

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JULY 20, 2009 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 Burke, Crawford, Margolis, Mutch, Staudt

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

APPROVAL OF AGENDA

**CM-09-07-101 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve the Agenda as presented.**

Voice Vote

PUBLIC HEARING

PRESENTATIONS

1. Introduction of Jean Meyer, R.N., M.S.N. – Providence Park Hospital President

Lou Martin of Providence Park Hospital was present to introduce the new president of Providence Park Hospital, Jean Meyer. Mr. Martin said Providence was fortunate to come to Novi in the late 70's and the hospital had gone through several transitions and had built up along the way. He said every step of the way they had enjoyed great community support from the residents and Councils. He said they felt very blessed to be in Novi and the employees felt very blessed to have the new president, Jean Meyer. He said she came to Providence Park with a background in nursing and was the Chief Nursing Officer for St. John Health. He noted that St. John Health was their parent company of which there were seven hospitals in southeast Michigan. The largest parent was Ascension Health of which they were the largest non profit health system in the United States. He said Ms. Meyer in her role of Chief Nursing Officer over seven hospitals had quite a task and then went into the role of interim Administrator for Providence Park and had now been named President of Providence Park. He said they were very proud of her because she had the clinical background, which gave them respect for her and they were motivated by her because she was a great leader.

Jean Meyer said she had been president for the past three months and was thrilled at the partnership they had with the Novi community, businesses and the school system with their hospital. She said Providence Park was very successful and had been open about ten months and they were looking at over 11,000 admissions over the next year, over 42,000 ER visits and they employed about 1,200 full time staff members. Ms. Meyer said they had doubled most of their matrix since they opened. She said it was great working in an organization that was new, clean and with great technology but the bricks and mortar were a small piece of what they did. She said her passion was instilling the compassion and the passion in their staff for patients.

She said she received letters every day from patients thanking her for their care, how they made them feel as a patient and how they cared for their families. She said they were truly focused on customer service and it was what would set them apart. Ms. Meyer said the other factor that would set them apart was the fact that safety was the number one goal with patients, as it had been in the forefront since the hospital was conceived. They had all private rooms, which was also a safety factor. She said having been a nurse for many years, when there were two patients or more in a room the chances of medication errors went up and the infection control issues were often much more complex. She said Providence Park was also acuity adaptable, which meant at any one time all 200 beds of the hospital could be intensive care level beds. She said every time a patient moved in a hospital, and the average patient moved about three or four times per hospital stay, it increased the length of stay and increased error by about 30%. So the safest thing for a patient was to not move out of their room. So, for those patients a little too sick for medical units but not sick enough for intensive care were cared for on the medical floors. They brought the care to the patients, staffed up accordingly and had the staff trained appropriately to care for those patients. She said they had wireless communication devices for staff, which improved communication and supply closets outside every other patient room. Ms. Meyer said studies had shown that a nurse spent 30% of her time hunting and gathering for things so the better they could make communication and equipment closer to the nurses and the staff, the better it was for their stations. They also had centralized telemetry, which meant if there was a patient who needed a cardiac monitor, not only were they monitored in the local unit but someone was available on site 24-7 who did nothing but watch cardiac monitors. She said any change in rate or rhythm was caught instantly and they could do interventions. Ms. Meyer said from an economic perspective hospitals were not immune from the impact of poor economies. She said many patients put off elective surgery because they had no insurance, or high deductibles and co-pays or they didn't feel safe taking off four to six weeks of work because their employer might think if they could be gone that long, maybe they weren't needed. She said there were also decreases in many of the screenings such as mammograms and colonoscopies and then saw problems two or three years down the road when they had malignancies that could have been caught earlier. She said they were trying to develop a campaign for patients to go and get their screenings. She said she talked to many primary care physicians who say the number one reason patients were seeing them was for medications. They would come in with six medications and say they couldn't afford them and ask which ones they could stop taking or take every day or which ones had generics. Ms. Meyer said their physicians all wanted to work with patients to make sure they were taking the right medications, at the right time. She said many of their primary care doctors said they tell their patients to come in and they would waive the co-pay and tell them they could pay when times were better, but don't not come in if they need a check up. Ms. Meyer said in the ER they saw patients who should have gone to their primary care doctors for very minor types of things. Then others wait so long to come to ER that by the time they came in they were very, very sick.

Ms. Meyer commented that they were fortunate that their parent company, St. John Health System, ended their fiscal year in the black this year, which was not very common for a health care system in southeast Michigan to do. She said in the budget going forward, she had between \$25 million and \$30 million of uncompensated care knowing that they never turn anyone away. She said their mission was to support the poor and vulnerable, which their Catholic Health Ministry would continue to do. She commented she considered the hospital and Novi true partners and thanked Council for the opportunity to serve the community.

Mayor Landry welcomed Ms. Meyer to Novi and said they were pleased and proud to have her. He said his wife was a nurse and for over 20 years he had listened to her say that if a nurse ran this hospital they'd really show them what patient care was all about. Ms. Meyers said yes, that's right. She said she was an oncology nurse for 20 years and was proud of her background as it gave her a great perspective on patient care and where priorities needed to be.

REPORTS

1. **MANAGER/STAFF - None**

2. **ATTORNEY - None**

AUDIENCE COMMENT - None

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

**CM-09-07-102 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as presented.**

**Roll call vote on CM-09-07-102 Yeas: Landry, Gatt, Burke, Crawford, Margolis,
Mutch, Staudt
Nays: None**

- A. Approve Minutes of:
 - 1. July 6, 2009 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of July 20, 2009 in the Council Annex for the purpose of discussing pending litigation, labor negotiations, City Manager and City Clerk performance evaluations and privileged correspondence from legal counsel.
- C. Approval of Consultant Review Committee's recommendation to grant an additional one-year extension to ECT, Environmental Consulting & Technology to provide environmental consulting services ending April 16, 2010, as provided in the attached resolution.
- D. Approval to dispose of obsolete firefighting protective clothing by providing it to the Villa Elisa Fire Department in the Dominican Republic.
- E. Approval to extend the Snack Vending Machine Services contract to Don's Vending Service, Inc., at the same product prices and commission as the 2008 contract.
- F. Acceptance of a Conservation Easement from Medical Office Building, LLC for the Contemporary Imaging medical office building development, located on the west side of Karim Boulevard between Grand River and Ten Mile Road in Section 24 (parcel 22-24-476-032), covering a total of 0.35 acres.

- G. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Medical Office Building, LLC for the Contemporary Imaging medical office building development, located at 24285 Karim Boulevard on the west side of Karim Boulevard between Grand River and Ten Mile Road in Section 24 (parcel 22-24-476-032).
- H. Approval of a Storm Drainage Facility Maintenance Easement Agreement from Fifth-Third Bank Corporation for the Fifth-Third Bank located at 31125 Beck Road on the west side of Beck Road south of Pontiac Trail in Section 4 (parcel 22-04-100-029).
- I. Approval of the final balancing change order and final pay estimate to Biondo Design & Build, LLC for the Novi Town Hall Relocation project in the amount of \$16,746.99.
- J. Approval of a resolution of support for the Charter Township of Commerce, City of Walled Lake and the City of Wixom's Michigan Department of Natural Resources Trust Fund Air-Line Trail Grant Application.
- K. Approval of proposed amendments to two Conservation Easements for the ITC Headquarters property to erect a fence in a preserved wetland area and to recognize existing overhead powerline easements. The International Transmission Company (ITC) Headquarters property is located south of Twelve Mile Road between Haggerty Road and M-5, in Section 13.
- L. Approval of request by E&M, Inc. (Society Hill) for one-year extension, to October 9, 2010, of site plan approval for a 312-unit apartment project developed as a PD-1 option in a multi-family (RM-1) district, located at the southwest corner of Novi Road and 12 ½ Mile Road, previously extended under a consent judgment and subject to annual extension reviews.
- M. Approval to purchase a tax-foreclosed property from Oakland County under Act 123 of 1999, parcel number 22-14-451-003, located west of Meadowbrook Road and immediately south of the I-96 Freeway, adjacent to the City's Department of Public Services complex, for the not-to-exceed amount of \$1,607.46 plus additional statutory costs and fees to be assessed by the County in connection with the foreclosure proceedings.
- N. Approval of Claims and Accounts – Warrant No. 799

MATTERS FOR COUNCIL ACTION – Part I

1. Approval of the Resolution for Adoption of the 2009-2013 Community Recreation Plan (CRP).

Mr. Pearson said this was the final product that had been put together by the staff and the Parks and Recreation Commission. He thanked them for all the work they had done and felt this gave them a good road map. Mr. Pearson said this was a second installment and the last one they did put them in the position to be able to get several major grants from the State, and they expected something similar from this one. He said it had a positive recommendation from

the commission, they conducted the public hearing and they were ready to present this for Council's consideration.

CM-09-07-103 Moved by Margolis, seconded by Gatt; **CARRIED UNANIMOUSLY:**
To approve Resolution for Adoption of the 2009-2013 Community
Recreation Plan (CRP).

DISCUSSION

Mayor Landry said he was very pleased that the Administrative staff was able to complete this. He thought the staff did a wonderful job and most people didn't understand how important it was to have a recreation plan because, as Mr. Pearson stated, they had to have this in order to qualify for grants. Mayor Landry said they had been very successful as a result of a lot of work from a lot of people. This Community Recreation Plan was certainly the results of a lot of work and a lot of people were to be commended.

Roll call vote on CM-09-07-103 Yeas: Gatt, Burke, Crawford, Margolis, Mutch,
Staudt, Landry
Nays; None

- 2. Consideration of the request of 29 Park, Inc., for approval of a Preliminary Site Plan and Shared Parking Study. The subject property is located in Section 23, south of Grand River Avenue and east of Novi Road, in the TC-1, Town Center District. The applicant is proposing to occupy approximately 10,000 square feet of vacant tenant space at 43155 Main Street in the existing Novi Main Street Development.**

Member Burke requested he be recused for the previous reasons, which were the project shared a landlord and there might be some financial gain.

CM-09-07-104 Moved by Mutch, second by Margolis; **CARRIED UNANIMOUSLY:**
To approve Member Burke's request for recusal.

Voice vote

Member Burke left Council Chambers.

Mayor Pro Tem Gatt said they had sent the applicant on a mission last time and he thought they did all due diligence to try and comply with Council's wishes.

CM-09-07-105 Moved by Gatt, seconded by Margolis; **MOTION CARRIED:**
To approve request of 29 Park, Inc., for approval of a Preliminary Site
Plan and Shared Parking Study. The subject property is located in
Section 23, south of Grand River Avenue and east of Novi Road, in
the TC-1, Town Center District. The applicant is proposing to occupy
approximately 10,000 square feet of vacant tenant space at 43155
Main Street in the existing Novi Main Street Development based on
the findings and conditions found in the staff report.

DISCUSSION

Member Mutch said a number of existing businesses in the area had expressed concerns about the impact of their business coming into the City, and he thought they had raised some legitimate concerns and had some issues to work out. However, he thought, at the end of the day, what Council was facing was a decision that was based on the zoning, parking requirements and land use requirements of the Zoning Ordinance. Member Mutch thought the concerns raised by a number of businesses were at the crux of the issue were really landlord/tenant issues. He said they were issues with the building owners that they leased space from, in terms of what kind of businesses that building owner was pursuing and the mix of businesses in those buildings. He said Novi was not like a lot of other communities, in terms of the Main Street area, who tried to have a strong hand in guiding only a certain kind of business going into Main Street. He noted the Zoning Ordinance defined a range of uses but Council had not used a heavy hand to try to control the mix of uses. He said, as the market changed, they had seen a change in the kind of businesses they were looking to move into Main Street and he knew as the economy changed and improved they would see a continuing evolution. He said to the business owner, he would say welcome to Novi. He said these were challenging times for any city; so any business that was looking to come into Novi and make an investment on the scale that they were making was welcome and appreciated. Member Mutch said to be mindful that a lot of the businesses in the Main Street area were owned by not only local business owners but by residents. He said people who thought enough about Novi to not only invest their business dollars but their own personal homes and families had moved to Novi. He said they had done it because this was a community that valued high quality businesses. Member Mutch said from what he read in the information provided to Council, all the partners in the business put a lot of thought and effort into coming to Novi. He said he knew they would do their best to work with the Police and Fire Departments and fellow business owners to have a business that's successful. It was in everyone's best interest that they not only succeed but the surrounding businesses succeed as well. Member Mutch wished them luck.

Mr. Schultz asked for clarification that the motion intended to include the findings and conditions that were in the staff report. Mayor Pro Tem Gatt said it did. The seconder of the motion agreed.

Roll call vote on CM-09-07-105

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

Nays: None

Abstain: Burke

Member Burke returned to Council Chambers.

- 3. Consideration of adoption of an ordinance to amend the City of Novi Code of Ordinances to amend Chapter 22, Article II, entitled "Offenses Against Public Administration" to add Sec. 22-40 regarding fingerprinting, and to add Sec 22-41 regarding detention for purposes of identification. FIRST READING**

CM-09-07-106 Moved by Gatt, seconded by Burke; **CARRIED UNANIMOUSLY:**
To adopt an ordinance to amend the City of Novi Code of Ordinances to amend Chapter 22, Article II, entitled "Offenses Against Public Administration" to add Sec. 22-40 regarding fingerprinting, and to add Sec 22-41 regarding detention for purposes of identification.
FIRST READING

DISCUSSION

Member Margolis said she didn't see anything, in terms of their authority, to really charge someone with a misdemeanor for refusing to give fingerprints. She said she assumed this was within Constitutional Law and they would not be in any danger.

Mr. Schultz said at the Police Departments request they looked into that issue. He said plenty of other communities in the area had a refusal as a misdemeanor. He noted he didn't find anything that would lead them to believe to the contrary; so they were comfortable with the provision that would make them a misdemeanor.

Roll call vote on CM-09-07-106 Yeas: Margolis, Mutch, Staudt, Landry, Gatt,
Burke, Crawford
Nays: None

4. Consideration of adoption of an ordinance to amend Chapter 33, "Traffic and Motor Vehicles," Article II "Uniform Traffic Code," of the City of Novi Code of Ordinances to adopt by reference the Uniform Traffic Code for Cities, Townships, and Villages (UTC), and other state traffic-related regulations, for the purpose of regulating traffic and motor vehicles in the City of Novi; to make certain additional regulations in connection with traffic and motor vehicle operation; and to repeal the version of the City Uniform Traffic Code as previously set forth in Article II. **FIRST READING**

CM-09-07-107 Moved by Margolis, seconded by Gatt; **CARRIED UNANIMOUSLY:**
To adopt an ordinance to amend Chapter 33, "Traffic and Motor Vehicles," Article II "Uniform Traffic Code," of the City of Novi Code of Ordinances to adopt by reference the Uniform Traffic Code for Cities, Townships, and Villages (UTC), and other state traffic-related regulations, for the purpose of regulating traffic and motor vehicles in the City of Novi; to make certain additional regulations in connection with traffic and motor vehicle operation; and to repeal the version of the City Uniform Traffic Code as previously set forth in Article II. **FIRST READING**

Roll call vote on CM-09-07-107 Yeas: Mutch, Staudt, Landry, Gatt, Burke,
Crawford, Margolis
Nays: None

AUDIENCE COMMENT - None

MATTERS FOR COUNCIL ACTION – Part II - None

COMMITTEE REPORTS

Member Crawford announced that she would be put behind bars on Wednesday for a good reason. She said the Muscular Dystrophy Association would be arresting several people on Wednesday and they would be at the Mezza Mediterranean Grill wearing stripes and having a tin cup. She said they would be going behind bars for good unless they collected enough money for the cause in order to get out of jail. She said if 1,600 people came and gave her a dollar she could get out of jail.

Member Margolis said the MML had asked her to serve on a task force that they were putting together, which was a combination of local government leaders and Michigan College and University representatives. They had asked Wayne State to appoint her to represent them but obviously, she would also be representing the City of Novi and would keep them posted as they moved forward. Member Margolis said the real purpose of the charge of the task force was to discuss how to work toward the creation of more vibrant communities in the State.

Member Staudt said they had a meeting of the Non-Motorized Pathways Committee, which were prior to the Parks and Recreation Commission meetings. They invited visitors and always had a good discussion about trail ways, pathways and bicycle trails. Member Staudt noted they were making good progress in terms of identifying opportunities within the community to expand those types of services. He asked Chairman Mutch to provide additional updates.

Member Mutch said Council had, under the Consent Agenda, approved a resolution of support for a grant opportunity that a couple neighboring communities were pursuing. He said Walled Lake, Commerce and Wixom had joined together to try to acquire the railroad that ran through those three communities. He said it was still in operation but would be abandoned soon. Member Mutch said for the connection to Novi, the State of Michigan was working on connecting a bike path through Novi and up M-5, which would connect to the future bike path going through the three communities. He said the abandoned railway ran from Port Huron to across the State to South Haven. He noted that much of the path had already been completed in southeast Michigan; so when the MDOT path was connected and if the grant was approved, that section through Commerce, Walled Lake and Wixom was connected, Novi residents would have direct access to that path. He said it was important for Council to support this and it was one of the things the committee recommended, which Council approved this evening. He said that was the kind of opportunities they were watching for and bringing to Council when they presented themselves.

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

COMMUNICATIONS - None

AUDIENCE COMMENT – None

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:21 P.M.

David Landry, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Charlene McLean

Date approved: August 10, 2009