



WALKABLE NOVI COMMITTEE

MINUTES

November 5, 2020 at 6:00 p.m.

Zoom Online Meeting Platform

(248)-347-0475

In accordance with Executive Order 2020-48, this meeting was held remotely.

CALL TO ORDER

The meeting was called to order at 6:01 pm.

ROLL CALL

Present: Julie Maday (Chair), Brent Ferrell, Justin Fischer, Andrew Mutch, and Brian Smith (joined late)

Absent: Salene Riggins

Staff Present: Lindsay Bell, Senior Planner, Community Development
Barbara McBeth, City Planner, Community Development
Madeleine Kopko, Planning Assistant, Community Development
Jeff Muck, Director of Parks, Recreation and Cultural Services
Rebecca Runkle, Plan Review Engineer

APPROVAL OF AGENDA

Member Ferrell made a motion to approve the agenda. Member Fischer seconded. Motion passed 4-0.

AUDIENCE PARTICIPATION

No one in the audience wished to speak.

MATTERS FOR DISCUSSION

- a. Neighborhood Sidewalk Maintenance

Chair Maday said we were cut off at the last meeting from having discussion about the Sidewalk Maintenance Presentation. Who ever would like to ask their questions may do so now.

Member Fischer said I wanted to give some background from City Council's perspective. This item came out of a Council goal. The reason why I thought this was important to work on was because there really was not a formal program for this. Basically, the City will fix any deflection that is more than two inches and that's driven by legality.

Matt Wiktorowski, Field Operations Senior Manager, said yes, the city just held a standard of two inches or greater and we will go out a fix it if it meets that criteria.

Member Fischer said so we do have an informal policy to protect ourselves from liability when something is recorded, but it is not something we promote and it is not something that City Council could go out and say this is how we deal with things.

The other thing that was sent out was the memos and those have been discussed for quite a while. Back in 2018, they talked about the potential of adding \$100,000 or so into the budget and that would start a program and now we have the City Council Goal from February; that's kind of the background on where we are today.

In the July 2020 Memo, Staff included a study done in Royal Oak and it shows the surrounding cities and their program and maintenance policies. What jumps out to me is that these are 90% property owner funded, so I assume a resident points out an issue and either the property owner fixes it themselves or it's billed to them with some sort of assessment. You'll also notice in these programs it's very similar to what was proposed and it covers a lot of different items between cracking, deflections, broken pavement, etc. I would love to get the City of Novi to that point where we're doing a very holistic and all-inclusive fixing program where cracks, spiders, and separations are all being looked at and fixed.

Member Fischer continued to say what I would like to see the city do is formalize the two-inch deflection policy. I expect that this would be something the city would fund. I'm not saying we would promote it, but I would say that's something staff and City Council can point residents to it. In the goal I talked about having an incentive for residents to participate if they chose. What I was thinking was a sharing program for deflections between a one-inch to two-inch differential. Let's say a resident calls in and says there's an issue and it's a one-and-a-half-inch deflection. The open and obvious rule is we're not going to fix it on the city's dime, but maybe we do that at a 50/50 cost share if the resident is interested in doing that. Those are the policies I would like to see. I really would like to focus on the differentials and the city to be funding this at this point and I'd like to put a lot of the other maintenance items on the backburner and build them in with baby steps and phases. If we look at the maintenance program that was proposed in the memo, the cost for just Meadowbrook Glens was close to \$500,000, so obviously the city can't fund that throughout the whole city and I certainly don't want to go to 90% of the residences of Meadowbrook Glens and say we're going to basically for all intents and purposes increase your taxes by said amount either because of these various stringent rules we have on sidewalk maintenance. So, I think it's an excellent program and I love what staff put together and I think as a city and as a council I'm trying to match and walk a fine line between what can the city afford, what are the biggest safety concerns, and what can we do a little at a time. I would really like to hear everyone else's perspective because the intent is to really move this forward.

Member Maday said I think that's a really good idea. It gives residents an incentive to be proactive and save money on our end as well as make them happy. I'm sure there are times when they call and it doesn't meet the two-inch requirement, and then what? So, this gives them the option to have help if it really bothers them. Then it's a win-win for both people. If it does meet the two-inch requirement, I assume we would just do it for legality purposes. I love the idea of giving residents as much say as possible.

Member Ferrell said so if people were to do the 50%, who is going to be the contractor? Who is going to do the work? If it can be done by somebody that can do it cheaper, are

we going to allow the citizens to get their own contractors to do the work? Let's say they have a relative or friend that does concrete work that can be cheaper. How would we figure costs into that?

Member Fischer said I'll let staff answer more or less of that point, but my initial thought is to say if the city is going to be the one really driving this and the city is going to be the one to fix anything over two-inches I would prefer that the city go ahead and own the process. Again, if the resident wants to participate in the cost share, they can go to the city. If they don't want to participate in the cost share, then they can pursue their own contractor.

Member Mutch said I agree with Justin. In terms of addressing the two-inch locations that's, from my perspective, the city's responsibility. I would argue that sidewalks in general are the city's responsibility to maintain and from my viewpoint up to the property line anything in the right-of-way is ours whether it's the street, the water, the sewer, the trees, the sidewalks, the pathways. Having said that, I'm also open to the idea of having some kind of incentive program for locations that are more of an aesthetic issue rather than an actual safety issue or a safety issue where we're not reaching that two-inch threshold yet. This would allow the city to stretch whatever dollars we allocate towards the program a little bit further because the residents are contributing to that. Instead of trying to do something comprehensive right from get-go we could target those priority locations. In terms of cost, I don't think we want to bite off too much at once because I think that is always going to be a challenge between how much can we afford to do each year and what is a reasonable amount to do. I think once we do it for a year or two and get a sense of what those costs are going to look like then we can start revisiting the amount of work we are doing. I think it is important to get on this as soon as we can. My parents live in Meadowbrook Glens where they put solar lights so people don't trip and my mom actually broke her hand tripping. Knowing that we are looking into this I think we really need to get going on it. We have these hazards out here that we really need to address and I would really like to see something going on this sooner rather than later and I think not trying to do everything at once will help move this process along faster.

Member Maday said the benefit of doing this too, assuming the citizens are involved, is that it gives more eyes to what's going on. People might pay more attention to issues that the city does not necessarily see. I kind of like the idea, if its even possible, to implement it all at once just because starting from the beginning to try to make everyone happy and try to save some money, is that possible to do both of those programs and get them moving at the same time?

Matt Wiktorowski said anything is possible. I think that going through and inspecting an entire city is going to be the initial challenge. Having our staff go through there and identify each panel that may be over two inches is going to be a challenge so I would need to talk to Director Herzceg and see if we want to possibly contract out those inspections and identify those deflected panels or somehow have staff do that in the winter months. Maybe we could even try a couple of subdivisions and reach out to HOA's to see if they would help with inspections and identify panels that they thought were two inches or greater and we would come out and check those specific panels rather than us walking the entire neighborhood. It would give them some ownership of

the non-motorized network that goes through their neighborhood so those are some of my thoughts.

Chair Maday said I really like the idea of getting in contact with the HOA's. I don't think we have to walk every single block in this community for this program, we can get it all going and then continue to do inspections as we go along, right?

Matt Wiktorowski said absolutely.

Jeff Herczeg, DPW Director, kicking the program off would be no problem. I think what I'm hearing now is take a small bite and then expand as we move forward. That shouldn't be an issue.

Member Fischer said I love the idea of residents being the eyes and ears and being the ones who are recording these issues. I would be hesitant to start a program in such a proactive nature, I'd rather have a push from residents to get some of these things done. My biggest concern is biting off too much financially than we can chew.

Chair Maday said what's the legality on it if we had a call-in program and there's two-inch gaps throughout the community that haven't been called in that we haven't inspected and found yet, are we still legally liable for incidents that happen on that two-inch gap or are we not liable because we have a program out there that people can call into and let us know?

Member Fischer said I think the issue is if we record a two-inch gap and we don't act on it in 30 days then we are open obvious and we are negligent about fixing it, but that's a question for the City Attorney.

Jeff Herczeg, DPW Director, said that's my understanding as well.

Chair Maday said okay, so that would be the big issue if we do open this up to the community. So where do we go from here?

Jeff Herczeg, DPW Director, said we'll come back with a proposal for a plan in the next fiscal year based on what we're hearing tonight and report back to this group and likely see it being formalized by City Council in the future.

Member Fischer said I guess my only thought is that I get an impression that people on this committee think it's a good idea. Anything we can do to get this in front of City Council sooner than later so we can hit the ground running in spring, even if it would require some sort of change to our quarterly budget amendments. That's something I would be willing to support at the Council level.

Member Mutch said I agree, typically once City Council has developed goals the city administration takes that charge and turns it into budget items, funding, implementation. All the steps necessary to make that goal a reality. The first step of that is what we're discussing now, the background necessary to get our hands around what this would be and it seems like at this point we have enough information in terms of what's been collected so far to move to next step which I think is discussing funding. Again, because this was a goal for this current year there is no reason for us to wait until next budget, we

have enough information available to at least to start us down that path so maybe this committee can make a recommendation to move this to a council item?

Member Fischer said I think that would be appropriate if we have the support on this committee. Chair Maday and Member Ferrell agreed.

Member Ferrell said I had a question on the sharing costs. What would the monies go from the residents, would they go into another type of fund that would help pave the way for other areas to get done on the city's dime or where would that go?

Victor Cardenas, Assistant City Manager, said most likely it's whatever is deemed necessary to that respective repair that goes to that and obviously money is fluid so it's still the same amount.

Member Ferrell said I just didn't know if we could put into some fund to help future areas.

Victor Cardenas, Assistant City Manager, said I believe this is part of road funds.

Member Mutch said back to the process, in terms of voting this forward, Jeff, you said you would draft together a proposal that you would bring back to this committee to review?

Jeff Herczeg, DPW Director, said yes, that's correct.

Chair Maday said if we want to send something to City Council quick, this will come through us first and we would approve it and then its headed over to City Council? Is that the goal within the next six months?

Member Fischer said I would say we could do it one of two ways. One would be to direct staff to incorporate what we said and create a recommendation to go straight to council. Again, to expedite things, the other option could be to create that draft and email it to this board and if there are no objections, it could go to council. If someone had some kind of major issue that recommendation would be to call a meeting and have a discussion about it. Both ways I would propose process wise to move this forward to City Council rather quickly.

Chair Maday said because we're all in agreement with what we want to do, sending an email to this committee to just let everyone know what's going on and then letting everyone vote on it I would be okay with. Member Ferrell agreed.

Member Smith said I would just like to add about the 50/50 split maybe we can incentivize it, we can say you absolutely have to go through the city maybe 25% could go to own contractor, 50% go through the city that way we have a little more control over the quality of the job that gets done.

Member Ferrell said yes, that was my concern that if they wanted to go with somebody else to save more, is that going to be acceptable, is there going to be a list of contractors they can use?

Chair Maday said I think that the city should direct it to streamline it, but I'm not very knowledgeable about repairing sidewalks so I'm not sure if that's a legitimate approach.

Member Fischer said I see the point that's being made. The only reason I kind of directed an only through the city scenario was just for simplification purposes for staff because if someone gets to go and do their own thing and then they have to provide invoicing and then were going start doing a 50/50, now we have DPW involved, finance involved, accounting involved, and it just sounds like a lot of work for a 50/50 split. That's why I really wanted to push people either go with the city contractors or go with the incentives.

Chair Maday said my two cents was that if were putting citizens money into a project on somebody's sidewalk, I think the city should have a say in what happens in that sidewalk. I'm slightly concerned about not knowing a contractor and letting them do it and us actually paying money to a contractor were not comfortable with.

Member Ferrell said I agree I'm not trying to argue the fact, but what if the resident can repair the concrete themselves. I'm just wondering if we're going to have backlash from residents saying they can do it themselves. I just want to make sure that's not an issue that's going to come up.

Chair Maday said we're not requiring them to pay if the gap is two inches or larger. If they want it done if its less than that, its an incentive they're getting the benefit from us to have it being paid early and giving them 50% of the cost.

Member Ferrell said yes, I support the program, I'm just trying to think of things that could potentially come up.

Chair Maday said okay so I think we're all in agreement.

b. Approval of 2020-22 Non-Motorized Prioritization Report

Chair Maday said I looked over the report, obviously not much has changed. I'm very comfortable with it. I'm thrilled one of them actually addressed a resident's concern. I'm ready to vote on this.

Member Fischer said I don't have any issues.

Member Smith made a motion to approve the 2020-22 Non-Motorized Prioritization Report. Member Ferrell seconded. Motion passed 4-0.

c. 2-22-2020 Walkable Novi Committee Meeting Minutes

Member Mutch made a motion to approve the Minutes. Member Fischer seconded. Motion passed 4-0.

d. 07-16-2020 Walkable Novi Committee Meeting Minutes

Member Mutch made a motion to approve the Minutes. Member Fischer seconded. Motion passed 4-0.

COMMUNICATIONS

Member Mutch said I had two items that I wanted to bring up. I've been in contact with some folks about sidewalks and related items. One of them was from Lyon Township trustee and they had followed the conversation we had at the last meeting for sidewalks along Napier Road connecting ITC Sports Park up to Villa Barr. They are interested in doing a connection along Nine Mile Road from Lyon Township and possibly along the section of the ITC Corridor in Lyon Township. They have some existing and new development going on in that area, so they are looking to see if there's some opportunity to work together with us on any projects we've done in that area or coordinating with us in terms of cost sharing to help reduce the cost on their side or do a larger project together. They didn't have anything formalized yet. They have their own sidewalk committee that meets and discusses these issues and they just wanted to make sure that we were aware that they are interested in partnering with us in that area.

The second item was an email from a resident that I will pass along to staff. They were indicating over by the back end of Lakeshore Park; this is a member of the mountain bike group at Lakeshore. They indicated that there's a lot more pedestrian traffic along 12 ½ Mile and Dixon Road area and they just wondered what plans the city has as far as in the future to fill in the sidewalk and gaps that obviously provides access to Lakeshore Park.

ADJOURN

Member Ferrell made a motion to adjourn. Member Smith seconded.

The meeting was adjourned at 6:36 PM.