilizing.

Section 9: Physical and Chemical Properties

State: Solid article	Melting Point: Not avail	Freezing Point: Not avail
Color: White or tan	Boiling Point/Range: Not avail	pH: Not avail
Sp Grav: Not avail	Odor: Odorless	Water Solubility: Insoluble
Evaporation rate: Not avail	Flash Point: (see autoign)	Part. Coeff (n-octanol/water): Not avail
Upper Flam Limits: Not avail	Lower Flam Limits: Not avail	Vapor Pressure:
VOC Content (lbs/gal): Not avail	Viscosity: Not avail	Autoignition: 160C (320F)
		Temp:

Section 10: Stability and Reactivity

General: Product becomes less stable as it dries. Flammability characteristics increase as water is lost from product.

Incompatible materials: Strong oxidizing agents, strong acids.

Decomposition products: No decomposition products known. Constituents associated with burning may be harmful.

Section 11: Toxicological Information

General Information: Product does not pose a health hazard.

Toxicological Information (product): Product has not been tested, yet is not considered to be an acute or chronic health hazard.

Likely Routes of Exposure: Inhalation of vapors during burning.

Carcinogenicity or mutagenicity: Product is not a carcinogen or mutagen.

Sensitization: Product is not expected to be a sensitizer.

Other Notes: Not applicable.

Section 12: Ecological Information

General information: Product not tested. Not expected to pose an environmental hazard.

Aquatic toxicity: Not expected to have any aquatic toxicity characteristics.

Degradation / Mobility info: No specific data available.

Bioaccumulative potential: Product is not bioaccumulative.

Section 13: Disposal Information

Product disposal: Dispose of product in accordance with local, regional, and national regulations. Product is to be considered a flammable solid / ignitable waste.

Container disposal: No further information.

Section 14: Transport Information

DOT: Classified as Dangerous Goods per 49 CFR (UN2555). Product is sold in excepted quantities.

Comments: Inquire for further information.

Section 15: Regulatory Information

TSCA: All components listed on the TSCA 8(b) inventory.

CERCLA RQ: Not applicable.

SARA 311/312: Product is a flammable hazard.

SARA 313 Not applicable.

California Prop 65 Not applicable.

Substances:

Section 16: Other Information

HMIS Rating: H:1, F:3, R:3

SDS Author: CCS, LLC

Version Date: 5/19/2015

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16th September 2019

SAFETY DATA SHEET

SECTION 1 – PRODUCT IDENTIFICATION

1.1 Product identifier

Product Name: FLASHES, ROBOTICS & SPDS

1.2 Relevant identified uses of the substance or mixture and uses advised against

Relevant identified uses: Articles pyrotechnic for technical purposes

1.3 Details of the Supplier of the Safety Data Sheet

Supplier: Le Maitre Ltd
Street/P.O. Box: 6 Forval Close
Postcode/City: CR4 4NE, Mitcham
Country: England
Telephone number: +44 (0)20 8646 2222
Email: info@lemaitreltd.com

1.4 Emergency telephone number

Please contact: +44 (0)151 951 3317 Health and Safety Executive (HSE) Chemicals Regulation Directorate

Other comments: Only available during office hours

SECTION 2 – HAZARDS IDENTIFICATION

2.1 Classification of the substance or mixture

H204: Fire or projection hazard

2.2 Label elements

Labelling according to Regulation (EC) No. 1272/2008 (CLP)

Hazard category: Division 1.4

Signal word: Warning

Hazard statement: H204 Fire or projection hazard

Precautionary Statements Prevention: P210, P234

Precautionary Statements Response: P370 + P372 + P380 + P373

Precautionary Statements Storage: P401

Precautionary Statements Disposal: P501

Hazard pictograms:



2.3 Other hazards

There are no chronic effects from handling the product appropriately

When used in the correct manner, any fallout does not pose a risk to personal health.

SECTION 3 – COMPOSITION / INFORMATION ON INGREDIENTS

3.1 Substances

Name	CAS No.	EC No.
Aluminium powder	7429-90-5	231-072-3
Ammonium Perchlorate	7798-98-9	232-235-1
Barium Nitrate	10022-31-8	233-020-5
Chlorinated Rubber	9006-03-5	918-668-5
Copper Carbonate	1184-64-1	214-671-4
Diphenylamine	122-39-4	204-539-4
Graphite	7782-42-5	231-955-3
Magnesium powder	7439-54-4	231-104-6
Nitrocellulose	9004-70-0	603-037-0
Potassium Nitrate	7757-79-1	231-818-8
Potassium Perchlorate	7778-47-7	231-912-9
Sodium Nitrate	7631-99-4	231-554-3
Strontium Nitrate	10042-76-9	233-131-9
Talc	14087-96-6	238-877-9
Titanium powder	7440-32-6	231-142-3

List above covers all products within the Flash, Robotic & SPD families

SECTION 4 – FIRST AID MEASURES

4.1 Description of first aid measures

General notes: In the case of accident or sickness, seek medical advice immediately.

Following inhalation: Remove casualty to fresh air and keep warm and at rest.

Following skin contact: Wash immediately with soap and water

Following eye contact: Immediately flush with water

Following ingestion: If accidentally swallowed, rinse the mouth with plenty of water (only if the person is conscious) and obtain medical attention

Self protection of the first aider: Pay attention to self protection!

4.2 Most important symptoms and effects, both acute and delayed

Irritation to the eyes and irritation to the skin

4.3 Indication of any immediate medical attention and special treatment needed

First aid, decontamination, treatment of symptoms

SECTION 5 – FIREFIGHTING MEASURES

5.1 Extinguishing media

Suitable extinguishing media: If there is a small flame persisting from the effect itself (or from the surrounding area) this can be extinguished with a dry powder or Carbon Dioxide Fire Extinguisher if trained to do so.

For larger fires do not attempt to extinguish any fire unless specifically trained to do so. Evacuate area and contact emergency services

Unsuitable extinguishing media: N/A

5.2 Special hazards arising from the substance or mixture

Hazardous combustion products may be produced.

Pyrotechnic devices can burn violently and the state of the fire will be dependent on composition, packaging and containment.

5.3 Advice for firefighters

Exercise extreme caution. Special protective equipment for firefighters: wear self-contained breathing apparatus and chemical protective clothing

SECTION 6 – ACCIDENTAL RELEASE MEASURES

6.1 Personal precautions, protective equipment and emergency procedures

6.1.1 For non-emergency personnel: Suitable personal protective equipment. Remove ignition sources.

6.1.2 For emergency responders: Remove persons to safety. Isolate hazard area and deny entry. Ventilate closed spaces before entering.

6.2 Environmental precautions

Prevent large spillages from entering surface water or drains.

6.3 Methods and material for containment and cleaning up

Dispose of as special waste in compliance with local and national regulations.

6.4 Reference to other sections

See sections 8 and 13

SECTION 7 – HANDLING AND STORAGE

7.1 Precautions for safe handling

Protective measures: Handle with caution.

Measures to prevent fire: No smoking and no naked flames.

Measures to prevent aerosol and dust generation: Do not tamper with the item.

Advice on general occupational hygiene: Do not eat, drink or smoke in work areas. Wash hands after use.

7.2 Conditions for safe storage, including any incompatibilities

Technical measures and storage conditions: Store in cool, dry place.

Requirements for storage rooms and vessels: Always store in original packaging with appropriate marking and labelling. Stores should be adequately secured and identified.

7.3 Specific end use(s)

The identified use for this product is detailed in section 1.2.

SECTION 8 – EXPOSURE CONTROLS / PERSONAL PROTECTION

8.1 Control parameters

Workplace exposure limits.

8.2 Exposure controls

8.2.1 Appropriate engineering controls: Provide adequate ventilation.

8.2.2 Personal protection equipment: Appropriate Safety goggles.

8.2.3 Environmental exposure controls: No specific measures.

SECTION 9 – PHYSICAL AND CHEMICAL PROPERTIES**9.1 Information on basic physical and chemical properties**

Appearance: Solid sealed tube

As this is a sealed unit chemical properties are not applicable

9.2 Other information

No additional information relevant to safe use.

SECTION 10 – STABILITY AND REACTIVITY**10.1 Reactivity**

No specific data related to reactivity available.

10.2 Chemical stability

Stable under recommended conditions of storage and use.

10.3 Possibility of hazardous reactions

No hazardous reaction when handled and stored according to provisions.

10.4 Conditions to avoid

Avoid high temperatures, shock, static discharge, vibrations or other physical stresses that might result in a hazardous situation.

10.5 Incompatible materials

As this is a sealed unit incompatible materials are not applicable.

10.6 Hazardous decomposition products

Decomposition does not occur during normal circumstances of storage, transport and handling. Upon functioning various gases may be emitted including oxides.

SECTION 11 – TOXICOLOGICAL INFORMATION**11.1 Information on toxilological effects**

As this is a sealed unit this only applies to spillages.
May cause eye and skin irritation. Inhalation or ingestion may cause discomfort.

SECTION 12 – ECOLOGICAL INFORMATION**12.1 Toxicity**

Not classified as dangerous for the environment/aquatic toxicant

12.2 Persistence and degradability N/A**12.3 Bioaccumulative potential** N/A**12.4 Mobility in soil** N/A**12.5 Results of PBT and vPvB assessment** N/A**12.6 Other adverse effects** N/A

SECTION 13 – DISPOSAL CONSIDERATIONS

13.1 Waste treatment methods

No specific regulations apply to packagings or spent devices.
Unused devices should be returned to the manufacturer, functioned in a safe manner or soaked in a vessel of water for 48 hours. If soaked in water review local and national requirements prior to disposal.

SECTION 14 – TRANSPORT INFORMATION

14.1 UN number

UN0431 or UN0432

14.2 UN proper shipping name

Articles pyrotechnic for technical purposes

14.3 Transport hazard class(es)

1.4G (UN0431) or 1.4S (UN0432)

14.4 Packing group

N/A

14.5 Environmental hazards

None

14.6 Special precautions for user

No smoking or naked flames

14.7 Transport in bulk according to Annex II of MARPOL and the IBC Code

N/A

SECTION 15 – REGULATORY INFORMATION

15.1 Safety, health and environmental regulations/legislation specific for the substance or mixture

Explosives Regulations 2014 and all orders of council, HSG 36, Local Authorities and the Health and Safety Executive.
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15.2 Chemical Safety Assessment

N/A

SECTION 16 – OTHER INFORMATION

Information for this safety data sheet was obtained from sources considered technically accurate and reliable. Whilst every effort has been made to ensure full disclosure of product hazards, in some cases data is not available and is so stated. No warranty, expressed or implied, is made and supplier will not be liable for any losses, injuries or consequential damages which may result from the use of, or reliance on, any information contained in this form.

FIREFLY

Flame System

The FireFly mini propane flame unit is an economical solution for small applications that require a real flame effect. The units can be operated directly off the fuel tank, with no gas accumulator. The FireFly complies with applicable codes and bears the ARI testing labs certification. The FireFly uses a standing pilot system controlled by a Honeywell® Intermittent Pilot Module to assure reliable and safe light-off. A CE listed version is available



Burner Head

- 7" long x 9" tall x 5" deep.
- Weight is 7 lbs.
- 24 vac, 50/60 Hz, 2.5 amps.
- 167,000 BTU's Max.



Control Panel

- 8" wide x 8" tall x 6" deep
- Weight is 8 lbs
- 120/240 vac, 50/60 Hz, .5/.25amps
- Custom controls available



SIGMA SERVICES, INC.
SPECIAL EFFECTS

Phone **813.737.1904**
Fax 813.737.1063

8210 South County Road 39
Plant City, Florida 33567

www.sigmaservices.com

Le Torcia Provides an Easy to Use, Safe Flame Effect.



Le Torcia is a lightweight, durable device that provides a realistic flame effect. It's simple and easy to use design includes an electric switch to create that instant flame. It can be used on it's own or implemented into props. The gas safety release ensures performers stay safe.

Using our single 2 oz. butane canister, Le Torcia can operate for up to 20 minutes. It features an adjustable flame height, with a maximum height of approximately 6". Heat Exchanger. The one-gallon integrated fluid reservoir and full function remote control with timer allow you to create a range water-based fog effects.

Ultratec's butane fluid is used to create realistic and safe flame effects. Using our butane fluid maintains your five-year warranty against manufacturer's defect.



ultratecfx.com

**SETTING THE STANDARD IN
SPECIAL EFFECTS FOR OVER 25 YEARS**



Durable Construction



MODELS	
CLF-4400	Le Torcia - Electric Ignition

OUTPUT	
Run Time:	20 minutes per 2 oz. butane container
Flame Height:	adjustable (maximum 6 in / 15 cm)
Flame Width:	approximately 4 in / 10.16 cm

SPECIFICATIONS	
Length:	22 in / 56 cm
Diameter:	1 5/8 in / 4.13 cm
Net Weight:	2 lbs / 0.91 kgs

WARRANTY

The Le Torcia has a five-year warranty against manufacturer's defect provided Ultratec fluids are used.

Visit www.ultratecfx.com to see available accessories, parts and for a complete set of specifications on all models.

ultratecfx.com

Canada - USA - Germany

Phone: 519-659-7972 / Toll Free: 800-388-0617 — Email: sales@ultratecfx.com

ultratec
special effects



PYROWIZARD FLASH GUN

Catalog No. MG01

LEFT

Read these directions very carefully. This product uses flammable material and is for professional use only. The manufacturer is not responsible for any injury or liability that is the result of the user's failure to follow the specific instructions stated below.

Directions:

Take the Gun and insert an 'AA' alkaline battery (not included) in the battery holder. It doesn't matter in which direction the battery is turned. Without loading the gun, press the red firing button and look into the barrel. You'll see a glowing coil similar to the one in an automobile cigarette lighter. This glowing coil is the glo-plug. The fact that it glows tells you that the battery is operational and the glo-plug is in good working order.

To prevent accidental firing while loading, remove the glo-plug clip from the glo-plug now. (The glo-plug clip is a black clip at the end of a thin wire.) Be sure not to lose the tiny plastic insulating washer that fits between the glo-plug and the glo-plug clip. Take a pinch of Flash Cotton, fluff it up, and insert it into the brass barrel. Use a blunt instrument to press the cotton against the glo-plug coil. (The eraser end of a pencil works well for this.) Don't use a pointed instrument because the glo-plug coil can be easily damaged. Now take a piece of Flash Paper 3" or 4" square, loosely ball it up, and insert it into the brass barrel. Use a blunt instrument to gently push the Paper up against the Cotton.

Grip the gun by the finger clips with the brass ears between the middle two fingers of the right hand. Bend the ears to fit the shape of your hand. Replace the glo-plug clip on the end of the glo-plug. Be sure to use the insulating plastic washer. The Gun is now ready to fire. From this time forward, do not point the Gun at any person or flammable object. Use your thumb to press the button and fire the Gun. Depending on the strength of the battery and the condition of the glo-plug, you may have to hold the button down for up to a full second to ignite the Cotton. A ball of fire streaking out of the barrel will result.

Caution:

Always remove the glo-plug clip before loading.

NEVER USE FLASH POWDER IN THIS DEVICE !! An explosion will result.

Never fire at people, animals or flammable objects.

Never stick your finger in the barrel.

Conduct a preliminary test in a safe location. The fireball can travel up to 20 feet.

Tips:

Make sure the insulating washer is in place or the Gun may not fire.

If Cotton is unavailable, a small wad of Flash Paper can be substituted.

If the glo-plug burns out, it can be easily replaced by screwing it outward from the brass barrel (counter-clockwise) with a small wrench. Don't over-tighten the new plug.

The brass barrel can be slid forward or back to suit your hand. The finger clips can be trimmed for a more comfortable fit. If the Paper shoots out without lighting, you used too much Cotton.

Warning:

Read these directions carefully and follow them exactly. Misuse is dangerous. The manufacturer is not responsible for any injury or liability that is the result of the user's failure to follow the specific instructions stated above. This product is manufactured without any warranties, express or implied. It is for professional use only. It is not sold to minors. For more information, consult the technical manual "Special Effects with Fire and Smoke" available from us or your dealer. DANGER! USE AT YOUR OWN RISK!

NFPA 1126 Compliance Statements:

This product is intended for indoor use.

It creates a streaking flash of fire with no smoke.

An MSDS is not applicable.

It is manufactured by Theatre Effects, 1810 Airport Exchange Blvd, Suite 400, Erlanger, KY 41018, 859-647-8844

World's largest manufacturer of handheld pyrotechnics • Since 1976

IMPORTANT FACTS YOU SHOULD KNOW ABOUT GLO-PLUGS

Here is vital information on how to keep your glo-plug working at peak performance, and what to look for if a malfunction occurs.

1. There are two types of glo-plugs: 1.5 volt and 3 volt. The 1.5 volt is for use in all single battery devices and the 3 volt is for use in all double battery devices. (The number of barrels is imaterial.) If the wrong glo-plug is installed in a device, it will either burn out, or burn very dimly - inadequate for ignition.

2. We've found that alkaline batteries last the longest and give your glo-plug the most firing power - usually 30 to 40 firings before your glo-plug grows dim and battery replacement is necessary.

3. Our glo-plugs usually last 20 to 30 firings before replacement is needed (due to corrosion and/or crushing of the inner wire). To remove the glo-plug, first unplug the wire. Then turn out the glo-plug counter-clockwise with a small wrench or pliers. Theatre Effects glo-plugs have a special size threading and hobby store ones won't fit. Replacements are available from your magic dealer or directly from us.

4. If your device doesn't fire, first extract the paper and check the glow coil. A dim glow indicates weak batteries or that your glo-plug may have been crushed. To correct the problem, remove the glo-plug, and with a straight pin, carefully lift the center coil upward so that it's level with the top surface. If the platinum wire breaks, a new plug is needed.

5. Flash Cotton is an excellent primer for all glo-plug devices. Take a pinch of Flash Cotton, fluff it up, and insert it against the glo-plug coil before inserting Flash Paper. NOTE: If your Paper pops out without lighting, you're using too much Cotton. Since Cotton ignites more easily than Paper, your glo-plug and battery will last much longer when Cotton is used as a primer.

6. For the best reliability, use only Theatre Effects/Pyrowizard brand Flash Paper in your device. Don't use Flash Strips - use one piece of Flash Paper instead of many small pieces. If your first firing yields only a small puff of smoke, it's an indication that a larger amount of Paper is needed. Flash Powder will destroy your glo-plug. (That's why Flash Cotton is used as a "fuse" in battery-powered glo-plug Flash Pots.) Never use Flash Powder in a glo-plug device. (And never ever use Flash Powder in a handheld device.)

7. Barrel cleaning is a must if you want good results from your product. Burnt Flash Paper builds up a sticky residue inside your device's barrel. This buildup causes slow lighting and great restriction to your projecting fireball. To clean, remove the glo-plug and brush out the barrel with a stiff wire brush. Round wire brushes can be found at most gun, plumbing, and hardware stores; buy one that fits your barrel size. Twist the wire brush inside your barrel until the inside becomes clean and shiny. When your barrel is clean, it will use less paper and shoot much farther. Re-install the plug, and you're ready to go.

8. There's a plastic insulating washer that fits between the glo-plug and the glo-plug clip. It prevents the glo-plug clip from touching the "nut" of the glo-plug. The nut is the electrical "ground" for the glo-plug, while the center shaft is the "hot". If the hot and the ground are shorted together by the clip, your device won't fire. If you lose your plastic insulating washer, request another from us. Meanwhile, your device will still work if you don't push the clip on so far that it touches the base (nut) of the glo-plug (i.e., the clip should only make electrical contact with the glo-plug's center shaft).



Roscoflamex fire retardants have been formulated to meet the extreme needs of the entertainment industry, designed to treat the wide range of diverse materials used in scenery, props and costume construction. Roscoflamex products meet fire retardant standards as established by NFPA, ASTM, ANSI, and UL and have been approved by the CA Fire Marshall and New York City Fire Dept.

Roscoflamex for Raw Wood is intended for untreated wood, plywood, cellulose board, acoustical board, and corrugated paper.

- PRODUCT NO: 150 079WD 0128 - 1 US Gallon (3.79 L)
- DESCRIPTION: Roscoflamex for Raw Wood is a proprietary, non-durable flame retardant.
- APPEARANCE: Pale Orange liquid that dries clear.
- USE: Unsealed raw wood, straw and other cellulose materials that can absorb liquids. Not for use on wood items that contain bark or pitch.
- FINISH: Typically leaves no residue. In some instances, a fine white powder may develop based on absorption of the wood treated
- APPLICATION: Spray, brush or dip. Perform tests to determine the appropriate soaking time to achieve an effective treatment. Properly treated material will have increased in weight by 10-20% when dry.
- MIX RATIO: Roscoflamex Raw Wood is designed to be used straight out of the bottle. Do not dilute.
- HAZARD: May cause skin and eye irritation on some people. Use in a well ventilated area.
- COVERAGE: Estimated 150-200 square feet per gallon.
- DRYING: Allow to dry naturally or using forced hot air.
- COMPOSITION: Water soluble inorganic salts. Safe for professional use.
- CERTIFICATION: ASTM E84 Class B; NYC FD Certificate of Approval; CA State Fire Marshall
- OTHER: pH - 7.1

Roscoflamex fire retardants have been formulated to meet the extreme needs of the entertainment industry, designed to treat the wide range of diverse materials used in scenery, props and costume construction. Roscoflamex products meet fire retardant standards as established by NFPA, ASTM, and UL and have been approved by the CA Fire Marshall and New York City Fire Dept.

Roscoflamex for Paper & Cardstock effectively treats papers, non-corrugated cardboard and uncoated cardstock materials. Premixed for easy use straight out of the bottle, Roscoflamex for Paper & Cardstock is perfect for props and set pieces made from flammable paper products.



SPECIFICATIONS

- Description:** Roscoflamex for Paint & Cardstock is a proprietary, non-durable flame retardant.
- Appearance:** Clear liquid that dries clear.
- Use:** Paper, non-corrugated cardboard, uncoated cardstock, newsprint and other cellulosic materials.
- Finish:** Leaves no residue and will not affect the hand of the fabric.
- Application:** Spray, brush or dip. Perform tests to determine the appropriate soaking time to achieve an effective treatment. Properly treated material will have increased in weight by 8-15% when dry.
- Mix Ratio:** Roscoflamex for Paint & Cardstock is designed to be used straight out of the bottle.
- Hazard:** May cause skin irritation. Use in a well ventilated area.
- Coverage:** Estimated 400 square feet per gallon.
- Drying:** Allow to dry naturally or using forced hot air.
- Composition:** Water soluble inorganic salts. Safe for professional use.
- Certification:** NFPA 701; FDNY #5809 Certificate of Approval; CA State Fire Marshall #C-25001.
- Other:** pH – 7.1

Roscoflamex PC	
Item Code	Description
150 079PC 0128	1 US Gallon (3.79 L)



Roscoflamex fire retardants have been formulated to meet the extreme needs of the entertainment industry, designed to treat the wide range of diverse materials used in scenery, props and costume construction. Roscoflamex products meet fire retardant standards as established by NFPA, ASTM, ANSI, and UL and have been approved by the CA Fire Marshall and New York City Fire Dept.

Roscoflamex for Natural Fibers should be used on fabrics like cotton, linen, wool, burlap and most other materials made of natural fibers. Premixed for easy use straight out of the bottle, Roscoflamex for Natural Fibers is perfect for treating backdrops, velours, muslin cycloramas, and decorative fabric panels.

PRODUCT NO:	150 079NF 0128 - 1 US Gallon (3.79 L)
DESCRIPTION:	Roscoflamex for Natural Fibers is a proprietary, non-durable flame retardant.
APPEARANCE:	Clear liquid that dries clear.
USE:	Cotton, linen, wool, burlap and most natural fiber fabrics.
FINISH:	Leaves no residue and will not affect the hand of the fabric.
APPLICATION:	Spray, brush or dip. Perform tests to determine the appropriate soaking time to achieve an effective treatment. Properly treated material will have increased in weight by 10-20% when dry.
MIX RATIO:	Roscoflamex Natural Fiber is designed to be used straight out of the bottle. In rare instances when a residue develops on the surface of the fabric, dilute 15% with water and re-test.
HAZARD:	May cause skin and eye irritation on some people. Use in a well ventilated area.
COVERAGE:	Estimated 500 square feet per gallon, based on weight.
DRYING:	Allow to dry naturally or using forced hot air.
COMPOSITION:	Water soluble inorganic salts. Safe for professional use.
CERTIFICATION:	NFPA 701; NYC FD Certificate of Approval #5022; CA State Fire Marshall C-139.01
OTHER:	pH - 7.1



Roscoflamex fire retardants have been formulated to meet the extreme needs of the entertainment industry, designed to treat the wide range of diverse materials used in scenery, props and costume construction. Roscoflamex products meet fire retardant standards as established by NFPA, ASTM, ANSI, and UL and have been approved by the CA Fire Marshall and New York City Fire Dept.

Roscoflamex for Synthetic Fibers effectively treats many synthetic fabrics, such as polyesters, nylons, acrylics and rayons, as well as most cotton/synthetic blends. Premixed for easy use straight out of the bottle, Roscoflamex for Synthetic Fibers is perfect for the varied range of fabrics used in modern scenic and costume construction.

- PRODUCT NO: 150 079SF 0128 - 1 US Gallon (3.79 L)
- DESCRIPTION: Roscoflamex for Synthetic Fibers is a proprietary, non-durable flame retardant.
- APPEARANCE: Clear liquid, dries clear.
- USE: Polyester, acrylic, and most synthetic fabrics and blends.
- FINISH: Leaves no residue and will not affect the hand of the fabric.
- APPLICATION: Spray, brush or dip. Perform tests to determine the appropriate soaking time to achieve an effective treatment. Properly treated material will have increased in weight by 10-20% when dry.
- MIX RATIO: Roscoflamex Synthetic Fiber is designed to be used straight out of the bottle. In rare instances when a residue develops on the surface of the fabric, dilute 15% with water and re-test.
- HAZARD: May cause skin and eye irritation on some people. Use in a well ventilated area.
- COVERAGE: Estimated 500 square feet per gallon, based on weight.
- DRYING: Allow to dry naturally or using forced hot air.
- COMPOSITION: Water soluble inorganic salts. Safe for professional use.
- CERTIFICATION: NFPA 701; NYC FD Certificate of Approval #5022; CA State Fire Marshall C-139.02
- OTHER: pH - 7.1



Certificate of Flame Resistance

January 2023

Liba Fabrics is a business operating in New York, New York with Warehouses in New York and New Jersey.

This is to certify that the fabric below is manufactured with a yarn that is inherently flame resistant or a durable flame retardant process. The fabric or substrate described below meets the minimum requirements of flame resistance established by the following test:

- NFPA 701-2019, TM #1 (small scale)

Liba Fabrics recommends annual testing of the material using the NFPA 705 Field Test Method for Textiles, accumulations of dust and liquids may reduce the flame resistance of the material.

Fabric:

- Style 461 – 100% Cotton FR 57" Duveltyne 9oz (All Colors)



Jacob Visoky
Vice President
FDNY C-15 #91283952
Expires 5/21/2024

Jacob Visoky

Certificate of Flame Resistance

ISSUED BY



KM

FABRICS, INC.

GREENVILLE, SC

THIS IS TO CERTIFY THAT THE FABRIC DESCRIBED HEREON WAS MANUFACTURED BY KM FABRICS, INC. AT ITS MILL IN GREENVILLE, SOUTH CAROLINA UTILIZING 100% INHERENTLY FLAME RETARDANT POLYESTER FIBER.

FLAME RESISTANCE IS PERMANENT FOR THE LIFE OF THE FABRIC AND COMPLIES WITH THE LAWS OF THE STATE OF CALIFORNIA, NFPA 701-2010 EDITION, THE BOSTON FIRE DEPARTMENT, THE NEW YORK PORT AUTHORITY, AND THE COMMONWEALTH OF MASSACHUSETTS. CALIFORNIA STATE FIRE MARSHAL REGISTRATION NO. F-59901. IT CAN BE WASHED WITHOUT LOSING THE FLAME RESISTANT PROPERTIES INHERENT IN THE YARN.

CUSTOMER _____ Theatrical Supply and Drapery

PATTERN AND COLOR _____ Prestige 1064

CONTROL NUMBER/DATE PROCESSED _____ 01-31-2017

CUSTOMER ORDER NUMBER _____ 12

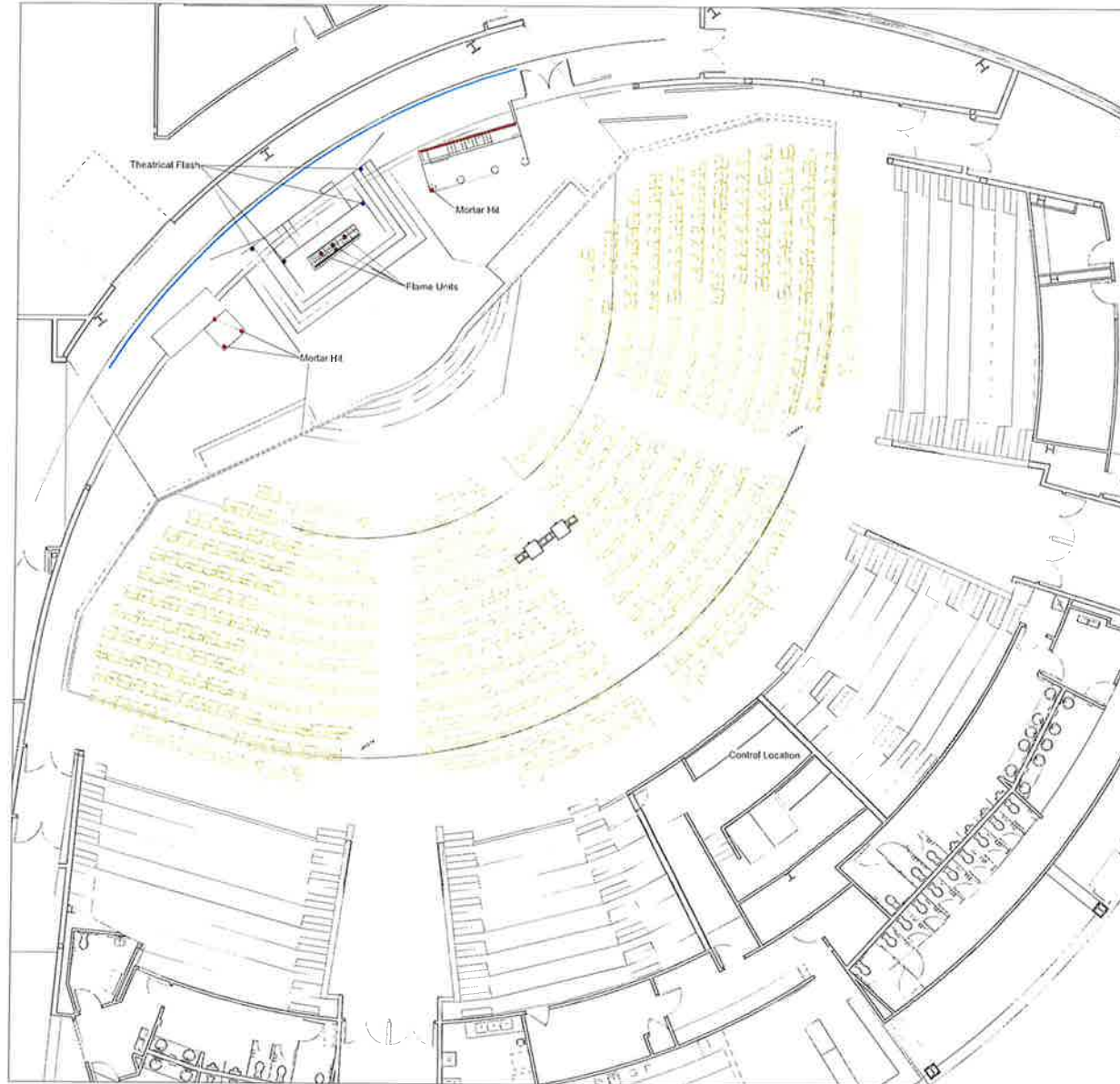
CUSTOMER INVOICE NUMBER AND DATE _____ 67384

YARDS PROCESSED _____ 419.875

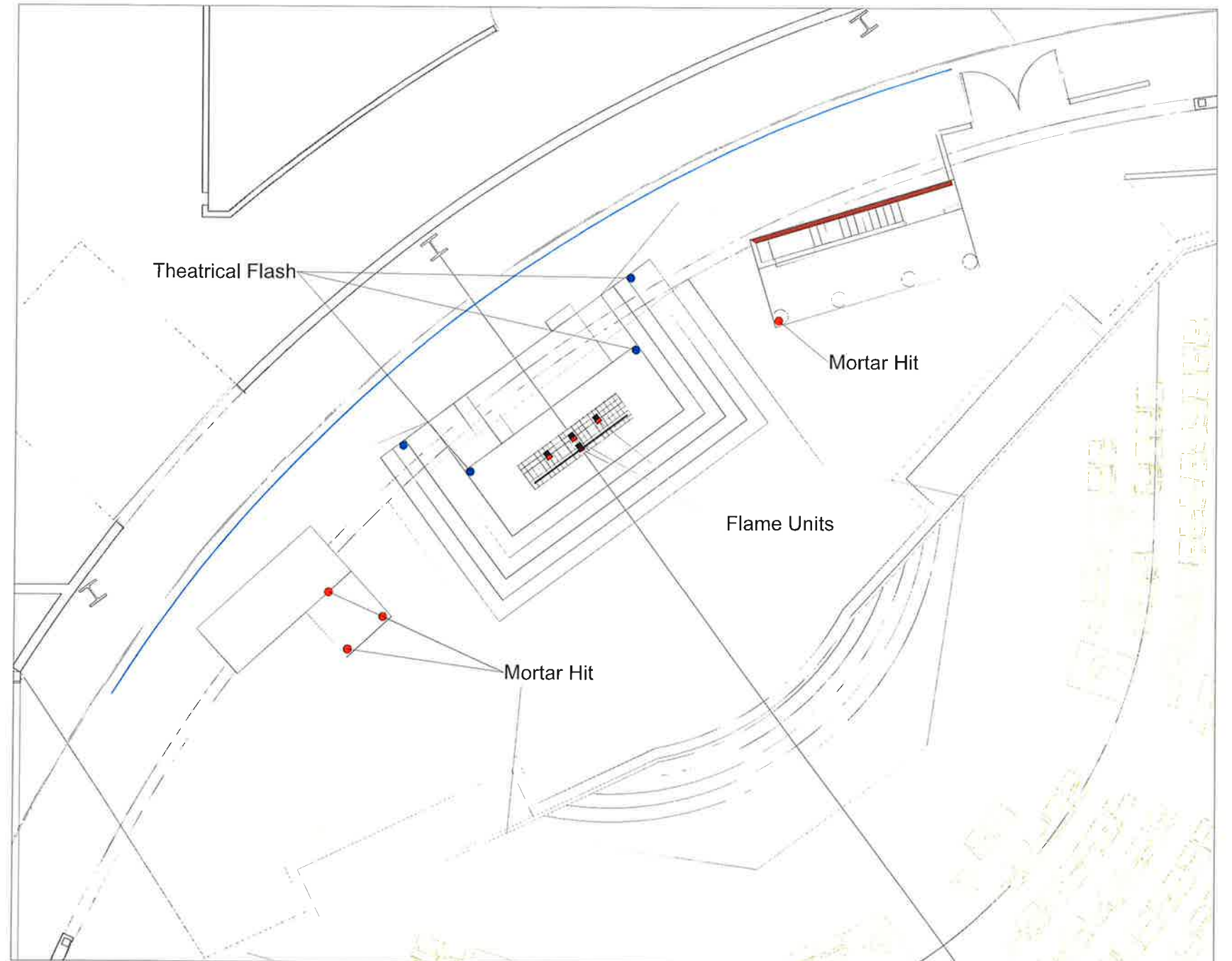
KM FABRICS, INC.

20' Tall Black Velour Drapery

Worship Center



Stage Zoom In





CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approve the recommendation from the Consulting Review Committee (CRC) to proceed with advertising for Emergency Medical Transport Services.

SUBMITTING DEPARTMENT: City Manager's Office

BACKGROUND INFORMATION:

The City has contracted with Superior Ambulance Service since 2018. Superior's contract with the City of Novi runs until January 2024. At the March 6, 2023, CRC meeting, the committee directed staff to engage representatives regarding the possibility of entering into a new long-term contract. Staff and Superior representatives could not come to terms on a long-term arrangement. As directed by the CRC, if staff was unable to come to terms, then a bid for ambulance services needs to be advertised immediately.

RECOMMENDED ACTION: Approve the recommendation from the Consulting Review Committee to proceed with advertising for Emergency Medical Transport Services.



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of participating in the National Opioid Litigation settlements with CVS, Walmart, Teva Pharmaceutical Industries and AbbVie/Allergan, agreeing to the terms of the settlements and the release of claims against the companies named in the litigation, agreeing that the funds will be used for opioid remediation and authorizing the Interim City Manager to take such further action as is necessary to receive the settlement funds.

SUBMITTING DEPARTMENT: City Manager

BACKGROUND INFORMATION:

After several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, have been reached against two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan.

The settlements require the companies to pay up to \$16.5 billion dollars over 13 years. The settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. Michigan has chosen to participate in each of these settlements. The City has received notice that it is eligible to participate in the settlements.

The Michigan Attorney General's Office has estimated that Novi will receive approximately \$42,515.89 over 13 years from the Teva settlement, \$25,328.94 over 7 years from the Allergan settlement, \$56,238.68 over 10 years from the CVS settlement and \$31,847.09 over 1 to 6 years from the Walmart settlement. The total estimated amount from the four settlements is \$155,930.60. The actual amounts received may vary.

Any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements. However, if a majority of governments that sued the companies do not accept the settlements, the proposed deals will fail, and litigation will continue. The four proposed settlements require the participating subdivisions to agree to the settlement terms.

The settlements require:

- i) An agreement to the terms of the settlements;
- ii) A release of claims;
- iii) An agreement that monies received can only be spent on opioid remediation;
- iv) A consent to the jurisdiction of the Court where the Settlement Judgment is filed.

RECOMMENDED ACTION:

Approval of participating in the National Opioid Litigation settlements with CVS, Walmart, Teva Pharmaceutical Industries and AbbVie/Allergan, agreeing to the terms of the settlements and the release of claims against the companies named in the litigation, agreeing that the funds will be used for opioid remediation and authorizing the Interim City Manager to take such further action as is necessary to receive the settlement funds.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

**RESOLUTION APPROVING OPTING-IN TO THE NATIONAL OPIOID LITIGATION
SETTLEMENTS WITH CVS, WALMART, TEVA AND ALLEGAN**

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland,
Michigan, held in the City Hall of said City on _____, 2023, at 7:00 P.M. Prevailing
Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember
_____ and supported by Councilmember _____.

RECITALS:

WHEREAS, After several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, have been reached against two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan. These settlements are in addition to the settlements previously approved in 2021 with distributors, McKesson, Cardinal Health and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. The settlements require the companies to pay up to \$16.5 billion dollars over 13 years. The settlement payments are primarily earmarked for participating states and state subdivisions to remediate and abate the impacts of the opioid crisis and also include the payment of attorney fees for subdivisions that hired counsel to sue these companies on their behalf. ("Litigating Subdivisions")

WHEREAS, The settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. Michigan has chosen to participate in each of these settlements and has negotiated a settlement agreement with the Litigating Subdivisions that will provide a higher payment to local subdivisions than what was proposed in the national settlements.

WHEREAS, The City has received notice that it is eligible to participate in the settlements. The Michigan Attorney General's Office has estimated that Novi will receive approximately \$42,515.89 over 13 years from the Teva settlement, \$25,328.94 over 7 years from the Allergan settlement, \$56,238.68 over 10 years from the CVS settlement and

\$31,847.09 over 1 to 6 years from the Walmart settlement. The total estimated amount from the four settlements is \$155,930.60. The actual amounts received may vary.

WHEREAS, Any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements. However, if a majority of governments that sued the companies do not accept the settlements, the proposed deals will fail, and litigation will continue.

WHEREAS, The four proposed settlements require the participating subdivisions to agree to the settlement terms. The settlements require: i) an agreement to the terms of the settlements; ii) a release of claims; iii) an agreement that monies received can only be spent on opioid remediation and; iv) a consent to the jurisdiction of the Court where the Settlement Judgment is filed.

NOW, THEREFORE, BE IT RESOLVED that:

1. The City of Novi elects to participate in the proposed settlements with two national pharmacies, CVS and Walmart and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan.
2. The City of Novi agrees to the terms of the settlements, a Release of Claims against the companies named in the litigation, the funds received from the settlements to be spent on opioid remediation, as defined in the settlements, and consents to the jurisdiction of the Court where the Settlement Judgments are filed.
3. The City of Novi authorizes the Interim City Manager to opt-in to the settlements, consent to the terms of the settlements and take such further action as is necessary to receive the settlement funds.
4. The election, agreement, and authorization in this Resolution are subject to completion of all other necessary actions by the Court and the other parties required to finalize the settlements as described herein.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of _____, 2023, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi

Exhibit E
List of Opioid Remediation Uses

Schedule A
Core Strategies

Settling States and Participating Subdivisions listed on Exhibit G may choose from among the abatement strategies listed in Schedule B. However, priority may be given to the following core abatement strategies (“Core Strategies”).¹

A. NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES

Expand training for first responders, schools, community support groups and families; and

Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

B. MEDICATION-ASSISTED TREATMENT (“MAT”) DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT

1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

¹ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

C. PREGNANT & POSTPARTUM WOMEN

1. Expand Screening, Brief Intervention, and Referral to Treatment (“*SBIRT*”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“*OUD*”) and other Substance Use Disorder (“*SUD*”) / Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME (“*NAS*”)

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. TREATMENT FOR INCARCERATED POPULATION

1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. PREVENTION PROGRAMS

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. EXPANDING SYRINGE SERVICE PROGRAMS

1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE

Schedule B

Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“OUD”) and any co-occurring Substance Use Disorder or Mental Health (“SUD/MH”) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:²

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“MAT”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“ASAM”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“OTPs”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.

² As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (“*DATA 2000*”) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a *DATA 2000* waiver.
13. Disseminate web-based training curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service for Medication–Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.

3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.

12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“PAARI”);
 2. Active outreach strategies such as the Drug Abuse Response Team (“DART”) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“LEAD”) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.

2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (“CTI”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (“NAS”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.

3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.
5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.

3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs (“PDMPs”), including, but not limited to, improvements that:
 1. Increase the number of prescribers using PDMPs;
 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation’s Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increasing electronic prescribing to prevent diversion or forgery.
8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or

training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).

7. Engaging non-profits and faith-based communities as systems to support prevention.
8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.

5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“ADAM”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.



CITY OF NOVI CITY COUNCIL
MARCH 20, 2023

SUBJECT: Approval of claims and warrants – Warrant 1128

SUBMITTING DEPARTMENT: Finance

BACKGROUND INFORMATION:

Per Section 8.10 of the City's charter all funds drawn by the treasury department must be approved by City Council. This approval occurs through a warrant system and appears on all City Council's agenda. The most recent Warrant, #1128 comes before city council for approval.

RECOMMENDED ACTION: Approval of claims and warrants – Warrant 1128

CITY OF NOVI
Warrant 1128
Monday, March 20, 2023

Check	Vendor Name	Description	Amount
181080-181091	DTE ENERGY	ELECTRICITY	22,961.61
181092	MICHIGAN VENTURE CAPITAL ASSOC	MEMBERSHIPS (ECONOMIC DEV)	1,740.00
181093	123NET, INC	BLDG. BOND REFUND (ESCROW)	3,000.00
181094	1ST AYD CORPORATION	OPERATING SUPPLIES	817.79
181095	A AND R PLUMBING LLC	BUILDING MAINTENANCE (POLICE, FIRE)	2,833.59
181096	ACCUFORM PRINTING & GRAPHICS INC	OFFICE SUPPLIES (FIRE, PARKS & REC)	3,916.44
181097	ADT COMMERCIAL LLC	CAPITAL OUTLAY (MEADOWBROOK, FACILITIES, PARKS)	14,164.17
181098	ADVANCE AUTO PARTS	EQUIPMENT MAINTENANCE	7.16
181099	AECOM GREAT LAKES, INC	PROFESSIONAL SERVICES (LOCAL STREETS, ESCROW)	36,379.82
181100	AGRAWAL, RACHANA	REFUND PARKS	86.00
181101	AIRGAS USA, LLC	VEHICLE MAINTENANCE	112.66
181102	AIS CONSTRUCTION EQUIPMENT CORP	VEHICLE MAINTENANCE	555.31
181103	ALLIANCE HEALTH AND LIFE	EMPLOYEE HEALTHCARE INSURANCE	14,679.20
181104	ALLIE BROTHERS INC	SUPPLIES UNIFORMS	869.85
181105	AMAZON	LIBRARY BOOKS	596.04
181106	AMERICAN GENERATORS SALES AND	LIFT STATION MAINTENANCE (WATER & SEWER)	3,000.62
181107	APOLLO FIRE APPARATUS SALES AND	VEHICLE MAINTENANCE	682.68
181108	APPLIED INNOVATION	INTERNAL TECHNOLOGY COMM RELATIONS	920.17
181109	ARC	OPERATING SUPPLIES	189.80
181110	ASCENSION MICHIGAN EMPLOYER	MEDICAL SERVICE - PRE EMPLOY (DPW, FIRE, P&R, LIB)	2,538.00
181111	ATLAS FUEL SERVICES LLC	DIESEL GASOLINE (FACILITIES)	2,026.01
181112	B & M ASHMAN	BLDG. BOND REFUND (ESCROW)	1,500.00
181113	BAKER & TAYLOR, LLC	AUDIO VISUAL MATERIALS	797.12
181114	BEGONIA BROTHERS	HOLIDAY DECORATIONS (HISTORICAL COMMISSION)	1,796.00
181115	BERKSETH, SCOTT	REIMBURSEMENT/CONFERENCE EXPENSES	735.58
181116	BLACKWELL FORD INC	VEHICLE MAINTENANCE (POLICE, DPW)	1,689.37
181117	BLUE STAR, INC.	WATER SALES HYDRANT PERMIT 23-01	980.00
181118	BOUND TREE MEDICAL LLC	SUPPLIES	557.53
181119	BRODART CO.	LIBRARY BOOKS	5,777.50
181120	CAMFIL USA, INC.	RANGE FILTERS AND FILTER INSTALLATION (POLICE)	1,556.80
181121	CARAHSOFT TECHNOLOGY CORPORATION	SALESFORCE PROFESSIONAL RENEWAL QUOTE 37 (IT)	4,167.13
181122	CARGILL, INC	PURCHASE: ACCUBRINE NXT-GEN AUTOMATED (DPW)	9,607.00
181123	CARLETON EQUIPMENT COMPANY, INC.	EQUIPMENT MAINTENANCE	31.34
181124	CDW GOVERNMENT LLC	INTERNAL TECHNOLOGY - CITYWIDE (IT)	6,482.23
181125	CHARTER TOWNSHIP OF WHITE LAKE	SUPPLIES UNIFORMS	815.00
181126	CHILTON, KIMBERLY S.	OLDER ADULTS FITNESS (PARKS & REC)	2,845.00
181127	CINTAS CORP	SUPPLIES UNIFORMS (DPW)	1,421.22
181128	CONSERVA ELECTRIC SUPPLY, INC.	BUILDING MAINTENANCE	51.45
181129	COUNTRY CLUB LAWN LLC	ROUTINE MAINTENANCE (STREETS, WATER & SEWER)	4,061.00
181130	CRANDALL-WORTHINGTON INC	CUSTODIAL SUPPLIES	579.65
181131	CREATIVE NATURE ART & DESIGN LLC	LIBRARY PROGRAMMING	300.00
181132	CUTMYTREEDOWN.COM	FORESTRY MAINTENANCE (TREE FUND)	32,378.75
181133	DELL MARKETING L.P.	INTERNAL TECHNOLOGY (DPW, POLICE, IT)	5,966.46
181134	DETROIT REGIONAL CHAMBER	MEMBERSHIPS (CITY MANAGER)	2,225.85
181135	DETROIT SALT COMPANY LLC	WINTER MAINTENANCE (MAJOR STREETS)	51,998.55
181136	DLT SOLUTIONS	KACE SYSTEMS MAINTENANCE RENEWAL QUOTE (IT)	4,598.51
181137	DTE ENERGY	STREET LIGHTING	19,181.92
181138-181141	DTE ENERGY	ELECTRICITY	800.63
181142	DUCZYMINSKI, PHILIP	FUEL REIMBURSEMENT	49.50
181143	ELLSWORTH INDUSTRIES INC.	WATER LINE MAINTENANCE	917.61
181144	ENVISIONWARE, INC	COMPUTER SUPPLIES	391.00
181145	ETNA SUPPLY	WATER LINE MAINTENANCE	206.67
181146	EXCULSIVE EUROPEAN WOOD	2022 WIN TAX REFUND 50-99-00-021-094	147.36
181147	FARKAS, JULIE	PETTY CASH	13.40
181148	G2 CONSULTING GROUP, LLC.	MATERIAL TESTING: BOND/ FLINT PHASE 2- R (LOCAL ST)	4,950.00
181149	GETAWAY TOURS, INC.	ADULT PROGRAMS	100.00
181150	GFL ENVIRONMENTAL	RUBBISH MONTHLY - FEB 2023	176,439.00
181151	GLASS AMERICA	VEHICLE MAINTENANCE	556.10
181152	GLUVNA, BRIENNE CATHERINE	BEAUTIFICATION COMMISSION	500.00

181153	GORDON FOOD SERVICE PAYMENT PROC.	MOTHER/SON EVENT	165.83
181154	GRAINGER INC., W W	VEHICLE MAINTENANCE	726.97
181155	GREAT AMERICA FINANCIAL SERVICES	OPERATING SUPPLIES	237.26
181156	GREAT LAKES ACE	OPERATING SUPPLIES	65.17
181157	GREAT LAKES POWER & LIGHTING INC.	STREET LIGHT MAINTENANCE (DPW)	9,215.87
181158	GREAT LAKES PROFILES, INC.	PRE EMPLOYMENT TESTING	160.00
181159	GREAT LAKES WATER AUTHORITY	WATER PURCHASES - JAN 2023	754,276.22
181160	HADLEY'S TOWING LLC	VEHICLE MAINTENANCE	200.00
181161	HALLORAN, KEVIN	YOUTH BASKETBALL	175.00
181162	HALT FIRE, INC.	VEHICLE MAINTENANCE (FIRE)	3,016.04
181163	HAROLD'S FRAME SHOP, INC	VEHICLE MAINTENANCE (DPW, FIRE)	3,594.55
181164	HARRIS, JORDYN ANGEL	WITNESS	26.52
181165	HARTFORD, THE	EMPLOYEE LIFE, AD/D AND LTD INSURANCE	10,034.71
181166	HEALEY FIRE PROTECTION INC.	BUILDING MAINTENANCE	886.00
181167	HERC RENTALS INC.	EQUIPMENT RENTAL - DRAIN FUND	13,626.92
181168	HOLBROOK'S ROOFING CO., INC.	BUILDING MAINTENANCE (FACILITIES, FIRE)	1,000.00
181169	HOME DEPOT CREDIT SERVICES	OPERATING SUPPLIES	852.47
181170	HUNTINGTON NATIONAL BANK	BOND INTEREST EXPENSE (LIBRARY DEBT)	98,600.00
181171	HYDRO-CHEM SYSTEMS, INC.	VEHICLE MAINTENANCE	748.03
181172	IDENTISYS INC	OUTSDIE DATA PROCESSING (POLICE)	1,068.00
181173	INTERNATIONAL CONTROLS	INDOOR GUN RANGE	415.00
181174	INTERNATIONAL INSTITUTE OF	MEMBERSHIP	225.00
181175	INTRADO LIFE & SAFETY, INC	TELEPHONE MAINTENANCE	400.00
181176	J & B MEDICAL SUPPLY INC	OPERATING SUPPLIES (FIRE)	1,890.00
181177	J MICHAEL HOMES	BLDG. BOND REFUND (ESCROW)	5,000.00
181178	JACK DOHENY SUPPLIES INC	SEWER LINE MAINTENANCE	141.00
181179	JOHNSON, ANTHONY W.	YOUTH BASKETBALL	245.00
181180	KANAAN COMMUNICATIONS, LLC	BLDG. BOND REFUND (ESCROW)	1,500.00
181181	KIM, MIN & SOON	BLDG. BOND REFUND (ESCROW)	5,000.00
181182	KIMBALL MIDWEST	SIGNING SUPPLIES	588.35
181183	KRONK, ADAM	YOUTH BASKETBALL	105.00
181184	L&W SUPPLY	BUILDING MAINTENANCE (FIRE)	2,207.02
181185	L. D'AGOSTINI & SONS, INC.	CONST: I-96 SS CROSSING & WEST OAKS PUMP ST (W&S)	315,699.25
181186	LANDIS, RENEE	REIMBURSEMENT	49.61
181187	LANGUAGE LINE SERVICES	EMERGENCY COMMUNICATION SERVICE	43.21
181188	LAVEIRGE, WILFORD	YOUTH BASKETBALL	105.00
181189	LEPOFSKY, BARRY J.	YOUTH BASKETBALL	280.00
181190	LIBRARY IDEAS LLC	AUDIO VISUAL MATERIALS	540.84
181191	LIMB WALKERS TREE & SNOW	FORESTRY MAINTENANCE (TREE FUND)	35,787.50
181192	LOKAR, IRIS J.	OLDER ADULTS FITNESS	324.00
181193	M-2 AUTO PARTS, INC.	VEHICLE MAINTENANCE (DPW, W&S)	1,640.44
181194	MACQUEEN EMERGENCY	VEHICLE MAINTENANCE (FIRE)	1,344.00
181195	MALINOWSKI, JUDITH M.	MEDICAL SERVICE	500.00
181196-181198	MANNIK & SMITH GROUP INC, THE	PROFESSIONAL SERVICE (ESCROW, COMM DEV)	15,145.01
181199	MARCO TECHNOLOGIES, LLC	INTERNAL TECHNOLOGY DPS	787.73
181200	MERRI-CRAFT FLORIST	VALENTINES DADS/DAUGHTER (PARKS & REC)	1,080.00
181201	MICHIGAN DEPT OF AGRICULTURE	MEMBERSHIPS	145.00
181202	MICHIGAN LINEN SERVICE, INC.	BUILDING MAINTENANCE (POLICE, FIRE)	1,340.25
181203	MICHIGAN RESCUE CONCEPTS	CONFERENCE (FIRE)	1,453.00
181204	MICHIGAN.COM	SUPPLIES	33.94
181205	MIDWEST TAPE, LLC	AUDIO VISUAL MATERIALS (LIBRARY)	1,781.95
181206	MILLENNIUM BUSINESS SYSTEMS	OFFICE EQUIPMENT LEASE (LIBRARY)	2,383.14
181207	MISSION COMMUNICATIONS, LLC	LIFT STATION MAINTENANCE	359.40
181208	MOORE ROOFING, INC.	2022 WIN PROPERTY TAX REFUND 50-22-15-351-025	5,524.74
181209	MUNICIPAL WEB SERVICES, INC	COMMUNITY PROMOTION	391.00
181210	MUTHUKUDA, CHETHANA	REFUND PARKS	10.00
181211	MUTT MITT	CUSTODIAL SUPPLIES (PARKS MAINT)	1,117.87
181212	NAK4FIT	SPORTS CAMPS (PARKS & REC)	2,520.00
181213	NOAH'S ARK ANIMAL WORKSHOP INC	LIBRARY PROGRAMMING	414.70
181214	NORTHSTAR MAT SERVICE	BUILDING MAINTENANCE	321.60
181215	NORTHVILLE LOCKSMITH INC., THE	PARK BUILDING MAINTENANCE	195.00
181216	NOVI COMMUNITY SCHOOLS	SPORTS FIELD RENTALS (PARKS MAINT)	1,671.00
181217	NOVI WATER DEPARTMENT	WATER AND SEWER - CITY USE	1,008.88
181218	NOVI, CITY OF	CITY SHARE OF FEES COLLECTED	11,827.00
181219	O'REILLY AUTO PARTS	VEHICLE MAINTENANCE	177.75
181220	OAKLAND COUNTY ANIMAL CONTROL	DOG LICENSES FEBRUARY 2023 (ESCROW)	2,459.00

181221	OAKLAND COUNTY TREASURER	TRAILER TAX JANUARY 2023 (ESCROW)	4,597.50
181222	OAKLAND COUNTY TREASURERS	SEWAGE TREATMENT COSTS - FEB 2023 (W&S)	821,198.33
181223	OCCUPATIONAL HEALTH CENTERS OF	MEDICAL SERVICE	81.00
181224	ODP BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES	299.67
181225	ORCHARD, HILTZ & MC CLIMENT	PROFL SERV - VAR CITY PROJ (CIP, W&S, DRAIN, STREET)	120,903.20
181226	ORIENTAL TRADING CO INC	LIBRARY PROGRAMMING	294.48
181227	ORKIN	CONTRACTUAL SERVICES	530.56
181228	PAMAR ENTERPRISES, INC.	CONST: 2022 AC WATER MAIN REPLACE (W&S)	519,596.05
181229	PERFECT CLEANERS OF DETROIT, INC	2022-23 UNIFORM CLEANING (POLICE, FIRE)	1,007.85
181230	PIERCE, DANIEL	REIMBURSEMENT	350.00
181231	POMP'S TIRE SERVICE, INC	VEHICLE MAINTENANCE	297.00
181232	POSTMASTER	POSTAGE	73.00
181233	POSTMASTER	POSTAGE 5/2/2023 BALLOTS	250.00
181234	PRECISE MRM LLC	OLDER ADULTS TRANSPORTATION (PARKS & REC)	3,750.00
181235	PREMIER SAFETY	OPERATING SUPPLIES	513.55
181236	PROSCREENING, LLC	PROFESSIONAL SERVICES (HR)	1,379.00
181237	QUICK SILVER MARKETING SOLUTIONS	YOUTH BASKETBALL/VOLLEYBALL (PARKS & REC)	3,117.00
181238	R.S. THOMAS & ASSOCIATES, INC.	WIXOM ROAD APPRAISAL (MAJOR STREETS)	2,850.00
181239	R.W. MEAD & SONS	CIVIC CENTER COMPRESSOR REPLACE (FACILITIES)	36,000.00
181240	REASON CONSULTING CORPORATION	PERSONAL PROPERTY AUDITOR (ASSESSOR)	3,333.00
181241	REHMANN ROBSON	INDEPENDENT AUDIT (FINANCE)	2,900.00
181242	RELIEVE FITNESS	OLDER ADULTS FITNESS	781.20
181243	RICKEL, AIDAN	CHORALAIRES (PARKS & REC)	1,240.00
181244	RKA PETROLEUM COS., INC	GASOLINE AND OIL	18,324.21
181245	RNA FACILITIES MANAGEMENT	CUSTODIAL SERVICES (LIBRARY)	7,557.10
181246	ROAD COMMISSION FOR OAKLAND COUNTY	TRAFFIC SERVICES (MAJOR STREETS)	15,613.98
181247	ROSATI, SCHULTZ, JOPPICH	LEGAL FEES (ESCROW)	4,381.00
181248	VOID	VOID	- V
181249	ROSSOW GROUP LLC, THE	EDUCATION AND TRAINING (POLICE)	1,580.00
181250	ROWERDINK INC	VEHICLE MAINTENANCE	468.00
181251	ROYAL TRUCK & TRAILER SALES & SVC	VEHICLE MAINTENANCE	301.12
181252	RRRASOC	RECYCLING CENTER (DPW)	1,717.00
181253	SAM'S CLUB DIRECT	MOTHER/SON EVENT	256.03
181254	SAM'S CLUB DIRECT	CUSTODIAL SUPPLIES	287.12
181255	SATKO, JOHN PETER	YOUTH BASKETBALL	245.00
181256	SCHOLASTIC INC.	LIBRARY PROGRAMMING	8.48
181257	SCHOOLCRAFT COLLEGE	MEDICAL SERVICE	875.00
181258	SERVICE EXPRESS, INC.	OPERATING SUPPLIES (IT)	1,664.18
181259	SHAH, TUSHAR	REFUND PARKS	63.75
181260	SHAIEB, ELIZABETH A.	OLDER ADULTS FITNESS	921.60
181261	SHANAHAN, DIANA	REIMBURSEMENT	34.97
181262	SHIFMAN FOURNIER, PLC	LEGAL FEES - PERSONNEL (HR)	11,995.50
181263	SIGNATURE SERVICES	ELECTION SUPPLIES (CLERK)	1,250.00
181264	SITEONE LANDSCAPE SUPPLY, LLC	VEHICLE MAINTENANCE	490.00
181265	SLAVIN MANAGEMENT	CITY MANAGER SEARCH (CITY MANAGER)	8,133.45
181266	SMART BUSINESS SOURCE LLC	OFFICE SUPPLIES	824.62
181267	SOUTHFIELD RADIOLOGY ASSOCIATES	MEDICAL SERVICE	38.00
181268-181271	SPALDING DE DECKER	PROFESSIONAL SERVICES (ESCROW)	12,733.29
181272	SPARC ARENA LLC	SPORTS CAMPS (PARKS & REC)	1,545.60
181273	SQUEAKY SHINE CAR WASH	VEHICLE MAINTENANCE	670.00
181274	STATE OF MICHIGAN	CONFERENCE (POLICE, FIRE)	1,798.75
181275	STATE OF MICHIGAN	OPERATING SUPPLIES	3.46
181276	STERLING HEIGHTS TREASURY	GASOLINE AND OIL	469.42
181277	STEVENSON, NAKO	REFUND PARKS	150.00
181278	SUBURBAN PROPANE LP	OPERATING SUPPLIES	59.96
181279	SUPERIOR AIR-GROUND AMBULANCE	OPERATING SUPPLIES	425.00
181280	SYSTEMP CORPORATION	BUILDING MAINTENANCE (POLICE, FACILITIES)	1,412.72
181281	SZELAP, CHRISTINE E. HEFFERNAN	KARATE (PARKS & REC)	2,857.75
181282	T-MOBILE USA, INC	TELEPHONE	643.76
181283	TENNISTEC LLC	TENNIS LESSONS	175.00
181284	TESTING ENGINEERS	MATERIAL TESTING: I-96 SS CROSSING & WES (W&S)	14,781.40
181285	THOMAS TRUCKING SERVICE INC	DEMOLITION OF STRUCTURES (GF LAND ACQUISITION)	20,500.00
181286	THOMSON REUTERS - WEST	SUPPLIES	798.42
181287	TOEBE CONSTRUCTION LLC	CONST: BOND/FLINT PHASE 2 (W&S, DRAIN, STREET)	94,933.83
181288	TOKIO MARINE HCC - PUBLIC RISK GRP	INSURANCE DEDUCTIBLES (GF LEGAL CLAIMS)	6,091.95
181289	TRI-COUNTY INTERNATIONAL	VEHICLE MAINTENANCE (DPW)	6,971.21

181290	TROXTEL, JUSTIN	CDL LICENSE REIMBURSEMENT	73.00
181291	TRUCK & TRAILER SPECIALTIES, INC.	VEHICLE MAINTENANCE	896.91
181292	TSAI FONG BOOKS INC	LIBRARY BOOKS	175.12
181293	UNITED STATES POSTAL	POSTAGE	290.00
181294	USA SOFTBALL OF DETROIT, MDASA	ADULT SOFTBALL LEAGUE (PARKS & REC)	3,240.00
181295	VARIPRO	EMPLOYEE FLEXIBLE SPENDING REIMBURSEMENT	11,376.49
181296	VARSITY LINCOLN, INC	VEHICLE MAINTENANCE	571.96
181297	VEGMICHIGAN	LIBRARY PROGRAMMING	100.00
181298	VERIZON WIRELESS	TELEPHONE	457.15
181299	VOGEL, TIFFANY L	2022 WIN TAX REFUND 50-22-27-353-012	549.65
181300	VOSS LIGHTING	BUILDING MAINTENANCE	695.70
181301	W.W. WILLIAMS MIDWEST, INC.	VEHICLE MAINTENANCE (DPW, FIRE)	8,046.90
181302	WEINGARTZ SUPPLY CO INC	VEHICLE MAINTENANCE	129.12
181303	WILLIAMS, WENDY	OLDER ADULTS FITNESS	883.20
181304	WILLIS, KYLYNN	YOUTH BASKETBALL	175.00
181305	WITHERELL, JAY S.	MEDICAL SERVICE	450.00
181306	WT COX INFORMATION SERVICES	ELECTRONIC RESOURCES	212.00
181307	XYLEM DEWATERING SOLUTIONS, INC	LIFT STATION MAINTENANCE (W&S)	1,300.53
181308	Z-PAINTING LLC	BUILDING MAINTENANCE (FACILITIES)	18,200.00
181309	ZIMMER, MICHAEL	YOUTH BASKETBALL	105.00
181310	ZYLKA, TIM	BOOT REIMBURSEMENT	89.99
181311	SPALDING DE DECKER	PROFESSIONAL SERVICES (LOCAL STREETS, ESCROW)	25,095.91
EFT	FIFTH THIRD BANK P-CARD	FEBRUARY PURCHASES	119,768.71
	CARIBE ROYALE RESORT S	FD - Accreditation	1,323.04
	NFPA NATL FIRE PROTECT	FD - Conference	180.00
	SPROUT SOCIAL, INC	CR: Marketing platform	279.00
	ATT CONS PHONE PMT	FACILITES - Utilities - Telephone	2,674.75
	AMAZON.COM HD4ZJ9RA0 A	CR - Video	129.95
	PAYPAL MICHIGANPUB	Recruitment ad	160.00
	GROUPMAP TECHNOLOGY	MGR - Software	8.00
	EIG CONSTANTCONTACT.CO	CR: Marketing platform	230.00
	AMAZON PRIME HD0VJ68M0	CR - Video	14.99
	FBINAAMI	PD - Conference	700.00
	PAYPAL RODZINAINDU	FIN: custom stamp	18.20
	PAYPAL RODZINAINDU	ASSES: ink pads	25.70
	ALLIANZ TRAVEL INS	CR - Video	(55.00)
	SAMSClub #6657	CC: Meeting Beverages/Food	116.82
	HOBBY-LOBBY #645	CR: plants	(75.98)
	HOBBY-LOBBY #645	CR: plants	(249.96)
	HOBBY-LOBBY #645	CR: Plants	111.94
	HOBBY-LOBBY #645	CR: plants	385.90
	KALAHARI RESORT- OH	PD - Refund	(89.00)
	MICHIGAN ECONOMIC DEVE	ED Event	135.00
	NIGHT-AND-DAY.COM	PRCS: Special event expense	300.00
	AMZN MKTP US HD6Y42TP0	I.S. - Supplies	17.99
	IMAGE-TEK EXHIBIT LLC	CR: Display	3,091.50
	AMZN MKTP US HP55W5QG1	Operating Supplies	81.98
	FSP VALETCONNECTIONS	FD - Accreditation	47.50
	AMZN MKTP US HD82423K0	PD - Conference	89.41
	PAYPAL INTERNATIONAL	PD - Conference	215.00
	AMAZON.COM HP2248QK1	PD - Office Supplies	39.99
	DSM SAFETY PRODUCTS IN	PD - Operating	165.96
	STORY BLOCKSAUDIO	CR Video	15.00
	HOLIDAY INNS	PD - Training	284.10
	HOLIDAY INNS	PD - Training	200.00
	HOLIDAY INNS	PD - Training	484.10
	WEST MIDLAND FAMILY CE	Zoom Class, AFO Training	315.00
	SUZUKI MYERS	CR: Translation	130.00
	POLICE EXECUTIVE RESEA	PD - Membership Renewal	475.00
	AMAZON.COM HD7BC1FH0 A	PD - Conference	20.18
	FORESTRY SUPPLIERS INC	DPW: Operating Supplies	679.67
	EXCELJET.NET	online excel training	99.00
	PWC INVESTOR SURVEY	Market data report	649.00
	KFC K580007	Storm Response Meal	174.99
	STAMPS.COM	LIB:Postage	17.99
	AMAZON.COM HP3K75W60	PD: Supplies	57.80

TLF DONNAANDLARRYS FLO	CR: Flowers	1,180.00
POLICE EXECUTIVE RESEA	FD: Dues	200.00
MOTIONVFX	CR Video	51.94
NAB SHOW REGISTRATION	NAB Conference	1,136.83
DELTA	NAB Conference Flight	622.80
WEB NETWORKSOLUTIONS	I.S. - Domain Renewals	564.80
APPLE.COM/US	I.S. - Folio	349.00
AMZN MKTP US HP3637LW2	PD - Office Supplies	57.20
AMZN MKTP US HP29A4K20	PD - Office Supplies	91.70
FEDEX 565687960	ENG: FedEx	11.10
FEDEX 565687960	PD: FedEx	88.98
AMZN MKTP US HE9UR7YQ1	Hardware	13.98
USPS PO 2569200376	LIB:Postage	25.20
USPS STAMPS ENDICIA	LIB:Postage	75.00
AWWA.ORG	W&S membership, dues	87.00
AWWA.ORG	W&S membership and dues	87.00
AMZN MKTP US	PD: Supplies	(12.99)
AMZN MKTP US	PD: Supplies	(12.99)
AMZN MKTP US	PD; Supplies	(205.97)
AMZN MKTP US HE08422M1	PD - Office Supplies	22.76
AMZN MKTP US	PD - Refund	(11.15)
SPECTRUM	FACILITIES - Utilities - Cable	3,124.09
GRAND SIERRA ADV DEP	CR: Conference Hotel	115.26
AMZN MKTP US HP90T5AV0	PD-VM	158.49
AMZN MKTP US HP6TW0A60	PRCS - Program Expense	67.96
AMZN MKTP US HE46H08P2	PD: Supplies	29.87
AMZN MKTP US HE97995Q2	PD: Supplies	33.72
DTV DIRECTV SERVICE	PD: Cable	40.00
CLARKSON EYECARE 4814	FD - Medical Exam	202.52
IN 2X SERVICES LLC	PD - Training	800.00
AMZN MKTP US HP9SU2JR0	PD - Office Supplies	95.91
AMZN MKTP US HE0U41BY1	PD - Office Supplies	146.12
AMZN MKTP US HE8WP7HJ2	PD-VM	55.98
MICHIGAN STATE YOUT	PRCS-Marketing Expense	721.00
EXXONMOBIL 96723879	PD: Gas	57.11
EGLE DW TRAIN AND CERT	W&S conferences,workshops	70.00
EGLE DW TRAIN AND CERT	W&S conferences and workshops	70.00
EGLE DW TRAIN AND CERT	W&S conferences, workshops	70.00
AMAZON.COM HE20L6MG2 A	PD: Supplies	59.88
MEIJER # 122	PRCS- Expenses	85.00
AMZN MKTP US HE6WB4XX2	PD: Supplies	211.96
EVENT 2023 LEIU/IALEI	PD - Training	200.00
AMZN MKTP US HP8WR8FS0	PD-VM	398.99
AMZN MKTP US HP2PX5FB0	FD-VM	12.95
GOVT SOCIAL MEDIA	CR membership	79.00
GOVT SOCIAL MEDIA	CR: Conference	819.00
MICHIGAN ASSOCIATION O	FIN: Training-Lilla	256.00
SMEMSIC	FD: Conference	440.00
AMZN MKTP US HE7UZ80C1	PD: Supplies	12.99
AMZN MKTP US HE3UZ30C1	PD: Supplies	21.99
AMZN MKTP US HE06S8Y00	PD: Supplies	7.98
AMZN MKTP US HE6QY0WLO	PD: Supplies	7.99
AMZN MKTP US HE5ZM43S2	PD: Supplies	20.48
STREET CRIMES	PD - Training	450.00
STREET CRIMES	PD - Training	450.00
AMZN MKTP US HE1NM1IN0	PD - Office Supplies	38.10
RUNMICHIGAN FOUNDATION	PRCS- Expenses	75.00
CHARGE.PREZI.COM	CR supplies	159.00
MOES ON TEN	PRCS- OAS Food	758.96
MUSIC THEATRE INTL	PRCS-Theatre Programs	1,972.00
WHITLOCK BUSINESS SYST	Treas - Postage for Utility bills	1,512.77
WHITLOCK BUSINESS SYST	Treas - Print Utility Bills	374.87
GARLAND LODGE AND RESO	PD - Conference	425.00
AMAZON.COM HE5KY2J41	PRCS - Supplies	13.49
POTBELLY # 165	Council Committee	128.95
APPLE.COM/US	I.S. - Stylus	258.00

WAL-MART #5893	LIB:Program	75.66
IN BOUCK CORPORATION	PD - Dispatch	275.00
FBINAAMI	PD - Conference	700.00
NRPA OPERATING	PRCS- Expenses	500.00
MICHIGAN GREEN INDUSTR	Commercial Pesticide CEUs	138.12
INTL FACILITY MGMT ASS	IFMA Conference	750.00
DELTA	IFMA Conference	580.40
PARK N GO	IFMA Conference	45.00
AMZN MKTP US H95F32YB2	I.S. - Supplies	50.98
SEARS.COM 9311	OAS PROGRAM SUPPLIES	23.31
AMZN MKTP US H95V78R22	PD - Office Supplies	119.46
AMZN MKTP US HE4G56D30	PD - Conference	42.62
AMZN MKTP US HE28B8QB0	PD-VM	83.15
VZWRLSS APOCC VISB	FACILITES - Utilities - Telephone	10,967.68
AMZN MKTP US C77MM4EW3	PD: Operating Supplies	29.98
AMAZON.COM PS9IN48P3 A	PD - Office Supplies	49.98
AMZN MKTP US H93582YG1	PD - Office Supplies	22.99
AMAZON.COM 5739G7XQ3	PD - Office Supplies	35.24
D J WALL-ST-JOURNAL	MGR: Wall Street Journal	38.99
MICHIGAN NOTARY SERVIC	Clerk - notary	42.30
CI - NOVI - MOTO	LIB:Program	175.69
AMZN MKTP US HE5LH7XT0	PPE Boot Cover	139.60
AMZN MKTP US H95VJ1UM1	PD - Office Supplies	11.15
AMAZON.COM 2E37X4863	PD - Office Supplies	49.00
FACEBK T25DDMTS2	PRCS-Marketing Expense	4.89
DETROIT TIGERS	PRCS - OAS Travel	125.00
EXXONMOBIL 99391906	PD: Gas	67.29
HILTON	PD - Conference	1,937.30
HILTON	PD - Conference	105.00
AMAZON.COM WX2307Q73	PD - Conference	20.18
AMZN MKTP US HE2K58EY0	OAS-Transportation Supplies	385.91
HILTON	PD: Conference	998.44
MICHIGAN GREEN INDUSTR	MGIA classes	635.90
CRYSTAL MTN LODGING	IS - GIS Conference	138.62
FORTRA	IT - Software Renewal	876.48
PAYPAL ESCREEN INC	Labor Membership	150.00
MEIJER # 122	PRCS-League Expense	120.00
123.NET, INC.	FACILITES - Utilities - Telephone	1,808.82
AMZN MKTP US K925X1QT3	PD - Office Supplies	22.19
PANERA BREAD #600667 O	CM Recruiter lunch	37.06
USPS PO 2569200376	LIB:Postage	6.45
AMAZON.COM JH55U32S3 A	PD: Operating supplies	369.00
AMZN MKTP US 4N2LX4Q73	PD - Office Supplies	133.89
AMAZON.COM IK6309833	PD - Office Supplies	67.48
AMZN MKTP US I81XY4D13	PD-VM	124.99
JEWISH COMMUNITY CENTE	PRCS - Program Expense	2,287.50
AMZN MKTP US HU81L6QE3	OAS event supplies	14.99
AMZN MKTP US B69FM8MC3	OAS PROGRAM SUPPLIES	19.99
DELTA	CR - Video	408.80
ALLIANZ TRAVEL INS	CR Video	55.00
KALAHARI RESORT- OH -	PD - SRT	119.00
KALAHARI RESORT- OH -	PD - SRT	119.00
KALAHARI RESORT- OH -	PD - SRT	119.00
KALAHARI RESORT- OH -	PD - SRT	119.00
FSP DOWNTOWN DEVELOPME	ED event	15.00
AMZN MKTP US 0T0TO2XW3	OAS-Transportation Supplies	58.95
AMZN MKTP US H98K91XD1	PD - Office Supplies	30.97
AMZN MKTP US Y97BB1QL3	PD - Office Supplies	21.89
NRPA OPERATING	PRCS- Expenses	70.00
MICHIGAN STATE PREMIER	PRCS-Program Expense	25.00
NTLREST SERVSAFE	PRCS-Civic Center Training	99.72
MSU PAYMENTS	PRCS-Civic Center Training	75.00
HOLIDAY INNS	MGR: Tax exemption reimbursement	(25.02)
HILTON	PD - Conference	575.52
WEST MIDLAND FAMILY CE	Zoom Class Training	315.00
WALLGUARD.COM	FM: Restroom Upgrade	286.92

DIAMOND JIM BRADY'S	MGR - Meeting	74.48
MARIA S ITALIAN BAKERY	Annual Training	56.90
AMAZON.COM L62QC73E3	PD: Supplies	369.00
HENRY FORD HEALTH SYS	FD - Medical New Recruit	178.67
LAW ENFORCEMENT DRONE	PD - Training	275.00
CONSUMERS ENERGY CO	FACILITIES - Utilities - Gas	27,235.21
GOOGLE GOOGLE STORAGE	CR Video	9.99
LANSING CENTER LOTS TI	Water - MWEA Expo	10.00
LANSING CENTER LOTS TI	W&S conferences, workshops	10.00
FBI LEEDA INC	PD: Dues	50.00
MACEO	Membership	80.00
MACEO	MACEO Meeting	20.00
MACEO	MACEO Meeting	20.00
MACEO	General Meeting	20.00
AMZN MKTP US 6S9UG2P13	FM: Operating Supplies	23.90
POTBELLY # 165	MGR: Committee Food	123.77
AMZN MKTP US ZU4RN4E23	CR - Video	69.95
AMZN MKTP US IM46P67Q3	I.T. - Clock	99.89
CONST SW AND SESC PRD	Professional Exam	95.00
IAFCI	PD: Dues	70.00
IN 2X SERVICES LLC	PD - Training	2,400.00
EXXONMOBIL 96723879	PD; Gas	57.20
CENTURYLINK LUMEN	FACILITIES - Utilities - Cable	247.88
MICHIGAN APWA	APWA conference	300.00
B&H PHOTO 800-606-6969	Camera Lens	2,579.26
MI SECTION AWWA	DPW - Webinar	30.00
AMZN MKTP US 2288U4483	Wellness and Engagement	25.96
SAMS CLUB #6657	PRCS: Program Expense	49.42
USPS STAMPS ENDICIA	LIB:Postage	65.00
VISTAPRINT	LIB: Office Supplies	(6.37)
AMZN MKTP US 182V60KX3	book	38.61
IMAGIN INC	IS - GIS Conference	350.00
VISTAPRINT	LIB: Office Supplies	(11.46)
SQ ALL STAR PRODUCTIO	PRCS: Program Expense	2,114.00
AMZN MKTP US 796R05463	CR: clocks	197.80
AMZN MKTP US NK5H80LK3	CR: Binders	62.97
BALLYS HOTEL AND CASINO	PD - Conference	106.12
RADISSON	PD - Training	1,504.49
RADISSON	PD - Training	1,504.49
DELTA	PD - Training	567.80
DELTA COLLEGE CASHIER	PD - Training	130.00
EVENT 2023 LEIU/IALEI	PD - Training	550.00
MGFOA REGISTRATION FEE	DPW-CW	35.00
AMZN MKTP US OJ8GG2B23	PRCS-Civic Center Expense	249.85
FEDEX 564103275	ENG: FedEx	48.64
AMZN MKTP US HO9U99KM3	PRCS Fitness Supplies	111.93
HOLIDAY INNS	MGR: Conference Lodging	319.70
HOLIDAY INNS	conference	(10.15)
WHITLOCK BUSINESS SYST	Treas - Postage Property Stmt.	709.48
CRYSTAL MTN LODGING	IS-GIS Conference	155.50
ELLIS MIDTOWN RAMP	MGR - Conference and Workshops	114.00
MSU ADV ONLINE	PRCS-Nature. Nurture. Novi. Event	50.00
AMAZON.COM 4V5FI8Y23	MGR: Office Supply	29.98
AMZN MKTP US RA4GF29P3	Book	120.07
AMZN MKTP US D76QW4CK3	PD - Office Supplies	85.11
AMAZON WEB SERVICES	CD-Hosting Fee	0.15
AMZN MKTP US DB8D76NJ3	PRCS - Supplies	350.32
PADDLE.NET MOTIONVFX	CR - Video	(7.04)
AMERICAN PUBLIC WORKS	APWA Monthly	25.00
LARSON JEWELRY DESIGN	PRCS: Program Supplies	1,260.00
APPLE.COM/BILL	LIB:Computer Supplies	0.99
REGISTER@FAA 347C7YW	PD: Dues	10.00
APWA - NATIONAL	DPW-CW	500.00
BAER SOLUTIONS LLC	PD - Training	3,000.00
BENITO S CAFE	PRCS-Civic Center Training	81.95
4ALLPROMOS	PD - Crime Prevention	995.31

SAMS CLUB #6657	PRCS: Program expense	216.98
VISTAPRINT	LIB:Program	37.01
VISTAPRINT	LIB:Program	165.44
IN THOMAS SHELBY & CO	PD - Dispatch	137.45
NOVI CHAMBER OF COMMER	Chamber Event	1,100.00
AMAZON.COM WX7SQ4EV3 A	FM: Operating Supplies	54.37
MARATHON PETRO116061	PD: Gas	40.00
PAYPAL RODZINAINDU	ASSES: Office supplies	26.17
INTERNATIONAL FACILITY	I.S. - Membership	386.00
MICHIGAN ASSOCIATION O	DPW - Webinar	55.00
FREEP.COM	MGR - Subscription	11.99
NIGHT-AND-DAY.COM	PRCS: Program Expense	900.00
FACEBK 5HDFUJFF42	PRCS Expenses	19.98
FACEBK 5HDFUJFF42	PRCS- Expenses	23.00
SQ TODD ODONNELL	PRCS-Program Expense	40.00
IAAO ORG	Professional membership	160.00
IAAO ORG	Professional membership dues	160.00
PADDLE.NET MOTIONVFX	CR - Video	124.34
B&H PHOTO 800-606-6969	Studio Gear	567.45
AMZN MKTP US 2M4GC6NN3	FD: Operating Expense	74.34
AMZN MKTP US 6D7XI58I3	PRCS Marketing	9.99
AMAZON.COM YQ4MN1GL3	PRCS: Office supplies	163.13
IN INTERNATIONAL CLOT	CD: winter coats	605.00
SAMSCLUB.COM	PRCS: Program Expense	468.22
ABPA	W&S memberships, dues	65.00
SAMSCLUB.COM	PRCS: Program Expense	74.50
AMZN MKTP US AK66X0NB3	PRCS - Marketing	32.98
WWW.VOLGISTICS.COM	Man - Volunteer Software	214.00
CHARM FACTORY	PRCS: Program Expense	196.78
LOCAL GOVERNMENT HISPA	MGR - Membership and Dues	175.00
FIRST WATCH - 0686	MGR - Conferences and Workshops	36.37
ZOHO CORPORATION	I.S. - Software	2,340.00

GRAND TOTAL

\$ 3,746,379.25

GENERAL FUND	101	419,499.96
MAJOR STREET FUND	202	44,463.26
LOCAL STREET FUND	203	45,067.43
MUNICIPAL STREET FUND	204	20,638.70
PARKS, REC & CULTURAL SVCS FUND	208	43,972.58
TREE FUND	209	68,246.94
DRAIN FUND	210	99,808.49
RUBBISH COLLECTION FUND	226	176,439.00
LIBRARY FUND	268	37,177.52
LIBRARY CONTRIBUTION FUND	269	49.99
2008 LIBRARY CONSTRUCTION DEBT FUND	317	98,600.00
CAPITAL IMPROVEMENT PRGRM (CIP) FUND	400	14,996.00
WATER AND SEWER FUND	592	2,566,304.57
SENIOR HOUSING FUND	594	13,066.76
SELF INSURANCE - HEALTH CARE FUND	677	14,679.20
AGENCY FUND	701	74,707.72
TAX FUND	702	6,221.75
STREET LIGHTING 204109 - WEST OAKS ST	854	428.78
STREET LIGHTING 204 81 - WEST LAKE DRIVE	855	263.11
STREET LIGHTING 204108 - TOWN CENTER ST	856	1,747.49

GRAND TOTAL

\$ 3,746,379.25