

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI**  
**DRAFT – MONDAY, SEPTEMBER 24, 2007**  
**COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**  
[www.cityofnovi.org](http://www.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 Gatt, Margolis, Mutch, Nagy, Paul-absent\*

\*Member Paul arrived at 7:01 P.M.

**ALSO PRESENT:** Clay Pearson, City Manager  
Pamela Antil, Assistant City Manager  
Tom Schultz, City Attorney  
Barbara McBeth, Deputy Director of Community Development

**APPROVAL OF AGENDA**

Member Gatt added, under Mayor & Council Issues, #2 Landscaping on Main Street.

Mayor Pro Tem Capello added, under Mayor & Council Issues, #3 Outdoor Tents at Paradise Park.

**CM-07-09-281 Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY:  
To approve the agenda as amended.**

**Voice vote**

**PRESENTATIONS - None**

**REPORTS**

**1. SPECIAL/COMMITTEE - None**

**2. CITY MANAGER**

Mr. Pearson updated the Council and said the State of Michigan budget process was grinding on, and it would affect everyone in terms of how the State of Michigan operations were. He said locally, they canvassed their directors and they had talked to their professional associations regarding if there was a State of Michigan government shut down October 1<sup>st</sup>, how that would affect Novi. He wanted to reassure Council that all the feedback at this time, based upon what they were hearing, was critical services from the State and from the City would be uninterrupted. Mr. Pearson said a lot of this was still in play, but in terms of police and fire there would be no degradation in services from the City of Novi. He said they understood, regarding Novi, that the State was obligated to make the Constitutional portion of the State Shared Revenue payments in October, which was the majority of the State Shared Revenue. He said regarding the statutory portion, Novi normally received a small amount in October anyway, and in the budget Council adopted, the statutory portion was dedicated to extra funding of the retiree health care obligations. Mr. Pearson said

even if that was deferred or delayed, it would not affect operations at all. He thought with the full time Legislature not being able to pass a budget, it was a distraction and wasn't good business, but in terms of the City's operations they didn't see anything Novi provided changing after October 1.

**3. DEPARTMENTAL – Plaques to Fall For Novi Sponsors:**

**Intier Automotive Seating – Linda Mauck**  
**Varsity Lincoln Mercury – Michael Stanford**  
**City Center Plaza LP – George Karos**  
**Novi Pavilion LP – George Karos**  
**Rock Financial Showplace – Blair Bowman**  
**Whitehall – Gary Jonna**  
**Infinity Primary Care – Dr. Anita Bodyia**  
**Keford Collision and Towing - Tom Harrington**  
**Chase Bank – Brendan Baxter**  
**TelCom Credit Union – Cindy Tschirhart**  
**Providence Park – Lou Martin**

Ms. Uglow said the 2007 Fall for Novi had grown into such a terrific event, due in part to Novi's tremendous business leaders and their sponsorship commitments. Ms. Uglow presented plaques to the Fall for Novi Sponsors and thanked them for their support. The platinum award, for the fifth consecutive year, went to Intier Automotive Seating. Linda Mauck was present to accept the award. The remainder of the awards were given with much gratitude for their support and commitment.

Ms. Uglow thanked Clay Pearson and Pam Antil and their outstanding City staff for their time, effort, and support. She said she had received numerous calls and e-mails on how wonderful and professional everyone was that day. She thanked Chief Smith for getting the survival flight helicopter from U of M.

Ms. Uglow said no event in the City was a one person operation, and she thanked Matt Pegouskie, of Neighborhood and Business Relations, for all his help.

**4. ATTORNEY - None**

**AUDIENCE PARTICIPATION - None**

**CONSENT AGENDA REMOVALS AND APPROVALS**

**CM-07-09-282      Moved by Capello, seconded by Nagy; CARRIED UNANIMOUSLY:**  
**To approve the Consent Agenda as presented.**

**Roll call vote on CM-07-09-282      Yeas: Capello, Gatt, Margolis, Mutch, Nagy, Paul,**  
**Landry**  
**Nays: None**

- A. Approve Minutes of:  
1. September 10, 2007 – Regular meeting

- B. Approval to award the contract for Network Services to VisiCom Services, Inc. in the amount of \$65,940 per year for a two year period with the option of a third year effective October 1, 2007.
- C. Approval to award the Fall 2007 Tree Planting Bid to Panoramic Landscaping of Novi, the lowest bidder, in the amount of \$67,890.
- D. Approval of resolution to increase land donation value (from \$160,000 to \$201,400) to the City of Novi by Heritage Shoppes, LLC for the previously approved Michigan Natural Resources Trust Fund Grant application.
- E. Approval to Purchase Rugged Laptop Computers, Related Hardware and Fire Inspection Software from the Oakland County Cooperative Purchasing Program, CDW-G and Trademaster/Mobile eyes for a total of \$95,368 using the Homeland Security Assistance to Firefighters Grant for a shared Federal 90% and the City 10% totaling \$84,006.
- F. Approval of the Right of Access to Maintain Private Sanitary Sewer System Agreement as part of the privately funded sanitary sewer extension for 20755 Club Lane (parcel 50-22-36-376-025).
- G. Approval to award snow removal contract by Absolute Outdoor Services for service at Meadowbrook Commons, as recommended by Keystone Management Group, in the amount of \$21,850.
- H. Approval of road lane closures on Main and Market Streets for the International Festival to be held on Saturday, October 6th from approximately 7:00 a.m.-8:00 p.m.
- I. Approval to award bid to Irwin Seating Company, the lowest qualified bidder, in the amount of \$25,700; for replacement of audience Council Chamber seating.
- J. Approval to purchase a One Ton Dump Truck from Varsity Ford in the amount of \$53,365.00.
- K. Approval of Claims and Accounts – Warrant No. 753

**MATTERS FOR COUNCIL ACTION – Part I**

1. **Consideration of request from Taste of Bangkok Cuisine, Inc. requesting a new dance-entertainment permit, on a 2007 Class C licensed business, located at 43317 Grand River, Novi, Michigan, 48375, Oakland County.**

**CM-07-09-283      Moved by Nagy, seconded by Capello; CARRIED UNANIMOUSLY:  
To approve request from Taste of Bangkok Cuisine, Inc. requesting a  
new dance-entertainment permit, on a 2007 Class C licensed  
business, located at 43317 Grand River, Novi, Michigan, 48375,  
Oakland County.**

**Roll call vote on CM-07-09-283**

**Yeas: Gatt, Margolis, Mutch, Nagy, Paul, Landry,  
Capello**

**Nays: None**

## **2. Consideration and adoption of Green Building policies and resolutions.**

Mr. Pearson said Council had seen this concept several months ago, and since then they had followed up on Council's request to canvass various builders, developers and architects to get some feedback on their experience and perception of what they had offered up. He said they suggested a series of encouragements, not requirements that developers and builders look at the long term cost of operations, and the sustainability and environmental impact of their projects. This was basically what Council had seen in the past with additional information, and it was tweaked based on Council's earlier comments.

### **DISCUSSION**

Member Margolis appreciated the staff's work on this as it answered a lot of Council's questions, and the feedback from the business community regarding the impact of these standards on them. It was very clear that this was to encourage and not mandate. Mr. Pearson said she was correct. It was encouragement and recognizing the terms and concepts that were out there so they had a frame of reference. He said there were no additional costs to be imposed upon the City or developers that they could perceive. She said her understanding was Council was enacting two resolutions that would put into place the first round policies. Mr. Pearson said she was correct. She said the second round was something Administration would continue to look at and that might come back, and Mr. Pearson agreed. She commented that the letter from Northern Equities expressed concerns about how much construction costs might be increased versus the payback, etc. Member Margolis said the things referenced in the letter were not contained in the resolutions they were passing. Mr. Pearson said she was correct. When looking at these kinds of building techniques, materials and how they would do that so the payback would vary, would be the decision of the developer and what they were comfortable with and able to bare.

Member Margolis thought this was a first step in a good package, and a way for people to understand what the standards were in this area. She said she would be in favor of this.

Member Nagy appreciated the efforts of the staff for bringing this resolution forward, and was in full support of it. She appreciated the fact that there was an article by USA Today included in Council packets. She noted she had read numerous articles on this and it seemed to be a trend that most of the Country was following in new building. She said there were a lot of advantages for building green buildings, not only for the area they were built in, but in the long term there would be a cost savings for those who build the building and those who use it. She thought this was a great idea. She said she liked to see Novi as a leader and not a follower, and thought this would put Novi on the leading edge of this.

Member Paul thought the first round policy was a very good one. She also thought the idea of joining the United States Green Building Council was a very wise decision, as there would be a lot of information that would come forward from other states that were mandating that this be required instead of best practice.

Member Paul asked what materials they were looking at for a façade ordinance that would be more environmentally friendly in the second round policy. Mr. Pearson said they had not specifically identified those but knew the materials being used at Providence Hospital would be an example. He believed those materials had been in use in other places but were not specifically recognized in the current ordinance. She asked if he meant the veneer front, and he said yes. Member Paul said she knew some developers were actually doing this for their own prestige because they would receive a different award. However, some communities gave either an expedited review or financial reward by having the absorption of their water stay on site so they didn't have to pay for runoff. She said it make sense for Novi to not carry the burden of water retention in other areas.

Member Paul said, regarding the fifth bullet which talked about a Green Building Expo, there were several master gardeners on the Beautification Commission, and it might be helpful if they were present at the Green Building Expo to share their rain garden experience. She said they could share some failed practices and some good practices, as well as a table of plants that were drought and wet feet resistant.

**CM-07-09-284      Moved by Paul, seconded by Nagy; CARRIED UNANIMOUSLY:  
To approve with the adoption of the attached resolution encouraging green building practices through a voluntary participation and private developments by making the LEEDS Standards Novi's official green building criteria. 2) Adoption of the attached resolution encouraging considering of best practices of new construction or major renovations of public buildings. 3) Referral to the Planning Commission for research and potential ordinance amendments regarding alternative landscaping options, modifications to the façade ordinance, maximum watt coverage provisions and other ordinance sections related to the green and sustainable construction.**

## **DISCUSSION**

Member Mutch noted he liked that they would be utilizing a national standard that was well established and had been implemented. He commented that if those in the development community chose to go that route, it was a standard that people in the architectural and development fields would be familiar with. He also liked that it tied into a lot of the standards that Novi had already adopted. He said the Administration had made it clear that a lot of developers seeking LEEDS certification would already have a head start by having gone through Novi's development process, as Novi was laying the groundwork to qualify for a number of those points that they would receive through LEEDS certification.

Member Mutch said he also liked that, by adopting a policy that applied to Novi and its development through public buildings and infrastructure, they weren't just telling the development community "this is what we would like you to see" but were also practicing what they preached. Novi was saying that as a City they would try to follow the same standards that they were encouraging the development community to follow. He said it was a voluntary standard but he hoped that not only new businesses and developments in the City would pursue the LEEDS certification, but that those who had existing developments and facilities in the City would look at these standards and see if they could qualify with their developments,

based on what had already been put into place. Member Mutch said he was fully in support of this.

Mayor Landry said he would support this because he thought it balanced the general desire to go green in building with the realities of development. It made a statement that Novi encouraged LEEDS but didn't make it mandatory or cost prohibitive, and it committed the City to studying further changes in Novi's ordinances, which would assist green development.

Mayor Landry said when this first came before Council it was different than this, and there was discussion that perhaps Novi was behind the curve with other municipalities by not having such a policy. He said they decided to wait and poll other municipalities to find out who had such a formal policy, and found that virtually nobody did. He said the City of Auburn Hills was the only City that had such a policy. There was also a question about the effect this would have on the cost of building, if it was mandatory and they decided to canvass developers in the area. He said they had some interesting comments. Northern Equities commented that "while most people familiar with the LEEDS program were aware of possible increases in the construction costs related to a LEEDS building, they were not aware of the other higher costs that must be incurred to achieve even the lowest level of certification. The construction costs were increased by between 8% and 15% with a corresponding increase in architectural costs". Mayor Landry said they found out from architects that, in stating that there could be a 20% decrease in operational maintenance costs and a 30% decrease in energy consumption, it might mislead a person unfamiliar with the LEEDS rating system to believe that these savings were easily or likely to be achieved.

Mayor Landry said this was a different LEEDS program than was originally placed before Council. He thought it was the right one as they would encourage but would not require all of the development community to abide by this standard. Mayor Landry thought they should look at this further, with other encouragements, and see how the development community latched on to this. The approach being taken tonight was exactly the approach that should be taken, and he would support this.

**Roll call vote on CM-07-09-284**

**Yeas: Margolis, Mutch, Nagy, Paul, Landry,  
Capello, Gatt**

**Nays: None**

**3. Consideration of proposed vacation of Karevich Drive and review and comments on submitted landscape plan, and subject to future finalization of a conveyance document.**

Mike Zambricki was present to bring Council up to date regarding the site. He said they had been at that site since 1981 and a part of the City for over a quarter of a century. He said they had made modifications to the site. They had taken another building and modified it in the late 90's and built the current building, which was in compliance with all the ordinances including the Landscaping Ordinance at that time. They purchased an additional parcel of property subsequent to that time, which was adjacent to the existing Art Van property and there was a five year moratorium on developing that parcel of property. He said their desire, at that time, was to build an out lot store adjacent to the Art Van store that was currently on that site. He said the plan was to put a Drexel Heritage store there and their desire was to build a store that

wouldn't need any kind of variances. He commented that In order to do that, they would have to modify the existing roadway that currently went through that parcel of property. Mr. Zambricki said the original conversation with their home office was to try to reconfigure the road and then bring a proposal. He said the conversation went from reconfiguration of the tail end of the southern end of Karevich Dr. to vacating the road itself. He said they began conversations with the City last year. A City study was done to study the traffic count and it was determined that the traffic was relatively low, and it made sense to begin talking with Art Van about the possibility of vacating Karevich Drive. He said they had three meetings between that time and this spring, and this spring they suggested that Karevich Drive be vacated and that Art Van pay for all the cost associated with tearing out the road. Mr. Zambricki said they would improve the landscape, install a berm, plant the lawn, and shrubs and keep all existing trees, and pay a \$50,000 award to the City for those modifications. He said there had been discussion regarding whether there should be additional park benches and they would ask Council for their guidance, if that was amenable to the City. He commented that the submitted plan was compliant with the ordinances that were in place when the building was developed. So today they wanted to strike a final deal and were looking for a win win situation for the City and Art Van Furniture, for them to be able to build an out lot store adjacent to the existing store. He said it would give the City a finished product that enhanced the City. Mr. Zambricki said architect Mike Rupert, and landscape architect Bill Knighton were present to answer questions.

Mr. Pearson said this was coming back before Council for additional guidance and confirmation. He said they had taken this as far as they could and were looking for direction from Council on whether the amount of landscaping was sufficient with the current ordinances, etc.

Mayor Pro Tem Capello said he had been opposed to this from the start. He commented he was very comfortable with having a little more of a setback in that area. However, when they came to Council he said he would look at it, and he did look at it and had given them some suggestions. He noted he was perfectly clear that he wasn't just looking for them to meet the minimal standards of the ordinance in regard to landscaping. He said if they were going to take away the passive open area, he would like to see some type of architectural amenity such as a low wall that dressed up the street a little bit. He said he wasn't happy with the new building having parking on Novi Road, and thought they could have the building and bring it up closer to the road with landscaping and amenities to make that corner look nicer. He said park benches looked comforting even though they might not be used. Mayor Pro Tem Capello said with the Drexel Heritage building where it was and where Art Van was, he didn't think it would disrupt the movement and the flow for their customers to park between the Drexel Heritage building and Art Van. He thought it would look much nicer up front. Mayor Pro Tem Capello commented that looking at the landscape plan, especially the overview, it looked like there was a lot of landscaping there. However, when driving by the building he wondered where it all went. He said he looked at their plan from the overview, and wondered where it all went before it even began. He said he would be looking for a lot more.

Member Margolis said she would echo some of the things Mayor Pro Tem Capello said. She said it was very clear to Council that the reason a City would vacate a drive or street was because there would be public benefit back to the City. She said from what she saw and their comment that the landscaping fit the ordinances at the time the building was built, however,

the City had come a long way since then. She said what they were proposing was not even up to the current ordinances and she would need to see what the benefit would be for that area, which was concrete, streets and stores. She felt it needed architectural pieces and landscaping, and that was what she would be looking for.

Member Paul said when they had come before Council, Council said they would like at least an 8 to 10 ft. sidewalk; they proposed a 5 ft. wide concrete sidewalk, and north of them was 8 ft. She would not settle for anything less than eight, and would propose possibly a 10 ft. bike path. She said they were down 13 Canopy Buffer trees to meet the ordinance, 69 Sub-canopy Buffer trees, and was down 41 of the additional shrubs in the right-of-way. She didn't feel they even came close to meeting the ordinance. She said she would not support this in any way. Member Paul said they had previously met with the applicant and had shared their thoughts, so it was disappointing to have this come back and not have Council's thoughts completely in perspective here. Member Paul said she knew there were financial difficulties this time, but if they were moving to make this project and wanted Council to help them, that was what Council was expecting. She said they could have a fountain or a statute, etc., for the front of the building to improve the area.

Member Nagy concurred with many of the previous speaker's comments. She thought she would be amenable to an 8 ft. sidewalk or bike path. She would like to see the additional Canopy Buffer Trees and the shrubs, which would make Drexel Heritage look better and more expensive. She said without those additions she could not support their concept.

Member Gatt said in April 2006 they were before Council and it seemed like they disregarded everything that Council requested, which was in the minutes of that meeting. He said he would not be in favor of any vacation of Karevich Drive without a City plan to rename a street for former Mayor Pat Karevich.

Member Mutch pointed out to Council members that he felt they were dealing with two separate issues. He stated as much the last time they met because he felt the discussion was going back and forth between those issues that were site plan issues, and the landscaping that came along with having a site plan in place. He said he wasn't clear himself whether that kind of landscaping fell within the scope of the discussion, and what was landscaping that was tied into this agreement. He asked for clarification. He wanted someone to show Council, on the overhead, what the landscaping was that was going in place with this agreement and what fell within the scope of a site plan.

Ms. McBeth showed Council the plan that was proposed on the overhead. She pointed out the proposed store, and the landscaping issue. She said they were proposing a berm along the Novi Road frontage and continuing with the new store and along West Oaks Drive. She said the City landscape architect reviewed the standards of the current Zoning Ordinance regarding what was being proposed, and noted it was an improvement over the last plan but did not meet the City's minimum ordinance standards. She said the question came up on whether the landscaping would be required as a part of this vacation or a part of the site plan. Ms. McBeth said it would typically be required as part of a site plan review.

Member Mutch asked what the scope of the area they were talking about was, if they were just looking at this as a site plan. He asked if they would be talking just about the Drexel Heritage site, or would they be talking about the entire Novi Road frontage. Ms. McBeth said for the

Drexel Heritage store they would be talking about the landscaping that was along the frontage, but there was another plan that showed where the street vacation would take place. She said they would expect to see a plan for the modifications that would take place along the Novi Road frontage as well, because the road would be coming out and something new would need to go into that location. Member Mutch said it would be fair to say that discussion about the ordinance standards and where they were not meeting them pertained specifically to the Drexel Heritage site. Ms. McBeth said the numbers provided in the report pertained to the entire frontage. He said in terms of where they were deficient, were they treating this as a single site on both properties and looking at that as far as numbers went. Ms. McBeth responded that was how the report was prepared this time, taking a look at the entire frontage. Member Mutch said currently in front of the Art Van Store there was the roadway, and he asked what other landscaping was there. Ms. McBeth said there were some shrubs and she thought there were some existing trees. However, on this plan they were proposing to remove some of those shrubs.

Member Mutch said to address the issue of the Drexel Heritage site, he agreed with Mayor Pro Tem Capello's sentiments regarding how the building should be located on the site. The challenge for the applicant would be to bring forward a site plan that would meet the ordinance standards. He said if Council told him to put the building on the corner and the ordinance standards didn't allow that, he wouldn't have a way of doing it unless there was a separate agreement, such as a ZBA variance or a rezoning vehicle. If that was what Council wanted to see on that corner, and the applicant was amenable to that, Council would have to be cognizant of the fact that the City ordinance didn't allow it. In terms of the landscaping ordinance in the area, any plan would have to meet the Zoning Ordinance standards. So, to the degree that a potential site plan was deficient, whether that was addressed now or at the time of site plan, they would have to meet that standard. Member Mutch said what Council had to do was give clear direction to the applicant regarding these items. He said some of these items were brought forward in a general sense saying Council wanted more landscaping, and based on the staff review they had not met that. He said if Council wanted an architectural amenity or fountain, etc. they needed to be clear, and say up front what they were looking for from the applicant when they returned before Council. He thought the applicant had asked Council for guidance on what they wanted, and Council as a body needed to be clear about that.

Member Mutch said the items he would be looking at as potential public benefit would be the overhead power lines on that stretch of Novi Road. He commented that they were quite high and unattractive, and were not on the other side of the road because Twelve Oaks Mall went through the expense of burying them. He said regarding 8 ft. sidewalks, he agreed. He knew there was discussion that the Master Plan talked about 5 ft. sidewalks but to the north it was consistently 8 ft. and it was the only place in the City where there were 5 ft. sidewalks designated on the west side of the road. He thought that was an error on the City's part that needed to be corrected. Member Mutch said regarding additional landscaping, some Council members had stronger feelings about some of the landscaping issues. He said the one area that stuck out at him and needed to be addressed would be the potential for having right-of-way trees along Novi Road between the sidewalk and the curb, if possible. He recognized they were trying to balance putting an attractive landscape plan in and not completely block the visibility of their store. He thought if Council gave the applicant clear direction tonight, there would be a much better chance of them coming back with a plan they could all agree on.

Mayor Landry said in order to vacate a public road there had to be some benefit to the City, and that was what he was looking for. He didn't consider something that didn't meet the current landscaping ordinance as a benefit to the City. He said there were 202 trees and shrubs they would need to add. Mayor Landry understood they wanted a visible store and if they put all the trees and shrubs in front of it, they would probably be in danger of blocking the Art Van store. He said if just looking at this from an ordinance standpoint, he wanted the other 202 trees and shrubs and some amenity on the corner. However, understanding that they had to balance this because there was a business there, he would at least want an amenity on the corner, a wall or fountain, etc. He said it had to be something more than just the bare bones minimum because otherwise it would not be a benefit to the City, and that was the key in order for Council to rationalize vacating the road. Mayor Landry said if they vacated the road without a benefit to the City, someone else would ask them to vacate roads all over the place, and Council had to establish there was a benefit to the City to do that. He stated he would not be in favor of this and would like to see an amenity on the corner.

Member Nagy said she would be looking for them to get rid of the power lines, put in an 8 ft. sidewalk, 13 Canopy Buffer Trees along the rights-of-way, 69 Sub-Canopy Buffer Trees along the two right-of-ways, and an estimated 120 additional shrubs along the rights-of-ways. She said if that road was vacated, it was wide and long, and she didn't think the planting material would hide Art Van at all.

Member Nagy said regarding the corner and a decorative wall or seating area, she realized there was maintenance to these things. Therefore, she would prefer to see seating areas in there because the maintenance would be easier in the long run for Art Van.

Mayor Pro Tem Capello said perhaps if they did some type of architectural decoration at the corner, it could be utilized to focus the visual attention right to their Drexel Heritage store. He said if they did the same thing in front of the Art Van store, and had some kind of a feature there, instead of having landscaping across the entire front, it would direct the attention to the Art Van store. He thought the developer had the same idea at the corner of Novi Road and Grand River. It was supposed to be an open seating/park area that would attract attention to the Town Center area so people would see there were additional stores back there. He thought they could use the same benefit with their design.

Mayor Landry asked Mr. Schultz if a yea or nay motion was needed or were their comments sufficient. Mr. Schultz said either would work, Council could take no action and allow Mr. Zambricki to take the information with him or a table motion to allow Art Van time to submit more information, if they chose. He thought it would be better to have the tabling motion.

Mr. Zambricki said he was hearing a couple of different things, and asked Council to zero in on what it was they wanted, and he would take it back and get a yea or nay on it. He said the bottom line was they wanted to make the site buildable because right now it was not. He said they were trying to achieve something that was good for Art Van Furniture and the City of Novi. He said it really wasn't their intent to not live up to what Council's expectations were; it was just that they didn't honestly know what those expectations were. He said first of all this was fully compliant and there was nothing that was out of compliance with any of the ordinances. He noted what was being suggested was that the vacation of the road somehow invoked a new ordinance, and he didn't think that was correct. He thought the landscape was fully compliant with the ordinance the store was built under. He said what they were talking about was what

could Art Van and the City do to make this a workable agreement for both parties. Mr. Zambricki said when they have expensive frontage on Novi Road they didn't want to obscure the store from the visitors. He said they would plant as many shrubs, within reason, as the City wanted and they would plant more small trees. He said they didn't want to plant 70 or 80 additional large trees because 20 years from now they wouldn't be able to see the store. He said the sidewalk was not a problem and they would put in an 8 ft. sidewalk, and benches, but he wasn't quite sure about the amenity and what the intent of Council was. He said with more specific guidance on that and how important that was, it would allow them to take it back to explore it. He appreciated the conversation but they were looking for a way to make this a workable site, so they could build an additional store there and come up with a project that made sense. Mr. Zambricki said, regarding the new store, they wanted to comply with all the ordinances and were not asking to shirk any landscaping plans with respect to that new ordinance. He said they had an existing store that was compliant, and to go back and put a new standard on that store, which had been in place for almost a decade wasn't quite fair. He thought that removing a lot of concrete and putting green space in would be a benefit, and there seemed to be a question as to whether it was lawn and shrubs or tall trees. He hoped they weren't arguing over some of those points.

Mr. Schultz said Mr. Zambricki had mentioned a couple of times that the existing building was compliant, and that was probably true. However, he said their advice to the Planning Commission regularly was when someone came in to do work on a compliant property, if it was non-conforming because the ordinance had changed as in this case; they would have to bring it up to today's standards. Mr. Schultz stated he understood Council's point but thought his position from, a staff perspective and a Planning Department and Commission perspective, was that those ordinance standards that exist today were the ones that would apply, if work was done on the Art Van property.

Mayor Pro Tem Capello commented that a lot of staff, legal and Council time was taken to look at this project. He thought in previous meetings and today, Council had given them enough direction to at least come back with something Council could be more specific with. He said what was brought back today took nothing into account regarding the previous comments Council had given to them. He asked Mr. Zambricki to look at his comments today about trying to maintain the 1981 standards there; he didn't think they were going to reach an agreement and was about ready to make a motion to deny this. He said if they were going to maintain that position, and wanted to do nothing more for Art Van and meet the minimum requirements on the corner, he didn't want to waste anymore of the staff, legal counsel's, or Council's time.

Mr. Zambricki said that was not where they were suggesting they should end up. He said what they were suggesting was they wanted to build an additional store and make that site workable, and he wasn't sure how to do that.

Mayor Pro Tem Capello said he had heard all of the comments tonight and from the April 2006 meeting. He suggested they look at all the items Council was looking for, and if they needed a variance or waivers they might be able to do it under some type of contract zoning. He advised Mr. Zambricki to come back with something that incorporated Council's comments. If they didn't want to do that, then they were wasting all of their time and the City's time because Council would not just accept the minimal landscaping requirements along that road. They would rather keep the road and the open space.

Member Nagy said she had given a list of five things for them that she assumed most of the Council agreed with. She offered to give him a list right now to aid him. The list was:

1. Get rid of the power lines
2. 8 foot sidewalk
3. All the extra landscaping per staff recommendations, i.e., the Canopy Buffer Trees, the Sub-Canopy Buffer Trees and additional shrubs.
4. A corner seating area
5. A non-pedestrian architectural feature on the corner, i.e., a low brick wall with something that would focus on the building or buildings.
6. Meet landscaping standards, flex on trees and possibly a cash contribution to the Tree Fund.
7. Possibly an artist design relating to Karevich at the architectural feature.
8. Architectural feature on the corner.

Member Mutch agreed with the list and he would add an architectural feature on the corner. He said he didn't feel a pedestrian oriented feature was what they would be looking for based on the location, but thought a low brick wall with something that would focus someone passing by on the building or buildings. Also, meet the landscaping standards. He thought they were flexible as far as the trees go and thought there was a way to work that out whether on the site or a cash contribution to the Tree Fund.

Mayor Pro Tem Capello said he agreed with all of those items. He said there would be some features there, he didn't like to see the front row parking and they might be able to work through a waiver or variance. He said a low brick wall like the one at Grand River and Novi Road looked nice. He suggested, to meet Member Gatt's concern, that at the architectural feature there could be some type of an artist design and it could be Karevich Plaza or whatever. Then they wouldn't have to worry about the name of the street anymore. He said whatever they did he was sure they could utilize the benefit to draw attention to their stores; they were putting the money in and they should get that advantage.

Member Margolis said she understood they were looking for specifics but she didn't want to be too specific with them because this was their business. She thought they all understood that they needed to draw attention to their business. She said she didn't like designing at the Council table but thought Mr. Zambricki had gotten some information tonight. Member Margolis said the City staff was good at divining, from the seven opinions they hear at the Council table on a regular basis, what Council might be addressing. She said her direction to them was that they had given him a list and she was looking for something that was over and above what was there now. She said she expected them to run their business and wouldn't expect them to put 12 trees, if that didn't work, to get attention to their business.

**CM-07-09-285      Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:  
To table the vacation of Karevich Drive**

**Roll call vote on CM-07-09-285      Yeas: Mutch, Nagy, Paul, Landry, Capello, Gatt,  
Margolis  
Nays: None**

**AUDIENCE PARTICIPATION - None**

## MATTERS FOR COUNCIL ACTION – Part II

This item was postponed until after Item #9.

4. **Consideration of the Proposed First Amendment to SDO Agreement with Hummer of Novi, located at the corner of Grand River Avenue and Meadowbrook Road, to allow the parking of non-Hummer used vehicles under certain conditions and in certain locations.**
5. **Consideration of Ordinance No. 07-124.18, an amendment to the Novi Code of Ordinances, Chapter 11 (Design and Construction Standards) and Ordinance Nos. 07-106.04 and 07-168.01, Chapter 12 (Drainage and Flood Damage Prevention), to add low impact development requirements for stormwater management systems; and consideration of resolution authorizing the City Engineer to prepare, approve and maintain the contents of an Engineering Design Manual that will contain detailed specifications regarding stormwater management systems. Second Reading**

**CM-07-09-287** Moved by Paul, seconded by Nagy; **CARRIED UNANIMOUSLY:**  
To approve Ordinance No. 07-124.18, an amendment to the Novi Code of Ordinances, Chapter 11 (Design and Construction Standards) and Ordinance Nos. 07-106.04 and 07-168.01, Chapter 12 (Drainage and Flood Damage Prevention), to add low impact development requirements for stormwater management systems; and consideration of resolution authorizing the City Engineer to prepare, approve and maintain the contents of an Engineering Design Manual that will contain detailed specifications regarding stormwater management systems. Second Reading

## DISCUSSION

Member Mutch commented that in one of the chapter changes, there was a reference to a Master Plan for the Huron River portion of the City, which was about a third of the City's drainage area. He said they had not formally adopted Master Plans for the Huron River Water Shed portion of the City, and he asked Administration to bring that forward at some point.

**Roll call vote on CM-07-09-287** Yeas: **Nagy, Paul, Landry, Capello, Gatt, Margolis, Mutch**  
Nays: **None**

## 6. Continued discussion of branding for proposed City logo and vision statement.

Sheryl Walsh, Community Relations Manager, noted they had previously been before Council with proposed designs, heard Council's discussion and went back and held a graphic work session with more than 30 participants. She said they took the feedback from that work session to provide Council with four new proposed logos. She said one of the things that came out of the graphic work session was the tie to the current City logo or proposed City seal. She said they thought it definitely had some historic value and they wanted to incorporate that into a new City logo. She said they would welcome Council comments and thoughts.

Mr. Pearson said if Council was asking them for an opinion or direction of what they were leaning toward, based upon the input they had heard and trying this on a variety of uses, they were leaning toward #2 as the leading candidate. He said they looked forward to any direction Council might offer.

Member Paul said when they had looked at proposing this they had talked about something new, easily readable and attractive. There was an article in Council's packet, "Branding Understand the Who, Why and How", on how popular it was. She said it talked about when there's a revenue producing asset; it was a buy in to the City, County, State, Company or whatever it might be. She thought that was what they were doing. She said the proposal and whole outcome was to win deals, bring people in and for them to remember your City. She said if taking that into consideration, there should be color schemes that were attractive, appealing, and modern and something that was not too busy and was reproducible. She said the Novi logo of the past was very busy and hard to reproduce, but was in all four of these logos presented tonight because Council said that was something that was interesting. Member Paul said when looking at all of the proposed logos, she looked at #1, which could be green or blue, but the dark color stood out. However, the tree line and the buildings behind were not very reproducible, which would make it hard to transfer to business cards, stationery, etc. She felt that #2 was the same, and they had not stepped away from the old logo, they had just framed it. She said it could be read but it really wasn't a change, and a lot of money and effort was going into this. She said #3 was very attractive, reproducible, but the letter of Novi being in gold was not very prominent; she thought it would be a better if that was in the navy blue with the other color in the yellow. She said bottom right was also reproducible, clear and easy to read. She looked at the bottom two as the best options in regard to design, reproducibility, and the cleanness of the two logos.

Member Gatt thanked Ms. Walsh and the staff for the many hours they had worked on this project. He commented he had been at the work session and there were 30 diverse opinions and 75 or 80 logos and symbols on the board. He said when he received his packet with the four proposed logos he looked at them long and hard, and what came out at him was #2 and the uniqueness of it. He said 1, 3 and 4 looked like typical business cards. He said #1, as long as he knew what he was looking at, because if he wasn't sure of what he was looking at it could be people looking over a sign. Member Gatt thought #2 worked, he liked all the different examples of what it would be on, and he liked it and thought it was unique. He said he traveled around the County on business five days a week and had not seen anything like this. Member Gatt thought it incorporated the old City seal like everyone said it should do. He liked the blue and the gold and felt it was a very good looking sign and he would vote for #2.

Member Nagy said when they had talked about this, she didn't realize the amount of money they would be spending to make the change from the old logo to the new. She was concerned because of all the things that would need to change such as business cards, equipment, etc. She said she liked the original seal and didn't want to change that, and she didn't think the trucks needed to be changed. Member Nagy said she could see changing the letterhead and business cards but could not see changing the equipment, if the seal was kept. She thought the #2 logo was awkward looking. She said it was too hard to read the "City of" and she didn't like the coloring. She thought #3 was the most attractive to her eye; however she would like the seal to just be the seal in a darker color because it was too hard to read. She said #4 was very easy on the eye to read. Member Nagy said she liked numbers 3 and 4.

She thought #2 was too boxy and was the hardest to read. Member Nagy thought #1 was nice, if the back was darkened so the trees and buildings would be more obvious. However, her preference was the blue and the original seal, and she did like the scripted Novi and thought it was classy.

Member Margolis said she had been through this and knew there was nothing that everyone would be happy with. She thought the advantage of a brand was that you pick something and go with it. She felt the advantage of the brand was not necessarily what it said but that everyone saw it and said that's Novi. She said it was her understanding that #2 was very reproducible, and easily usable in a variety of formats, and asked if she was correct, and Mr. English said she was. He said they looked at the smallest applications to make sure that it would work and that was why they made the recommendation that a couple of them did work at the smallest size. Member Margolis said she had kind of come around on #2. She did this for a couple of reasons and one was when they were at the study session to try to come to a consensus it was surprising that everyone latched onto keeping the old logo. She said her thoughts were that they would be phasing this in; they wouldn't go out tomorrow and repaint everything in the City. Ms. Walsh said she was correct. Member Margolis said as new stationary, trucks, etc. were ordered the new letterhead would be used. Ms. Walsh agreed. Member Margolis said then in terms of costs that was not what they were talking about. She said another reason #2 made sense was that the change wouldn't be so quick as most of the City's property had that center piece on it; they would just be changing to the "City of Novi", which was always her problem with the original seal because Novi couldn't be read in it. She thought #2 was distinctive enough that it said Novi, it would be clear to people that's who we were, it wouldn't be confused with other cities and that it phased in the brand identity keeping the old, and yet moving in a new direction that could be used for publications. She said she would go with #2.

Mayor Pro Tem Capello agreed that #2 was most consistent with the City logo, and it expanded on the existing logo because Novi could be read. He agreed with Member Paul that the gold or yellow color of "NOVI" was not a color that stood out and that could be easily read, and the whole idea was to be able to read NOVI.

**CM-07-09-288      Moved by Capello, seconded by Margolis; MOTION CARRIED:  
To approve #2 of the proposed City logos, and have Ford and Earl  
tweak it a little, offer different coloring, and make it readable.**

## **DISCUSSION**

Member Mutch said when first talking about looking at a new logo, he didn't feel there was a huge need. He said what he was expecting out of the process was something that would be quite a bit different from the current logo. He commented once they had developed a vision statement that talked about Novi being creative and energetic, he expected to see a logo that was creative and energetic. In the visioning session he heard "we like the existing logo" and so maybe we do want to project an image that says we're not going to change too much, Novi's a secure and stable community. He said of the logo's he thought #2 was the one that best captured that. He said it wasn't a big change from the existing logo, and thought if they took the existing logo, and improved it in a way that retained the historical character of it and yet made it better, #2 captured that. He noted he had spent some time looking at logos from other communities and State seals and logos, and there were a couple he really liked, and he

felt #2 was very similar to one in another state he thought presented well. He thought that #2 would work the best for implementing it in terms of graphics and letterhead, etc. He agreed with Mayor Pro Tem Capello that they needed to look at the color. He didn't have a problem with the yellow as he thought it focused the eye on the most important part of the logo, NOVI. However, there are also DPW trucks that were red, other applications where gold would not work as well, but maybe it might always be on a white background. He asked to see some examples of that beyond just the plain white example because he thought it would be helpful in finalizing the decision. He said he would support #2. Member Mutch reminded Council that what drove some of this was their whole desire to have new entryway signs, and he thought the #2 graphic would work well on an entryway sign.

Mayor Landry said he liked #2 because it kept the old logo and dressed it up. He said he did like the circle with the square. He said he was convinced it was reproducible, it would look good on entryway signs and for those reasons he would support the motion for #2.

Member Paul suggested a friendly amendment to the motion. She asked if instead of approving it, could they look at #2 and play with the colors. Instead of "Novi" being in the gold maybe it could be in blue and "City of "in the gold, change the colors a bit and then Council could make the final decision. She said that was an option and then they could tweak the color scheme. Member Paul said, as a friendly amendment, look at #3 with the reverse colors as well.

Mayor Pro Tem Capello stated that his motion said tweak #2, and thought that would satisfy her, and he didn't feel there was enough support for #3.

Member Nagy said she didn't like #2 but it seemed the majority of Council did. She said she was looking at the business cards they got with the original seal and thought it was easy to read. She said if the majority of Council was looking at #2, she agreed with Member Paul's suggestion to reverse the colors. She also thought it would depend on the kind of gold they would use.

Member Gatt suggested outlining NOVI in blue or black ink it just made it stand out, and he would like to see that.

Ms. Walsh explained that the logo would not be used in full color across all applications. It would be produced in solid black, in white on vehicles, and there would be a variety of different options for color. She said full color would occur on business cards, publications, etc. She said they would not see a blue and mustard color logo on a red truck.

Mayor Landry thought the "NOVI" had to be in the different color not the "City of". He said the whole idea was to have a background with "NOVI" jumping out at people.

Member Nagy said they were talking about cost, and asked when they were going to update the trucks and she thought that would be very expensive once the change was made. Ms. Walsh said that would occur when new vehicles were purchased, and things that were currently in stock or fleet would not get changed.

**Roll call vote on CM-08-09-288**      **Yeas: Paul, Landry, Capello, Gatt, Margolis, Mutch, Nagy**  
**Nays: None**

**7. Approval of Resolution to authorize Budget Amendment #2008-1.**

**CM-07-09-289**      **Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY:  
To approve Resolution to authorize Budget Amendment #2008-1.**

**DISCUSSION**

Member Margolis asked for confirmation that the un-audited estimate of the General Fund at the end of the last fiscal year was that there would probably be \$1 million extra in Fund Balance than was anticipated. Mr. Pearson said yes. She said this was because of two things with one being an increase in building fees that was higher than anticipated, and second the staff spent about \$560,000 less than what was estimated. She said the staff was to be commended, the City was to be commended, and she wanted to make clear the good financial situation the City was in despite the struggles at the State level.

**Roll call vote on CM-07-09-289**      **Yeas: Landry, Capello, Gatt, Margolis, Mutch, Nagy, Paul**  
**Nays: None**

**8. Approval to purchase a Dump Truck – International 7400 4 x 2 S.B.A. from Tri-County International Trucks, Inc., in the amount of \$159,239.00.**

**CM-07-09-290**      **Moved by Nagy, seconded by Margolis; CARRIED UNANIMOUSLY:  
To approve purchase of Dump Truck – International 7400 4 x 2 S.B.A.  
from Tri-County International Trucks, Inc., in the amount of  
\$159,239.00.**

**DISCUSSION**

Member Mutch said they had correspondence from one of the no bidders that had some comments about the bidding process, and he wondered if the Administration wanted to highlight why this particular bid was selected versus others or address the comments.

Mr. Pearson said this year they were recommending the low responsive bidder, and there were two bids on this. He said chiefly continuity and completeness, they were very specific about what they were looking for in compatibility. He said there was more than one vendor that could provide that and they didn't look for substitutions unless there could be a demonstrable example of why the substitution would be better. He stated they were trying to provide some continuity with what the City had and thought the equipment spec'd out would do the best job for the City. He commented they were very specific regarding what they were looking for. He said last year they showed the reasons why, which were everything from the size and specifications of the lift and the hydraulics, etc.

Member Mutch said Mr. McCusker provided a memo addressing some of the specific concerns. However, in addition to the cost factors identified in terms of maintenance, the DPW had specifically bid certain standards to insure they were getting equipment that would operate under the conditions they operate in, such as snow removal, etc. He said with that kind of equipment, they wanted to have vehicles that would operate in an extreme environment and provide staff on the roads with the best possible equipment they could provide. He thought they did that with this bid.

Mr. Pearson thought the low bid recommended tonight was less than a year ago.

**Roll call vote on CM-07-09-290**                    **Yeas: Capello, Gatt, Margolis, Mutch, Nagy, Paul, Landry**  
**Nays: None**

9.    **Approval to purchase the necessary hardware through the Michigan Master Computing Contract (MMCC) for a not to exceed sum of \$67,105, and the Visionhawk software through IPT utilizing their Federal GSA contract (GS-07F-9906H) at the contract price of \$189,753 for the implementation of the digital in-car camera system for a total of \$256,858 using Federal Drug Asset Forfeiture Funds.**

**CM-07-09-291**                    **Moved by Nagy, seconded Gatt; CARRIED UNANIMOUSLY:**  
**To approve purchase of the necessary hardware through the Michigan Master Computing Contract (MMCC) for a not to exceed sum of \$67,105, and the Visionhawk software through IPT utilizing their Federal GSA contract (GS-07F-9906H) at the contract price of \$189,753 for the implementation of the digital in-car camera system for a total of \$256,858 using Federal Drug Asset Forfeiture Funds.**

**Roll call vote on CM-07-09-291**                    **Yeas: Gatt, Margolis, Mutch, Nagy, Paul, Landry, Capello**  
**Nays: None**

4.    **Consideration of the Proposed First Amendment to SDO Agreement with Hummer of Novi, located at the corner of Grand River Avenue and Meadowbrook Road, to allow the parking of non-Hummer used vehicles under certain conditions and in certain locations.**

**CM-07-09-286**                    **Moved by Capello, seconded Margolis; CARRIED UNANIMOUSLY:**  
**To postpone this matter and address it at the end of Matters for Council Action, after Item #9 to allow time for applicant's representative to be present.**

**Voice vote**

**CM-07-09-292**                    **Moved by Nagy, seconded by Gatt; CARRIED UNANIMOUSLY:**  
**To approve First Amendment to SDO Agreement with Hummer of Novi, located at the corner of Grand River Avenue and Meadowbrook Road, to allow the parking of non-Hummer used vehicles under certain conditions and in certain locations.**

## DISCUSSION

Mayor Pro Tem Capello stated he had been opposed to this all along, and when Hummer first came before Council the only reason they were allowed to build a car dealership at Grand River and Meadowbrook was because it was a Hummer dealership. He said at first they said there would be no used car sales, and then in the ninth hour they explained they had to be able to sell the used cars brought in on trade. Then Council found out they were bringing used cars from other lots into the Grand River and Meadowbrook location and selling them as a typical used car lot. He said if they were allowed to put used cars anywhere, he would prefer they put them on the Meadowbrook side instead of right on Grand River and right at the entrance to the Gateway development. Mayor Pro Tem Capello hoped that the understanding was the one pad on Grand River and that they were not going to interpret that as the corner or Grand River and Meadowbrook and being allowed to display used cars in that location also. Mr. Schultz said that was the understanding.

Member Paul asked if there was a way to say how many used cars were allowed on the lot. She asked if there was way to say less than 20%, could that be put in the agreement as well. Mr. Schultz said yes. He noted right now the City's position was that the agreement said Hummer vehicles. He said the proposed amendment was on Hummer used vehicles plus parking on that easternmost pad, and that was the recommendation of the Planning Commission. If Council wanted to consider some other limitation, that would be Council's prerogative. She said that only the far eastern pad, which was the Meadowbrook corner, would have one used vehicle only, and the other two vehicles they displayed would be Hummers. Mr. Schultz said that was correct. She said what about the used cars they were selling on the lot, would that still be allowed. Mr. Schultz said this document was what would permit that to occur. Member Paul asked if Council could limit how many used cars were on the lot, so that they were not bringing many used cars into the vehicle parking lot. Mr. Schultz replied the proposal and request from Hummer was before Council and this was the Planning Commission's recommendation. He said Council could add an additional restriction on the percentage of non-Hummer vehicles, if that was what they chose to do. Member Paul said she had a difficult time with the whole Hummer deal because the initial façade approval was one way and then they came back to a second meeting and it was changed to a lesser façade. She said it was hard for her to keep giving to them over and over again the signs they wanted, the entryway signs, so she was looking to have some restriction on the used car vehicles on that lot. She said if Council was amenable, she would like to hear their thoughts to add that to the motion.

Member Mutch thought Mr. Schultz indicated that they would be able to park one used car on the eastern most pad, which looked like three vehicles could be parked on that pad. Mr. Schultz said that pad, out of the three, was the only one that would permit non-Hummer vehicles. Member Mutch said then if they could get three on there they could have three used vehicles on that pad. Mr. Schultz said that was the proposal. Member Mutch said, looking at the language, he thought that was clear. He said on page two, the first "Now Therefore" it said the "Owner shall further be permitted to park or store non-Hummer used vehicles on the easternmost pad, depicted on the Plans along the road frontage of Grand River Avenue." He said this preceded his time on Council and came after he was on the Planning Commission, but when they agreed to allow a car dealership at this location, he thought they opened the door for some of these issues. He said from his perspective, it seemed unrealistic to not expect them to sell used cars or used Hummers. Now that the car dealership was there and

operating what he didn't want to try and approve, and he thought it was the route the Planning Commission did not go down, was something that would require constant monitoring and enforcement. He thought it would be unenforceable. He asked if they put a percentage of used cars, who would go out there and check it everyday. He didn't feel that was workable. Member Mutch said he understood Mayor Pro Tem Capello's concern and logically he was right; they had made certain representations. However, from a business and enforcement perspective, he thought they had to say absolutely not to any of these. He thought, if they were going to allow used cars, allowing them to display on one of the pads was reasonable. He didn't want to try to enforce standards or formulas that were unworkable, and felt it wouldn't be good for the City or the business.

Member Gatt said he had no doubt that when Hummer came to Novi the agreement was that they would sell only new Hummers despite what their attorney represented. He concurred with Member Mutch. They are a car dealership and the City didn't limit any other car dealership as to how many used cars, or how many Chevy's or Ford's were on the market, and he didn't think they should do that with Hummer. He said times were tough right now for car dealerships and that one in particular, and he didn't think they should do anything to limit their ability to make a living. He said he was in favor of the proposal that came forward tonight.

Member Nagy said she didn't want to amend her motion.

Mayor Landry said he agreed with previous speakers who talked about not limiting them. He thought they had to be very careful. The one thing Council wanted was a successful business in the City and he didn't think Council needed to tell them how to run their dealership. Mayor Landry said it was a Hummer dealership that needed to be a Hummer dealership. However, if they take used cars in trade, he didn't have a problem with them selling used non-Hummer vehicles. He didn't have a problem with them using one pad to display them, and he was OK with the easternmost pad. Mayor Landry thought they had done such a nice job with the façade of the dealership that they wouldn't be able to tell what was being sold behind it, because it was brick and the entire inventory was behind the building. He was in favor of the motion as drawn up and proposed by the Administration.

**Roll call vote on CM-07-09-292**                      **Yeas: Paul, Landry, Capello, Gatt, Margolis, Mutch, Nagy**  
**Nays: None**

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

**MAYOR AND COUNCIL ISSUES**

**1. Residential Development Options – Member Mutch**

Member Mutch said he had sent a memo outlining a couple of the residential development options he thought, now that the Planning Department and Planning Commission were undertaking some reviews of those development options, should be addressed. He commented that one he brought forward was one Mayor Pro Tem Capello had been trying to have addressed for 4 or 5 years regarding setbacks at major intersections and along major thoroughfares. The second one was the non-contiguous plan developments that he brought forward at a past joint meeting. The third was the limitations on acreage requirements for

Planned Residential Unit developments which were limited to sites 80 acres or larger. Member Mutch said he had a concern with that based on the fairly limited amount of acreage in the City. He said because of the action taken earlier this evening with the Green Building Policies as the Administration outlined in their memo to Council regarding what they were going to do on their Phase II work, it sounded like they were going to do a comprehensive review of the residential development options. He asked that Administration look into those as they do their reviews. Member Mutch said if the Administration started from scratch with the residential development options, and drafted modern standards that incorporated some of these ideas, he thought they would be a lot better later when they had residential development coming forward. Some of the ordinance standards, in that regard, were things that they had been amending since the mid 80's, and they were probably cutting edge back then but are not cutting edge now. He said since the Administration was going to look that over, he thought it would cover these concerns. Member Mutch said if he had known that was coming forward before he had sent this in, he would have held off on that.

Mayor Pro Tem Capello commented the setbacks that he was talking about were not just residential although they could take place at Grand River and Meadowbrook Road. He said similar to what they had discussed about the Drexel Heritage building regarding putting an amenity on the corner and landscape.

## **2. Landscaping on Main Street – Member Gatt**

Member Gatt said on Saturday he drove down Main St. east from Novi Road, and noticed on both sides of the road from Novi Road to the Post Bar, obnoxious weeds growing from the cracks in the street, the flower beds had 3 ft. high weeds, and some of them were in a state of very bad disrepair and were falling and crumbling. He said he wasn't sure who was responsible for that maintenance issue but for the jewel of our City they had been pushing for years, it really looked bad. He asked the City to look into who was supposed to take care of that and get it taken care of.

Mayor Pro Tem Capello said he believed all the landscaping along the street and the flower boxes were the responsibility of the property owners.

Member Nagy asked if they could also check the trees, because last year they couldn't be walked under.

## **3. Outdoor Tents at Paradise Park – Mayor Pro Tem Capello**

Mayor Pro Tem Capello said at some of Paradise Park's outdoor events they have outdoor tents and usually open tents. He said he understood they had received a handful of tickets from the City this summer as a result of putting the tents up. He thought it would make sense to look at the ordinance. He thought the Rock Financial Center because of their operations were allowed to have tents under the Zoning Ordinance. He wanted to look at the Paradise Park zoning and use and see if they could allow him to apply for one permit at the beginning of the season, which would allow him whether putting them up or taking them down, one permit instead of charging him \$100 every time he wanted to put a tent up.

Mayor Landry asked if he wanted it sent to the Ordinance Review Committee, and Mayor Pro Tem Capello responded he did.

**AUDIENCE PARTICIPATION - None.**

**ADJOURNMENT**

The being no further business to come before Council, the meeting was adjourned at 8:46 P.M.

\_\_\_\_\_  
David Landry, Mayor

\_\_\_\_\_  
Maryanne Cornelius, City Clerk

\_\_\_\_\_  
Transcribed by Charlene Mc Lean

Date approved: