

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, AUGUST 9, 2010 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTR – 45175 W. TEN MILE RD.**

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

PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Landry, Mayor Pro Tem Gatt, Council Members Crawford, Fischer, Margolis, Mutch, Staudt

ALSO PRESENT: Clay Pearson, City Manager
Tom Schultz, City Attorney

APPROVAL OF AGENDA

**CM-10-08-102 Moved by Gatt, seconded by Crawford; CARRIED UNANIMOUSLY:
To approve the Agenda as presented.**

**Roll call vote on CM-10-08-102 Yeas: Gatt, Crawford, Fischer, Margolis, Mutch,
Staudt, Landry
Nays: None**

PUBLIC HEARING - None

PRESENTATIONS

1. Community Reads Program - Julie Farkas, Library Director

Ms. Farkas said since the new library had opened 450 new library cards were issued in June and it had averaged about 1,500 patrons per day in June and July. She noted that 1,122 kids took part in the summer reading program with 192 teen volunteers. Ms. Farkas said this was the final week of the project and they were still on schedule. She said that Novi was participating with four other libraries, Northville, South Lyon, Lyon Township and Wixom, to figure out how they could provide programming together and more cooperatively. She said they were going to have a book titled Annie's Ghost, by Steve Luxenberg, to be read as a community starting August 16th. The hope was it would build camaraderie among communities and a sense of reading. She said the book was non-fiction and was about the author's mother and how, when she passed away, they found she had a sister that the family never knew anything about. She said the book took place in Michigan and the sister spent some time in Eloise and the Northville Mental Hospitals. Ms. Farkas said the author would be coming to the Novi Library October 21st. She said 50 copies of the book would be available.

The library will also have a piece of art from the DIA that will be on display on the patio, called the "Recitation" by Thomas Dewing.

REPORTS – None

1. MANAGER/STAFF - None

2. ATTORNEY

Mayor Landry congratulated City Attorney Tom Schultz as the recipient of the 2010 Distinguished Municipal Attorney Award from the Michigan Association of Municipal Attorneys.

AUDIENCE COMMENT

Ginger Barrons, 24777 Glenda, stated she was present to speak with Council regarding the Fire Ordinances, specifically backyard burning. She requested that, as a City, they eliminate backyard burning of any kind in residential neighborhoods. Ms. Barrons stated she was asking for this because of people's health conditions such as asthma, COPD, emphysema, etc. She said she was a Lupus patient, had severe asthma and had a chronic heart condition and she had neighbors who burn, which was a legal fire because it complied with the ordinance. However, the ordinance did address that if they had a neighbor that the fire caused a problem for, then they could not burn. While the Fire Marshal sent a letter to the neighbors a year ago, it did very little to stop the burning in the neighborhood. She said there was no way for a household to stop the smoke from entering a home. Ms. Barrons said since 1998, the incidents of asthma had doubled in cities. She asked that Council take a serious look at the ordinance and provide the Fire Marshal with better tools to help people with serious breathing problems.

Dave Duffield, Northville resident, spoke about the I-275 bike path that was being refurbished. He said one thing brought to his attention from his executive director of the Michigan Trails and Greenways Alliance was that they had envisioned this as an open event that anyone could enter the path at any point and travel in any direction. However, she had since told him that their insurance policy required that they know the exact number of people and they would pay their insurance per the number of people. So they had to pick which end the event would start at and that would negate some of the concerns. He asked for Council's approval and cooperation on this. He said the one business that was in Novi was Dick's Sporting Goods at Eight Mile and Haggerty.

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

CM-10-08-103 **Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as presented.**

Roll call vote on CM-10-08-103 **Yeas: Crawford, Fischer, Margolis, Mutch,
Staudt, Landry**

- A. Approve Minutes of:
 - 1. July 19, 2010 – Regular meeting

- B. Enter Executive Session immediately following the regular meeting of August 9, 2010 in the Council Annex for the purpose of discussing pending litigation and privileged correspondence from legal counsel.

- C. Approval of payment of annual dues for continued membership in the Resource Recovery and Recycling Authority of Southwest Oakland County (RRRASOC) in the amount of \$42,647.40.
- D. Approval of a one-year extension of the Preliminary Site Plan Approval for Hyatt Place Hotel, SP08-27 until September 8, 2011. The hotel is proposed to be located at the Rock Financial Showplace on the north side of Grand River Avenue, west of Taft Road.
- E. Approval of Ordinance No. 10-32.01, an ordinance to amend Chapter 31, "Streets, Sidewalks, and Other Public Places", Article II, "Street Improvement," of the Novi Code of Ordinances, in order to add a new section, Section 31-20, entitled "Acceptance of Certain Streets," to include standards and a procedure for acceptance of streets not governed by other code provisions. **Second Reading**
- F. Approval of resolution designating certain City-owned properties acquired through MNRTF grants as City parkland which include; A) 16.2 acres of property within the City of Novi, located between 9 and 10 Mile Roads, west of Wixom road and adjacent to existing and future parkland (the "Heritage Shoppes" or "Core Habitat" parcel); B) Approximately 14 acres of property on the east side of Meadowbrook Road near Nine Mile Road (the "Village Wood Lake" property); C) Approximately 40 acres of property on the west side of Meadowbrook Road near Nine Mile Road (the "Orchard Hills West" property).
- G. Approval of Traffic Control Orders 10-31 through 10-35 to establish traffic control at the intersections of Silvery Lane with the following streets: Aspen Drive, Borchart Drive, and Sycamore Drive, within Orchard Hills Subdivision.
- H. Approval of Traffic Control Order 10-36 for the implementation of a 35 mile per hour speed limit on 12 Mile Road between Napier Road and the Wixom city limit.
- I. Approval of an engineering contract amendment to Anderson, Eckstein & Westrick, Inc. for additional engineering services associated with the Meadowbrook Lake Dredging project in the amount of \$18,000 for additional tasks related to litigation and settlement with the project's contractor.
- J. Approval of Resolution seeking reimbursement from Oakland County for expenses associated with the annual Mosquito Control Project (estimated at \$11,500).
- K. Approval to purchase crack sealing material from National Highway Maintenance Systems Ltd. in an amount not to exceed \$30,000.
- L. Approval of the request of Evangelista Development, LLC, for approval of a revised Concept Plan, ZCM10-37 and Planned Rezoning Overlay Agreement

associated with Rezoning 18.682, a request to rezone from RA, Residential Acreage with a Planned Unit Development (PUD), to RM-1, Low-Density, Low Rise Multiple Family Residential with a Planned Rezoning Overlay (PRO), and approval of a revised PRO Agreement. The subject property is 3.88 net acres and is located at the southwest corner of Novi Road and 14 Mile Road.

- M. Approval of a one year contract with ImageSoft, Inc. in the amount of \$27,022.37 for hardware, software and customer care support related to the City's document imaging system.
- N. Approval of Claims and Accounts – Warrant No. 825

MATTERS FOR COUNCIL ACTION – Part I

- 1. Adoption of a resolution supporting a “Complete Streets” Policy for the City of Novi.**

Mr. Pearson said this was a policy direction from Council and they were seeking Council's concurrence to do more work and add to what the City was already doing on many fronts. Also, when doing road projects, make sure they were designed with not just motorists in mind but pedestrians, bicyclists, handicapped, etc. He noted they needed to look at these as complete improvements that would benefit the entire community.

**CM-10-08-104 Moved by Mutch, seconded by Staudt; CARRIED UNANIMOUSLY:
To approve adoption of a resolution supporting a “Complete
Streets” Policy for the City of Novi as presented.**

DISCUSSION

Member Crawford said she was pleased that they were addressing this and was happy to have been involved in meetings regarding this on the State level. She stated she was also pleased that they were taking a good hard look at ways to encourage people to use non-motorized transportation.

Member Mutch thanked Member Crawford for helping educate Council on the Complete Streets issue. He said Complete Streets reflected what residents had been asking for as they had seen it in the surveys and the Master Planning process. He said the residents had asked for a more walkable and bike-able community and this policy affirmed that direction and made it clear that was the direction Council wanted to move forward in. Member Mutch said this also gave them a position to talk with other road agencies such as MDOT and the RCOC and tell them these were the kind of streets they wanted built in Novi even when they weren't the streets Novi controlled, such as the mile roads that the County controlled and infrastructure that MDOT controlled. He thought this was an opportunity for Novi to be a leader in this area. A lot of communities had started the discussion about Complete Streets but by passing the resolution Novi

Member Crawford reminded residents that for only \$10, they can become a friend of the Novi Library. The perks include hearing the author Thomas Lynch coming in as a speaker. She asked everyone to consider belonging.

MAYOR AND COUNCIL ISSUES - None

AUDIENCE COMMENT - None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:19 P.M.

David Landry, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Charlene McLean

Date approved: August 23, 2010