

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, DECEMBER 1, 2008 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry-absent/excused, Mayor Pro Tem Capello, Council Members Crawford, Gatt, Margolis, Mutch, Staudt

ALSO PRESENT: Clay Pearson, City Manager
Pamela Antil, Assistant City Manager
Kristin Kolb, City Attorney
Sheryl Walsh, Community Relations Manager

APPROVAL OF AGENDA

**CM-08-12-200 Moved by Margolis, seconded by Staudt; CARRIED UNANIMOUSLY:
To approve the agenda as presented.**

**Roll call vote on CM-08-12-200 Yeas: Capello, Crawford, Gatt, Margolis, Mutch,
Staudt
Nays: None
Absent: Landry**

PRESENTATIONS

1. Southwest Oakland Cable Commission Annual Report – Caren Collins, Executive Director

Ms. Collins said they had entered several national competitions and had won a National Association of Telecommunications Officers and Advisers or NATOA award. She said for last year there were two honorable mentions with one being for Sheryl Walsh's Sheryl and the City India Day and one for Corporate Review of JPS Marketing. They won third place for the Fall for Novi promotion for 2007 and second place for the Novi's State of the City's montage. She said they had won a first place trophy under the Instruction and Training category, In Taking Better Home Movies, which was one of the pieces in the SWOCC Around the Block segment.

Ms. Collins said Council had received the annual audit of SWOCC from Plante Moran. She said they received an unqualified opinion, which was the highest opinion. She said with that was the annual budget with a Fund Balance on June 30th of \$517,420, which was healthy. She said their 2007-2008 Annual Report was also included, which ended June 30, 2008. Ms. Collins said this year new sections were added to the report, one on the impact of PA 480, which was the new statewide Universal Video Franchise Law and an update on AT&T. She said the biggest impact on PA 480 was they didn't have as much information as they used to have. They didn't know where AT&T provided service or how many subscribers they had but they had seen a growth in AT&T franchise fees since they came into the communities in May 2007. She said they were concerned that SWOCC franchise fees were down for the first time since 2002. Ms. Collins said government production for the last fiscal year was up 11.5% overall but community and public access were down slightly. She commented Novi contributed 35.3% of SWOCC revenue and received 41.7% of the government production from

SWOCC. SWOCC produced 22 more programs for Novi than in the previous year so there were 123 programs for Channel 13 with a lot of thanks going to Sheryl Walsh and Novi Production Specialist David Cooper. She said they were looking ahead to 2008-2009 and one of the big highlights was On Demand Video on the SWOCC website, which should be available in January. She said the annual report was on their website at www.SWOCCStudios.com

REPORTS

1. MANAGER/STAFF – Clay Pearson – Ringing in the Holidays

City Manager Pearson reported that Ringing in the Holidays would be held this Friday, December 5, 2008 at the Main Street Development between 6-9 p.m. He invited everyone to attend the event.

On Wednesday, the City would be accepting an Active Communities Award from the Governor's Office to recognize the community for planning with schools, the hospital, and community members.

Kathy Crawford reported that Leo Harrawood died this week at age 88. She said he was a decorated World War II veteran with two Purple Hearts, Silver Star and other medals. He had served on the Planning Board, the Council Board as Village President Pro Tem, and had made the motion for Novi to become a city. He was involved in so many firsts, including the ambulance service, the first gym, started Novi Rotary, was a District Governor, a Moslem Shriner and owns the BP gas station at Novi and 12 Mile Road. He had been active in the City for his entire life. Member Crawford said Mr. Harrawood would be at the O'Brien Sullivan Funeral Home this week and there would be a Masonic service on Wednesday.

2. ATTORNEY - None

AUDIENCE COMMENT

Tom Harvey, spoke regarding the possible creation of the proposed Lake Board. He noted the board would be created for the purpose of controlling nuisance lake weed growth. He commented it would also target invasive species, namely the water milfoil and that there were seven of these recognized species. He noted they had received three petition pages for Lake Shawood. He also noted one property was not in the City and some signers were not title holders of the properties; one property owner signed with a wrong address and more signed without their spouse/title holder. Mr. Harvey said there were 96 valid signatures. He said excluding property owned by the City and just counting properties where the owner had the ability to walk from their lot and step in the water, there were 227. He felt only 49% signed and that back lot owners had a direct interest in the lake and these people had not been included. He said the information provided by the Drain Commission insisted that back lot owners had a right to be included.

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-D)

**CM-08-12-201 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as presented.**

Voice Vote

- A. Approve Minutes of:
 - 1. November 24, 2008 – Regular meeting
- B. Approval to purchase two (2) 2009 Harley Davidson Road King Police Package motorcycles from ABC Harley Davidson of Waterford, MI, low bidder, in the amount of \$30,463.22.
- C. Approval of the final balancing change order and final payment to Inland Waters Pollution Control, Inc. for the CMOM Phase III Manhole Rehabilitation project in the amount of \$13,084.50.
- D. Approval of Claims and Accounts – Warrant No. 782

MATTERS FOR COUNCIL ACTION – Part I

- 1. **Acceptance of Tollgate Woods I and Ravines streets and adoption of Act 51 New Street Resolution accepting Burroughs Avenue, Clemens Circle, Crane Way, Holmes Road, Wolfe Pass, and Steinbeck Glen (in Tollgate Woods I); and Thoreau Ridge, Eastman Trail and Hemingway Drive (in Tollgate Ravines) as public, adding 6,398 linear feet or 1.21 miles of roadway to the City's street system.**

**CM-08-12-202 Moved by Mutch, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve the acceptance of Tollgate Woods I and Ravines streets and adoption of Act 51 New Street Resolution accepting Burroughs Avenue, Clemens Circle, Crane Way, Holmes Road, Wolfe Pass, and Steinbeck Glen (in Tollgate Woods I); and Thoreau Ridge, Eastman Trail and Hemingway Drive (in Tollgate Ravines) as public, adding 6,398 linear feet or 1.21 miles of roadway to the City's street system.**

Member Mutch said there were a couple of streets that transverse from Phase I into Phase II. He said of all the streets listed, Crane Way and Steinbeck Glen were just small segments they were accepting at this point. He said there was an additional portion of those roads they were not accepting. Member Mutch didn't want residents of the subdivision to think Council was taking all the streets; it's limited to the sections indicated on the map provided to Council.

Roll call vote on C-08-12-202

Yeas: Crawford, Gatt, Margolis, Mutch, Staudt, Capello
Nays: None
Absent: Landry

2. Approval of a contract with Municipal Web Services to host and maintain the City of Novi's two public websites and intranet website for three years for the period of December 12, 2008 through December 11, 2011, with two renewal options in one-year increments, in the approximate annual amount of \$64,239.25.

Mr. Pearson said the website was one of the communication tools they had built up steadily over the last several years. He said they had committed to increasing the two way transaction portion of it, had added many things over the years and had created two new websites as part of this package. He said he had been very happy with the web provider but had gone out to the market to test it to make sure they were getting the best possible deal for the City and they were recommending renewal under the terms described.

Member Staudt said this service had been very good and Novi had excellent websites and the site was up regularly. He said there had been discussion about distributing video costs, etc. and he thought transparency in government was an essential and important service they needed to provide.

CM-08-12-203 Moved by Staudt, seconded by Margolis; CARRIED UNANIMOUSLY: To approve a contract with Municipal Web Services to host and maintain the City of Novi's two public websites and intranet website for three years for the period of December 12, 2008 through December 11, 2011, with two renewal options in one-year increments, in the approximate annual amount of \$64,239.25.

DISCUSSION

Member Gatt said today on the cityofnovi.org website there were questions raised about the cost and asked if Ms. Walsh could answer some of those questions. Ms. Walsh explained there was an average of 1,600 visitors to the website per day and that didn't include investnovi.org or the e-web for City employees only. She said questions were raised about video streaming costs and the cost was about 22% of the cost incurred for the web services provided. She said that cost included not only live Council and Commission meetings but also included all the archived Channel 13 programming and professional development training programs provided for all City staff 24 hours a day 7 days a week. She thought they were getting their money's worth because when looking at other communities with one or two staff members in house providing those services, they were looking at an annual salary, benefits, etc. Ms. Walsh said Municipal Web Services had been providing service for the City for the last nine years and if anyone from the staff called them, changes were made to the website instantaneously. She thought the \$64,000 a year to provide service to all three City websites was a great value for the investment. Member Gatt agreed and concurred with Member Staudt about transparency in government and thought the more that could be published the better it was. Member Gatt said he also concurred with Mr. Olson, the publisher of the website, that they did have to watch their dollars.

Member Mutch echoed Member Gatt and thought one of the things they had not talked about that contracting the service out provided was eliminating additional costs that the City would have to absorb if this was in house, in terms of equipment costs and servers. He thought what the City had done with this arrangement with Municipal Web Services was a good balance. Member Mutch said if they factored in the hardware and software costs with a part time

person, which might or might not be enough time to do the work the City would require for the various web services, the amount being spent would be competitive, if not less.

Mayor Pro Tem Capello agreed that they did receive a lot for their money and would support the motion.

Member Margolis said video streaming of just the meetings accounted for 700 to 900 hits a month, correct. Ms. Walsh said they offer live video streaming of Council, Board and Commission. They archive the Council meetings and also archive Channel 13 programming. She said for the past three months the archived Council meetings alone had over 1,600 hits, the live meetings had over 1,800 and the Channel 13 programming had over 1,500.

Roll call vote on CM-08-12-203 **Yeas: Gatt, Margolis, Mutch, Staudt, Capello, Crawford**
Nays: None
Absent: Landry

3. Approval of resolution to authorize Budget Amendment #2009-4.

CM-08-12-204 **Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:**
To approve resolution to authorize Budget Amendment #2009-4.

Roll call vote on CM-08-12-204 **Yeas: Margolis, Mutch, Staudt, Capello, Crawford, Gatt**
Nays; None
Absent: Landry

AUDIENCE COMMENT

Greg Iszler, 621 S. Lake Drive and President of the Lake Area Homeowners Association, wanted to respond to Mr. Harvey's comments. He said they had put a lot of effort into this and were open to any additional insight they could receive on the Walled Lake issue. Mr. Iszler said when they started this movement it was based on the analyst report that it was an invasive milfoil, so that was how they proceeded. He said if Mr. Harvey had information to the contrary, they would be very interested. He said they went to consultants to see what was affecting the lake in a way unlike had been seen in several decades, if at all. Mr. Iszler said suggestions that the Lake Board could not be restricted were the impression they had and it was actually true. He said that was why the wording of the petition was clear that this was founded to take care of the invasive milfoil, not solely for that purpose. They also understood that every time they tried to expand the role of Lake Board it would have to go through the Public Hearing rounds and residents could make their comments at that time. Mr. Iszler said, regarding the questions on the petition, they looked forward to any comment from the City Attorney for both Novi and Walled Lake, if there were any issues that needed to be resolved. He said they were very concerned citizens trying to take care of this and trying to do this in the best and right way possible. Mr. Iszler said they were at 49% and he was sure they could achieve 51%. If there were issues, he was surprised because he was quite detail oriented; he thought they might be able to take another look at them and come up with a different number as well. He said in Michigan there was no accommodation to take care of lakes and cities didn't have budgets to

throw at lake maintenance. So they were very excited to have a very active group of lake front homeowners that supported this movement and were willing to put their dollars behind this movement. He said they felt the petitions were a very strong show of support that these people were willing to put their money behind making sure this gem for Novi was actually maintained in a way they could continue to be proud of. He said if they were doing anything wrong, they would love to rectify it because they were very motivated to take care of this.

MATTERS FOR COUNCIL ACTION – Part II - None

COMMITTEE REPORTS - None

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

AUDIENCE COMMENT - None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:30 P.M.

Mayor Pro Tem Kim T. Capello

Maryanne Cornelius, City Clerk

Transcribed by Charlene Mc Lean

Date approved: December 15, 2008