

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, NOVEMBER 22, 2010 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

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-absent/excused, Fischer, Margolis, Mutch, Staudt

**ALSO PRESENT:** Clay Pearson, City Manager  
Victor Cardenas, Assistant City Manager  
Tom Schultz, City Attorney

**APPROVAL OF AGENDA**

**CM-10-11-151 Moved by Gatt, seconded by Fischer; CARRIED UNANIMOUSLY:  
To approve the Agenda as presented.**

**Roll call vote on CM-10-11-151**                      **Yeas: Gatt, Fischer, Margolis, Mutch, Staudt,  
Landry**  
**Nays: None**  
**Absent: Crawford**

**PUBLIC HEARING - None**

**PRESENTATIONS**

**1. Keep Michigan Beautiful Awards**

Mayor Landry invited Mr. Bob Ramsey from Keep Michigan Beautiful to join him at the podium for these two presentations.

Mr. Ramsey said on behalf of Keep Michigan Beautiful he wanted to congratulate Novi on winning two very prestigious awards. He noted his organization was the only State recognized organization allowed to recognize beautification and preservation projects throughout the State. Mr. Ramsey stated Novi was the recipient of two awards; one was the Michigan Plaque and the second was the highest level of plaque award given, which was the President's Plaque.

**Nicholas D. Williams - Eagle Scout**

Mr. Ramsey said Nicholas Williams, for his Eagle Scout Project, constructed a permanent walk through vine covered maze at Michigan State Tollgate Farms in Novi. It was a 20 x 30 foot structure of wood located in the Children's Garden and was covered with cattle grating so that a variety of vines could grow and fill in the fence. Mr. Williams recruited volunteers, received donations and also checked with Miss Dig before beginning his project. He sank six inch round fence posts and attached cattle grating as the vine support and 2x6's support the top

and bottom. PVC pipe halves cover the rough edges of the grating and the children enjoyed the maze very much. Mr. Williams began pursuing his degree in engineering at the U. S. Merchant Marine Academy in July.

Mayor Landry presented Nicholas Williams with the Michigan Plaque on behalf of the City of Novi and in conjunction with Keep Michigan Beautiful. Mr. Williams said he really appreciated the award and was glad to be a part of making Michigan beautiful.

### **Novi Public Library**

Mr. Ramsey said the President's Award was for the Novi Public Library. He said the Library was a fantastic and amazing building. He said the entrance to the Library was beautiful and inviting. He noted, when looking over the application, they were struck by the variety of trees that were planted and the mindfulness to not only adult library users but also children library users.

Mayor Landry presented the President's Award to Mary Ellen Mulcrone. Ms. Mulcrone thanked Celia Todd of the Beautification Commission who nominated the Novi Library for this award. She said it was an honor to be recognized in this way and thanked everyone who was instrumental in creating such a jewel for this community.

## **2. Comprehensive Annual Financial Report Audit Presentation for Fiscal Year Ended June 30, 2010 - Andrews Hooper & Pavlik**

Randy Morse of Andrews Hooper & Pavlik thanked Mr. Pearson and the Finance Department staff for having everything prepared for them. He said everything went very well, they had no difficulties performing the audit, all questions were answered and they were provided all supporting documentation. Mr. Morse said all required communications were affirmative and good and there were no significant matters noted during the audit and no surprises. He said they did have an unqualified opinion; there were no single audit findings or questioned costs, no internal control deficiencies, no management letters or letter of recommendations. He said on an overall basis they had excellent results.

Mr. Morse said there were no significant fluctuations in the General Fund Revenue trends but there was a decrease in property taxes and Police and Fire millage transfers. He said property taxes were down although it was not a significant change. He noted the State Shared Revenue was down; the Constitutional piece was down \$113,000 and the Statutory was down about \$267,000. Building permits and planned reviews were slightly up due to some inspection fees, which were up about \$100,000. Mr. Morse said looking through the Other category, there was a decrease from \$3.2 million to \$2.5 million and the bulk of that was that interest income was down about \$900,000 from the prior year. He commented the State Shared Revenue expectation was that as sales tax continued to decrease, there would be a similar number for the State Shared Revenue. He said it should be pretty consistent.

General Fund Expenditure trends on the Police side of the equation expenditures were down because of a decrease in overtime pay but there were also some expenditures for

communication equipment and vehicles in a prior year that were not there this year. Fire expenditures were down \$6.3 million to \$4.8 million and the bulk of that was the prior year had \$1.4 million in building improvements and equipment that were not there this year. He said the Neighborhood and Business Relations group was down due to decreased salaries and benefits, which were budgeted. Other expenditures were pretty consistent with the prior year but there was a little decrease. He said the General Fund Fund Balance compared to 2009-2010 was down in total but on an overall basis the undesignated increased by \$1.2 million from the prior year. So, those amounts open without designations was an increase, although the total decrease was about \$600,000. He said the General Fund and designated Fund Balance as percentages of the budget expenditures in 2010 was the highest at 29%; that number, \$8.5 million, compared to the budget annual expenditures of just under \$30 million was a little over three months of expenditures in the Fund Balance.

Mr. Morse said if they looked at the City on the fiscal measures a lot of the numbers were consistent from one year to the next and nothing jumped out as unusual. He said everything they saw they expected through the results of the audits. He said regarding Water and Sewer Fund Operations they expected consistent revenue and expenses and noted there was an increase in the working capital from 37.7% to 40%.

## REPORTS

1. **MANAGER/STAFF - None**

2. **ATTORNEY - None**

## AUDIENCE COMMENT

**Nicole Abdille**, representing the American Cancer Society, noted they were partnering with the Novi Library for Live Well, Stay Well program for Novi residents; they were also responsible for Relay for Life. She thanked the Novi Community for raising \$65,000 earlier this year. Ms. Abdille said on June 11 and 12, 2011 was when they plan to hold the next Relay for Life at Fuerst Park. She commented that they were looking for sponsors and volunteers and her telephone number was 248-663-3410.

## CONSENT AGENDA REMOVALS AND APPROVALS (See items A-G)

**CM-10-11-152**      **Moved by Fischer, seconded by Margolis; CARRIED UNANIMOUSLY:  
To approve the Consent Agenda as presented.**

**Roll call vote on CM-10-11-152**      **Yeas: Fischer, Margolis, Mutch, Staudt, Landry,  
Gatt**  
**Nays: None**  
**Absent: Crawford**

- A. Approve Minutes of:  
1. November 8, 2010 – Regular meeting

- B. Approval to award a professional services contract for the design of Fuerst Park Phase 2 Improvement Project 3 (park pathway lighting and park irrigation), to The Johnson Hill Land Ethics Studio, in the amount of \$19,250.
- C. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Nadlan 32, LLC for the Beck North Corporate Park Phase II – Unit 32 development located at 30275 Hudson Drive, between West and Beck Roads in Section 4 (parcel 22-04-152-020).
- D. Adoption of a Resolution to approve Amendment No. 1 to the Water Service Contract with the Detroit Water and Sewerage Department based on improvements in the City's maximum day and peak hour usage performance.
- E. Acceptance of a warranty deed from Providence Hospital and Medical Centers, Inc. for the dedication of additional right-of-way along Grand River Avenue as part of the Providence Hospital Expansion project located at 47601 Grand River Avenue (parcel 22-17-400-035) and approval to execute a Quit Claim Deed conveying the additional dedicated right-of-way to Oakland County.
- F. Acceptance of a warranty deed and sidewalk easement from Providence Hospital and Medical Centers, Inc. for the dedication of additional right-of-way and sidewalk along Beck Road as part of the Providence Hospital Expansion project located at 47601 Grand River Avenue (parcel 22-17-400-035).
- G. Approval of Claims and Accounts – Warrant No. 832

**MATTERS FOR COUNCIL ACTION – Part I**

- 1. **Adoption of Ordinance No. 10-103.11, an ordinance to amend Chapter 12, "Drainage and Flood Damage Prevention", Article II, "Drainage in connection with the construction of buildings and improvement of property", in order to amend the title of the Article; to add a new subsection (f) to Section 12-24, "Prohibited acts", making it unlawful to cause or permit temporary or periodic drainage of water onto adjacent property without consent; and to add a new Section 12-28, "Discharge of swimming pool water, specifically regulating with the discharge of swimming pool water. Second Reading**

**CM-10-11-153      Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:  
To approve adoption of Ordinance No. 10-103.11, an ordinance to amend Chapter 12, "Drainage and Flood Damage Prevention", Article II, "Drainage in connection with the construction of buildings and improvement of property", in order to amend the title of the Article; to add a new subsection (f) to Section 12-24, "Prohibited acts", making it unlawful to cause or permit temporary or periodic drainage of water onto adjacent property without consent; and to add a new Section 12-28, "Discharge of swimming pool water, specifically**

**regulating with the discharge of swimming pool water. Second Reading**

Mr. Pearson said Mr. Schultz met with Mr. Hayes and Mr. Boulard and they thought they had answered the questions that had come up.

**Roll call vote on CM-10-11-153**

**Yeas: Margolis, Mutch, Staudt, Landry,  
Gatt, Fischer**

**Nays: None**

**Absent: Crawford**

**AUDIENCE COMMENT - None**

**MATTERS FOR COUNCIL ACTION – Part II - None**

**COMMITTEE REPORTS**

Member Mutch noted the Walkable Novi Committee met for their monthly meeting and approved the updated prioritization plan for sidewalks and pathways for 2010. He said that information would be forwarded to Administration and staff to incorporate into future Capital Improvement Plans. They also had another update on the Non-motorized Transportation Master Plan and they hoped to see a final report in a few months.

**MAYOR AND COUNCIL ISSUES**

**1. Council Committee Appointments - Mayor Landry**

Mayor Landry stated that Member Crawford, who had been elected as the next County Commission, had tendered her resignation effective December 2nd. He said Member Crawford was a member of the Consultant Review Committee, which got very busy this time of year. He said there would be a lot of meetings coming up and there would be quite a few interviews to do, so he would like to appoint Member Crawford's replacement to take effect upon her resignation so there wouldn't be any delay.

Mayor Landry asked Member Staudt to serve on the Consultant Review Committee and he said he would. Mayor Landry said other replacements for Member Crawford could wait until her successor was seated.

**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 7:21 P.M.

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David Landry, Mayor

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Maryanne Cornelius, City Clerk

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Transcribed by Charlene McLean

Date approved: December 6, 2010