



## CITY of NOVI CITY COUNCIL

**Agenda Item B**  
**March 13, 2016**

**SUBJECT:** Approval to appoint Megan Mikus as the City of Novi Representative to the Walled Lake Improvement Board.

**SUBMITTING DEPARTMENT:** Department of Public Services

**CITY MANAGER APPROVAL:** 

**BACKGROUND INFORMATION:**

In January 2009, the City Council approved a resolution to establish a lake improvement board for Walled Lake to control nuisance growth of aquatic plants in the lake. The Walled Lake improvement Board is comprised as follows:

- A representative of each City (formerly Adam Wayne, Civil Engineer from Novi, and Casey Ambrose, Councilmember from Walled Lake)
- A representative from the Oakland County Commission (Hugh Crawford)
- A representative from the Oakland County Water Resource Commissioner's Office (Karen Warren)
- A riparian representative selected by the Lake Board (David Galloway).

Engineering Senior Manager George Melistas will serve as an advisor with Ms. Mikus as appropriate.

**RECOMMENDED ACTION:**

Appoint Megan Mikus as the City of Novi Representative to the Walled Lake Improvement Board.

**3. Appointment of City of Novi Representative to the Walled Lake Lake Board.**

Mayor Landry said now that the City had approved a resolution to create a Walled Lake Lake Board it had an obligation according to the statute to appoint a representative to the board. He said that person could be a member of Council or a member of the Administration. He asked if he was correct and Mr. Pearson said that was his understanding. Mayor Landry said it was also his understanding that the Administration was recommending that it be a member of the Administration. Mr. Pearson replied that he thought it deserved serious consideration.

Mayor Landry said if it were a member of Council the motion would be to nominate a specific member of Council. However, if Council was going to leave it up to the Administration, would they move to have the Administration appoint someone or was a name necessary. Mr. Schultz said a name would be needed. Mayor Landry asked who they had in mind. Mr. Pearson said they had Brian Coburn, a member of the engineering staff, would be very qualified. Mr. Pearson said Mr. Coburn had experience with SAD's, Novi's stormwater and environmental plans and also project management, generally. Mr. Pearson thought he would be the most appropriate staff person, if Council chose to go with Administration.

**CM-09-01-012      Moved by Gatt, seconded by Burke; CARRIED UNANIMOUSLY:  
To appoint Brian Coburn as the City of Novi Representative to  
the Walled Lake Lake Board.**

**DISCUSSION**

Member Mutch stated he was willing to support the motion but his personal preference would be to have a Council member sitting in the position. He said Mr. Coburn, with his expertise, was more than qualified to sit in the position but one of the primary considerations of the Lake Board would be an assessment upon the property owners in Novi and Walled Lake. He thought an elected official would be sitting in that position and making that decision. He said it was a difficult position to put a staff person in, especially if there was any controversy or concern about that. He thought it could be problematic in terms of the lines of communication because the staff person would report to the City Manager and not to the Council and he thought it complicated it for residents who had concerns. Member Mutch said the Lake Board through the Water Resources Commission, formerly the Drain Commission, as well as through the individual cities had the ability to tap into those people on staff who were available to assist with that. However, if it was Council's preference to appoint a staff person he would support the motion.

**Roll call vote on CM-09-01-012**

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

**Nays: None**

**STATE OF MICHIGAN**  
**COUNTY OF OAKLAND**  
**CITY OF NOVI**

**A RESOLUTION TO ESTABLISH A LAKE BOARD  
IN ACCORDANCE WITH PART 309, INLAND LAKE  
IMPROVEMENTS, OF THE NATURAL RESOURCES  
AND ENVIRONMENTAL PROTECTION ACT**

**RECITALS:**

WHEREAS, Walled Lake is a public inland lake located in the City of Novi and the City of Walled Lake in Oakland County, Michigan; and

WHEREAS, Walled Lake is a valuable natural resource that provides swimming, boating, fishing, and other recreational opportunities to area residents; and

WHEREAS, nuisance growth of aquatic plants is inhibiting recreational use and enjoyment of Walled Lake; and

WHEREAS, the establishment of a lake board for Walled Lake pursuant to Part 309, Inland Lake Improvements, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended (hereinafter referred to as Part 309), is essential to the effective management of Walled Lake;

WHEREAS, a public informational meeting concerning the formation of a Lake Board and the potential resulting assessments on affected property owners has been held in the City of Novi.

WHEREAS, the City notified affected property owners of the aforementioned public informational meeting by direct mailing and publication.

NOW, THEREFORE, under the authority of and subject to the provisions of Part 309,

**IT IS HEREBY RESOLVED:**

1. The City of Novi does hereby create a lake board for Walled Lake upon its own motion pursuant to Section 30902 of Part 309, for the purpose of controlling the nuisance growth of invasive aquatic plants in Walled Lake.
2. The Walled Lake Improvement Board shall initiate proceedings in accordance with Part 309 to implement a program to control nuisance growth of invasive aquatic plants in Walled Lake.

3. The Walled Lake Improvement Board shall determine the scope of the project to control nuisance growth of invasive aquatic plants in Walled Lake and shall establish a special assessment district, including within the special assessment district all parcels of land which will be benefited by the project.

4. Pursuant to Section 30903 of Part 309, the Walled Lake Improvement Board shall consist of the following:

- a) A member of the Oakland County Board of Commissioners appointed by the chairperson of the county board of commissioners;
- b) A representative of the City of Novi;
- c) A representative of the City of Walled Lake;
- d) The Oakland County Water Resources Commissioner or his designee;
- e) A member elected by the members of the lake board at the first meeting of the lake board. Only a person who has an interest in a land contract or a record interest in the title to land that abuts Walled Lake is eligible to be elected to serve in this capacity.

5. That the City of Novi shall hold a public hearing no later than the first available date after January 1, 2014 on the proposed dissolution of the Walled Lake Improvement Board as set forth in MCL §324.30929(a).

AYES: (6) Burke, Crawford, Margolis, Mutch, Staudt and Landry  
NAYS: (0)  
ABSTENTION: (0)  
ABSENT: (1) Gatt

**CERTIFICATION**

It is hereby certified that the foregoing Resolution was adopted by the Novi City Council, Oakland County, Michigan, at a meeting duly called and held on the 12th day of January, 2009.

CITY OF NOVI

BY: Maryanne Cornelius  
Maryanne Cornelius, Clerk

**CITY OF NOVI**

**COUNTY OF OAKLAND, MICHIGAN**

**RESOLUTION REGARDING CONTINUATION OF  
WALLED LAKE IMPROVEMENT BOARD**

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on January 12, 2015, at 7:00 o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers Gatt, Staudt, Casey, Markham, Mutch, Poupard, Wrobel

ABSENT: None

The following preamble and Resolution were offered by Councilmember Staudt and supported by Councilmember Poupard.

**WHEREAS;** the City Council approved a resolution to create a lake board for Walled Lake pursuant to Section 30902 of Part 309 of Public Act 451 of 1994, for the purpose of controlling the nuisance growth of invasive aquatic plants in Walled Lake on January 12, 2009; and

**WHEREAS;** said resolution included a provision that the City of Novi shall hold a public hearing no later than the first available date after January 1, 2014 on the proposed dissolution of the Walled Lake Improvement Board as set forth in MCL §324.30929(a); and

**WHEREAS;** the City Council approved a resolution on December 2, 2013 to amend the date of said public hearing until the first available meeting date after January 1, 2015; and

**WHEREAS;** the Walled Lake Improvement Board completed the statutory requirements of Part 309 including completion of an engineering study, holding a public hearing to determine the practicability of the project and development and confirmation of a five-year special assessment roll to fund improvements to Walled Lake; and

**WHEREAS;** the Walled Lake Improvement Board began making said improvements to Walled Lake in 2011 and has completed four years of a five-year program to control the nuisance growth of invasive aquatic plants in Walled Lake; and

**WHEREAS;** the City of Novi representative to the Walled Lake Improvement Board has provided a report to demonstrate that Board has been effective in reducing the population of Eurasian milfoil in Walled Lake to the point that other invasive aquatic plant now have an environment in which to grow; and

**WHEREAS;** the City of Novi representative to the Walled Lake Improvement Board recommends against dissolution of the Lake Board because effective management of all invasive aquatic plant species in Walled Lake to promote recreational use and enjoyment requires an ongoing program to evaluate and treat the invasive aquatic plant species that are prevalent each year.

**NOW THEREFORE, IT IS THEREFORE RESOLVED** that the City of Novi supports the continuation of the Walled Lake Improvement Board in accordance with the scope provided in the Resolution to Establish a Lake Board as approved by City Council on January 12, 2009 for the purpose of controlling the nuisance growth of invasive aquatic plants in Walled Lake and further determines that, at this time, a future public hearing on the possible dissolution of the lake board is not required and will not be scheduled unless the statutory requirements of §324.30929(a) regarding dissolution of a lake board have been met.

**AYES:** Gatt, Staudt, Casey, Markham, Mutch, Poupard, Wrobel (7)

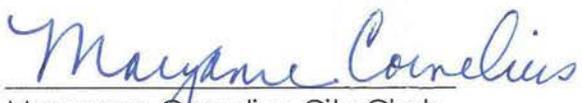
**NAYS:** None (0)

RESOLUTION DECLARED ADOPTED.

  
Maryanne Cornelius, City Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this 12th day of January, 2015, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

  
Maryanne Cornelius, City Clerk  
City of Novi