

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI
MONDAY, JULY 22, 2013 AT 7:00 P.M.
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. 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 Casey, Fischer, Margolis, Mutch, Wrobel

ALSO PRESENT: Victor Cardenas, Assistant City Manager
Elizabeth Saarela, City Attorney

APPROVAL OF AGENDA:

CM-13-07-104 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the Agenda as amended to include the discussion of property acquisition during executive session, item B.

Roll call vote on CM-13-07-104

**Yeas: Staudt, Casey, Fischer, Margolis, Mutch,
Wrobel, Gatt**

Nays: None

PUBLIC HEARING – None

PRESENTATIONS – None

REPORTS:

1. MANAGER/STAFF- None

2. ATTORNEY - None

AUDIENCE COMMENT:

John Garbacik, 45626 Emerald Forest, spoke on item 5 under Matters for Council Action. He noted he's been working with Walkable Novi Committee. He found out last year that signs were going to be added throughout Novi. The signs impact Yorkshire place where he is President of the Homeowner's Association. Last week signs were installed. He felt that directional signs being installed are not necessary, including those along Emerald Forest. The Walkable Novi Committee has now designated that there will be signs along a five foot pathway, even though it wasn't built as a neighborhood connector. He expressed concerns about having strangers in the neighborhood. Main roads are available for signage. He asked that the motion be tabled.

CONSENT AGENDA REMOVALS AND APPROVALS (See items A-K):

**CM-13-07-105 Moved by Wrobel, seconded by Margolis; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as presented.**

- A. Approve Minutes of:
 - 1. July 8, 2013 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of July 22, 2013 in the Council Annex for the purpose of discussing pending labor negotiations.
- C. Approval to award an engineering services agreement with URS Corporation for design engineering services related to the Westbound Grand River at Beck Right Turn Lane Extension Project in the amount of \$13,190.
- D. Approval of a request from Bristol Corners Homeowners Association to terminate the 2003 Street Name Sign Agreement covering a portion of Bristol Corners, and approval of a new Decorative Street Sign Support Agreement for all phases of Bristol Corners for the installation of decorative street name sign posts within the public right-of-way.
- E. Approval of traffic control orders 13-15 through 13-32 for traffic control signs within Bristol Corner West, Bristol Corners North and Bristol Corners South Subdivisions.
- F. Approval of amendment to contracts for City Manager and City Clerk.
- G. Approval of Resolution Authorizing "2013 Michigan State Fair" to occur on the Suburban Collection Showplace property at 46100 Grand River Avenue.
- H. Approval of the final payment and change order to Nagle Paving Company for the 2012 Parking Lot Improvements project at Novi Ice Arena (access drive and parking lot), Ella Mae Power Park (access drive and south parking lot), Fire Station No. 1, and Police Headquarters (east parking lot), in the amount of \$41,524.18.
- I. Approval of Resolution seeking reimbursement from Oakland County for expenses associated with the annual Mosquito Control Project.
- J. Acceptance of a Conservation Easement from Tollgate Woods III LLC for wetland conservation areas in Tollgate Woods Phase III, located west of Meadowbrook Road and south of Thirteen Mile Road in Section 11 of the City.
- K. Approval of Claims and Accounts – Warrant No. 896

Roll call vote on CM-13-07-105

**Yeas: Casey, Fischer, Margolis, Mutch, Wrobel,
Gatt, Staudt**

Nays: None

MATTERS FOR COUNCIL ACTION:

1. Approval of Zoning Ordinance Text Amendment 18.267 to amend the City of Novi Zoning Ordinance at Article 25, "General Provision", to add Section 2526 "Bicycle Parking Facilities Requirements" to provide bicycle parking requirements and bicycle parking area layout standards. **SECOND READING**

Assistant City Manager Cardenas said there had been changes made to the ordinance since the First Reading. The Planning Commission now has the authority to waive the requirements to provide a bike parking facility. They have increased the threshold in which covered spaces are required. They have reduced the number of covered park parking spaces from 50% to 25%. Also, the covered parking requirements were removed for the multi-family.

Member Wrobel supports bicycle parking but he can't support the ordinance since there is still covered parking. He thinks there is no need for it. He doesn't believe they should have to show practical difficulty to waive the covered parking requirement.

Member Mutch said the Walkable Novi Committee members reviewed the changes last week. The Committee was comfortable with the proposed changes because they were in line with the concerns that were expressed at City Council. The vast majority would not require covered parking. It would be the large projects. This ordinance accomplishes standards and is important to the City.

Member Margolis said the covered parking was too much and can't support it with the requirement.

Mayor Pro Tem Staudt said the ordinance has come a long way from the initial proposal. He thinks it has accommodated everything that was requested and the covered parking requirement is for unusual circumstances. He was satisfied with the changes and would support it as written.

Member Fischer said he would support it. He asked about the land banking change. Assistant City Manager Cardenas said it was eliminated. He felt with the land banking options and waiver ability by the Planning Commission, that would be sufficient.

Mayor Gatt cannot support it due to the covered parking element. He is opposed to requiring private businesses to build parking for bicycles. He is agreeable to have public buildings require bicycle parking.

CM-13-07-106

Moved by Staudt, seconded by Casey; MOTION CARRIED: 4-3

To approve Zoning Ordinance Text Amendment 18.267 to amend the City of Novi Zoning Ordinance at Article 25, "General Provision", to add Section 2526 "Bicycle Parking Facilities Requirements" to provide bicycle parking requirements and bicycle parking area layout standards. SECOND READING

Member Casey supports this ordinance with the changes the City staff made. She felt it provides for reasonable accommodation for situations where covered parking may not be practical.

Roll call vote on CM-13-07-106

Yeas: Staudt, Casey, Fischer, Mutch

Nays: Gatt, Margolis, Wrobel

2. Approval of Parks and Recreation Ordinance Text Amendment 13-113.04 an ordinance to amend Chapter 25, "Parks and Recreation" of the City of Novi Code to update language pertaining to the operation of vehicles on lakes, beaches, and watercourses. **SECOND READING**

Assistance City Manager Cardenas explained this ordinance prohibits boat launch, mooring and parking trailers in the parking lot at Pavilion Shore Park. The changes from the First Reading include the 100 foot provision reduced to 50 feet. There will be notification to boaters and residents of these changes in the ordinance.

Member Mutch thought the changes were aligned with the concerns expressed by Council. Also, he thought balancing the interests of the City and the users of the Park ensure people aren't misusing Park facilities and reasonable use of the water front near the Park.

CM-13-07-107

Moved by Mutch, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve Parks and Recreation Ordinance Text Amendment 13-113.04 an ordinance to amend Chapter 25, "Parks and Recreation" of the City of Novi Code to update language pertaining to the operation of vehicles on lakes, beaches, and watercourses. SECOND READING

Roll call vote on CM-13-07-107

Yeas: Margolis, Mutch, Wrobel, Gatt Staudt, Casey, Fischer

Nays: None

3. Consideration of Adoption of Ordinance Amendments to update Chapter 22 in accordance with recent changes in legislation:

A) Consideration of adoption of Ordinance 13-160.02, an ordinance to amend the City of Novi Code of Ordinances, Chapter 22, "Offenses, Article VI, "Offenses Against Public Safety," Division 1, "Generally," Section 22-112,

"Fireworks," in order to incorporate changes to state law regarding the prohibition of the ignition and discharge of fireworks except on certain days and the hours of discharge. **FIRST READING**

Assistance City Manager Cardenas said this was part of what was recently passed by the State legislature which allows the City to govern the hours of discharge for fireworks.

CM-13-07-108 Moved by Fischer, seconded by Wrobel; CARRIED UNANIMOUSLY:

To approve adoption of Ordinance 13-160.02, an ordinance to amend the City of Novi Code of Ordinances, Chapter 22, "Offenses, Article VI, "Offenses Against Public Safety," Division 1, "Generally," Section 22-112, "Fireworks," in order to incorporate changes to state law regarding the prohibition of the ignition and discharge of fireworks except on certain days and the hours of discharge. FIRST READING

Roll call vote on CM-13-07-108

**Yeas: Mutch, Wrobel, Gatt, Staudt, Casey,
Fischer, Margolis
Nays: None**

- B) Consideration of adoption of Ordinance 13-23.29, an ordinance to amend the City of Novi Code of Ordinances, Chapter 22, "Offenses", Article V, "Offenses Against the Public Peace", Section 22-96, "Noise Disturbances Prohibited", to limit the current exception for lawful fireworks by reference to certain times when the discharge will be permitted. **FIRST READING**

CM-13-07-109 Moved by Wrobel, seconded by Casey; CARRIED UNANIMOUSLY:

To approve adoption of Ordinance 13-23.29, an ordinance to amend the City of Novi Code of Ordinances, Chapter 22, "Offenses", Article V, "Offenses Against the Public Peace", Section 22-96, "Noise Disturbances Prohibited", to limit the current exception for lawful fireworks by reference to certain times when the discharge will be permitted. FIRST READING

Roll call vote on CM-13-07-109

**Yeas: Wrobel, Gatt, Staudt, Casey, Fischer,
Margolis, Mutch
Nays: None**

4. Consideration of the 2014 City Council Meeting Calendar.

Member Casey suggested changing the April 21, 2014 meeting to April 22, 2014 because the 21st was a religious holiday.

CM-13-07-110 Moved by Casey, seconded by Fischer; CARRIED UNANIMOUSLY:

To approve April 22, 2014 for a City Council meeting instead of April 21, 2014 as presented on the 2014 City Council Meeting Calendar.

Roll call vote on CM-13-07-110

Yeas: Gatt, Staudt, Casey, Fischer, Margolis, Mutch, Wrobel

Nays: None

CM-13-07-111 Moved by Fischer, seconded by Casey; CARRIED UNANIMOUSLY:

To approve the remaining calendar dates of the 2014 City Council Meeting Calendar as presented.

Roll call vote on CM-13-07-111

Yeas: Staudt, Casey, Fischer, Margolis, Mutch, Wrobel, Gatt

Nays: None

5. Policy discussion on the installation of destination/informational guide signs in the public right-of-way for non-motorized transportation use.

Assistant City Manager Cardenas said they have gotten a lot of feedback from residents and business owners regarding signage. The staff has put together current processes and procedures for implementing signage for Council's consideration.

Member Fischer agreed they have gotten numerous complaints about City signs. He would support the policy going to City staff. He commented that it is Council's duty to protect the character and aesthetics of the City. Signs detract from values of homes and residents. He could understand every resident that has complained. The signs that lead to the park, bike route, and library are not necessary. In his opinion, they are not aesthetically pleasing. He empathizes with those who have a sign in their front yard. Most families who live here probably know where the library and civic center is located. He didn't see the purpose of the signs. He is concerned with the proliferation of signs. He thinks most everyone knows where to find the amenities in the City. If they don't, we are not doing our job, as a City, communicating all the amenities we have to our residents. He is not in favor of the directional signs or most of the signs listed in the Non-Motorized Master Plan. He suggested a plan for placement, type, number, and construction. Maybe, a sign that looks like the character of our City. He thinks we need to look at our communication strategy with implementing things through our GIS mapping on the web site, smartphone app, and thought there were other ways to showcase the amenities in the City.

Member Wrobel agreed with Member Fischer. He commented that even though the placements of the signs are well intentioned, they missed the mark. People in the City don't need signs in their face all the time to show them the way. He would agree to signs on major roads. He feels there are enough signs.

Member Margolis said that the signs didn't make a lot of sense to her. It makes sense to her where there are situations of parks inside a subdivision or a hidden path might have signs. She commented there should be a process shared with Council implementing the sign plans. Also, she would like to provide property owners with written notification before they are installed.

Member Casey supports asking staff to prepare a policy to include a judicious use of directional signage and a reasonable amount of time for notification to residents and their responses.

Member Mutch advocates less signage and smaller signs wherever possible. Walkable Novi discussed neighborhood connectors using existing streets with little cost. There would be limited signage to direct people along the routes. It is taken for granted that everyone knows how to get from point A to point B in the City. The Committee was trying to address those who don't live in the area and don't know how the streets connect. The Committee discussed this and asked the staff to scale back signage significantly. They removed signs in front of a resident's house. They try to listen to the input from residents. The routes discussed are about 2 ½ miles of subdivision streets and there about twelve signs within those neighborhoods. Staff's implementation was a destination concept. He wasn't satisfied with the way it was implemented and would like to see some changes. They could revisit alternative signage along the routes. Modifications could be made closer to what was originally proposed. He noted the signage issue is getting attention because it is new and different. He noted there were bike path signs next to million dollar homes in Island Lake. There were never any complaints about them. They may have a better design and be more attractive. It shows that signs by themselves don't take away value from the neighborhood. He hopes Council members understand the intent of the audience they are trying to serve. We are trying to meet a need in this Community of residents who want to be able to walk and bike around the City within alternative routes. He hopes they can highlight this so it doesn't take away from the City as a whole and provides a benefit to many residents that they may not be aware of. He would support a motion to direct staff to review this and come back with a policy recommendation to City Council.

Mayor Pro Tem Staudt noted that Walkable Novi doesn't implement policy. He would like to see this policy discussion extended beyond the Non-Motorized Master Plan and talk about signs in general. He doesn't support signs going up in people's back yards even though there was a legal right to do it. He felt we needed to be more imaginative about how we use the signs and the types of signs in the City. The message to staff is not so many signs and smarter as to where they are located. Also, he supports sidewalks and pathways through our neighborhoods. This Council is committed to it. It is good for everyone in the City of Novi. Many residents with a side lot and back yard with a

pathway complain, but it is a necessity. He supports moving this to staff and leaning towards the minimal not the maximum.

Mayor Gatt said he has received calls and agrees with and empathizes with residents that don't want signs in their yards. He agrees with Mayor Pro Tem Staudt on using imagination in implementing signage. There are other ways that don't intrude on residents views or make it more difficult to live and maintain a house. He would support removing signs already installed and replace them with a more congenial sign and amenable sign. He has no problem with signs on the main roads.

Member Margolis would not support painting on a curb or road in terms of policy. She thinks the signs should be kept as minimal as possible. Also, agrees that people in a subdivision know where the parks are within the sub. She would support a sign if the rest of the City does not know where the park is.

Member Fischer would support, recommend and ask administration to remove signs already installed. Member Mutch asked which signs should be removed. What is the scope of the removal he was looking for? Member Fischer answered that he didn't think any of the signs were necessary in subdivisions. He would like all of them gone including the Village Oak's signs that were not mentioned in the packet. Member Mutch asked Administration if the signs had been installed. In the last discussion he believed the installations of signs were postponed. Many feel signs along the main roads are appropriate. Two thirds of this particular signage is along Taft and Ten Mile roads and asked if Member Fischer would like that signage removed as well. He was looking for what they are accomplishing. He said if the goal is to have all the signage removed, it needs to be clarified for administration. Member Fischer said he has made his position very clear. He is very confident moving forward on this discussion.

Mayor Pro Tem Staudt said to keep in mind that potential regional trails will be coming through pathways and it will be important when we discuss these policies that we differentiate between neighborhoods, major streets, and potential trails, such as, the ITC Corridor where residents probably won't use those as much as non-residents. If we are going to build them, we should give them some indication where they are going. We shouldn't completely eliminate signage along our trails and pathways. It is something he would like to see segmented in the policy discussion.

Assistant City Manager Cardenas asked if Council is looking for just directional signage or all traffic control signs. Mayor Gatt said it would be best to come back with a policy and it will be discussed at that time.

AUDIENCE COMMENT:

John Garbacik, 45626 Emerald Forest, displayed a map showing alternative sidewalks and pathways that the children who ride a bus know the route and would be a safer route.

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 7:58 P.M.

Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Jane Keller

Date approved: August 12, 2013