

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, NOVEMBER 26, 2007 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE RD.
cityofnovi.org**

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

PLEDGE OF ALLEGIANCE

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

ALSO PRESENT: Clay Pearson, City Manager
Pamela Antil, Assistant City Manager
Tom Schultz, City Attorney
Rachel Zagaroli, Senior Services Manager
Rob Hayes, City Engineer

APPROVAL OF AGENDA

Mr. Pearson asked that Item E be removed from the Consent Agenda. He said it would ask Council to request the Clerk to send absentee ballot applications to a about 7,000 registered Novi voters, which was the practice in the past. However, this had been caught up in discussions from the Secretary of State, Chief Election Official of the State, as to the appropriateness of the unsolicited mailing of the absentee ballot applications. Late Friday there had been a directive from the Secretary of State to all Michigan Clerks that precluded the option of mailing any unsolicited absentee ballot applications. He noted Council had a memo from the City Attorney and he felt for those reasons they needed to withdraw Consent Agenda Item E. Mr. Pearson said they would still be able to send about 1,800 absentee ballot applications to people who had requested to be on the Clerk's permanent absentee ballot application list. He commented that Clerks around the State had been monitoring this, and suggested the Council ask the City Clerk's staff to write to their State legislators. He said there was legislation being forwarded to resolve this problem; however, until then it was necessary to not mail them out.

**CM-07-11-331 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:
To remove Item E from the Consent Agenda.**

Voice vote

**CM-07-11-332 Moved by Capello, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve the agenda as amended.**

**Roll call vote on CM-07-11-332 Yeas: Capello, Crawford, Gatt, Margolis, Mutch,
Staudt, Landry
Nays: None**

PRESENTATIONS

1. Recognition of Lynne Paul for her service on City Council

Mayor Landry recognized Lynne Paul for her service to the City of Novi. He said he first met Ms. Paul in the late 1990's while she was active in her subdivision and enlisted his aid to deal with an issue between the residents of her subdivision and the developer. She continued to be involved and was eventually appointed to the Planning Commission and later elected to City Council. She served on Council from 2003 to 2007, and the City was very lucky to have Ms. Paul represent all the residents of the City. He commented it was exactly because of service like hers that they had been able to achieve what they had as a City. Mayor Landry presented Ms. Paul with a vase and thanked her for her years of service.

Ms. Paul thanked Mayor Landry and said it had been a pleasure serving with all of Council. She wanted to offer words of encouragement for each of them. She said City Clerk Maryanne Cornelius' Department was so well run and her leadership was steadfast. Mr. Schultz was always there for the Council and was not afraid to speak out and advise Council when something was going wrong. Ms. Antil was a new and wonderful addition to the City and brought a lot of knowledge with her and was a great assistant to Mr. Pearson. It had been wonderful working with her. She wished Mr. Pearson luck in his leadership. She commented that initially she was reluctant to have someone without the previous experience she thought necessary but Mr. Pearson had proven her wrong and had done a really good job. She welcomed Member Staudt to Council and hoped he kept his passion of the parks with him. Ms. Paul hoped Member Crawford always remembered how important it was to the seniors that she was their voice and that their biggest concerns were of the City finances and raising of taxes. She said Mayor Pro Tem Capello had a lot of creative ideas and it was wonderful working with him. Ms. Paul said Member Gatt was always interested in public service such as police and fire and hoped he always stayed with those interests and the safety of Novi. She said Member Margolis had been successful in the Library Bond and she was happy for all of them and for the City most of all. Ms. Paul appreciated that Member Mutch brought a lot of information about grants to the City, his love for the parks and the environment. Last but not least, Mayor Landry's leadership had been very good and his biggest gift was how he could guide them all to a good motion and kept the Council focused during the meeting. She thanked them all for their good service and said she would look forward to seeing all the good things they did.

2. Mothers Against Drunk Drivers – Richard Rondeau

Sheryl Walsh introduced Vidhi Bamzai, Chair of the Novi Youth Council, who said they held their fourth annual "Addicted to Movies not Drugs" event on November 5th at the Emagine Movie Theatre at Fountain Walk. It was a sold out event with 500 students from Novi High School and from the feedback from students and employees of Emagine Theatre it was the best one yet. They could not have had it without the donations of the numerous Novi businesses who donated all the food, as well as their partners for the event the Novi Police Department, MADD, Providence Hospital and the DEA.

Mr. Rondeau said someone you love had been involved in a life threatening crash, and you need to go to the hospital immediately and they suspect that alcohol was involved. This message was received by someone over a thousand times a month in the U.S. He said a year

ago this month MADD initiated a campaign to eliminate drunk driving in the next ten years. The idea of eliminating a primary public health threat that had plagued the U.S. for almost 100 years seemed like an audacious idea, but today they had the ability to create an antidote and it was their responsibility to push this process forward. He said MADD's campaign did just that by focusing on four key elements.

1. Intensive high visibility law enforcement with the help of people like Chief Molloy and other law enforcement agencies around the country. This would detour future drunk drivers and stop them before they decided to get behind the wheel impaired. He said they knew it worked and when the public saw and heard about enforcement crack downs, including saturation patrols, they didn't drive drunk because they didn't want to get arrested. Subsequently, MADD supported drunk driving crack downs at key times during the year, like Labor Day, and the holiday season coming up as well as sustained enforcement efforts throughout the year.
2. Full implementation of current alcohol ignition interlock technologies for all convicted drunk drivers. The main reason people continue to drive drunk was because they could and because we let them. Research showed that the overwhelming majority of people arrested for drunk driving had driven drunk nearly 10 times before being caught. MADD believed, and 65% of Americans agreed, that first time offenders needed and deserved an alcohol ignition interlock. Although interlocks had been proven to be up to 90% effective while on the vehicle, it was estimated that only one out of eight convicted drunk drivers each year currently get the device. MADD was committed to increasing that number by pushing for a model law that would make ignition interlocks mandatory for all convicted drunk drivers. He said currently in the Michigan legislature House Bills 4289, 4920 and 4921 were going into the Senate. Mr. Rondeau said the representative for Novi was Senator Nancy Cassis. Senator Cassis needed to hear from each and everyone of us. When that bill came to the Senate her yes vote was needed on all issues.
3. Exploration and development of new vehicle based technologies to stop drunk driving. He said if they couldn't stop drunks from driving they needed to stop their vehicles from letting drunks drive. He said that was how they would ultimately eliminate drunk driving and the public was behind them by a 4 to 1 margin. Americans supported advances in a smart vehicle based technology to prevent drunk driving.
4. Mobilization of grass roots support was a must. He said they planned on maximizing public support by doing what they do best, making friends. Mr. Rondeau said throughout the Country MADD was building broad based support in order to push for comprehensive State level policies that would ensure that drunk driving was finally abolished in this Country. He said success would not be possible unless everyone did it together to push these policies forward. This meant everyone needed to push for mandatory ignition interlocks for convicted drunk drivers and demand high visibility saturation patrols. He said they know what worked and MADD's campaign to eliminate drunk driving focused on just those strategies. Drunk driving could and must be eliminated; failure was not an option.

Mr. Rondeau asked everyone to sign on to www.MADD.org and look for the link that said campaign and sign the pledge. He asked everyone to tell others about what they had heard tonight and share this important life saving message and send them the link to the web site. Contributions to MADD to help eliminate drunk driving, prevent underage drinking and to serve

victims of this violent crime were always greatly appreciated. He said drunk driving could literally be the public equivalent to polio, there is an antidote, there is a cure; please help in this cause. Mr. Rondeau left red ribbons, the visible sign of MADD, and asked everyone to tie one to the antenna of their car as a reminder to everyone to not drive drunk.

3. Community Assessment Survey for Older Adults Results – Thomas I. Miller, Ph.D. – National Research Center

Rachel Zagaroli, Senior Services Manager, introduced Dr. Thomas Miller.

Dr. Miller said he would talk about a unique survey that had been done in only four other communities around the Country. The survey was conceived by the National Research Center, which he represented, and was intended to assess the needs of older adults in Novi. He thanked Ms. Zagaroli for her assistance. He said we are all aging and what that meant to communities was that there would be a change in the needs for housing, transportation, recreation, health care, food and entertainment. He said the changing habits, interests and needs of seniors would have a large impact on the community.

The survey was from the perspective of older adults for whom services were being planned. While cities were realizing there was more they had to do, what they didn't realize was the best way to find out what needed to happen was to talk to the seniors. This survey was about what the seniors thought about the community itself and what they had to say about their own needs.

The survey was done by mail and was sent to about 1,200 adults 55 and older in the community, and there was a 50% response rate. The approximate goal for the survey was to give the City information for planning the long term goals and to help the City build and maintain. Dr. Miller understood Novi was on the cutting edge of how things were done for older adults in Novi, a vibrant older adult population. He said Novi was unique in that there was housing by the City for older adults and this spoke highly to the City's interest and activism on their behalf. There were 100 questions on the survey with about 40 of them related to how the community appeared to older adults in Novi, the questions were in two major parts and the first part was regarding the community's needs and strengths. They fell in the categories of health and wellness, community land use design, productive activities and information and planning. He said when looking at the population now and what it was projected to be, they saw that the population of adults 65 and older was going to increase by about 50%, going from about 11% of the community to about 15% from 2005 to 2015. The number of older adults would grow from about 4,500 to about 7,500 and would have a big impact on the community.

Dr. Miller said 45% of older adults had been in Novi for over 20 years, and almost all were registered to vote. A fifth of them were relatively low income, a third were over the age of 70, many of them were still working, and half were fully retired. He said the best rated services from the older adult perspective had to do with community land use and design, and convenience of travel to important destinations such as the doctors, grocery shopping, pharmacy, housing opportunities and ease of travel in the community. He said all of the community land use design ratings were quite strong at 76. Health and wellness opportunities were rated 71, opportunities for productive activities rated 63, and community information rated 50. All of these rating were based on a scale of 0 to 100.

They asked seniors about their needs regarding civic engagement and the percent with need was 80%, information and planning needs was 56%, housing needs was 35% and physical health needs was 32%. He said this didn't all fall on the local government as there were private sector opportunities to assist with the needs and improve the community. He thought it was terrific that the City and staff were eager to have a role in this but it shouldn't all fall on the local government.

Dr. Miller said in conclusion their recommendations were:

To increase participation of older residents in local governing and community decision making.

Actively Promote senior volunteerism

Consider community design and land use policy to "build community".

Increase public awareness of programs and services.

Develop a clearing house for all services offered to seniors in the community.

Offer information and planning activities on a large-scale.

Consider zoning that encouraged affordable housing options.

Develop programs that reduced housing costs.

Partner with developers and builders to provide affordable senior housing.

Actively promote good health practices.

Provide attractive fitness opportunities.

Promote active living communities.

Promote access to healthy eating choices.

Member Crawford praised the Administration for recognizing the importance of analyzing and planning how Novi's growing population of older adults could be better served. In 2005 there was a National Whitehouse Conference on Aging, which was only held every 10 years and she was a delegate appointed by Congressman McCotter. The entire conference was dedicated to the growing number of "boomers". The first wave of those 78 million "boomers" turned 60 two years ago. She said it was not enough to be aware of the demographics and it was critical that the City prepared for the impact of the demographic. Member Crawford hoped there would be some assistance in helping staff and Administration interpret Dr. Miller's findings from this study as well as the findings from other strategic planning. She thought it was disappointing that while 45% of the people had lived in Novi for 20 or more years, 86% of them didn't know anything at all about what the Novi Senior Center had to offer nor had they ever been there. She noted 74% had never attended a local elected officials meeting and didn't know what was going on and felt disenfranchised. She said many seniors didn't have access to Cable Channel 13 or the Internet but that would be changing with the new "boomer" demographic but she thought they had to get creative in their thinking about how the information reached older adults. She thought it was wonderful that Novi seniors provided \$30 million worth of volunteer work to the community. What a wonderful resource and they had never really talked much about how much seniors provided, especially in the climate in Michigan where economic stress was very high. She said they would be relying a lot more on seniors to keep this community in balance. She looked forward to seeing how the City used this data and how it was interpreted.

Member Gatt stated Novi had always been on the cutting edge in working and partnering with seniors. He said Member Crawford was one of the first people in the State or this area to specifically serve the senior community. The Police Department had partnered with the senior community for years giving talks on crime prevention and how not to become a victim of crime that older adults easily fell prey to. He thought Dr. Miller would find that Council and

Administration would work meticulously well together trying to service the older adult community. He believed the older adults were the backbone of the community and had made it what it was today, and the younger people would carry the ball forward and make it even greater. However, he felt the Council owed it to the older adults to give their all.

Member Margolis thought one of the hallmarks of this Council, Administration and staff was they were always asking for information to move forward, not just more senior services without knowing what that meant. She thought the need for civic engagement and information was very interesting and was heartened to see how many people had gone to the library because this Administration and staff had already started to look at how to provide senior services apart from the Senior Center. If one of their needs was information and they went to the library, what a great partnership because that was what libraries did best. She thought staff was great about looking at chances to share services. She would be looking at how to provide these services and opportunities in ways seniors would want to access.

Member Staudt said he wanted to look into the correlation between City Hall, the library and the Senior Center. He thought one of the issues might be a little bit of a disconnect in understanding that services were readily available at the Senior Center but perhaps not as readily available here. He said the Parks and Recreation counter was probably a good location for information but he wasn't sure people understood where to go, and would like to get some feedback on that from the survey. Secondly, he asked what they thought the two top characteristics were for the reason there was a 92% rating of quality of life versus 65% that the City was a good place to retire.

Dr. Miller said cost and cost. It was the kind of profile they saw in their general citizen surveys and he thought they saw it in the broad citizen survey done in Novi among all adults. In attractive communities, where housing costs were steep relative to surrounding areas, the quality of life could be seen as very positive but the idea that one could afford to retire in Novi seemed less likely. On the plus side, looking at the older adults, they don't have a growing negative perspective about this as a place to retire because they had found a way to make it work for them, those 75 and older. However, generally speaking, the level of taxes paid and the cost of housing to purchase and maintain were the kind of things that made retirement less likely in Novi. Member Staudt asked if there was any indication where seniors were going. Dr. Miller said there were no indications, and generally across the Country it showed that people wanted to "age in place".

Member Mutch asked if the other communities he mentioned were comparable to Novi, or was it a first round see how the survey worked situation. Dr. Miller said more the latter. The other communities were Dallas Texas, Delhi Township in Michigan, Walnut Creek California and Arvada Colorado. Member Mutch said then this wasn't a situation in contrast to the previous survey where Council could get any comparative data. Dr. Miller said Ms. Zagaroli thought, and he agreed, that if they could provide Council with the numbers from these other places, even though Dallas Texas was nothing like Novi in certain respects, in one respect it was very much like Novi, in that they were trying to provide programs and create policies that supported older adults. He thought how those programs and polices were perceived by older adults would be useful to give Novi a context, and said they could provide that.

Member Mutch said one of the breakdowns they were able to provide from the 2006 survey was geographic regions in terms of looking at the City in a geographic perspective then

providing survey results based along those lines. He asked if that was something that was available from this survey. Dr. Miller said no, they had not planned for that but it could be done in the future. Member Mutch said it was interesting to go back and look at the numbers in the 2006 survey because where there were questions that followed the questions Dr. Miller was asking they could see a close correlation between the responses people gave looking at age group responses to the responses received this time. He asked how much interplay there could be between the two surveys. Dr. Miller replied many of the questions, when broken out by age should be relatively close within the margin of error, barring any major changes that occurred over this period of time, which had not been great. He wouldn't expect there to be great differences and he didn't see a lot.

Member Mutch said while comparing the 2006 survey with this survey it was interesting to see that the issues Dr. Miller highlighted tonight, civic engagement, health care, housing and information, when presented in the context of a senior survey and presented in a context of ranking the needs from highest to lowest these certain needs jumped out as priorities. However, when talking about civic engagement and the fact that 94% of senior's registered to vote and 90% of them voted, he felt that would be one element of civic engagement and they would be hard pressed to push that number much higher. He said the City had limited resources and they were trying to meet the needs of all age groups and obviously senior residents were an important growing component of that. However, if talking about who watched these meetings on TV, the 2006 survey said 76% of people 65-75 years old had watched the meetings. He said compare that to the 24 to 35 year old population, which was 25 or 26%. He said if he asked the City Clerk where they needed to focus the voter outreach, it didn't seem like the senior population was the greatest need. However, if only utilizing the survey it created the impression that there was a greater need, if they didn't have the context of the community wide survey. He asked if there was anyway to bring this information together, with the survey of 2006. Dr. Miller thought it was not staff's intention or his to suggest there was any advocacy intended with this survey trying to identify ways to keep older adults independent and active members of the community. He said younger adults of communities all across the Country were not participating in terms of civic engagement or voting. Their participation was much less than older adults. He said what they meant by civic engagement was to include things like joining a club, volunteering or getting out and doing things that provided some kind of social context and build on the social capital. He said in the absence of that kind of opportunity, as the friends and relatives of older adults died they were more likely to be isolated and to have to deal with depression, etc. In a way the consequences of civic engagement failing had a greater monetary impact for older adults than younger. He said the trade off, from the community's perspective, about where to invest limited resources rested on Council's shoulders and the head of staff. So, it was a good point about trying to integrate these two and they could think about it more than they had. Dr. Miller said it made sense to think about the 2006 survey and this survey in concert to see if there were synergies of the two sets of data that build on the other, or maybe there was some conflict that needed to be understood and resolved. He thought it was something that as staff moved forward and to the extent that he was asked to participate, it would be a very useful exercise to think about how these two sets of data ought to play together to move forward so that all the information was actionable.

Member Mutch said his final comments on the survey results and the Council as they move forward would be to make sure that they don't get into pigeon holing senior residents of Novi into a certain mold. He thought Dr. Miller had highlighted issues that were unique to senior

residents generally, and those were areas the City could focus on. However, when they talk about things like civic engagement, good land use planning, public health, one of the things that stood out in the 2006 numbers was that there was a 30% gap to the negative in 18 to 24 year olds perception of their public health accesses compared to the seniors. If identifying public health needs as something senior residents need, it was a need that a lot of residents had. He thought the 18 to 24 year olds were facing some of the same challenges, and obviously housing costs were very high and if just starting out, Novi was not a place they could afford to look at. He thought if they went back and looked at the numbers, they would see that the impact and benefit would be much broader than a specific age group or demographic in the community.

Mayor Landry asked if the results of the survey would be available on the City website. Mr. Pearson said the entire report was already on the website. Mayor Landry agreed with the comments of the previous speakers who commended Ms. Zagaroli and the Administration. Mayor Landry said one of the aspects of this Administration that he was very proud of was they were constantly re-evaluating. This survey was a perfect example of the City's reassessment, review and re-evaluation to keep up with the needs of the citizens.

REPORTS

SPECIAL/COMMITTEE - None

CITY MANAGER - None

DEPARTMENTAL - None

ATTORNEY - None

AUDIENCE COMMENTS

Carol Crawford, 22135 Beck Road, thought that the real problem the City had, regarding seniors, was it didn't have proper public relations. She said seniors knew there was a senior citizens place and that Member Crawford was there, but that was all they knew. She said seniors received a brochure from the Library about their activities and felt if seniors were given funds, they could also send out brochures about their activities. She said phone calls to seniors would be wonderful too because it was much more special to receive a call from someone. She also felt that a swimming pool was very important for senior therapy and exercise. She thanked Member Paul for her years of service, and was happy to see two women still on Council. She said Ms. Uglow did a wonderful job with the neighborhood leadership workshops; they were extremely informative and she also enjoyed meeting other residents. She hoped there would be more money for Ms. Uglow to run more of the workshops.

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

**CM-07-11-333 Moved by Capello, seconded by Staudt; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as amended.**

Roll call vote on CM-07-11-333

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

- A. Approve Minutes of:
 - 1. November 13, 2007 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of November 26, 2007 in the Council Annex for the purpose of discussing pending litigation and privileged correspondence from legal counsel.
- C. Approval to award a contract for design and construction engineering services for the 2008 Pathway Construction project to Stantec Consulting Michigan Inc. for a not-to-exceed design fee of \$14,500 and a construction engineering fee equal to a fixed 7.0% of the estimated construction cost (estimated to be \$11,200) for a total of \$25,700.
- D. Approval of Resolution regarding Temporary Holiday Promotional Signage allowing temporary relief from Sign Ordinance from November 29 through December 27, 2007.
- F. Approval of a contract extension to URS Corporation to provide additional engineering services for the 2007 Neighborhood Streets Project - Phase II in the amount of \$25,500.
- G. Approval to set Monday, December 10, 2007 at 6:00 p.m. as a Special City Council Meeting date to conduct 2008 Goal Work Session.
- H. Approval of Claims and Accounts – Warrant No. 757

MATTERS FOR COUNCIL ACTION – Part I

- 1. **Approval to rescind the Completion Agreement for SP#03-46 Provincial Glades RUD between the City of Novi and Provincial Glades, LLC and to postpone this matter pending completion of a property transfer by Pinnacle-Nov, LLC in accordance with the requirement of Chapter 26.5.**

**CM-07-11-334 Moved by Capello, seconded by Margolis; CARRIED UNANIMOUSLY:
To rescind the Completion Agreement for SP#03-46 Provincial
Glades RUD between the City of Novi and Provincial Glades, LLC and
to postpone this matter pending completion of a property transfer by
Pinnacle-Nov, LLC in accordance with the requirement of Chapter
26.5.**

Mr. Pearson said the Council had given a 15 day extension because of property ownership transfer issues, and they needed a little more time.

Mayor Landry asked why they were rescinding it instead of extending it. Mr. Schultz responded that the property ownership was going to change hands. He said they would end up bringing back an agreement with an entirely different entity that apparently already had an agreement in place but had not closed on it yet. He thought the staff's conclusion was to make

the prior developer go through and execute this document, which had things in it he already said he couldn't do when there was someone waiting in the wings, who they had met with and who said they were willing to sign it, if a couple of changes were made. Mr. Schultz said the changes had been made and there was nothing that was going to expire in terms of a financial guarantee already posted at this time.

Mayor Pro Tem Capello said Pinnacle was on board with what they were doing and he didn't want them to back out because they thought Council was entering into an agreement, and now they're not. Mr. Schultz said correct, and what he had was a series of conversations and a letter saying they were interested but needed to close first. He said he didn't blame them for not being willing to sign it until they had some closure.

Roll call vote on CM-07-11-334 **Yeas: Gatt, Margolis, Mutch, Staudt, Landry, Capello, Crawford**
Nays: None

- 2. Consideration of acceptance of Summerlin of Novi streets and adoption of Act 51 New Street Resolution accepting Summerlin Boulevard, Tiverton Drive, Larkspur Lane, Lindbergh Lane, Cobblestone Drive, and Lagoon Drive as public, adding 2,212 feet or 0.42 miles of roadway to the City's street system, Summerlin of Novi is a site condominium development located in Section 3, east of West Park Drive and south of Pontiac Trail.**

Mr. Pearson pointed out that Member Mutch caught that they should have made it explicit in the agenda that this was also accepting additional R.O.W. on West Park Drive. He said it was in the legal description and asked that this information be included in the motion.

CM-07-11-335 **Moved by Mutch, seconded by Capello; CARRIED UNANIMOUSLY:**
To accept Summerlin of Novi streets including West Park Drive Right of Way and adoption of Act 51 New Street Resolution accepting Summerlin Boulevard, Tiverton Drive, Larkspur Lane, Lindbergh Lane, Cobblestone Drive, and Lagoon Drive as public, and additional Right of Way on West Park Drive, adding 2,212 feet or 0.42 miles of roadway to the City's street system, Summerlin of Novi is a site condominium development located in Section 3, east of West Park Drive and south of Pontiac Trail.

Roll call vote on CM-07-11-335 **Yeas: Margolis, Mutch, Staudt, Landry, Capello, Crawford, Gatt**
Nays: None

- 3. Consideration of Zoning Ordinance Text Amendment 18.217, to amend Ordinance No. 97-18. as amended, the City of Novi Zoning Ordinance, at Article 25, General Regulations, Section 2520, Exterior Building Wall Façade Materials. First Reading**

Mr. Pearson said they had looked at the façade and materials as part of updating the ordinances and brought recommendations to the Planning Commission. He said the recommendations of the consultants recognized several material types that were not available

when the façade ordinance was first passed. They also discussed changing some of the ratios and invited participation and comments from the development community. The Planning Commission held their public hearing and they were making a favorable recommendation to Council to adopt the first reading.

Mayor Pro Tem Capello asked if there were any samples of new façade materials Council could see.

Mr. Nietzsche spoke about the new proposed facades and showed samples to Council. He said the product he was showing was a manufactured stone product called Glass Reinforced Concrete. It was about $\frac{3}{4}$ of an inch thick and was used to simulate limestone and was less costly. The next sample was Cast Stone, which was a man made cement product but was a little thicker and didn't have the glass reinforcement. It was meant to simulate limestone at a little less cost. The next sample was one that they had a lot of Section 4 or 9 waivers on and was a cement brick but with a color to simulate brick. He said rather than being 8' by 16' in size it was 4' by 16', which tended to look more like brick, and was just a housing revision so they had fewer waivers. Next was a panel brick, a product that had not been very successful. He said they added that to the façade chart with a percentage of zero in region one and said that discouraged this material in region one, but allowed it in regions two and three.

Mayor Pro Tem Capello thought they had approved the larger red brick ten years ago. Mr. Nietzsche said it was allowed in some regions up to a certain percentage. He said they had added it as a more acceptable material in region one. They had approved it routinely but a special waiver had to be applied for, which was an extra step they were trying to avoid. He said this would add it as an acceptable material. Mayor Pro Tem Capello asked what caused the appearance of lines every so many feet on Walgreens brick at Ten Mile and Novi Rd. Mr. Nietzsche said after Walgreens was erected it was discovered that the lots the brick came in weren't the same color, so there was kind of a splotchy look on that building. In order to bring it into uniformity they put a special dye on the brick, and he thought the stain was due for another coat as it was not a life long product. Mayor Pro Tem Capello asked if the panel brick they were proposing would give a building that kind of a look. Mr. Nietzsche said what they were proposing was to discourage that product because the panel brick had not been successful for the reason mentioned. For example, the Emagine Theatre had panel brick and if looking at the building close, they would see that the joints were beginning to deteriorate already and there was a lifting of panels. Mayor Pro Tem Capello asked if they were suggesting more or less panel brick. Mr. Nietzsche said less and not at all in region one.

**CM-07-11-336 Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve the first reading of Zoning Ordinance Text Amendment
18.217, to amend Ordinance No. 97-18. as amended, the City of Novi
Zoning Ordinance, at Article 25, General Regulations, Section 2520,
Exterior Building Wall Façade Materials with the idea that panel brick
would be reconsidered in any of the areas.**

DISCUSSION

Member Margolis referred to Article 13 where it talked about when one building went into a development and used higher quality materials than required by the ordinance, then other buildings in that same development would also have to use higher quality materials. She was

concerned because the wording seemed open to a lot of interpretation. Mr. Nietzsche said the idea came from the Similar/Dissimilar Ordinance or residential. The basic thrust of that ordinance was that the homes within an existing subdivision sort of set a standard and all the others coming in had to meet that standard. He said that was entirely lacking in the commercial façade ordinance. He said the intent was it would allow him, as a consultant, to make a statement in their recommendation letter as to whether they thought a building was consistent and within the context of an existing subdivision or not. This paragraph would give them the ability to say they felt they had not met the standard and then the Planning Commission could take that as an issue and discuss it with the applicant. Member Margolis said this had not existed before, and Mr. Nietzsche said it did not. He said the ordinance was quantitative and it's the use of percentages on the chart and this departed from that and gave a kind of subjective realm here, but they didn't know how else to do it. They felt it needed to be said but they didn't want to go into an elaborate separate formula to enforce it. Member Margolis said this was brought up in the cost letter that this might end up costing developers more to build. If their neighbor decided to go granite on the outside of his development, then they were setting a standard that they had to match. She felt if the standards were met by a developer, and a neighbor put granite on his building then that was up to him. She said she would support the first reading.

Member Mutch asked if there were any façade materials they were asked to consider that were not included. Mr. Nietzsche said he couldn't remember any. He said there was also a change in that the chart allowed different types of concrete block to be used as different materials. They patched that hole by adding a footnote saying they were all basically the same material, even though they were on a separate line of the façade chart. Member Mutch asked, percentage wise, how many Section 9 waiver requests these revisions would eliminate. Mr. Nietzsche said about 20 to 30 percent. Member Mutch said looking at that section, he didn't see the language as necessarily falling into the context of somebody then having to request a Section 9 waiver to get approval. Mr. Nietzsche commented that the paragraph came out of two applications that they were embroiled in while doing the façade amendments. In both cases, the applicant understood and met the challenge after talking with the Planning Commission; there was some give and take and that was what they wanted to happen. Member Mutch thought this struck the right balance, gave them the ability to raise the issue in the context of the review, but was not a sharp line that would be a stick, but was more of a carrot in this situation. He thought this approach was the right way to go. Any ordinance change that would result in significant reductions in the amount of appeals and that uncertainty, those changes alone would be reason to move this forward.

Roll call vote on CM-07-11-336

**Yeas: Mutch, Staudt, Landry, Capello, Crawford,
Gatt, Margolis**

Nays: None

AUDIENCE COMMENTS - None

MATTERS FOR COUNCIL ACTION – Part II

4. Appointments to Boards and Commissions

Mayor Landry offered David Greco for appointment to the Planning Commission.

**CM-07-11-337 Moved by Gatt, seconded by Staudt; CARRIED UNANIMOUSLY:
To appoint David Greco to the Planning Commission.**

**Roll call vote on CM-07-11-337 Yeas: Staudt, Landry, Capello, Crawford, Gatt,
Margolis, Mutch
Nays: None**

Mayor Landry commented that the Economic Development Corporation had a vacancy for a term expiring March 1, 2011. He said at this time, he would not bring forward a name. The EDC was revitalized last year and Ara Topouzian was added as the Economic Development Director. Mr. Topouzian was due to give Council a report on economic development and the various roles that the different commissions and Administrative staff had, and he would prefer to wait until that report was received by Council. Mayor Landry said Mr. Topouzian was hired to spearhead the EDC, and he wanted to hear his suggestions for the economic development of the City.

Planning Commission – David Greco
Beautification Commission – Kalyani Kammanadiminti, Jason Weiss
Board of Review – Marjorie Nanian, Alternate – David Ghannam
Election Commission – Pam Superfisky
Historical Commission – Roy Prentice
HCD – No Appointment
Public Access Promotion – No Appointment
Stormwater Management & Watershed Stewardship – Melissa Pettijohn, Raymond
Soeters and John Szwest
Zoning Board of Appeals – Linda Krieger and Mav Sanghvi, Rickie Ibe as Alternate

5. Consideration of award of a contract for design engineering services for the Eleven Mile Road/Meadowbrook Road Signalization project to Stantec Consulting Michigan, Inc. for a not-to-exceed design fee of \$18,500.

**CM-07-11-338 Moved by Gatt, seconded by Margolis; CARRIED UNANIMOUSLY:
To award contract for design engineering services for the Eleven
Mile Road/Meadowbrook Road Signalization project to Stantec
Consulting Michigan, Inc. for a not-to-exceed design fee of \$18,500.**

Mayor Pro Tem Capello said it seemed that they had not determined yet whether to use the overhead wires to support the signalization or use the arms like the ones on Grand River, correct? Mr. Hayes said correct, it was part of the design and the consultant would evaluate the cost of the mast arms versus the boxed span wire configuration that the County required. Mayor Pro Tem Capello commented the only road improvements they would do was to widen it to create a left turn lane. Mr. Hayes responded yes, on the east leg of the intersection. Mayor Pro Tem Capello asked why \$2,800 for soil borings was spent. Mr. Hayes said relative to the other consultant's fees it was in line, but in order to set the bases for the posts, whether mast arm or boxed span wire, they would have to have borings to verify the soil conditions. Mayor Pro Tem Capello asked if that was a fixed fee, or would the City pay the actual cost. Mr. Hayes said it was a not to exceed fee, so the City would pay the actual costs up to that amount.

Roll call vote on CM-07-11-338

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

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

MAYOR AND COUNCIL ISSUES - None

AUDIENCE COMMENTS - None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 8:32 P.M.

David Landry, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Charlene Mc Lean

Date approved: