

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, MAY 4, 2009 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 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 Burke, Crawford, Margolis, Mutch, Staudt

**ALSO PRESENT:** Clay Pearson, City Manager  
Pamela Antil, Assistant City Manager  
Tom Schultz, City Attorney

**APPROVAL OF AGENDA**

**CM-09-05-062 Moved by Crawford, seconded by Gatt; CARRIED UNANIMOUSLY:  
To approve the Agenda as presented.**

**Roll call vote on CM-09-05-062 Yeas: Gatt, Burke, Crawford, Margolis, Mutch,  
Staudt, Landry  
Nays: None**

**PUBLIC HEARING - None**

**PRESENTATIONS**

**1. Proclamation – May is Mental Health Month; Kathleen Kovach, Deputy Executive Director, Oakland County Community Mental Health Authority**

Mayor Landry presented a proclamation to Kathleen Kovach for May is Mental Health Month, calling upon residents, government agencies, public and private institutions, businesses and schools to recommit the City to increasing awareness and understanding of mental illness and the need for appropriate and assessable services for all people with mental illness.

Ms. Kovach, Deputy Director of the Oakland County Community Mental Health Authority, accepted the proclamation. She said the Community Mental Health Authority was the public mental health system for Oakland County. She said they appreciated the City of Novi assisting them in educating the community of the importance of mental health and issues related to mental illness. She advised persons who needed more information about the Community Mental Health System in Oakland County to call the Resource and Crisis Hot Line at 1-800-231-1127. She said this resource was available seven days a week and 24 hours a day. Ms. Kovach said people could also access their web site at [www.occmha.org](http://www.occmha.org). She thanked the Council for the proclamation.

**REPORTS**

**1. MANAGER/STAFF - None**

**2. ATTORNEY - None**

**AUDIENCE COMMENT – None**

**CONSENT AGENDA REMOVALS AND APPROVALS (See items A-L)**

**CM-09-05-063`      Moved by Crawford, seconded by Gatt; CARRIED UNANIMOUSLY:  
To approve the Consent Agenda as presented.**

**Roll call vote on CM-09-05-063      Yeas: Burke, Crawford, Margolis, Mutch, Staudt,  
Landry, Gatt  
Nays: None**

- A. Approve Minutes of:
  - 1. April 20, 2009 – Special meeting
- B. Enter Executive Session immediately following the regular meeting of May 4, 2009 in the Council Annex for the purpose of discussing pending litigation, labor negotiations and privileged correspondence from legal counsel.
- C. Approval of the Administrative Board of Appeals decision to change street name in the Main Street area, from Market Street to Main Street.
- D. Approval to award a service contract for the Sanitary Sewer Televising and Cleaning to Metro Sewer Cleaners/Metro Environmental Services, Inc., the lowest qualified bidder, in the amount of \$18,125.
- E. Approval of construction cost share amount of \$17,300 for the mast arm signal reconfiguration at the corner of Beck Road and Grand River Avenue per the cost share agreement with the Road Commission for Oakland County.
- F. Approval of construction cost share amount of \$12,890.51 for the signal improvement project at the intersection of Beck Road and Eight Mile Road per the cost share agreement with the Road Commission for Oakland County.
- G. Approval of Intergovernmental Agreement between Oakland County and the City of Novi for the 2009 Federal Bureau of Justice Edward Byrne Assistance Grant.
- H. Approval to award 2009 Tree Inventory and GPS Acquisition Contract to ArborPro Inc., the lowest qualified bidder, based on unit pricing, for a total estimated amount of \$40,000.
- I. Adoption of MERS Revised Uniform Defined Contribution Program Resolution for the Fire Fighters Local 3232 Division 5 (effective for all employees hired after June 1, 2009).
- J. Adoption of Resolution to Amend the VantageCare Retirement Health Savings (RHS) Program to include the Fire Fighters Local 3232 Division 5 (effective for all employees hired after June 1, 2009).

- K. Approval of resolution for changing MERS benefits for the Fire Fighters Union Local 3232 Division 5, pursuant to the contract approved March 9, 2009 for purposes of computation of final average compensation.
- L. Approval of Claims and Accounts – Warrant No. 792

**MATTERS FOR COUNCIL ACTION – Part I**

**1. Appointments to Youth Council and Boards and Commissions.**

Maryanne Cornelius, City Clerk, read the results of Council's vote on Youth Council and Boards and Commissions. The following were the results for the Novi Youth Council appointments:

Marianne Caddy	Suzana Pratt
Ekene Mozie	Rachel Staudt
Janani Naidu	Vishnu Venugopal
Rubini Naidu	Alison Widner
Matthew Nicholas	(Lily) Xiac Zhang

Clerk Cornelius said the remaining appointments would be announced later.

- 2. **Consideration of Zoning Ordinance Text Amendment 18.236, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance, at Article 34, Amendments to Ordinance, Section 3402, Planned Rezoning Overlay (PRO) at Section 3402.B, Definitions and at Section 3402.D.3, Approval of Rezoning with Planned Rezoning Overlay, in order to clarify the timeframe and the standards for approval of an extension to a rezoning with Planned Rezoning Overlay. First Reading**

**CM-09-05-064** Moved by Margolis, seconded by Gatt; **CARRIED UNANIMOUSLY:**  
To approve Zoning Ordinance Text Amendment 18.236, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance, at Article 34, Amendments to Ordinance, Section 3402, Planned Rezoning Overlay (PRO) at Section 3402.B, Definitions and at Section 3402.D.3, Approval of Rezoning with Planned Rezoning Overlay, in order to clarify the timeframe and the standards for approval of an extension to a rezoning with Planned Rezoning Overlay. First Reading

**Roll call vote on CM-09-05-064**

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

Mayor Landry said the Administration had been looking at a number of City Ordinances in an effort to update them. He said they were always trying to keep the ordinances fresh and especially the time requirements as they were benchmarking against other communities. He said they were also trying to recognize, with respect to the economy, that some of these

development's approvals were given some time ago and they were trying to be cognizant of what was going on around them now. Mayor Landry said Council specifically tasked the Administration to constantly look at the ordinances to make sure they were up to date; so, that was why several ordinance amendments were coming before Council.

**3. Consideration of Ordinance 09-104.07 to amend Chapter 21, "Nuisances" of the City of Novi Code, to shorten the notice requirements for allowing the City to abate certain nuisances from fifteen to ten days, and to add a new Section 21-38 providing for a new voluntary graffiti abatement program. First Reading**

Mr. Pearson said they were looking at the ordinances and had looked at other communities. He said the National Citizen Survey was the impetus for looking at some of their perceptions of code enforcement. These were not big issues for them, ten days was certainly reasonable and he felt this one in particular was one they could make a difference with. He said they recommended these, which were in keeping with what a lot of other people were doing. Mayor Landry said this was another example of why the City did the surveys; it was because they got the results, looked at them and tried to follow up as best they could with the ordinances.

**DISCUSSION**

Mayor Pro Tem Gatt said it was also another example of what they had talked about at goal setting sessions in January and now they were following through.

**CM-09-05-065 Moved by Burke, seconded by Margolis; CARRIED UNANIMOUSLY: To approve Ordinance 09-104.07 to amend Chapter 21, "Nuisances" of the City of Novi Code, to shorten the notice requirements for allowing the City to abate certain nuisances from fifteen to ten days, and to add a new Section 21-38 providing for a new voluntary graffiti abatement program. First Reading**

**Roll call vote on CM-09-05-065**

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

**4. Provide direction to staff regarding the submission of the City's Energy Efficiency and Conservation Block Grant (EECBG) Application in the amount of \$533,100.**

Mayor Landry said this was a little unusual as it was coming to Council as a work in progress. He said the City had been notified that it was a community of a certain size and would receive a block grant from the Federal government for these purposes in the amount of \$533,100. He said they would get the money and how they used it, within the parameters, was a matter of Council's discretion. He said staff wanted to check in with Council to see if they had any ideas about the methodology, and how projects were selected. Mr. Pearson said they didn't want to spend a lot of time developing a grant application or completing the paperwork, if Council had completely different ideas about how to use the money. Mr. Pearson said Ms. Antil was the expert and several staff members had been involved to become smarter about the requirements of this grant. He said they were recommending that Council look at going in the direction where they could get the maximum use for Novi projects. He said the first

requirement they had to fulfill was to do an energy study and analysis. However, the rest were really a matter of preferences and how Council saw them going about selecting the projects. Mr. Pearson noted they could apply for the monies or say how they were going to use them and once the study results were back, they could go back and amend the details of that.

Member Staudt said he would like to see a non-motorized master plan done using some of the proceeds. He thought it was appropriate with the current Master Plan revisions to pursue this and these were the right type of funds to use for it. Member Staudt said it was a one time study that would carry on for many years and give them a lot of direction, and it appeared that it was something that would be eligible under this grant.

Member Margolis said in terms of prioritizing, there was some indication that some of these were on the CIP, and she would be interested to know which ones they were for future consideration. She said a lot of these were proposals to retro fit and upgrade facilities for energy efficiency. She asked if they had any indication, before they made the decision, on how much energy they thought would be saved, what the payback was on some of these, some prioritization of the upgrades on the buildings and what were the most important things that needed to be done now. Member Margolis wondered if the idea of the non-motorized master plan could be folded into the Energy Efficiency and Conservation Strategy Study. She asked if they were required to use \$80,000 for this study. Ms. Antil said they plugged in \$80,000 but had not sent out an RFQ yet; so they just put that in as a plug number. Ms. Antil commented she saw no reason why they couldn't add that. She said all of these projects with the exception of the solar energy, which was the only one that they weren't sure how the Council would feel about as a policy matter or the cost of what that would be, but even if they added that up, they would have about \$73,000 left. So, she thought there was no reason they couldn't fold that into the overall consulting costs. Member Margolis thought if they were going to bill themselves as kind of a center of energy economic activity through some of the businesses in Novi, it wasn't a bad idea to explore. She said she would like to see a portion of this go towards actually building pathways and pedestrian walkways. She thought that was really important.

Member Mutch said when he looked at the funds that had come forward from the Federal government, he had two priorities. He said one was to try to focus money on projects they wouldn't otherwise be able to fund or the kind of projects they had not had a chance to fund in the past. He thought a couple of these projects fell right in line with that. Member Mutch said the other priority was to focus on projects that would have an immediate payback in terms of energy efficiency. He said looking at these projects, prioritizing them in terms of building improvements, and looking at the ones that would generate an immediate payback and hopefully in the short-term pay for themselves. He thought that was one of the primary goals for this funding. Member Mutch said one project he didn't see that was listed in the CIP was Staff Project 126, which was the lighting replacement of the fixtures in the offices and reception offices in the Civic Center. He said it was budgeted for next year for \$75,000 and it was indicated that once those light fixtures were replaced there would be an immediate savings with the reduction in energy costs. He said he would like to see that project reviewed to see if it would fit in. Member Mutch said he would also echo what Member Staudt said about the non-motorized transportation master plan, which had been a project a couple other communities had looked at funding through these funds. He said the payback for the City would be the ability to get grant funding down the road because a master plan would be in

place. He said there were a number of different planning efforts that they had done, including the Prioritization Plan, but it didn't cover every aspect of the non-motorized transportation system. Member Mutch said he and Mr. Hayes had some email conversations about one of the areas they needed to address, which were standards for sidewalks and bike lanes. He said staff just didn't have the resources to be able to address these because they were busy with a lot of other projects, including the Federal Stimulus road projects. He said if they could get some of that work done through a grant and a study using these funds, he thought it would move them a lot further down the road. He agreed with Member Margolis that out of this money he would like to find a project or two that would highlight some alternative energy usage whether it was a solar project or a small scale wind turbine that ran between \$10,000 and \$15,000 each. He thought they wanted to demonstrate to the community that they were looking for innovative ways to generate and save energy. He thought with prioritization from Administration they would have a better idea of how far these funds had to go.

Member Crawford commended the staff for being so quick and proactive. She said they were working on energy audits and were already thinking about things they would like to do; so she thought they were ahead of the game. Member Crawford thought it was great that they always applied for more money than they were eligible for. She said two years ago she talked with staff at the DPS facility and she heard all of the needs that existed there. She thought when they built that building they weren't thinking about the combination of some departments, or moving some departments and staff over there like they had just done. She said she was happy to see the DPS facility in the grant application process. She also thought the retro fits were really important and she was all for doing the pathways, pedestrian walkways. She said she hoped they had enough money for the software to capture the energy efficiency data too.

**AUDIENCE COMMENT - None**

**MATTERS FOR COUNCIL ACTION – Part II**

**COMMITTEE REPORTS - None**

**MAYOR AND COUNCIL ISSUES - None**

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

**AUDIENCE COMMENT – None**

Mayor Landry said Clerk Cornelius had the remaining results of the youth members on boards and commissions.

Clerk Cornelius announced the appointments to boards and commissions:

Eugene Song	Historical Commission
Emily Bank & Shital Chauhan	Library Board
Kate Kerbrat	Parks & Recreation

Clerk Cornelius said there was no clear winner for Housing and Community Development. Mayor Landry said they would re-vote on HCD.

Council adjourned to Executive Session.

**ADJOURNMENT**

There being no further business to come before Council, the meeting was adjourned at 7:23 P.M.

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David Landry, Mayor

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Maryanne Cornelius, City Clerk

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Transcribed by Charlene Mc Lean

Date approved: May 18, 2009