

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JULY 22, 2019 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 TEN MILE ROAD**

**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 Breen, Casey, Mutch, Poupard, Verma

**ALSO PRESENT:** Pete Auger, City Manager  
Victor Cardenas, Assistant City Manager  
Thomas Schultz, City Attorney

**APPROVAL OF AGENDA:**

**CM 19-07-136 Moved by Casey, seconded by Poupard; CARRIED UNANIMOUSLY**

**To approve the Agenda as presented.**

**Roll call vote on CM 19-07-136**                      **Yeas: Staudt, Breen, Casey, Mutch, Poupard, Verma, Gatt**  
**Nays: None**

**PUBLIC HEARING: None**

**PRESENTATIONS: None**

**MANAGER/STAFF REPORT: NONE**

**ATTORNEY REPORT: NONE**

**AUDIENCE COMMENT: NONE**

**CONSENT AGENDA REMOVALS AND APPROVALS:**

- A. Approve Minutes of:
  - 1. July 8, 2019 – Regular meeting
  
- B. Approval to award a three-year Façade/Architectural Consulting Services Contract to DRN and Associates (with option for two additional one-year renewals) and adoption of Fee Schedule, effective July 23, 2019, or the date of the last signature on the contract.
  
- C. Approval of Resolution Authorizing “2019 Michigan State Fair” to occur on the Suburban Collection Showplace property at 46100 Grand River Avenue.

- D. Approval of Ordinance No. 19-49.04, an ordinance to amend the City of Novi Code of Ordinances, at Chapter 15, "Fire Prevention and Protection," in order to repeal Article IV, "Self-Service Gas Stations." **SECOND READING**
- E. Approval of Ordinance No. 19-104.11, an ordinance to amend the City of Novi Code Of Ordinances, at Chapter 21, "Nuisances," Article II, "Related to Property," in order to repeal Division 6, "Portable Toilets." **SECOND READING**
- F. Approval of Ordinance No. 19-181.04, an ordinance to amend The City of Novi Code Of Ordinances, at Chapter 27.5, "Registration and Licensing," Article III, "Secondhand Dealers and Junk Dealers," to add automated recycling kiosks to the list of regulated dealers. **SECOND READING**
- G. Approval of Ordinance No. 19-115.05, an ordinance to amend the City of Novi Code Of Ordinances, at Chapter 33, "Traffic And Motor Vehicles," Article III, "Parking, Stopping, and Standing," Division 5, "Snow Emergencies," in order to repeal the regulations and provisions therein in their entirety. **SECOND READING**
- H. Approval to purchase an unmarked vehicle from Berger Chevrolet for the Novi Police Department in the amount of \$27,491.00 through the Oakland County Cooperative purchasing contract.
- I. Approval of a Property Access Agreement for Treatment of Invasive Species between the City of Novi and Oakland County Cooperative Invasive Species Management Area (OC CISMA) and the Six Rivers Land Conservancy, to allow access to Rotary Park for the purpose of removing Japanese Knotweed, an invasive species that has been found in the park, and an expenditure of \$2,250 to allow treatment for the remaining 1.5 acres not covered by the grant funds.
- J. Approval of Claims and Accounts – Warrant No. 1040

**CM 19-07-137            Moved by Verma, seconded by Poupard; CARRIED UNANIMOUSLY**

**To approve the Consent Agenda as presented.**

**Roll call vote on CM 19-07-137**

**Yeas: Breen, Casey, Mutch, Poupard, Verma,  
Gatt, Staudt**

**Nays: None**

**MATTERS FOR COUNCIL ACTION**

- 1. Consideration to introduce Ordinance No. 19-124.20, an ordinance to amend the City of Novi Code of Ordinances, Chapter 11, "Design and Construction Standards," Article III, "Watermains," Section 11-68, "Design Considerations," Subsection (F), "Fire Hydrants and Appurtenances," in order to amend standards relating to placement and spacing of fire hydrants. **FIRST READING**

**CM 19-07-138 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY**

**Approval to introduce Ordinance No. 19-124.20, an ordinance to amend the City of Novi Code of Ordinances, Chapter 11, "Design and Construction Standards," Article III, "Watermains," Section 11-68, "Design Considerations," Subsection (F), "Fire Hydrants and Appurtenances," in order to amend standards relating to placement and spacing of fire hydrants. FIRST READING.**

**Roll call vote on CM 19-07-138 Yeas: Casey, Mutch, Poupard, Verma, Gatt, Staudt, Breen  
Nays: None**

2. Consideration to introduce Ordinance No. 19-99.18, an ordinance to amend the City of Novi Code of Ordinances Chapter 15, "Fire Prevention and Protection," Article II, "Fire Prevention Code, "Section 15-16, "International Fire Prevention Code-Adopted as Amended; Insertions" and Section 15-17, "Amendments," to adopt and incorporate the 2015 International Fire Code. **FIRST READING**

**CM 19-07-139 Moved by Casey, seconded by Mutch; CARRIED UNANIMOUSLY**

**Approval of introduction of Ordinance No. 19-99.18, an ordinance to amend the City of Novi Code of Ordinances Chapter 15, "Fire Prevention and Protection," Article II, "Fire Prevention Code, "Section 15-16, "International Fire Prevention Code- Adopted as Amended; Insertions" and Section 15-17, "Amendments," to adopt and incorporate the 2015 International Fire Code. FIRST READING**

Member Breen mentioned the memo they received was dated April 4, 2019 and the code that we are adopting is the 2015 addition of the International Fire Prevention Code. Is there a particular reason why four years later? City Manager Auger stated these things don't normally go in the year that they adopted. Right now we are adopting it so that it so it is concurrent with our building code. He believed they are currently working on the newest rendition of the fire code. When that is passed and moves forward we will continue to move it forward.

**Roll call vote on CM 19-07-139 Yeas: Mutch, Poupard, Verma, Gatt, Staudt, Breen, Casey,  
Nays: None**

3. Consideration to introduce Ordinance No. 19-158.01, an ordinance to amend the City of Novi Code of Ordinances, Chapter 22, "Offenses," Article IX, "Offenses Pertaining to Underaged Persons," in order to amend Division 3, "Tobacco Products," to include vape, electronic cigarettes, and nicotine products; to amend Section 22-263, "Use of Tobacco on School Property," vape,

electronic cigarettes, and nicotine products; and to include and provide penalties for violations. **FIRST READING**

**CM 19-07-140                      Moved by Casey, seconded by Pouard; CARRIED UNANIMOUSLY**

**Approval to introduce Ordinance No. 19-158.01, an ordinance to amend the City of Novi Code of Ordinances, at Chapter 22, "Offenses," Article IX, "Offenses Pertaining to Underaged Persons," in order to amend Division 3, "Tobacco Products," to include vape, electronic cigarettes, and nicotine products; to amend Section 22-263, "Use of Tobacco on School Property," vape, electronic cigarettes, and nicotine products; and to include and provide penalties for violations. FIRST READING**

City Manager Auger said that City Attorney Schultz wanted to make a couple of comments on this issue. Mr. Schultz said this is an ordinance that is the basic idea of adding alternative nicotine and vapor products to the existing tobacco ordinance. He said the Ordinance Review Committee had a number of meetings on this that were mostly focused on the penalty issue and the language of adding those. He said that we did provide Council a draft that struck out a provision that related to affirmative defenses for somebody whose business that sold to an underage person which is talked about in affirmative defense. He said that is in the State Statute for tobacco and between now and the second reading, if it passes the first reading, we will likely suggest that gets put back in. That is a heads up just in case it doesn't come up at all. Mayor Gatt said then we will amend the second reading. Mr. Schultz said yes, unless he hears something different.

Member Casey wondered if anyone had contacted the Novi School District that we are proposing these changes because there is a section that will directly impact them. She understood that it is our responsibility to do, and wondered if there has been a courtesy conversation yet. Mr. Auger replied no. Member Casey asked if they could get that done by the second reading. She asked Mr. Schultz if he could give her a quick understanding if someone violates our ordinance, are they liable to be charged or perhaps eligible under state law as well as ours? Mr. Schultz said it could be one or the other. It can be written under state law or local law, but it wouldn't be written under both.

Mayor Gatt said the Ordinance Review Committee did many hours of discussion on this ordinance.

**Roll call vote on CM 19-07-140**

**Yeas: Poupard, Verma, Gatt, Staudt, Breen,  
Casey, Mutch  
Nays: None**

4. Approval of Proposed Water & Sewer Rate Resolutions for 2019 – 2020.

**CM 19-07-141            Moved by Verma, seconded by Gatt; CARRIED UNANIMOUSLY**

**Approval of Proposed Water & Sewer Rate Resolutions for 2019 – 2020.**

Member Mutch noted the relatively small increase in Water & Sewer rates this year. That hasn't been always typical in Novi. In Novi we have been fortunate to enjoy some fairly low rate amount. Every year you hear stories of communities having double digit. We are fortunate not to have to go through that this year. Thank you to staff and to council who had the wisdom a few years ago to invest in some facilities to help keep the rates down.

**Roll call vote on CM 19-07-141**

**Yeas: Verma, Gatt, Staudt, Breen, Casey, Mutch, Poupard,**

**Nays: None**

**AUDIENCE COMMENT: None**

**COMMITTEE REPORTS: None**

**MAYOR AND COUNCIL ISSUES: None**

**CONSENT AGENDA REMOVALS FOR COUNCIL ACTION: None**

**ADJOURNMENT** – There being no further business to come before Council, the meeting was adjourned at 7:08 P.M.

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Cortney Hanson, City Clerk

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Robert J. Gatt, Mayor

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Transcribed by Deborah S. Aubry

Date approved: August 12, 2019