

24 million Veterans throughout the USA, 103,000 in Michigan and a World War I Veteran who was 110 years old and lived in West Virginia.

PRESENTATIONS

1. City of Novi receives Gold Promoting Active Communities Award from Governor's Council of Physical Fitness

Ms. Walsh presented the Mayor and Council with the 2010 Gold Promoting Active Communities Award. She said there were only 30 communities in Michigan who received awards this year and Novi was once again a Gold, and the only community in Michigan to receive a Gold designation four years in a row. She said Novi was honored because of the current environment in the community, policies and planning and the programming and promotion of recreational activities. Ms. Walsh thanked Council for their continued support of all the initiatives that kept moving Novi forward.

2. Recognition of Novi Varsity Girls Soccer 2010 State Champions

Mayor Landry presented the Novi Varsity Girls Soccer 2010 State Champions team members with a certificate of recognition and showed Coach Brian O'Leary the street sign that would hang in the streets of Novi as recognition of Novi's student athletes. Coach O'Leary thanked Council for the street sign.

REPORTS

1. MANAGER/STAFF

City Manager Pearson said last week there was a very successful first time Anti-Bullying Rally, which was a joint effort of the City and the Novi Community School District. He said there was a lot of media coverage for a very important topic and thanked everyone for their support. Mr. Pearson thanked Ms. Walsh for her efforts.

2. ATTORNEY - None

AUDIENCE COMMENT

George Robinson was present to represent St. William and St. Vincent DePaul and other surrounding areas and spoke regarding CDBG Funds and noted they had applied for Block Grant Funds. He said they applied for consideration for funding of emergencies for the City of Novi. He said they were primarily involved with helping within the community, within the boundaries of their parish church, which incorporated a good portion of the northern boundaries of Novi. Mr. Robinson noted they expended \$3,500 to \$6,000 per year and it came from funds volunteered by the community, the parish and individuals. They would like consideration for some Block Grant funding for utility payments, temporary shelter, education assistance, prescription medication or other items not available through OLHSA or DHS. He said sometimes it was necessary to work in conjunction with other charitable organizations in

order to reach the appropriate amount of funding needed to satisfy an emergency. He commented that they helped 24 homes in Novi last year. Mr. Robinson said they had obtained funding through Wixom, Walled Lake and Commerce Township. He said he knew that a panel had reviewed and tabled their request and he asked for Council's reconsideration.

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

**CM-10-10-141 Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve the Consent Agenda as presented.**

**Roll call vote on CM-10-10-141 Yeas: Crawford, Fischer, Margolis, Mutch, Staudt,
Landry, Gatt
Nays: None**

- A. Approve Minutes of:
 - 1. October 11, 2010 – Regular meeting
- B. Enter Executive Session immediately following the regular meeting of October 25, 2010 in the Council Annex for the purpose of discussing pending litigation, labor negotiations and privileged correspondence from legal counsel.
- C. Approval of the 2011 Suburban Mobility Authority for Regional Transportation (S.M.A.R.T.) Municipal Credit Funds Resolution and Contract in the amount of \$44,713 towards the Novi Senior Van Transportation Service.
- D. Approval to adopt Resolution of changes in MERS Defined Benefit Pension Benefits for Division 05 Fire Local 3232 to increase employee's pension deduction as a percentage of eligible payroll by 2.5% for a new total of 8.83% effective January 1, 2011.
- E. Approval of resolution recognizing The Change Exchange as a non-profit organization for the purpose of aiding the academic and emotional education of children in East Africa.
- F. Approval of the Final Payment to Man-Con Michigan, Inc. for the 2008 Lift Station Improvements (Bellagio and Napier Sanitary Sewer Lift Stations) project, in the amount of \$11,967.11.
- G. Approval of Traffic Control Device Agreement with the Road Commission for Oakland County for the ongoing maintenance of the new traffic signal being installed at the intersection of Beck Road and Cider Mill Road.
- H. Approval of Resolution regarding Temporary Holiday Promotional Signage allowing temporary relief from Sign Ordinance from November 26 through December 26, 2010.
- I. Approval of Amendment to Lease Agreement with the Performing Arts Academy for lease space at the Novi Ice Arena to reduce the number of days available per week and reduce the rent accordingly.

- J. Approval of Resolution to dissolve the Stormwater Management and Watershed Stewardship Committee.
- K. Approval of Claims and Accounts – Warrant No. 830

MATTERS FOR COUNCIL ACTION – Part I

- 1. **Consideration of Adoption of Ordinance No. 10-23.25, an ordinance to amend Chapter 22, “Offenses”, Article V of the Novi Code of Ordinances by amending Section 22-96, to modify the standards for the determination of a violation of the public peace due to loud noise. Second Reading**

CM-10-10-142 Moved by Crawford, seconded by Margolis; CARRIED UNANIMOUSLY: To approve Adoption of Ordinance No. 10-23.25, an ordinance to amend Chapter 22, “Offenses”, Article V of the Novi Code of Ordinances by amending Section 22-96, to modify the standards for the determination of a violation of the public peace due to loud noise and to change Item D-6 from 10 P.M. to 11 P.M. Second Reading

DISCUSSION

Mayor Pro Tem Gatt commented residents had asked him about the snow removal discussion Council had at the last meeting. He said he wanted to report that snow removal had been removed from the Ordinance and any reasonable snow removal activity would not be a violation of the ordinance.

Member Mutch thought the adjustments to the language in the ordinance better reflected what worked for the City and the changes moved this in the right direction. He felt comfortable moving this ordinance forward and if there were changes that needed to be made, they could revisit it. He thought it struck the right balance between addressing the need of not having obnoxious noise in the community and yet, not being so restrictive that people would be running into ordinance violations unwittingly. He would support the motion to approve.

Member Fischer commented on page 3, Item D-6, in regard to organized sports events and fireworks, which was still limited to 10 P.M. He thought if talking about fireworks that had been permitted or organized sporting events, 11 P.M. would be more appropriate. He hoped the maker of the motion would consider that as an amendment. He agreed that this was in the right direction and could always be tweaked.

Member Staudt said based on the softball tournaments that begin at 9:40 P.M. at times, he thought Member Fischer’s comments were completely appropriate. He said 11 P.M. didn’t seem unreasonable.

Member Crawford said she would accept the amendment to change the time to 11 P.M., the seconder also accepted the amendment.

Roll call vote on CM-10-10-142

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

- 2. Approval of Zoning Ordinance Text Amendment 18.244 in order to prohibit the installation and operation of outdoor furnaces; to modify the definition of recreational equipment; to add brewpubs and microbreweries as principal permitted uses in the B-3 District and principal permitted uses subject to special conditions in the RC District and modify requirements for brewpubs and microbreweries in the TC and TC-1 District; to provide standards for an extension of a site plan utilizing a planned development option; to update standards for storing a commercial vehicle at a residence; and to amend the time limit for approval on a variance granted by the Zoning Board of Appeals. First Reading**

CM-10-10-143

**Moved by Margolis, seconded by Gatt; CARRIED UNANIMOUSLY:
To approve Zoning Ordinance Text Amendment 18.244 in order to prohibit the installation and operation of outdoor furnaces; to modify the definition of recreational equipment; to add brewpubs and microbreweries as principal permitted uses in the B-3 District and principal permitted uses subject to special conditions in the RC District and modify requirements for brewpubs and microbreweries in the TC and TC-1 District; to provide standards for an extension of a site plan utilizing a planned development option; to update standards for storing a commercial vehicle at a residence; and to amend the time limit for approval on a variance granted by the Zoning Board of Appeals. First Reading**

DISCUSSION

Member Mutch thought the item that would be of most interest to residents was the storage of recreational trailers on the property. He asked for an explanation of why the change was being made in the language and what they hoped to accomplish with the change. Ms. McBeth said that change related to the location for storage of trailers on parcels of property. She said currently the ordinance was a little unclear as to whether utility trailers could be stored in the front yard. She said the requested amendment that staff was proposing was to treat them more like recreational vehicles as the side yard or rear yard would be preferred and not being stored in the front yard. Member Mutch asked if the problem they were running into was people claiming that their trailer wasn't a recreational trailer, so it wasn't governed by that section of the ordinance. Ms. McBeth said Member Mutch was correct and people were using it as a potential loop hole in the ordinance, so they were trying to clarify that they were really intended for the side or rear yard and under a certain height.

Member Staudt said one of the issues he ran up against working with homeowners association was that their covenants didn't match the ordinances of the City. He asked how they dealt with the differences between the covenants and the ordinances. Ms. McBeth responded the Ordinance Officers generally interpret the Zoning Ordinance itself and would generally advise

people that there could be subdivision restrictions that were privately enforced.

Member Crawford asked Ms. McBeth to describe an outdoor furnace. Ms. McBeth said they had a definition for outdoor furnaces and it was included in the ordinance to clarify that they wouldn't be permitted under this ordinance. Ms. McBeth said it was a boiler or furnace fueled by wood, coal, corn or some other type of fuel and it was located outside of the structure or the house and was usually some distance away from the house. It was used to heat the house or sometimes a swimming pool and was a separate shed like structure that was some distance from the house.

Roll call vote on CM-10-10-143

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

Nays: None

AUDIENCE COMMENT - None

MATTERS FOR COUNCIL ACTION – Part II

3. Appointments to Boards and Commissions

Ms. Cornelius, City Clerk, read the results of the ballots:

Dale Holdaway – Board of Review Alternate

Deb Blashfield – Board of Review Full Term Member

Pamela Superfisky – Election Commission

Roy Prentice – Historical Commission

Hirsch Srivastava – Housing & Community Development Advisory Committee

Linda Krieger – Zoning Board of Appeals

Siddarth “Mav” Sanghvi – Zoning Board of Appeals

COMMITTEE REPORTS

Member Mutch reminded the public that the 2nd public meeting for the Non-motorized Transportation Master Plan would be held at the Library from 7 p.m. to 8:45 p.m. on October 26, 2010. Also, Member Mutch, a number of City Staff, Fox Run residents, students from Franklin Christian School and residents from surrounding communities attended the grand opening of the M-5 Pathway Extension.

MAYOR AND COUNCIL ISSUES - None

CONSENT AGENDA REMOVALS FOR COUNCIL ACTION - None

AUDIENCE COMMENT – NONE

ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 7:33 P.M.

David Landry, Mayor

Maryanne Cornelius, City Clerk

Transcribed by Charlene McLean

Date approved: November 8, 2010