

**REGULAR MEETING OF THE COUNCIL FOR THE CITY OF NOVI  
MONDAY, AUGUST 25, 1997 - 7:30 P.M.  
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 W. TEN MILE ROAD**

Mayor McLallen called the meeting to order at 7:34 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor McLallen, Mayor Pro Tem Crawford, Council Members Clark, Kramer, Mitzel, Mutch, Schmid

**ALSO PRESENT:** City Manager Ed Kriewall, City Attorney David Fried, City Clerk Tonni Bartholomew

Mayor McLallen understands many audience members would like to speak and suggested that they speak in a way that they do not shift from issue to issue. Mayor McLallen advised anyone that has a general issue unrelated to Items 4 and 5 under Matters for Council Action - Part I or the two Public Hearing matters may speak under the first Audience Participation. However, audience members wishing to speak about the aquatic facility and the Ten Mile Road issue will speak before that specific item.

**AUDIENCE PARTICIPATION**

**Andrew Mutch** - 24541 Hampton Ct., endorses any proposal that would bring more bike paths and sidewalks to the city. Mr. Mutch regularly uses the paths and he is often in the dangerous position of having to travel on some roads without them. Mr. Mutch added he often sees pedestrians walking on the gravel shoulders and believes the paths would provide further safety for the residents of the community. Although Mr. Mutch believes the path proposal is good, he suggested that Council explore the possibility of a dedicated millage to fund the project. He understands for capital improvement projects that they typically fund with bonds. However, he believes most path projects require less funding and therefore, could be funded with a millage. Mr. Mutch believes there are several advantages to using a millage. He explained all the funds collected will be spent on construction and not on interest payments. Secondly, the tax base grows and the money that can be collected with that millage also grows. Consequently, as the needs grow, how much money they have available also will increase. Mr. Mutch added that a millage gives them more flexibility because they can make adjustments as necessary to fit the city's financial needs. Finally, Mr. Mutch advised there is no increase in the indebtedness of the city. Mr. Mutch provided a spread sheet to Council to convey his point and explained that he tried to use the same numbers the city used. He noted that the current tax base would increase at 3% per year and added they must levy a half mil to pay off the bonds. Further, he advised they would collect enough money in a five year period to pay for every project except the Meadowbrook Road sidewalks between Eight and Twelve Mile Roads. In the next five years, Mr. Mutch reported they would raise an additional \$5.0M for a total of almost \$9.5M over a ten year period. Mr. Mutch believes they can accomplish all these

projects in the same time span using a dedicated millage with all the inherent flexibility and benefits. Mr. Mutch asked Council to consider this alternative and realize that they can pay for this program in a way that will provide a better solution.

**Pete Hayek** - 45516 Violet Lane, respectfully requested that Council reconsider tonight's agenda. He explained there are many parents in the audience with children just returning to school, and he suggested that they address the Ten Mile Road improvements and the aquatic facility early in the meeting.

**James Korte** - Shawood Lake, stated they have been fighting more than eight years to have paths constructed in his area and now they have tabled it again. Mr. Korte hopes if they pass the bike path/sidewalk resolution on tonight's agenda that it will take less than eight years to get it done.

#### **APPROVAL OF AGENDA**

Mayor McLallen reminded Council that Mr. Hayek suggested that Council look at changing the order of some agenda items.

Councilman Kramer believes Mr. Hayek was suggesting that they return to their usual format so that the members of the audience can speak during audience participation at the beginning of the meeting. Councilman Kramer suggested if they return to their usual format that they still segregate the issues. Mr. Hayek agreed.

Mayor ProTem Crawford concurred and suggested they leave the Public Hearings where they are. He then suggested that they add the Ten Mile Road improvements and aquatic facility after the public hearings for public input.

**CM-97-08-279: Moved by Crawford, Seconded by Clark, CARRIED UNANIMOUSLY: To approve agenda as amended**

**Vote on CM-97-08- 279: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid  
Nay: None**

#### **CONSENT AGENDA (Approval/Removals)**

Councilwoman Mutch removed minutes of the Special Meeting of August 13, 1997.

Councilman Kramer removed Item 14 for a brief discussion.

Councilman Schmid removed Item 20 to specifically discuss item 34.

Councilman Mitzel removed Item 21.

Mr. Fried removed Item 3.

**CM-97-08-280: Moved by Clark, Seconded by Mitzel, CARRIED UNANIMOUSLY:  
To approve Consent Agenda with the removal of Items 1 (Minutes  
of Special 6:30 p.m. Meeting of August 13, 1997), 3, 14, 20 and 21:**

1. Approval of Minutes of Regular City Council Meeting of August 11, 1997 and Joint 7:30 P.M. Meeting of August 13, 1997
2. Schedule an Executive Session to immediately following the Regular Meeting for the purpose of Pending Litigation and Property Acquisition
4. Approval of Ordinance No. 97-45.24, Amendments to Subdivision Ordinance revising location of utilities and variance procedures - **II Reading & Adoption**
5. Approval of Ordinance No. 97-100.20 to revise the requirements for the placement of subdivision entranceway signs - **II Reading & Adoption**
6. Adoption of Ordinance No. 97-161, Smoking Policy Ordinance - **II Reading & Adoption**
7. Acceptance of Public Water Main for High Point Shopping Center
8. Amendment to City of Novi Investment Policy
9. Approval of proposed Extension of Bike Path Agreement between the City of Novi and the Road Commission for Oakland County and the Authorizing Resolution
10. Approval of Resolution requesting participation in the Road Commission for Oakland County's FAST-TRAC Program for various traffic signal installation /improvement projects within the City
11. Approval of MDOT Contract No. 97-5126 and Authorizing Resolution - M-5 Wetland Mitigation Site
12. Approval of Resolution, Re: Disposal of MDOT Excess Property
13. Approval of Winter Maintenance Agreement between the City of Novi and the Road Commission for Oakland County along with Authorizing Resolution for sections of Novi Road and Old Novi Road
15. Approval of Budget Amendment Number 98-06, Computer Software
16. Approval of Resolution, Re: Change in Retirement Benefit for Police Clerks (Based on Contract Signed 6-3-96)
17. Award bid for Window Washing Contract for the Civic Center and Police Department to ABM/TBS in the amount of \$5,489
18. Award bid for Fire Department Uniforms based on unit pricing to Allie Brothers (partial award)
19. Approval of Conveyance of an Easement from the City of Novi to Detroit Edison at Novi Sports Park

## **REMOVALS**

1. Approval of Minutes for Special 6:30 P.M. Meeting of August 13, 1997
3. Approval of Ordinance No. 97-18.133- Zoning Ordinance Update - **II Reading & Adoption**
14. Approval of Walled Lake/Novi Sewage Disposal System Rate Reduction
20. Approval of Claims and Accounts - Warrant No. 498
21. Approval of Purchase of Levy Property for Parkland and Wire Transfer of Funds

**Vote on CM-97-07-280: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid**  
**Nay: None**

**PUBLIC HEARING - Partial Vacation of Erma Street - Easterly Portion**

Mr. Kriewall began by stating that Council has been wrestling with the prospect of vacating the remainder Erma Street since the prior vacation from Austin Drive halfway to Novi Road. He said prior Council discussion debated whether there should be a vacation of the remainder of Erma Street or whether it should be left in its present condition and provide for vehicular access from Novi Road approximately halfway to Austin Drive. He reported they have researched the development of the total vacation of this area and the engineers have historically supported the position of not completely vacating Erma Street, but to leave the roadway open as a public roadway from Novi Road halfway to the west. Mr. Kriewall reported they addressed a vehicular problem created by the existing market with the current partial vacation and that also seems to have addressed the concerns of the neighborhood. He concluded by stating that they are back before Council with an administrative recommendation not to vacate the remainder of Erma Street in conjunction with the consulting engineers and Director of Public Services who have proposed landscaping for a decorative termination point at the existing vacation.

**James Korte** - Shawood Lake, advised there are only two properties involved in this issue. He reported this area was subdivided prior to 1920 and for the last forty years, the store has used the street as an integral part of its existence and a vacation would severely curtail its business. Mr. Korte has lived in the neighborhood twenty eight years and although he would prefer that the store not be there, he agrees they have a right to exist. However, he also believes a vacation would severely infringe on the neighboring owner's rights. Mr. Korte stated the residential zoning on the unbuilt Jacob property permits the owner to have three building sites. He advised the owner has ten lots of twenty feet and if he puts three lots into sixties, he legally gets one hundred eight feet on three building sites. Mr. Korte stated the houses can be approximately 2,400 square feet with an attached two car garage without ZBA approval. Mr. Korte understands that the owners would like a buffering zone, but he noted within their one hundred eighty feet they have twenty feet of their own for a buffer zone. Therefore, he does not believe it is in the best interest to vacate this street and that the current vacation has been successful.

Mayor McLallen advised there are photographs of the area provided by Mr. Jacob on Council's table.

**Dan Love** - Lakeview Market, recommends that Council not vacate Erma Street because it would affect their business. He added the rerouting of Novi Road has already affected them and this could affect their future plans. Mr. Love advised he is currently in the process of purchasing his deceased partner's estate and they are unable to move forward until they resolve this matter.

**Roger Jacob** - 3935 Lakefront St., Waterford, supports the vacation of Erma Street. He acknowledged the party store's situation, but he believes the City of Novi has treated him unfairly because of the zoning change from commercial to residential for his property. He agrees he would like a buffer zone, but he wants more than only a buffer zone. He explained he would like some kind of separation for safety and aesthetics in case someone would like to construct a home as described by Mr. Korte next to the market. He added that the store's trucks often drive over the berms and park on their property. Mr. Jacobs stated just because the party store is having difficulty does not mean that he should have to bear the burden of their traffic.

**George Jacob** - 3935 Lakefront St., Waterford, supports the entire vacation of Erma Street and advised his photos illustrate how dangerous the situation is. He added that he does not own his property to be used for parking for somebody else.

**Charles Tindall** - 2453 Shawood, would like Erma Street to remain open because his main concern is for the safety of the children who travel to the store. He believes if they vacate the street there is no guarantee that they will provide a walk way and the children must then walk on Novi Road with no sidewalks.

**PUBLIC HEARING - Special Assessment District Number 150 - Willowbrook  
Subdivision #2 Storm Drainage Improvements**

Mayor McLallen advised this special assessment is to improve the storm drainage that affects twenty one lot owners. She added this is the third resolution in the special assessment process for the remediation of this drainage issue and the approximate cost is \$1,000 which will be added to the homeowners' tax bills for a period of ten years.

**James Stone** - 23310 Meadowbrook, opposes the special assessment district because he believes he is in a lose-lose situation. He agrees there are drainage problems, but he believes there are different ways to fix it. Mr. Stone attended the June 11 meeting with JCK and the DPW Supervisor, and he is still unconvinced that any of the three plans will solve his drainage problems. He explained the drainage would terminate in his backyard and somehow drain into the flood plain surrounding Ingersoll Creek. He believes the water will still end up in his yard and consequently, increase his drainage problems. He added

he will not only have to sacrifice an extra ten feet of easement, but during construction, he will have construction traffic on his property. Mr. Stone asked if there will be more meetings on this issue.

Mayor McLallen advised there are two more meetings and explained that the special assessment process is a series of resolutions that allows for further investigation at each vote before they take a final vote.

Mr. Stone asked if there are two more meetings that would determine how they allocate the total cost and which design alternative will be selected. Mayor McLallen stated the recommended design alternative is Alternative 3, which is the \$21,000, six inch pipe design. The Mayor advised Mr. Stone's comments and concerns will be given to staff to investigate before the next meeting.

Mr. Stone restated he does not believe Alternative 3 solves the drainage problem and in fact, it may increase the drainage problem for him.

Mr. Potter noted that Mr. Stone is referring to Lot 180.

**Althea Reames** - 23386 Meadowbrook Rd., advised she resides on Lot 177 and supports the special assessment. Ms. Reames added they are the original owners of the home and they knew at the time they purchased their home that the back was not to be altered because it would affect the drainage for that area. Although Ms. Reames supports the special assessment, she asked the City of Novi to assume at least some of the cost. She explained that the city failed to resolve the problem when the residents complained nineteen years ago when it was determined that the southern most residents on both sides of the drain had significantly raised their backyards. Ms. Reames said this occurred before most of the landscaping was done and before they constructed fences. The resolution at that time was for the remaining residents to raise their backyards to meet the level of the end lot and added that they tried to do as suggested. However, their water problem is now worse than ever and theirs is also one of the worst on the drain. Ms. Reames also advised that some residents used other creative solutions to fix their water problems with little concern for their neighbors upstream. Ms. Reames advised several residents filled to the level of three stacked railroad ties or they filled and topped it with rocks. Ms. Reames believes this clearly pushed the problem even further north until they have arrived at today's problem. Ms. Reames believes if the city assumed their responsibility when they filed the first complaints against the residents who destroyed the established grade, resolving this problem would have been much easier. Therefore, Ms. Reames is asking the city to assume part or all of the cost of fixing this drainage problem.

**Joe Boulton** - 23410 Meadowbrook, supports the special assessment and believes the JCK resolution will address the problem. Mr. Boulton also believes the city should assume part of the cost because they could have resolved the water problem nineteen years ago.

**PUBLIC INPUT - Presentation and Discussion of the JCK & Associates Ten Mile Road Conceptual Design Analysis**

Mayor McLallen advised that they received only one letter regarding this matter from Mr. & Mrs. Warren Jocz. Mayor McLallen further advised the red line on the drawing represents Ten Mile Road from Napier Road to Haggerty Road and noted the quadrant under discussion is from Haggerty Road to Novi Road. Mayor McLallen added this issue has been before Council for several years and that they directed staff to relook at the issues. She explained it is now back before them at Council's request because of the many outlying issues, one of which is the widening of the property between Haggerty Road and Meadowbrook Road. The Mayor added there was also much discussion about the property west of Meadowbrook to Novi Road and that there is an October deadline for federal funding. Mayor McLallen believes almost everyone would agree to some extent that Ten Mile Road is very congested, but the question is, what is the solution.

**Dennis Suenkonis** - 40890 Ten Mile Rd., asked why does the JCK report fail to acknowledge SEMCOG's Future Traffic Analysis Projects for this segment of Ten Mile Road in the year of 2015? He further asked if SEMCOG can accurately predict the expected population of Novi as published in the City's Master Plan, why is their ability to predict future traffic volumes less accurate? Finally, Mr. Suenkonis asked why is there no mention of the traffic count taken May 17, 1995 by the RCOC that shows a decline in traffic volumes since 1992 along both one mile segments of Ten Mile Road?

**Diane Osgood** - 40693 Ten Mile Rd., advised she has a copy of a petition from one year ago signed by more than one thousand residents who opposed a five lane widening of Ten Mile Road. Ms. Osgood stated these residents did not want their residential community destroyed in the name of Ten Mile Road traffic improvements. The petition also encouraged the city to redefine the objective of MDOT and also use this opportunity to study the entire Novi Road rather than just the two mile segment of Ten Mile. Ms. Osgood is confident that these individuals and more would be equally opposed to the recommended proposal of a five lane, sixty foot wide road segment between Novi and Meadowbrook Roads followed by a fifty two foot wide three lane road segment from Meadowbrook to Haggerty. She asked Council to remember these concerned individuals are also the voters who elect officials and determine the fate of future road bond issues. Ms. Osgood asked Council to permit the residents to work with city administrators so that they can develop an appropriate solution for Novi's overall traffic problem.

**Kevin Brady** - 24166 Cranbrook Dr., asked Council to look at the global view in terms of the numerous road proposals. He cited the Beck Road and the Wixom Road interchanges as improvements that would free up the western side of Novi and understands Grand River along West and Beck Roads is also planned in these improvements. He further understands that there are improvements proposed for M-5 and he suggested that they improve Twelve Mile Road similar to Farmington Hills. He also asked that they reconsider

improvements for Grand River because it is the heart of travel for the commercial and industrial base. Because all these improvements will change the dynamics of Novi's traffic flow patterns, Mr. Brady asked Council to take a regional approach. He also asked that they consider directing alternate traffic flows in different ways so that the west moves toward the Beck and Wixom interchanges or along Grand River Avenue. Finally, he asked that they form a citizen's committee before making a decision.

**Virginia Suenkonis** - 40890 Ten Mile Rd., asked why is there no mention of the difference in traffic volume counts taken between May 17, 1995 by RCOC and those taken by JCK/WSU in July 1995 in the JCK report? She also asked why does JCK use only the July 1995 data for all their baseline estimates? Further, she asked why doesn't JCK include a description about why the method of traffic volume count makes for this discrepancy. Ms. Suenkonis believes they perceive the Ten Mile residents as people that do not want to move forward. She explained they are concerned about moving motorists quickly past Ten Mile Road and not about bringing people from the nearby communities into Novi's business area. She also fears Ten Mile Road will eventually develop into five lanes, and once they have removed all of the mature evergreens and pave right up to her door, they will realize this did not work. Ms. Suenkonis does not want to live with the city's error and hopes Council will realize that the Ten Mile residents understand that they must make improvements, but they should not rush into this.

**Linda Mammel** - 40550 W. Ten Mile Rd., read a quotation from "Stuck in Traffic" written by Anthony Downes. She explained it is a study about coping with peak hour traffic congestion. Ms. Mammel asked Council to understand that they are all here tonight because they do not want to be seen as part of the problem; they want to be seen as part of the solution. She then asked Council to include the residents in their decision making process because this will affect the rest of their lives.

**Warren Jocz** - 40755 W. Ten Mile Rd., has been addressing the Ten Mile Road issue for more than three years and he has taken the position of understanding the technical merits of reviewing such a project. He explained they have spent considerable time in front of Council looking at the proposal that came before them last year and they countered with their own environmental impact statement showing there are alternative solutions. Mr. Jocz added they have pointed out in the past that there are still significant conflicts in the data. He stated that the city is trying to seize the availability of this money for a problem that he does not believe is well defined and that they should look more closely at the premise which is to improve the level of service. He explained the JCK report in 1995 evaluated all three major intersections as Level of Service F. In January 1997, the same three intersections all improved in their level of service and noted Meadowbrook improved from an F to a B without a single improvement. He does not believe that they fully understand the problem on Ten Mile Road and that some results they presented last year have merit. Further, he believes if two consultants give two totally different evaluations, then the evaluation of level of service is not a scientific process and is left open to much

interpretation. Therefore, he believes it would warrant a detailed analysis. Mr. Jocz supports actions that are less drastic and costly.

**Clarence Wilson** - 42028 Loganberry Ridge N., advised he has lived in Meadowbrook Glens since 1971 and he has seen the traffic on Ten Mile Road grow. Mr. Wilson is not convinced that there is any great problem on Novi Road except for an hour and a half during the morning and evening rush hours. Mr. Wilson believes it is a waste of the taxpayer's money to spend money on commuter traffic.

**Rick Mammel** - 40550 Ten Mile Rd., presented a visual display made of plumbing pipes to demonstrate traffic flow on Ten Mile Road and referred to Mr. Kriewall's quote in the *Novi News*. Mr. Mammel believes the best choice would be three lanes with curb and gutter. He stated the creation of a center turn lane would help to improve traffic flow by removing obstructions. Further, three lanes curb and gutter will also have one of the lowest costs and least amount of impact to residents along Ten Mile Road.

**Susan Riffal** - Willowbrook 3 Subdivision, opposes to a five lane widening on Ten Mile Road because she does not want a highway traveling through her neighborhood.

**Chris Elk** - stated the information Council received last week is a recommendation of the most efficient means of facilitating traffic through a two mile stretch of Ten Mile Road. Mr. Elk stated the most intrusive and costly alternative, the five lane/three lane proposal with a double shoulder alternative, was recommended. He added the criteria considered for this decision were maximizing the level of service and minimizing congestion. However, Mr. Elk noted there was no mention about the resident's whose property border the roadway or the dramatic increase in traffic volume. Mr. Elk said the draft contained many opinions, but the fact is that dozens of people live on this stretch of roadway and they must ask if turning Ten Mile Road into a major artery is necessary. Further, Mr. Elk believes the recent improvements represent a more efficient and a more direct means for westbound travel. Mr. Elk also believes they should research the impact of the recent improvements before considering an improvement on Ten Mile Road. He believes the recommended five lane/three lane with double shoulder option would possibly triple the traffic volume which would be a viable solution if the problem were inadequate traffic volume on Ten Mile Road. Mr. Elk does not believe they are in a position to make a decision and that they must first identify the problem. He said the problem may be a result of congestion on westbound Ten Mile Road east of Novi which they could alleviate through less costly means such as improved right and left turn lanes at the Ten Mile and Novi Roads intersection. He further suggested the installation of SKATS traffic lights at the intersections, a bridge over the CSX railroad tracks or any combination of the three as possible alternatives. Mr. Elk believes Novi is more than just the gateway to South Lyon and he does not want to destroy it with a hasty decision.

**An unidentified resident** - asked why there has been an apparent lack of willingness to

work with the residents? She asked why were the reports unavailable to the general public until last Wednesday when Council received the same reports two weeks ago? The speaker asked why are there no avenues for resident input? Further, even after the residents published their own reports, the City's Administration and JCK ignored their efforts until directed by Council.

**Mike Hurwitch** - 24120 Cranbrook Dr., is opposed to the Ten Mile recommendation and the content of JCK's report. He believes there is much information missing and noted that JCK's own recommendation for the five lane/three lane improvement states that there will still be a problem going eastbound on Meadowbrook because Ten Mile Road will go from two through lanes to one. Mr. Hurwitch believes they need to ask JCK why they do not also note that same problem when traveling westbound on Novi Road. Mr. Hurwitch stated there is a reference buried in Appendix D of the Birchler-Arroyo report that states the second through lane would need to be extended west of Novi Road for a "substantial" distance to realize any improvements over three lane conditions and he asked that they further define "substantial." Further, if this problem was substantial enough to mention in the main body of the report for the Meadowbrook intersection, he asked why was it not mentioned for the Novi Road intersection. Mr. Hurwitch believes there are some obvious mistakes in the report.

**Dave Gillam** - 21809 Shadybrook Dr., is the current President of Whispering Meadows Homeowner's Association and a former resident of Willowbrook. Mr. Gillam reminded Council that this is not really a Ten Mile Road issue, but that it is a neighborhood issue. He assured Council that the other residents of Novi are watching their decision on this just as they would if it were the character of their own neighborhood that was at stake. Secondly, Mr. Gillam was disturbed to see in the memorandum to Mr. Kriewall from Mr. Nowicki that there would be thought given to resurrecting the environmental impact statement presented to Council last year. Mr. Gillam believes there were many legitimate questions and problems raised with that report last year, and to his knowledge they have not answered them. Consequently, it is unclear to him why that would be before Council again and he encouraged Council to remove that item from the table. Finally, Mr. Gillam is concerned about the timing of the proposal. He explained that most of the people that are present tonight learned about Council's consideration of this issue in last Thursday's *Novi News*. Mr. Gillam thinks this is unfair and insulting to all of the people on the Ten Mile Task Force who put so much time and effort into this.

Mayor McLallen interjected, the matter was announced at Council's last meeting and they made the document public two weeks ago.

Mr. Gillam apologized, but he still thinks it is important that Council get input from the resident's whom will be most affected by this proposal in a setting other than at the Council table. Mr. Gillam suggested that Council table this matter for more interaction between the resident's, the staff and JCK.

**Ann Marie Jocz** - 40755 W. Ten Mile Rd., is a member of the Ten Mile Task Force and advised they have offered several alternatives that could be a part of the JCK draft if there were resident input. She believes there is still time to work out some of the problems between now and October. Ms. Jocz also believes there are many factors included within the design that can improve the traffic flow without widening the road.

**Don Waldenmayer** - 40677 W. Ten Mile Rd., believes there is congestion on Ten Mile because of the construction that is currently underway within the city. Mr. Waldenmayer stated although three lanes may be more acceptable than five, he still has concerns with safety and speed. Further, Mr. Waldenmayer asked Council to make certain that they have a full understanding of the problem before they make a decision because it greatly impacts the residents on Ten Mile Road.

**PUBLIC INPUT - Approval of Resolution regarding City of Novi Aquatic Facility Program General Obligation Bond Proposal**

**Mary Muller** - 45460 Addington Lane, is aware there will be petitions presented this evening in favor of the aquatic facility. However, she wants to make it clear that it is not that they oppose a pool; they oppose the layout on the current proposal. She added there are also some residents that are opposed to the facility in general because of financial issues. She is trusting that Council will make a wise decision regarding the financial stability of this project when they vote this evening. Ms. Muller's main concern is about the Taft Road entrance because she does not believe they have adequately discussed the consideration of traffic through Addington Park. Ms. Muller learned that when construction to the west of them is completed, there will be over five hundred homes that will travel down Addington Lane to Taft Road. She does not believe that will pose much of a problem as long as there is no major focus point. However, she believes if the aquatic facility has a Taft Road entrance directly across from Addington Lane, that it will cause a substantial hazard to children because the peak time for the pool corresponds to the peak play time for their children. Ms. Muller reported the Troy pool has a 1,200 person capacity and has between 1,600-1,700 people at the pool during the day. She noted that the Novi facility is proposing a 2,000 person capacity and could have as many as 2,700 people coming and going throughout the day. Ms. Muller believes this traffic will affect the safety in their neighborhood, and suggested they construct a Ten Mile Road entrance and a path off Taft to accommodate walkers and bicycles to help alleviate this dangerous situation. Further, Ms. Muller advised that Mr. Davis suggested that \$1.0M is not out of range to bridge the wetlands, build a boardwalk or modify the entrance to come off Ten Mile Road. She added because he stated that would only increase the assessment per household approximately five dollars per year, she would like the city to take a closer look at this viable option.

For the record, Mayor McLallen advised Council has a ten page letter from the Addington Park Homeowner's Association signed by Mr. Landry that raises a number of issues and that they are not in support of the Power Park location as presented. She added there is

also a letter from Patricia Holt regarding her concerns about the pool's capacity and the entrance location on Taft Road. Further, there is a letter from Elaine Maylen on Penton Rise who favors the pool and a statement from Dunbarton Pines Subdivision with more than thirty signatures of residents who want the issue placed on the November ballot. Finally, there is a letter from Ms. Martin-Sheeran in the Yorkshire Place Subdivision that includes seventy eight signatures in favor of putting the issue on the ballot and includes other issues raised by residents that did not sign the petition.

**Kathy Tolas** - 24142 Elizabeth Lane, represents the contingency in Addington Park that is supportive of a public swim facility for use by the residents of Novi. Ms. Tolas stated they believe the Power Park site is a viable alternative because of its central location. They further believe that the question of whether or not to construct a whole complex on city park property should be put before the voters on the November ballot so that the entire community can decide this issue. However, Ms. Tolas believes the community should not vacillate too long so that the indecisiveness causes the children to grow up without an aquatic facility. She added that she has a petition signed by twenty seven Addington Park residents supportive of putting the aquatic facility issue on the November ballot. Ms. Tolas has a personal concern about the location of the possible traffic light on Taft Road, and believes that the light and pool entrance would be better offset from the Addington Road entrance similar to the light that is offset at the Civic Center.

**Deborah Beard** - Addington Lane, hopes Council realizes that this issue has pitted neighbor against neighbor and neighborhood against neighborhood. She believes the bottom line is that residents want an aquatic facility for the children, but they are concerned about the safety of the children because of the Taft Road entrance location.

**Lynn Paul** - Willingham Lane, is especially concerned about the traffic pattern. She explained there is a very strong traffic pattern that they have not really analyzed during the morning and afternoon rush hours. Consequently, she supports a Ten Mile Road entrance.

**David Landry** - 45471 Kimberly Court, stated when Parks & Recreation made their presentation at Council's last meeting residents were told that there was going to be an informational meeting to address the resident's concerns. Further, Mr. Landry advised there were comments made during Council discussion that it is time to put this issue on a ballot because the issue has been thoroughly studied. However, when Mr. Landry went to the informational meeting, he was unable to get many answers to his questions. He explained they were told numerous sites have been considered. However, when residents asked about the tree farm site, they were told that there are no utilities there. They then asked how much would it cost to bring utilities to the site and they were told that they never looked into that. Mr. Landry said they were also told that the tree farm site is not an appropriate site because of the Master Plan. He would presume that a master plan would include utilities and now he has learned that there is no master plan for the tree farm site.

Mr. Landry said there are many Addington residents that would not oppose the Power Park site if there was no entrance off Taft Road. He said they also asked how much would it cost to bridge and they were only told that it could be done but that they that they never really looked into the cost. Finally, what they discovered was that only two sites were ever really looked at. Mr. Landry reported those sites are Wixom Road and Power Park and the Wixom Road site was withdrawn because of the arrangement with the school system.

Mr. Landry advised he has outlined their financial concerns about the viability of this facility as proposed in his letter. He said they were being told by Parks & Recreation not to worry, because they will close the facility between 7:30 and 8:00 at night. Mr. Landry reported Troy addresses their annual \$30,000 deficit by lengthening the hours to 11:00 at night and offering teenage jam festivals during the summer. Mr. Landry believes this will also occur at this pool and suggested that they put the pool in a location where they can maximize hours and where they can bring as many guests as they want. Mr. Landry believes if the pool is worth doing, it is worth doing right and urgency is never a cause to make a wrong decision.

**Patricia Holt** - 45409 Addington Lane, noted that the Mayor has already made a reference to her letter, and added that her two major concerns are about location and financial stability. Ms. Holt stated that the Addington Park residents have never been opposed to a pool, but they are opposed to a pool at this location under the current proposal. Ms. Holt referred to an article in *USA Today* about the demise of the community pools in America. She explained that community pools have been forced to have more than just a "come swim" membership type activity to break even. She thought the article was very interesting in that they published it on the eve of this issue.

In addition, based on a comparison of the estimated operating expenses presented to the residents at the informational meeting with actual operating expenses from the Troy facility, the city has led the residents to believe that the much larger Novi facility can operate at two thirds of the cost of the Troy facility. Ms. Holt has serious concerns about the financial stability of the facility because they tie it very closely with location. The second financial concern she has is that Sports Club of West Bloomfield is approved at Ten Mile and Novi Roads and believes it will be a major competitor for a community pool. Ms. Holt is concerned about location and financial stability, and the reason she does not believe that they can separate the two is that they have not offered any plan for when this facility does not operate in the black. She would like to know if they are coming back to the voters for money when it fails, are they going to have rock fests Friday nights or will they sell it to a private owner so that membership would be open to other communities. Ms. Holt asked why would they put a facility of this magnitude in an area of minimal operating time and asked that they do it right by putting it in a more appropriate location so they can at least break even.

Further, the biggest misconception she has realized is that they have not adequately

studied this. She explained when she attended the informational meeting, there were no answers to their questions, and that it was the Addington residents and residents in opposition who provided the only facts. Ms. Holt then read the concluding paragraph from her letter.

Don Wareham - 45463 Kimberly Ct., urged Council to table this matter because the residents have major concerns about this issue and they have not studied it enough if at all. He also asked the elected officials to listen to the voters.

**Jim Utley** - 25614 Gina Ct., was at the informational meeting and was also a member of the aquatic committee. Mr. Utley opposed the first aquatic facility for various reasons. Although he believes that Power Park is the right location, he also believes they are going in from the wrong exit and that they never gave the committee the option to look at eliminating two ball fields for an alternate exit at Ten Mile Road. Mr. Utley believes a Ten Mile Road exit would decrease the expense of constructing a road, it would decrease some of the utility expenses and it would decrease a concession area expense. Therefore, he thinks they should at least explore it. He suggested that they put this matter on the ballot so that access is from Ten Mile Road. Mr. Utley sympathized with the residents and knows if he lived in the Addington Subdivision, he would oppose the facility. He added that he would not like to see this matter delayed for another two years with a new committee because it will end up in the same place.

**Bill Wenzel** - 22823 Braydon Ct., asked where was the water for the facility going to come from two years ago. He reminded Council that the city was under a sprinkling ban at that time and it would have been unsettling to him if he was unable to water his lawn, but yet the city could put water in a swimming pool. Secondly, Mr. Wenzel stated the epicenter may be in this immediate area today, but they will capitalize a swimming pool for thirty years and asked Council to consider where the actual growth is currently taking place in Novi. Mr. Wenzel asked Council to consider having the pool located where the schools are because the infrastructure is already in place. He asked what is wrong with just a pool instead of an aquatic center?

Further, he opposes putting landscaping where the public utilities run along the east side of Taft Road because they will only grow to a certain point before Edison will trim them. In addition, there is water continually running down the west side of Taft Road. He explained there are two culverts under Taft Road right through the immediate Power Park area and asked if they can put a pool next to open running. He asked if they plan to spray for bugs as a result of the open water?

In terms of traffic, Mr. Wenzel reported the sub-base to Taft Road is already deteriorating and there is not enough room to get around a large truck safely as it enters Novi High School's driveway because of the soft shoulders. He believes this issue needs further study.

Finally, he advised that he discussed capitalization with friends in other nearby communities and found there has always been a conservative number used when associated with operating a swimming pool. Therefore, invariably that number is a gross misstatement and costs increase more each year. Mr. Wenzel asked Council to study the numbers very closely.

**Kathy Thomson** - 47655 Greenwich Dr., lives west of Taft Road and said she would not even attempt to travel on Addington Lane because its many turns and added she would prefer to travel to Ten Mile Road to an entrance for the pool. Further, she would be pleased to have a light where they propose it if she lived in Addington because her children could then safely cross Taft. Ms. Thomson added that she is an avid swimmer and is a ten year member of the Northville Swim Club. Ms. Thomson reported the waiting list is currently over 450 people and they are no longer taking names. Therefore, Ms. Thomson believes a pool in Novi would be a positive addition for many reasons.

**Lisa** - 23974 Elizabeth Lane, advised she did not hear about this issue until she moved to Addington and wondered if the rest of Novi has even considered this issue. She added that she has not heard one person object to a Ten Mile Road entrance.

**Cheryl Madison** - Elizabeth Lane, agrees with many of the comments already made. Ms. Madison stated the city originally presented this matter as for or against the pool, but she thinks it needs to be done correctly and asked Council to consider the whole picture. She then suggested that they consider a Ten Mile Road entrance for safety reasons.

**Jean Lang** - Addington Lane, as a resident on Addington she observed motorists speeding on her street and she believes the pool would compound that problem. She asked Council to consider the children's safety in their decision.

**Maureen Szczypka** - 45418 Halston Ct., believes everyone wants some kind of pool, but that the job needs to be done right. She suggested they hire an expert to find a viable solution to all of the issues.

**Kathy Sheeran** - Yorkshire Place Subdivision, collected approximately seventy eight signatures of homeowners in Yorkshire Place supporting the aquatic facility at the Power Park location and added she was just handed another thirty signatures from residents of Jamestowne Green. Although Ms. Sheeran believes the Ten Mile Road entrance is a better idea, she would still support the Taft Road entrance. Ms. Sheeran explained she lives on Emerald Forest Drive and her street is the fastest route to get to the schools on Taft. Although she would admit her street gets a fair amount of traffic, she believes Simmons Orchard residents are the motorists that usually cut through because Roma Ridge and other subdivisions further west believe it is not worth traveling on because of all the winding.

**Kathy Barcelona** - 45563 Violet Lane, would like to see this issue on November's ballot.

**An unidentified speaker** - favors the pool and he also favors the Power Park site. However, he believes that is immaterial because he has heard well-meaning arguments from both sides and he hopes it does not pit neighbor against neighbor. He added that he does not believe they can please everyone and that they should let the democratic process work by putting this issue to a vote.

**An unidentified speaker** - is relatively new to the community and admits he is also new to the aquatic park issue. However, he is not new to business issues and it strikes him as odd that the city would ask the citizens to take a leap of faith regarding the use of funds on such a seasonal venture. He believes it would be a different issue if they lived south of the Mason-Dixon line, but to ask Michigan residents to involve their tax dollars in a venture that would at best be used three months of the year speaks to him as an irresponsible use of tax monies and therefore, he opposes an aquatic facility.

**Jean McCauley** - 22824 Braydon Ct., only began her information gathering within the last few weeks. She advised that she attended the informational session only to discover there were many more questions than there were answers. Ms. McCauley said this frustrated her because she wants to have good information from which to base her voting decision. She has concluded that most residents would like a swimming pool. However, of those residents, some would like a profitable water park and some would like a profitable pool. She believes everyone would agree that they want this to be a profitable venture so it does not fall on the taxpayers. Ms. McCauley believes they have heard some compelling arguments that suggest they need to look into this further.

Ms. McCauley asked whether "a municipal swimming pool proposition" is the language for the ballot? Mayor McLallen replied the language for the ballot is later on the agenda and there may be some changes made specific to location.

Ms. McCauley asked if they would talk about the fact that it is a 2,000 person capacity aquatic park on a seven and a half acre site or will it just be specific to money? Mayor McLallen replied that information will probably not be on the ballot; it will probably just include the location and the cost. However, she added all of that information will be available to the public between now and when they actually vote.

Ms. McCauley asked if it is going to be described as a municipal swimming pool or will they describe it as an aquatic park? She believes it would be deceiving to a taxpayer because they are two very distinctive things. Mayor McLallen replied the actual ballot language will be a part of Council's discussion this evening.

**Becky Staab** - 41887 Cherry Hill Road, wants the opportunity to vote because she believes they have discussed this matter long enough. Ms. Staab supports the adjacent

residents right to oppose the pool, however she has learned from personal experience that the citizens must live with decisions made by government.

**Gwen Markham** - 45540 Violet Lane, would also like the opportunity to vote on the proposal. She believes the different positions on the various petitions is why it belongs on the ballot. She also believes it is time to decide whether Novi is going to have a swimming facility or not. Further, Ms. Markham believes "water park" denotes a regional interpretation. However, she understands that the committee said that this should only be for Novi residents and their guests, and believes that is still the proposal before them. She added there are two pools proposed because they wanted to appeal to as broad a range of the population as possible. She explained they also proposed two pools because they intend it to be a community facility and to address the question of financial viability. Ms. Markham believes they intend the swimming facility to be state of the art to serve as many members of the community as possible.

**Kathy Maximiuk** - 45552 Violet Lane, supports placing this issue on the November ballot.

**Dawn Englert** - 45529 Violet Lane, would like the opportunity to vote in November because she supports a pool.

**Kathleen** - 24081 Westmont Dr., is number 408 on the Northville Swim Club waiting list and implored Council to put the pool matter on the November ballot. Further, as a Westmont resident she will cut through Addington if the entrance is on Taft and therefore, she supports a Ten Mile Road entrance.

**Fred Borcherts** - 45142 Galway, President of Connemara Hills Homeowner's Subdivision, supports a pool in Novi, but not at the proposed location.

**An unidentified speaker** lives in Royal Crown Subdivision and would support a pool, but not at the proposed location.

**An unidentified speaker** stated she lives in Meadowbrook Lakes Subdivision and supports a Ten Mile Road entrance for the aquatic facility. She added that she supports the traffic concerns of the Addington Park residents in terms of safety.

**Ruth Albright** - Addington Park, would personally support a Power Park location with a Ten Mile Road entrance and noted that a central location was one consideration for the location. She advised that she currently belongs to a Livonia swim club and often drives nine miles one way twice a day. She explained she does not care how far she must drive because they enjoy swimming. Therefore, she does not believe a central location should be a major consideration and that they should consider other locations.

**An unidentified speaker** supports putting this issue on the November ballot, but he is not

enthralled with the city providing these types of services. He explained that they often underestimate the long term commitment that they made when they build this infrastructure and there is a tremendous cost associated with that. Secondly, he is not impressed with Mr. Davis' ability to deliver on his commitments. He explained Mr. Davis has spent a considerable amount of money and has done a wonderful job purchasing land throughout the city for these purposes. However, he believes he has over committed and under developed to what he has committed. The speaker is disappointed in Mr. Davis' ability to deliver the Eight Mile and Napier facility. He thinks the other activities currently in process are more than the city can handle and the department does not have enough people to support this kind of commitment. Further, he believes if private enterprise thought this was a great idea, they would be here by now and they are not. He believes a pool is a wonderful opportunity, but he chose to live in Novi for other reasons.

**BREAK** - 10:02 p.m. until 10:12 p.m.

#### **MATTERS FOR COUNCIL ACTION - Part I**

##### **1. Approval of Partial Vacation of Erma Street - Easterly Portion**

Mayor McLallen advised five citizens spoke during the Public Hearing and the majority do not support the vacation. She noted the primary issues were safety concerns on an already difficult site. Further, she reported that the City's Administration does not support the vacation.

For discussion, Councilman Clark moved that the requests for the vacation of the easterly portion of Erma Street be denied. Mayor McLallen advised motion dies for lack of support.

Mayor ProTem Crawford asked if there is a response from staff about the walnut tree and guide wires on the northern part of the t-turnaround. Mr. Potter believes they can work around the tree.

Mayor ProTem Crawford asked if the guide wires will interfere with the turnaround? Mr. Potter replied once they complete the construction plan, they will meet with the utility companies to determine what they can do to strengthen the guide wires if necessary.

Mayor ProTem Crawford asked what is the size of the shaded area? Mr. Potter replied the area is approximately ten by twenty five and perhaps averages twelve feet.

Mayor ProTem Crawford understood that the area was not conducive to a turnaround, but now he understands they can overcome that. Mr. Potter restated that the first step would be to work with the utility companies and look at the drip line of the tree. Mayor ProTem Crawford assumes they will leave the tree. Mr. Potter replied he believes they can work around that for a t-turnaround and he will look into that further if Council wishes.

Councilman Schmid asked how wide is the right-of-way? Mr. Potter replied there is currently fifty feet. Councilman Schmid stated if they were to vacate the eastern portion, then each property would only have approximately twenty five feet.

Councilman Schmid asked how much property does the store have to the right-of-way? Mr. Potter believes it appears as though they are encroaching into the right-of-way.

Councilman Schmid stated if they were to vacate, then the store owner would have approximately twenty five feet. Mr. Potter said it would equate to approximately twenty to twenty three feet to the center of the vacated road.

Councilman Schmid believes if Erma Street is going to become a parking lot, it is unfair to the owners on the other side. Mr. Potter responded they were not directed to look at the vacation from a parking lot standpoint; they asked them to evaluate whether they could construct a t-intersection. In reality, Mr. Potter advised once gravel has been added, it is possible that people could park there although the intent is not to have a parking area.

Councilman Schmid asked what is the likelihood that this would become a parking lot? Mr. Potter believes it would depend upon how they enforce it.

Mr. Arroyo advised they currently permit street parking on the north side of the street and it is often used for overflow parking for the market. Mr. Arroyo added if the street were to be vacated without providing additional improvements, they would be unable to maintain that as a two way flow because of the narrow width. Mr. Arroyo believes they could maintain parking on the north side with a t-turnaround as it exists under this proposal.

Councilman Schmid asked who owns the property for the proposed t-turnaround? Mr. Arroyo replied the t-turnaround is within the city's right-of-way.

Councilman Schmid stated if they do not vacate, they are simply creating a parking lot and a turnaround. Mr. Arroyo noted they already have parking on the north side and they would continue to permit this parking. He explained all they are doing is constructing a t-turnaround under this plan. He assumes there would still be no parking permitted on the south side because they do not currently permit it.

Councilman Schmid asked if they vacated, would they construct a walk way on the east side? Mr. Arroyo replied if they are going to maintain the walkway on the west side then he would think that the potential exists that they could still have an easement of some sort.

Councilman Schmid believes they must have an easement so pedestrians can walk from Austin to Novi Road. Mr. Arroyo believes that is a possibility.

Councilman Schmid asked what kind of negative impact would the city experience with a vacation that would include a walkway easement? Mr. Arroyo believes there could be a

potential parking problem. He explained the customers currently park in the front of the market and most have to maneuver within the Novi Road right-of-way. He added there really is no adequate parking and he believes they need parking on the side to provide for the overflow. If they vacate the street, providing for the overflow parking would be difficult for the store owner.

Councilman Kramer asked how does maintaining the right-of-way and constructing the turnaround facilitate the eventual redevelopment of the site to allow parking in the rear of the building? Mr. Arroyo replied maintaining the right-of-way and roadway along the south side of the market would provide room for a driveway connected to the rear of the property where they could have an off-street parking lot. He understands it is the owner's desire to do that eventually because it would resolve many of the parking problems.

Councilman Clark asked how are they executing the design of the road and turnaround to facilitate turning vehicles? He further asked if the plan will support cars turning around? Mr. Arroyo replied they designed the plan to accommodate small delivery trucks.

Councilman Kramer asked how could they accommodate the large trucks as depicted in the photographs? Mr. Arroyo replied semi-trucks could not use the turnaround.

Councilman Kramer asked how can the larger trucks avoid using the southerly property to complete their turns with this design? Mr. Potter replied the design can incorporate some type of fencing as a barricade.

Councilman Kramer believes they need to remain sensitive to the southerly property owner and agreed it mostly enables use of the site for the market. He also believes they should allow for a pedestrian access and that the design must be attractive. Further, he believes that preventing some of the abuse depicted in the photographs is important.

Mr. Potter reported they proposed the potential to connect an eight foot wide path with the previously vacated portion. He recommended if they wanted to continue a pathway that they protect the proposed three by ten type wooden barricade that is proposed to be constructed. Further, there would have to be easements acquired and dedicated for that pathway that they would separate by some type of barricade. He added they currently propose that the site be aggregate and noted they have not yet addressed how the path is to be connected.

Councilman Kramer believes they need to provide a means to keep people protected from the large vehicles and other cars that use the area. Mr. Potter stated the barricade can be pushed further to the right, but they might have to sacrifice the tree to accomplish that.

Councilman Kramer believes they still need to address these issues in a final plan within a reasonable period.

**CM-97-08-281: Moved by Kramer, Seconded by Clark, WITHDRAWN: To deny the approval of the partial vacation of the easterly portion of Erma Street with the provision that the final design comes back before Council before execution and to include those elements of pedestrian and vehicular turnaround, and the protection of the southerly property**

### **COUNCIL DISCUSSION**

Councilman Schmid will not support the motion.

Mayor McLallen clarified the motion is to deny the vacation request.

Councilwoman Mutch stated the recommended action is that it remains a public roadway.

Mayor McLallen advised the resolution presented in Mr. Fried's August 23 letter is a resolution for vacation. Therefore, they are saying do not support the resolution.

Councilwoman Mutch asked if Councilman Kramer favors keeping a public roadway? Councilman Kramer agreed he favors keeping it a public roadway.

Mayor McLallen stated the motion also includes that they bring back a final design.

Mayor ProTem Crawford asked if an approval would be based upon approving a final design? Councilman Kramer explained they must do something with the vacated road and constructing a turnaround and walkway is part of that. However, he believes they need to complete the project with an appropriate design.

Councilman Clark stated since they held a public hearing tonight, when it comes back and Council is satisfied with the plan, would they make a different motion at that time. Mr. Fried replied if Council is satisfied with the design so that they do not vacate it, he advised they would not need a motion; they would just not vacate it.

Mayor ProTem Crawford suggested that they postpone the matter until they can bring back a design instead of voting about vacation.

Councilman Kramer withdrew his motion.

**CM-97-08-282: Moved by Crawford, Seconded by Clark, MOTION CARRIED: To postpone consideration of resolution regarding the vacating of the easterly portion of Erma Street until the September 8, 1997 Council meeting with a plan for the area if it remains a public street**

## **COUNCIL DISCUSSION**

Mayor ProTem Crawford added that the plan should include a description of the t-turnaround, how they will avoid the tree and guide wires, how will they address the pedestrian access and so forth.

**Vote on CM-97-08-282: Yeas: Crawford, Clark, Mitzel, Mutch, Schmid  
Nay: McLallen, Kramer**

### **2. Approval of Special Assessment District Number 150 - Resolution #3 - Willowbrook Subdivision #2 Storm Drainage Improvements**

**CM-97-08-283: Moved by Schmid, Seconded by Clark, CARRIED UNANIMOUSLY:  
To approve Resolution No. 3, Alternate 3 - Willowbrook Subdivision #2 Storm Drainage Improvements Special Assessment providing that Mr. Stone's comments and concerns are addressed**

## **COUNCIL DISCUSSION**

Mayor ProTem Crawford asked whether the improvement is for twenty or twenty one lots? Mr. Jerome replied they asked Council to consider excluding Lot 21 to the south because most of the drainage travels directly south and not to the rear.

Mr. Kriewall advised traditionally they leave extra lots in until they get through the final design if there is any uncertainty. Mr. Kriewall explained the assessor will determine whether a homeowner will benefit from the assessment.

Mayor ProTem Crawford believes they should then include all twenty one lots at this point. Mr. Kriewall agreed.

For the benefit of the public, Councilman Kramer asked that the last two steps be explained further. Mr. Kriewall replied once they develop the final plan, they will bring it back before Council and they will schedule a second Public Hearing to review the final plan. If Council is satisfied with the input from the public, they will order the preparation of a special assessment roll by the assessor who will take into consideration who benefits and who does not. Mr. Kriewall advised that they will then bring that information back before Council and set a third and final Public Hearing on the confirmation of the special assessment roll. Mr. Kriewall added they can add or remove parcels at that time and the project will move forward from there.

Councilman Kramer asked for further comment about the request that the City participate in the SAD. Mr. Fried replied that is a determination made by Council when they get to the

final roll. Mr. Kriewall added it will probably happen at the final public hearing.

**Vote on CM-97-08-283: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid**  
**Nay: None**

**3. Approval of Final Plat - Arden Glen Subdivision, SP 92-37K**

**CM-97-08-284: Moved by Mitzel, Seconded by Mutch, CARRIED UNANIMOUSLY: To grant Final Plat approval for Arden Glen Subdivision, SP 92-37K subject to staff and consultants' recommendations, receipt and approval of title work for the plat, and further review of the covenants and restrictions by Mr. Fried**

**Vote on CM-97-08-284: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid**  
**Nay: None**

**4. Presentation and Discussion of the JCK & Associates Ten Mile Road Conceptual Design Analysis**

Mayor McLallen reminded Council about the extensive input received from residents about this issue. She explained the primary issues brought forward were what are the true road widths, how does the widening fit into the global picture in terms of the many different road improvement projects that Council has been working on throughout the city and region, and the impact of the FAST-TRAC Program. She added there were also questions raised about the use of the statistics presented by SEMCOG and RCOC versus other traffic counts in terms of what were more valid. Mayor McLallen noted there was an indication that the traffic volume has improved and they raised the question whether the expenditure is appropriate. She added there were also other alternatives offered. Mayor McLallen advised Council received Mr. Nowicki's report in a public meeting two weeks ago and she understood that they would make the report public so that the residents would have time to review it. Further, the report is back before them at Council's request based upon a similar situation that they experienced a year ago and that the primary reason it is before them is because of the funding cycles for roads in the State of Michigan.

Mr. Nowicki advised they fund the roads through a task force mechanism set up by Oakland County. He explained when there is a call for projects every year, they submit the projects to the Road Commission and a task force uses a rating schedule to rank each improvement with respect to the enhancements that they would accomplish in terms of capacity improvements. Mr. Nowicki advised that is what happened to this project and explained when they complied with the funding mechanism and submitted the grant application with the design alternatives. He added they initially prepared an environmental

assessment for Council and based upon the public's input, Council directed the engineers to explore the various design alternatives further and that report is currently before Council. Further, the report addresses four different alternatives from no improvement to five lane/three lane with a grade separation improvement.

Mr. Nowicki reported when there is a change in a project, they must reintroduce it through the Oakland County process. He added when he contacted the Road Commission about the funding process when a design change occurs midway in a project, they were unable to respond. However, he advised they did state they would have to go back to the Funding Committee to review the impact of what their decision may be and determine how it fits in with the other projects that they currently have in Oakland County. Mr. Nowicki advised if Council were to choose a specific design alternative tonight that differs from the original design, they would have to go through that process. However, if Council does not select an alternative, they would then have to take another look at it. Mr. Nowicki stated Mr. Potter will discuss the alternatives and how they came up with Alternative 2.

Mr. Potter reported Council directed them to evaluate four main alternatives for Ten Mile Road approximately one year ago. He stated they performed counts in January for getting some updated or confirming traffic analysis. Besides the alternatives discussed in the report, Mr. Potter advised they also looked at combining some issues that they raised tonight, but Council did not direct them to consider those alternatives. However, Mr. Potter noted there is an executive summary and table in the report that discusses the alternatives. He stated there is the no improvement option, five lanes/three lanes with a bridge option, three lanes with no bridge, intersection improvements only and five lanes. Mr. Potter added that a bridge was not originally considered because of the grant applications.

Mr. Potter reported they have prepared construction cost estimates that indicate a five lane improvement with a bridge would cost approximately \$8.3M. Further, they estimated that a five lane/three lane option was \$7.7M, three lanes no bridge is estimated to be \$5.0M, and intersection improvements are estimated to be \$1.5M. From a funding and engineering perspective in terms of what is most feasible under these conditions, Mr. Potter advised they would recommend Alternative 2, which is a five lane/three lane scenario with a bridge. Mr. Potter reported this alternative provides an optimum level of service and they believe it may still qualify for funding. Regarding the level of service, Mr. Potter reported Mr. Arroyo will present his findings.

Mr. Arroyo would like to discuss Ten Mile Road in the perspective of the overall regional road network and the role that it plays, and compare and contrast it with Grand River Avenue. He would also like to focus on the level of service analysis because he knows it a key issue and finally, he would like to address some comments made this evening.

Mr. Arroyo advised Ten Mile Road is the only paved roadway in the city that has regional connections to the east and to the west. Mr. Arroyo explained all the other east-west roadways either terminate or they become unpaved roadways. In addition, Mr. Arroyo

advised that Ten Mile has a significant function for traffic traveling through Novi and it has been a long-standing goal of the city that they should make some improvements to it. Mr. Arroyo noted that the Master Plan indicates that Ten Mile Road will need improvement at some time in the future. In addition, the Transportation Improvements Plan and the Road Commission's Strategic Planning Process has also identified it for future improvement. Mr. Arroyo stated they have also discussed the amount of development that is occurring to the west along the corridor and they know that some of that traffic will travel to the east in this section. Based on the analysis of what they have approved in terms of residential projects, Mr. Arroyo reported there are approximately 4,600 new residential dwelling units planned along the Ten Mile corridor west of this location which represents approximately 41,000 trips per day. Mr. Arroyo added there was an Origin Destination Study conducted that is unrelated to this improvement to determine how much traffic entering Ten Mile Road at Napier eastbound in the morning actually passes all the way through the city. Mr. Arroyo stated they found that 42% of the westbound traffic to Napier is passing through the Novi and Ten Mile Road intersection. Mr. Arroyo added from that point it disperses with 14% going eastbound on I-96, 8% is exiting Novi to Northville and 20% is traveling to Haggerty Road. Mr. Arroyo reported this tells them that when development occurs on the west side of the city and in South Lyon that there will be impacts on Novi's east-west roadways on both the east and west sides of the city. Further, Mr. Arroyo advised 2,500 of the 4,600 units are within Novi, and 2,100 are within South Lyon and Lyon Township.

Mr. Arroyo advised they also studied Grand River Avenue as a comparison contrast. He reported Grand River is a different roadway because it serves a different corridor. Mr. Arroyo explained Grand River runs on a diagonal noting it is not just an east-west roadway, but it also travels north-south. In addition, Grand River Avenue is planned in the west side of the city for high-tech uses, industrial uses and office uses. He added there is currently a high level of truck traffic, many smaller parcel divisions have occurred, there are many industrial users and sometimes, it serves as a service type function to I-96. Mr. Arroyo believes the key point to remember is that Grand River serves a different corridor and is not a parallel corridor to Ten Mile Road.

Mr. Arroyo advised the most accurate way to conduct a level of service analysis is to use peak hour counts rather than twenty four hour counts because they want to look at the highest volume hours of the day. Further, in order to prepare the report currently before Council, they conducted intersection turn movement counts at Ten Mile and Novi Road, Ten Mile and Meadowbrook, Ten Mile and Haggerty Road in January 1997. Mr. Arroyo reported they studied the level of service in several ways. He explained they looked at level of service during the morning and afternoon, and direction of traffic in order to have a comparison of apples to apples. Further, one important thing to consider is that they are comparing existing conditions with year 2002 conditions. He said if they look at the actual intersection level of service, it often worse than the pre-volume level of service. In addition, Novi and Ten Mile Road intersection is at Level Service E, Meadowbrook Road is at Level Service D and Haggerty is at Level Service F during the afternoon peak hours. He said they tried to break out the three movements because that is where the major impact is.

However, they must also consider that there are other problems with the intersection and if they improve the through movements, they can adjust signal timing to try to compensate for some of the turning movements by providing more green time. He believes they have to view this as a system because there are different forces coming together and when they improve one segment they often get improvements elsewhere in the system.

Mr. Arroyo advised the westbound Ten Mile Road level of service under existing conditions ranges from Level of Service C to D and noted that the 2002 projections predict that the conditions at the intersection will worsen under these various conditions. He reported there is Level of Service F westbound between Meadowbrook and Novi Road and Level of Service F westbound between Haggerty and Meadowbrook. The existing levels of service for eastbound volumes are B and C with C and D during the p.m. peak hours. Mr. Arroyo advised improvements to Ten Mile Road east of Haggerty impacts the level of service. Further, the eastbound traffic approaching this intersection will operate at an acceptable level of service because they push two lanes of traffic through this intersection and if there were only one lane on the other side, they probably cannot do that. Mr. Arroyo said although the level of service is good for this segment, they could still have problems upstream and the software does not allow them always to look at upstream problems as well as intersection problems. He advised level of service is typically guided by what happens at the intersection. Therefore, they can still have upstream congestion problems even if there is a good level of service eastbound at Haggerty.

Mr. Arroyo reported they also reviewed what would occur if they improve Ten Mile Road to a three lane segment all the way across. He believes this is the same as looking at it as if it were a two lane roadway because the software for the long range analysis assumes that they have turn lanes in place for major intersecting streets. Therefore, distinguishing between a three lane and a two lane roadway when they conduct this type of analysis is difficult for the software. However, it does show if they improve the entire segment to two or three lanes and if they base it on a.m. and p.m. peak hour estimates from thoroughfare plan volumes by applying the directional distribution of traffic as it currently exists, they can see that they get Level of Service F for westbound traffic during the p.m. peak hours on both segments and Level of Service F for one of the segments with E during the afternoon. He repeated that they can also see that there is a significant deterioration in level of service and added although they see Level of Service B and C approaching Haggerty, there could be some problems upstream if they do not have appropriate turn lanes in place with only one lane. Further, there will also be problems with gaps turning from streets without signals because there will be steady volumes of traffic under thoroughfare plan conditions making it difficult to turn.

Councilman Kramer asked how do thoroughfare plan conditions compare with existing or 2002 conditions? Mr. Arroyo replied he will discuss thoroughfare volumes during his presentation in terms of how they derived thoroughfare plan volumes and how they differed from SEMCOG.

Mr. Arroyo continued by stating that they also studied what would happen with some of the other alternatives. Mr. Arroyo compared the five lane/three lane option with the five lane/five lane option and noted that during the morning peak hours, the westbound traffic operates at Level of Service A under both conditions. He explained that although this particular segment would be three lanes with a five lane westerly segment between Meadowbrook and Novi Road, they can probably move two lanes of traffic through this intersection and improve this level of service. However, he reiterated there would still be congestion upstream because of the lack of gaps and difficulty in turning out of many of the driveways. Further, the p.m. peak hours for this scenario would provide Level of Service A for the segment approaching Novi Road and Level of Service D for the segment approaching Meadowbrook, and in the opposite direction, there are more problem areas with an opposite situation. He explained the Level of Service is F and E between Novi Road and Meadowbrook caused by the fact they will have five lanes narrowing to two lanes so that they cannot push the two through lanes through that intersection and cannot get the benefits of that type of improvement. Consequently, they end up getting an unacceptable level of service. Mr. Arroyo restated there will be a good level of service at Haggerty because they can push the two through lanes of traffic through that intersection.

Councilman Mitzel asked why wouldn't that apply to westbound at Novi Road? Mr. Arroyo replied it depends upon how they treat it and how they improve Novi Road. He explained if they were to improve and carry the five lane improvement through the intersection and a quarter and one-half mile west of Novi Road, they can probably push two lanes of through traffic through Novi Road and get the benefits of that five lane section carried through the intersection. He added if they ended up tapering back immediately on the west side of Novi Road, the levels of service would not be that good. He stated if they choose to make a five lane improvement between Novi Road and Meadowbrook, it should include carrying it through the Novi Road intersection far enough west so that they can get the benefits and level of service.

Councilman Mitzel asked if they would include this as part of this funding project? Mr. Arroyo believes they could include it in the project.

Councilman Mitzel noted there is a slight tapering eastbound past Meadowbrook. Mr. Arroyo replied they studied that and noted that eastbound lane is not a mandatory right turn lane. Further, they found motorists do not really use it because there is not enough of a reserve capacity on the other side. He said most use it as an exclusive right turn lane and that there is only a handful of people that will stay in the outside lane through the intersection. He believes most stay to the inside lane because they do not want to merge and therefore, it has to be extended much further at the Meadowbrook and Ten Mile intersection.

Councilman Mitzel believes they are saying that they would have to extend the lane similar to westbound Twelve Mile past Meadowbrook where it tapers down to one lane approximately one half mile after the boulevard section. Mr. Arroyo would agree that is a

good comparison and noted that it ends up creating a congestion problem where it tapers.

Mr. Arroyo reported one consequence of no action is that congestion will increase and they feel the congestion levels will resemble what they had on Haggerty Road between Eight and Twelve Mile Roads before they constructed M-5. He noted M-5 has provided a significant reduction on Haggerty Road volumes. Further, before the M-5 construction, the volumes on Haggerty Road were over 30,000 cars per day. In addition, the back ups at the intersections along Ten Mile would continue to increase in length and duration if there is no action taken. Mr. Arroyo also believes volumes on north-south streets will increase because people will seek out alternative routes. Mr. Arroyo added that the volumes on the parallel roads will increase (i.e., Nine Mile, Eight Mile and to some extent, Grand River). They also believe residential cut-through traffic would increase for the same reason that the north-south traffic would increase, emergency access could be hindered and accident levels would increase because of the increased congestion.

In conclusion, Mr. Arroyo would like to address some of the comments raised earlier. Mr. Arroyo reported they did not use the SEMCOG numbers because when the City of Novi went through the thoroughfare plan process in 1993, they made an effort to try to look at traffic at a more detailed level. He explained that is why the city made an investment in using the same traffic model used by SEMCOG, but with refinement. Mr. Arroyo advised the Community Development Department led that effort and actually made the SEMCOG information more accurate. He explained since SEMCOG is a large region, they have to look at things in larger terms and as a result, much of the data becomes less accurate. Mr. Arroyo said the city separated the traffic analysis zones into smaller areas and made it more reflective of actual future conditions by showing what was going to be considered as part of the city's master plan, reflecting those uses and projecting traffic volumes based on those uses. Consequently, Mr. Arroyo thinks the information from the model is more accurate and reflective of what is going to happen in this area than if they go with SEMCOG's more general analysis.

Further, Mr. Arroyo advised they have also noticed the decline in terms of volume on Ten Mile Road and he would agree that there has been some reduction in the last couple of years. Mr. Arroyo believes the reason for the reduction is because of the improvements made to Eight Mile. He explained there is likely to be some benefits to other roadways any time they make an improvement to another corridor. However, he added if they do not improve Ten Mile Road, motorists will only use those routes that are considered to be major thoroughfares.

Mr. Arroyo reported the differences in level of service from the current analysis is because the previous analysis focused primarily upon the intersection levels of service. As Mr. Arroyo previously stated, there is a difference between intersection levels of service and the actual directional through volume level of service. He reported that the intersections are actually a lot worse than the through volumes. Further, their analysis of the intersections did not show levels quite as badly as the previous analysis because there has

been a slight reduction in the volumes. Mr. Arroyo explained the reason there is a difference in levels is because there is a slightly different approach and because there was a slight reduction in volumes on Ten Mile due to improvements on Eight Mile Road.

Mr. Arroyo advised they reviewed the SKATS signals for intersection improvements and referred to the 2002 analysis in his report. He reported they found that they would still not have acceptable levels of service and if they took it beyond 2002 into the thoroughfare plan volumes, that condition would worsen. He agrees that installing SKAT signals and lengthening turn lanes would improve certain conditions, however, it is not a long range viable solution to the problem presented.

Mr. Potter concluded by stating they also looked at some of the other alternatives discussed, but they did not include them in the report because they only included the alternatives requested by Council. Mr. Potter advised they primarily based their evaluation on level of service, funding capacity with the Oakland County Road Commission and providing congestion relief.

Mayor McLallen is certain Council has many questions, but noted it is very late. The Mayor asked Council if they would agree to direct the staff to take time between this meeting and the next to further digest the information that they brought forward during the public input and correspondence. The Mayor understands that they still have time to do this.

Councilman Clark asked if the Mayor means that they will have another opportunity to discuss this at length later. Mayor McLallen agreed.

Councilman Clark agreed to hold his remarks until later. However, he is disturbed that when this matter was before them two weeks ago that they told the residents the report would be available to them the next day at the library so that they would have the opportunity to address this matter with Council at their next meeting. Councilman Clark stated that the document made its way to the library Thursday and he believes it is a substantial disservice to the residents. He further believes the residents deserved more time to digest the document and he is pleased that they will have another opportunity to discuss this matter at length. Councilman Clark reminded Council that they reviewed this proposal over one year ago and it was clear then that Council did not want to see a five lane road. Further, he was under the impression that it was going to be studied in terms of the possibility of a three lane improvement. He asked why would they propose to make it fifty two feet wide with only three lanes unless their intent is to widen that section to five lanes later?

Councilman Kramer would like an optimal design recommendation and not what they think Council asked them to do. Councilman Kramer added that he does not support five lanes and suggested that they develop a plan with the narrowest and least intrusive road that does the most acceptable job at a reasonable price. Councilman Kramer also believes they need to be sensitive. He explained they are showing a general cross section

construction of the road and noted the three lane road is taking up the full one hundred twenty foot right-of-way and insensitively putting the sidewalks in the resident's front yards. He believes they need to be sensitive to the resident's concerns by narrowing the road with curb and gutters to keep intrusion away from them. Councilman Kramer believes they should also have another meeting with the residents so the residents can better understand the study and the best solution.

Councilman Schmid does not recall placing any restrictions on this study; he believes that the consultants were directed to come back with better ideas. Secondly, Councilman Schmid does not care about regional problems and therefore, he does not concern himself with Novi's surrounding communities. He is concerned about what they can do to improve traffic in Novi and believes they are fortunate to have expressways running through Novi. Councilman Schmid advised his position is that he wants to see some improvements made to Ten Mile, but restated he is not concerned about regional problems and that he also does not care how his position may impact the funding. Councilman Schmid believes if they are only counting intersections that they are misinterpreting the amount of traffic that is traveling on Ten Mile, on Nine Mile and elsewhere. He believes counts are accurate at the intersection, but he also believes they are misinterpreting the volume on the roads. Councilman Schmid believes the solution for Novi is three lanes with curb and gutter from Haggerty to the railroad tracks with improvement made to the intersections. Further, Councilman Schmid has some doubts about improving the railroad tracks. He added there should be five lanes from the railroad tracks to Novi Road because of the commercial use in the area and believes they also need to extend some lanes west of Novi Road on Ten Mile Road.

Mayor ProTem Crawford believes it is important to continue to meet with the Ten Mile Task Force because they are an invaluable source of information. He is also concerned about where the impression came from that Council restricted the focus of the study. Mayor ProTem Crawford noted that he would not support any type of five lane proposal. Mayor ProTem Crawford believes that providing some type of grade crossing at the railroad track is important because of the increased trips projected on the road and because it would serve as a significant safety feature. Mayor ProTem Crawford would like to see further studies about improvements to the railroad tracks.

Mayor ProTem Crawford asked if the road is improved will it fill to meet its capacity? Mr. Arroyo replied surrounding development is generating the traffic and agreed if they widen the roadway, there will be more traffic on it after they widen it than before they widened it.

Mayor ProTem Crawford asked if they would eventually return to the current levels? Mr. Arroyo disagreed and explained based upon the thoroughfare plan which looked at the city's build out, they forecasted that a five lane improvement would be satisfactory to handle volumes through the build out of the city. However, he added if they do not widen the road, it does not mean that the traffic disappears. He explained it simply means that it goes somewhere else.

Councilwoman Mutch asked if there is a study that can tell them where the traffic is going that enters Ten Mile Road. Mr. Arroyo does not believe there was a study conducted to address that.

Councilwoman Mutch asked if there is a study that could validate a theory that much of the Ten Mile traffic is traveling to destinations that are on or near Ten Mile Road. She believes they should have planned the city so that all of the traffic could radiate throughout the city to potential destinations in lesser volumes. However, she further understands over time, that is less desirable and more expensive. Mr. Arroyo believes they can control what happens in the city to a certain extent. However, he added that they cannot control what happens outside and explained even if they discontinue building, traffic will still increase because of what is happening outside the city. Further, Mr. Arroyo does not know of any other study that has evaluated what Councilwoman Mutch is suggesting and added that conducting such a study would be difficult. He explained they could accomplish it if they picked certain points, but it would be another origin and destination survey that would be complex and therefore, he questioned whether it would be worth the effort.

Councilwoman Mutch has heard repeatedly that they should not consider regional concerns and that the roads should only serve Novi. However, she believes by having Ten Mile improved in some way, they will be best serving Novi residents and agrees there is nothing they can do if other communities find that road is their easiest route. Further, she does not believe Novi residents' work here and conduct all of their business here. She knows they leave the city as well and are grateful to have the opportunity to travel easily through other communities.

Councilman Mitzel believes they need to build a consensus, and gain confidence about the data and for the methods used in the evaluation before they study other alternatives. He explained most of the comments raised tonight focused on that issue and although Mr. Arroyo briefly touched on some of it during his presentation, he believes further discussion should take place outside a Council meeting. After that, he suggested they can then evaluate the other alternatives. Although Councilman Mitzel agrees with most comments made at the table, he does not agree that they must build roads to become a region. He believes they should consider it, but noted that the local improvement may malfunction because of the regional impact. Councilman Mitzel understands they include the no build improvement only because the environmental impact statement requires that they also evaluate the base alternative, which is to do nothing.

Mayor McLallen stated because roads are the most lasting improvement that they make, their decision must be as close to correct as possible. Mayor McLallen asked the consultant's to return with further information at the next or following Council meeting.

Councilwoman Mutch asked if the Ten Mile Task Force can select several representatives from their group to meet with JCK and staff.

Mayor McLallen agreed and added once they have identified the issues, they will be in a better position to call a meeting based on this conversation.

Warren Jocz asked that a member from Council also participate in the discussions.

Mr. Potter understands there is a two part focus in addressing some of the comments. He advised one would be for the level of service and whatever improvements that come before them will be in a menu type format; the other would be the type of funding that would be associated with that. Mr. Potter believes a time line that would report when these things would be completed once they decide to move in a certain direction would be beneficial. He also believes they are looking at as much as 2-3 or 4-5 years depending on the funding in terms of when they will begin this improvement. He added that they must also take into account the proposed regional improvements as they determine their construction time table. Mr. Potter advised they will meet with staff once they develop some of the answers to these questions and they can then meet with residents after that.

Mayor McLallen asked Mr. Potter to advise Council of those meetings.

**5. Approval of Resolution regarding City of Novi Aquatic Facility Program  
General Obligation Bond Proposal**

Mayor McLallen noted the extensive input received from the public. She further noted that the language for the ballot was received by the Clerk's office from Miller Canfield. Mayor McLallen believes the primary issues raised by the residents are, safety related to the entrance, financial viability of the project, location of the site and the capacity of the facility. The Mayor believes there is support for putting the language on the ballot, but there is also concern about what the actual language should state. Mayor McLallen advised this is currently before Council because of the time factor involved in placing it on the November ballot, so interested parties can campaign and so the city can provide information in as many ways as possible. However, she would agree there still seems to be an unclear understanding about what the proposal is. Mayor McLallen understands the goal is to tailor this down to a community based program that would be for Novi citizens and their guests exclusively.

Dan Davis confirmed it has always been their intent to make this a community based swimming facility that would adequately serve the current and growth population. Mr. Davis reported the facility would include a zero depth entry pool with interactive areas for toddlers, and a fifty meter pool with the potential of a diving area and a one meter board. To accommodate lap activities, swim lessons and so forth, the depth would increase from a three and a half foot to a twelve foot depth. Mr. Davis added it would also feature a park like setting and include picnic areas, canopy areas, sand volleyball and play ground equipment. He noted there will be low scale slides (20-25 feet) and based on their initial

design, they will build them into the topography of the site so that they would be low in terms of seeing them from adjacent areas to the south and west.

Mr. Davis believes one main concern is the accessibility to the Power Park site. The two choices of entry are a direct access from Taft Road and the other is to access from Ten Mile, use the existing service road and loop to the west. Mr. Davis previously pointed out they would have to cross school district property or gain property from the Novi Schools where the property ends to make that roadway work. He added there is also a regional retention basin and although they could probably build a road there, he is not certain about the cost. He added when they studied this last year, the committee recommended that they look at direct access from Taft Road to hold down the costs of the road improvement. Mr. Davis advised they have tried to work with the resident's concerns in the plan by offering setbacks, by pushing back the side setbacks of Dunbarton and by pushing the water active areas farther back into the site and away from Taft Road.

Mr. Davis reminded Council he has stated many times that he cannot guarantee whether the pool will make money. He advised he has looked at several facilities and reported the Troy facility lost money during the last three years. However, he noted it appears that they will be within \$200.00 of breaking even. He stated Mr. Landry believes Troy had to extend its hours and add a teen program to sustain itself. However, in his conversations with the Deputy Director from the City of Troy, Mr. Davis advised that the teen program is a subsidy operation program fostered by a cooperative effort with the Detroit Police Department, a drug abuse counseling program and a program that would put activities in a facility for teenagers. Mr. Davis reported that the City of Troy subsidized that program in conscious decision process and in fact, they would have made more money if they had not supported the program. Mr. Davis restated he cannot guarantee that the pool will be a viable facility and they must assess that annually during the budget process. He added it is very likely that they cannot break even or make money. However, he noted the Washtenaw facility has been operating in the black for the last two years. He is concerned, but it is an operational concern that they will wrestle with each year.

Through the committee, Mr. Davis advised they originally proposed a \$4.5M facility with the access off Taft Road at Power Park. He said they can research adding money to the bond issue and work through the process about bringing access to Ten Mile Road, or consider not putting the issue forward at all.

Mayor McLallen asked what action is required by Council this evening to put this issue on the November ballot? Mr. Fried replied Council must adopt the resolution before them.

Mayor McLallen stated they would like the language to be as clear as possible. She said if Council wants to put this on the ballot, she asked what is it that they are putting on? She explained Mr. Neiman has presented the matter in a generic statement. Mr. Fried stated he did that purposely because he does not want to tie Council's hand when they get into

this project. He explained if they limit their ballot questions, they will limit their ability to do something when they have the money. As they have done in the past, Mr. Fried advised the language should be as broad as possible as they tell the citizens this is what will be done with the funds.

Mayor McLallen is concerned; the ballot language states a "municipal aquatic facility together with the site, parking, site and access improvements . . ." for a sum not to exceed and the sum is \$4.5M. Based on tonight's conversations and permitting citizens to have significant enough information that they can proceed to talk to other citizens and build support or not for the project, the recommended site is very specific. The Mayor asked what would the consequences be to have no site included in the language. Mr. Fried replied if they include a site and they eventually determine that is not the site, the funds could not be used for that purpose.

Councilman Mitzel believes the Mayor's question was, what if they were silent on the site and if they were silent, would it mean that they could not use the money to purchase the site. Mr. Fried stated if they are silent as to the site, the money can be used on any site.

Councilman Mitzel agreed, but restated that it cannot be used to acquire the site. He explained it is currently written so that they could use the money to acquire the site. Mr. Fried agreed.

Mayor McLallen asked Council if the language presented by the bonding attorney is the language that they wish to have on the November ballot. She noted it is generic except for the money.

Councilwoman Mutch understands they want as much flexibility as possible and basically they are asking whether the city should obligate itself financially to build a pool. She stated they are not including specific features; they are only stating the amount of money to be spent. Councilwoman Mutch does not believe that it restricts or obligates them beyond the dollar amount. However, the reality is that people know that the recommended site is Power Park and the expectation would be that if they vote for it, they are voting for a pool at Power Park. If they vote against it, there will be some who would have voted for it if the site were somewhere else. Councilwoman Mutch believes they had the same situation with the ice arena and therefore, she believes it may be better to be site specific with an advisory question on location. In that case, they would approve the bond and the money, but not the site. However, she asked what if that is their only viable site and building it anywhere else means that they would have to spend considerably more money. Councilwoman Mutch restated she supports an aquatic facility, but she also thinks that it is reasonable and appropriate that the City of Novi undertakes that as a city-funded project. She thinks that is an appropriate way to fund it and that the location is a good one, although she thinks there is some flexibility perhaps on access to the site. Further, she does not think just because people state that it was not studied enough and believe they studied it better, that their alternative would be the right thing to do. She suggested their

alternative may put them out of the ballpark in terms of affordability. Councilwoman Mutch would like to see this succeed and only wants to see it on the ballot if there is some likelihood that it is going to succeed.

Councilman Kramer believes the language needs to be perfectly specific. He explained there has been enough controversy and that they need to make their intentions clear. He would favor indicating that they are requesting support for a bond for a community pool facility in the Power Park location with access to Ten Mile Road. Furthermore, he would increase the millage to the bonding limit to study an estimate that would give them the resources to do that. Councilman Kramer believes they need to put this to a vote to give them a chance to express their opinion. As to whether the facility should make money, Councilman Kramer believes they are providing a public benefit and that it is part of a function of government. He reminded Council because they did not provide for the development of the park land they acquired, they are now faced with many decisions about what it will take to develop it.

Councilman Clark does not believe they are even remotely close to voting on bond language. He advised that he attended the informational meeting and the only people there other than concerned residents were the people on the committee. Councilman Clark believes in order to make an intelligent decision, they need the all the facts. He reported a statement was made at the meeting that the committee was told that this was the site and they must make it work. Councilman Clark said if pools are such a great idea, why doesn't private enterprise construct them in every community like they do ice rinks. Further, he respectfully disagrees with Councilman Kramer in that he does not believe it is a function of government to lose money. Councilman Clark raised questions about the adequacy of the berming, the appropriateness of the proposed access and light on Taft Road, and the tremendous increase in liabilities that cities incur with pools. He noted that communities are getting rid of their pools because of liability and cost. Councilman Clark advised they asked a number of technical questions of the committee and the response was that they cannot give any technical answers because they were not given the money to perform the job they asked them to do. Councilman Clark restated many earlier comments made about the Troy and Washtenaw facilities in terms of cost and size. He added Troy has a smaller pool than what Novi is proposing, and their Mayor advised that they are having parking and traffic problems. Councilman Clark agrees everyone enjoys having these amenities, but it is time to start making choices. As Councilman Kramer mentioned, Councilman Clark restated they have already purchased park land and they are unable to develop what they currently have before them. Councilman Clark asked if they really want to go to the taxpayers and indebt the city further.

Councilwoman Mutch asked if the Mayor would determine if there is a Council consensus to recommend language for the November ballot. Councilman Clark is opposed. Councilman Schmid would be willing to place the matter on the ballot only if the language stipulates that the pool will be at Power Park with a Taft Road entrance. Councilman Schmid does not want to get into the same position they were a few weeks ago by having

to negotiate for property with the school and determine how much it would cost to cross the wetlands. Mayor ProTem Crawford supports placing this matter on the November ballot because he has confidence in the voting process and he does not believe they are forcing anything on the voters. He believes they have studied this sufficiently over the last several years and that they will air many of the concerns during the next couple of months. Mayor ProTem Crawford added that he is concerned about putting an entrance on Ten Mile Road. He said it may appear to be less intrusive, but if they can envision what motorists would have to do to get to the facility, he would guess that they would have to switch the layout. As a result, the more active would be closer to Addington Park. Therefore, Mayor ProTem Crawford believes they need to be specific about cost and location, but he would not favor being specific about an entrance. Council Members' Mutch and Mitzel support putting the matter to a vote.

Mayor McLallen advised the majority would like the issue to appear on the November ballot. However, now the question before them is what verbiage should the language include. She advised two members stated that the not to exceed amount is acceptable at \$4.5M. Further, there was an indication that they should also insert the Power Park location.

Councilman Kramer does not believe \$4.5 will be adequate. He reminded Council that they need to include landscaping, berming and the potential for the road. He believes they need a greater amount, but he cannot guess what it is.

Councilwoman Mutch understands that they must decide this matter tonight in order to appear on the November ballot. Mayor McLallen advised it must be decided by their next meeting.

Mayor McLallen believes there is still some problem with the language and asked if Council has any proposals for the language.

Mayor ProTem Crawford believes there is a consensus about the Power Park site. However, he stated the entrance and total dollars are still in question, and asked if those questions can be resolved by their next meeting.

Councilman Kramer asked if they should discuss moderate operating millage to support the pool. Mr. Fried believes they have resolved the issue of whether they are going to have a pool on the ballot first and then they could come back with a millage issue later. He does not agree that they should put both on the same ballot.

Councilman Mitzel believes Mayor ProTem Crawford asked for two figures to come back. He understands that he would want the base cost and then the additional cost to access the road.

Mayor ProTem Crawford thought \$4.5M was low if they consider a Ten Mile entrance and if they want more extensive landscaping.

Mr. Fried believes they can have those costs by the next meeting.

Because Councilman Schmid is starting to lean toward Councilman Clark's comments, he would like Council to make their decision tonight because he may waiver if they put this matter before them at their next meeting. He is concerned that if they construct this pool, that the city must invest \$50,000-\$100,000 a year.

Mayor McLallen agrees that they have studied this issue extensively. However, she asked how can they deliver the best possible facility to serve Novi residents at the most reasonable cost on land they already own. She believes they always come up with Power Park as the number one site. She added that they have also discussed the alternate access to the site and the impediments are significant. Further, the citizens have asked them to look at this, determine the cost and let them vote. She believes the time has come for Council to put a specific proposal before the voters. Mayor McLallen would like extremely specific language. She would like it to say, a \$4.5M not to exceed number; she would like it to say this specific pool on that specific site with that specific entrance.

Councilwoman Mutch will make that motion. She moved to have the Powers Park with a Taft Road entrance, this specific plan not to exceed \$4.5M.

**CM-97-08-285: Moved by Mutch, Seconded by Schmid, CARRIED UNANIMOUSLY:  
To approve resolution to adopt language regarding City of Novi  
Aquatic Facility Program General Obligation Bond Proposal for the  
November ballot subject to the approval of the bonding attorney**

## **COUNCIL DISCUSSION**

Councilman Clark hopes that the residents realize that if this gets on the ballot that they may be voting for an increase in taxes when the facility does not make money.

Councilwoman Mutch said if the community approves the bond proposal, they will be paying more money because that is the nature of a bond proposal.

Mr. Davis advised the plan before Council is a schematic preliminary design where they had considered many of the residents' concerns. However, it was still their intent to refine it even further. If it were the intent of the motion to be site specific as far as the berming, landscaping and so forth, he wanted to alert Council that he does not want to get backed into a corner that it has to be just like this with no flexibility to address other design issues to make the facility that much better.

Mayor McLallen responded by stating that the intent is not to be more elaborate than this and to provide a community-based pool on the scale of this proposal, and the details can be refined.

Councilman Schmid asked why is the entrance lined up to Addington Lane? Mr. Davis advised they proposed that entrance during their original discussions about the possibility of a Power Park location. Mr. Davis explained there were resident concerns about excess curb cuts into Taft Road and they selected the Addington Subdivision entrance across the road because they would have accel and decel lanes at different points staggered throughout the Taft Road corridor. When they prepared the design, Mr. Davis instructed the architect to push it over there as a proposed alignment with the idea when they go through site plan review, the consultants would review all of this as they normally would.

Mayor McLallen clarified that her intent was to go to the citizens and say the project would be something on the scale of this particular plan.

Mayor ProTem Crawford reemphasized the Mayor's point. He explained they are talking about a conceptual plan, not a site plan and what is before them is a basic layout.

Councilwoman Mutch noted Councilman Mitzel brought to her attention that with just a minor change, the language is already before them. She read the resolution, "Shall the City of Novi, County of Oakland, Michigan, borrow a sum of not to exceed \$4.5M and issue its general obligation unlimited tax bonds therefor for the purpose of paying the cost of acquiring, constructing and equipping a municipal aquatic facility at the Power Park site with Taft Road access together with the site therefor, parking, site and access improvements and all appurtenances and attachments thereto for the use of the City." Councilwoman Mutch explained they would insert the Power Park site with Taft Road access and eliminate acquiring the site.

Councilman Kramer asked if they want to call it a community swimming pool. Councilwoman Mutch disagreed. She explained a swimming pool is a swimming pool and an aquatic facility implies there is more than a pool, but noted it does not say water park or regional facility.

Mayor ProTem Crawford asked if it would be advisable to insert the word "operating" in response to concerns about operating costs? Mr. Kriewall replied they cannot do that because general obligation bonding is only for capital improvements.

Mr. Fried asked that the motion be subject to the approval of the bonding attorney.

Mayor McLallen noted there was a Council consensus to add that condition.

**Vote on CM-97-08-285: Yeas: McLallen, Crawford, Mitzel, Mutch, Schmid**

**Nay: Clark, Kramer**

**6. Approval of Resolution Regarding City of Novi 1997 Bike Path/Sidewalk Connection Program General Obligation Bond Proposal**

Councilman Mitzel reported they are proposing a \$6.7M bond issue to construct approximately twenty one miles of safety paths. He added the goal is to connect the schools, the parks and commercial areas to the neighborhoods. Further, they will concentrate in the developed areas where private projects will not install the paths and also address some areas in undeveloped areas. Councilman Mitzel displayed a map depicting parks, school areas, commercial, and the road and sidewalk networks. Further, the gray area at Taft Road, West Road and Thirteen Mile and Meadowbrook are approved road projects and the other gray areas are existing. Councilman Mitzel said they are proposing to build eight foot paths on Pontiac Trail, on Meadowbrook Road, East and South Lake Drives (the proposal that was previously before Council), Eleven Mile, Grand River, connecting Novi Road segments, connecting segments on Beck, Ten and Nine Mile Roads, and Nine Mile and Meadowbrook down to Eight Mile. Councilman Mitzel stated the requested Council action is to approve the ballot language.

Mayor McLallen understands that it would cost the average homeowner with an SEV of \$150,000 or a \$300,000 home approximately \$71.00 per year and the bond has a ten year span.

Councilman Clark said they are willing to spend \$11.2M so far tonight and he asked where will it end.

Councilman Mitzel interjected, it will end if the voters say no.

Councilman Clark restated his remarks from Council's special meeting and advised that he can count the number of people he passes on one hand when he walks. Further, he believes the city cannot maintain the paths they currently have. Councilman Clark will vote no until they pay off some of their current debt.

Councilman Schmid believes Council has the responsibility to put meaningful issues on the ballot. Councilman Schmid believes that putting eight foot asphalt walkways on both sides of the road is unnecessary. He explained he spent four hours driving through other communities and only saw one eight foot walk in Farmington Hills. He noted the other areas that had paths on both sides of the road had a bike path on one side and the other side was a five foot concrete sidewalk. He believes they should maintain one side as a five foot concrete sidewalk because of the maintenance problems with asphalt. He believes this proposal is a waste of money and a bad idea. He added during his four hour tour he only saw at most six walkers, no bicycles, no runners and no skaters. Councilman Schmid would support connecting the city with sidewalks on the main roads, but believes they

should be realistic about putting in these expensive paths. Councilman Schmid appreciates the fact that Councilman Mitzel brought this issue forward because he believes they need to discuss this matter, but does not believe it should be on the November ballot. He suggested that they start setting substantial dollars aside each year for the sole purpose of constructing and maintaining the sidewalks within the community.

In response to the material, Councilman Mitzel reminded Council that the original material was proposed as concrete. However, Council had a consensus to change that to asphalt so they altered the connection program to match what they proposed for the ordinance change. Councilman Mitzel added he did not advocate one material over another.

It is Councilman Schmid's opinion that they should construct sidewalks and bike paths with concrete because he believes it is better quality.

Councilwoman Mutch asked if Councilman Schmid would support a modified proposal that focuses on the most developed areas. Councilman Schmid would be amenable to a compromise and added that he is sincere about addressing this issue. Further, he would like everyone to understand that young children will not travel from one end of the community to the next because parents will not permit it for safety reasons. Consequently, he does not believe this program warrants this amount of dollars, but would be willing to connect sidewalks in specific areas.

Councilwoman Mutch is interested in hearing what areas he would be interested in connecting. Councilman Schmid would have to give further thought to that. He added that they should commend Councilman Mitzel for his work on this.

Mayor ProTem Crawford agrees the proposal before them is somewhat extensive. In general, he would agree with the philosophy of a sidewalk system, but he would like to see a more flexible program. Mayor ProTem Crawford would agree to support something less extensive.

Councilman Mitzel advised that they designed the ordinance changes to provide flexibility and they cannot get into the design details at this level of the proposal. He agreed the general concept is for an eight foot path, but if it does not work there is nothing that states when they do the design that they cannot deviate to fit the physical conditions of the area. Councilman Mitzel said the bond language is simply for the connection program and is similar to the city's roadway bond program in that it is the goal of the city to implement these general connections. However, it does not mean that it will go in this exact location when it comes time to construct the paths.

Mayor ProTem Crawford asked if they had considered a less extensive nonspecific program? Further, had they considered Andrew Mutch's suggestion to fund this project with a millage? Councilman Mitzel replied they did not consider a millage because Council traditionally supports bond issues. He added the reason they developed a list was

because they had to have an idea about how much it would cost. He added they based the list on what they thought were areas of destinations and population while utilizing existing segments. Councilman Mitzel added Council has also traditionally provided voters some detail on what is proposed. Further, Councilman Mitzel stated this is an important issue to him and during the four years he has served on Council he has heard that this is something that is also important to members of the community. He believes if they do it in a method where they have a tenth of a mil and they only generate \$200,000 per year, it would be like trying to build I-96 a mile at a time.

Mayor ProTem Crawford understands that a millage could also be used for maintenance whereas a bond cannot. Councilman Mitzel advised they did not address maintenance in this proposal because maintenance is already an issue that Council must deal with separately because they are already requiring that all these facilities be built.

Councilman Kramer supports Mayor ProTem Crawford's comments. He further believes sidewalks are an issue on which they need to be patient. He prefers the idea of a small, yet continuous millage and believes the bond proposal is somewhat aggressive. He suggested that Council Members Mitzel and Mutch prioritize the items for Council and recommend a millage level.

Councilman Kramer understands that East and South Lake Drives already have a proposed project. Councilman Mitzel responded that the answer has not come back from Administration on the funding so they thought they would include it in this proposal.

Councilman Kramer believes the answer to that question is really going to be supportive of how they do sidewalks. He explained they are looking for an affordable way to construct asphalt sidewalks, but they were unable to secure good bids for the job. He believes when they find a way to get good bids for the job, it will support the rest.

Councilman Mitzel does not see that as the issue for East and South Lake Drives. He explained the issue for East and South Lake is whether it is in conjunction with the road resurfacing or if they should construct them separately.

Councilman Kramer still questions whether it would still belong. Councilman Mitzel would agree there are other possibilities for East and South Lake Drives.

**CM-97-08-286: Moved by Clark, Seconded by Schmid, CARRIED: To deny resolution to adopt language regarding City of Novi 1997 Bike Path/Sidewalk Connection Program General Obligation Bond Proposal for the November ballot**

**COUNCIL DISCUSSION**

Mayor ProTem Crawford will support the motion, but it is not because he does not favor some type of a sidewalk system if time still permits. He explained he would be willing to reconsider something less extensive.

Councilman Schmid would like Council to seriously consider concrete instead of asphalt. Further, he does not agree there should be bike paths on both sides of the street. He believes they should have five foot walks on one side and bike paths only where necessary on the other side. He would agree that there may be a case for asphalt bike paths.

Mayor McLallen does not support the motion because in the ten years she has been active in the City of Novi she has served on various safety path committees attempting to bring this forward. She explained every year at budget they say they are going to set aside money and other priorities come forward so the money never gets set aside. She believes the only way that this action will move forward is in a bond form and it is up to the voters to determine whether this is an obligation that they want to undertake.

**Vote on CM-97-08-286: Yeas: Crawford, Clark, Kramer, Schmid,  
Nay: McLallen, Mitzel, Mutch**

#### **COUNCIL DISCUSSION**

Councilman Mitzel does not want to spend further effort on this if there is no consensus to go either way. However, he would agree to refine this further if he could get additional direction from Council.

Councilman Schmid does not favor a millage and he might be amenable to a small bonding proposal citing specific and critical areas. He would then prefer to go to the present tax base to try to complete the project over the years.

Councilman Mitzel believes it sounds as though he will be working on that in next year's budget.

Councilman Kramer stated the various bonds that they have approved over time run out and he believes a chart on that might be helpful. Mr. Kriewall believes they had that data during the budget.

Councilwoman Mutch stated this proposal is a culmination of the community's wants and needs, but it does mean it is an everything or nothing proposal. Therefore, they are willing to put more time into this if there is an indication from Council that there is something within the proposal that they are willing to support. Further, she asked those members that are willing to support a modified program, indicate what it is that they are willing to support.

Mayor ProTem Crawford restated he would be willing to support a less extensive

nonspecific program. He would also support a small millage that would also provide for maintenance. He believes one or two tenths may be enough and suggested that they could also supplement that from the General Fund during budget time.

Councilman Mitzel said if they choose to fund the program with a millage, the list of priorities is a living document by Council every year. He said they already provided a listing and if they propose a millage, he does not believe they would necessarily say they are going in a specific order. They may say, here are the top two and here is the rest of the list.

Mayor ProTem Crawford believes they could debate the merits at that time. Councilman Mitzel believes that would then occur in the yearly budget debate.

Councilwoman Mutch believes Councilman Schmid indicated that the operational millage would have some support. Councilman Schmid replied he is cautious about increasing millage.

Mayor ProTem Crawford reminded Council that the question is whether this should go before the voters.

Mr. Kriewall believes there is a three year limitation on a millage under the City's Charter and therefore, they would have to amend the charter to make it forever. He does not believe they have enough time to prepare a charter amendment because it requires state approval. However, they could offer a millage, but it would only be good for three years.

Councilman Schmid would consider a bonding proposal or perhaps a small millage based on a strict priority listing. He believes the priorities would be the connection of sidewalks and believes the bike paths would be a lesser priority.

Councilman Mitzel stated they used them interchangeable in the proposal because there are both five and eight foot paths that need connections.

Councilman Clark asked if they must hold the Executive Session this evening. Mr. Fried replied the session is necessary, but will be no more than five minutes.

**CM-97-08-287: Moved by Clark, Seconded by Schmid, CARRIED UNANIMOUSLY:  
To adjourn Regular Meeting of the Council of the City of Novi and  
carry over the Items 7-11 Under Matters for Council Action to the  
September 8, 1997 Regular Council Meeting**

## **COUNCIL DISCUSSION**

Councilwoman Mutch believes somebody pulled the warrant.

Mayor ProTem Crawford suggested that they discuss the removed Consent Agenda items.

**Vote on CM-97-08-287: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch,  
Schmid  
Nay: None**

### **CONSENT AGENDA REMOVALS**

#### **1. Approval of Special 6:30 P.M. Meeting Minutes of August 13, 1997**

Councilwoman Mutch advised they should change the time of the meeting from 7:30 P.M. to 6:30 P.M., she advised she asked the City Clerk to review a particular statement she made and that Mayor ProTem Crawford's name appears in a vote instead of Councilman Clark.

**CM-97-08-288: Moved by Mutch, Seconded by Crawford, CARRIED  
UNANIMOUSLY: To approve Special 6:30 P.M. Meeting Minutes of  
August 13, 1997 as corrected**

**Vote on CM-97-08-288: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch,  
Schmid  
Nay: None**

#### **3. Approval of Ordinance No. 97-18.133- Zoning Ordinance Update - II Reading & Adoption**

Mr. Fried corrected subpart E and advised "berm" should be "berms" in the plural. Further, they should strike from that same paragraph, "with a ten foot crest" because the prior sentence indicates it is going to be a six foot crest.

**CM-97-08-289: Moved by Mitzel, Seconded by Crawford, CARRIED  
UNANIMOUSLY: To approve Ordinance No. 97-18.133- Zoning  
Ordinance Update - II Reading & Adoption as corrected**

**Vote on CM-97-08-289: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch,  
Schmid  
Nay: None**

#### **14. Approval of Walled Lake/Novi Sewage Disposal System Rate Reduction**

Councilman Kramer stated they frequently discuss tax increases and spending money so he thought they should note this reduction.

Mr. Kriewall advised that the Water Department worked directly with the Drain Commission staff to prepare their rate projections for the next year and they were informed that there would be no change in rates. However, two weeks later they received a letter from County Commissioner George Kuhn indicating that he was going to reduce the sewage treatment plant rate for the Walled Lake System in the amount set forth in this resolution.

**CM-97-08-290: Moved by Kramer, Seconded by Crawford, CARRIED UNANIMOUSLY: To approve resolution for the Walled Lake/Novi Sewage Disposal System Rate Reduction**

**Vote on CM-97-08-290: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid  
Nay: None**

**20. Approval of Claims and Accounts - Warrant No. 498**

Councilman Schmid noted a \$29,000 expenditure for B&V Construction for Lake Property Clean Up and Mr. Nowicki already offered an explanation for this amount.

**CM-97-08-291: Moved by Schmid, Seconded by Clark, CARRIED UNANIMOUSLY: To approve Claims and Accounts - Warrant No. 498**

**Vote on CM-97-08-291: Yeas: McLallen, Crawford, Clark, Kramer, Mitzel, Mutch, Schmid  
Nay: None**

**21. Approval of Purchase of Levy Property for Parkland and Wire Transfer of Funds**

Councilman Mitzel asked if the title is clear on this matter. Mr. Fried replied they are very close and they will not transfer the funds until they have addressed a minor matter.

**CM-97-08-292: Moved by Schmid, Seconded by Mutch, CARRIED: To approve Purchase of Levy Property for Parkland and Wire Transfer of Funds at the appropriate closing date**

**Vote on CM-97-08-292: Yeas: McLallen, Crawford, Clark, Kramer, Mutch, Schmid  
Nay: Mitzel**

**AUDIENCE PARTICIPATION**

**Dan Love - Lakeview Market, asked what benefit would the vacation of the rest of Erma be to the city.**

Mayor McLallen believes the decision was postponed based on the desire to see further information about how it would function if it were left open.

Mr. Love believes it has been functioning adequately since the partial vacation.

Mayor McLallen stated Council members were not comfortable about the presentation of the improvements and the t-turnaround, and wanted further information. She believes it will appear on the next Council agenda.

Mr. Love stated he has improvement plans for the rear parking lot. Mayor ProTem Crawford asked for copies of the plan at their next meeting.

**Mike Hurwitch** - 24120 Cranbrook Dr., thanked Council members for their questions and action regarding the Ten Mile Road Conceptual Design Analysis. He believes he can assist Mr. Nowicki in answering the question about when the document became available to the public. He advised he went to the DPW Department at the Civic Center to ask about the document who in turn directed him to the Clerk's office. He advised that the document was not in the Council packet and that the staff had difficulty finding it. Mr. Hurwitch advised the Library staff also had difficulty finding the document and informed him that they just received it that day.

**Kevin Brady** - 24166 Cranbrook Dr. thanked Council for listening to the resident's concerns.

**James Korte** - Shawood Lake, believes the inordinate amount of time being spent on Erma is ridiculous. Mr. Korte stated no one has used the Jacob's property for the last two years. He also believes the city is mostly concerned with aesthetics. He said the JCK paperwork indicates that they have to move the eight foot path that they gave the subdivision off his property because that is where they put it. He also spoke with Mr. Pargoff who advised there is approximately \$2,000 worth of shrubbery being put on personal property. Mr. Korte does not want the shrubbery on his property because he can landscape it himself. He suggested that they take the money and put it where it will look like something because if they put it on his property he will remove it. He said the misinformation that Council gets is unfair. He said this issue is so minor that it is no wonder that they cannot get a pool or aquatic facility in this city. He suggested that they leave it as it is. He added that fires were set in the middle of the road during the night and this is the neighborhood in which he lives. He said Council does not want to know what exists and he asked that they not try to make it utopia because it will never be one.

**Warren Jocz** - wanted to reiterate some of the comments made regarding participation in the Ten Mile Road program both here in the Council chamber and in their active participation outside the chamber. Understanding both viewpoints, Mr. Jocz stated they appreciated it and thanked Council.

## **MATTERS FOR COUNCIL ACTION - Part II**

7. **Approval of Ordinance No. 97-138.01, Water Restriction Ordinance - I Reading**  
Carried over to September 8, 1997 Regular Council Meeting
8. **Approval of Ordinance No. 97-18.135, PD-1 Option - I Reading**  
Carried over to September 8, 1997 Regular Council Meeting
9. **Adoption of Ordinance No. 97-18.134, Zoning Ordinance - Site Plan Extensions - I Reading**  
Carried over to September 8, 1997 Regular Council Meeting
10. **Approval of Ordinance No. 97-124.09 - Amendment to revise the requirements for bicycle paths and pedestrian safety paths - I Reading**  
Carried over to September 8, 1997 Regular Council Meeting
11. **Approval of Ordinance No. 97-45.25 - Amendment to require bicycle paths adjacent to arterial streets - I Reading**  
Carried over to September 8, 1997 Regular Council Meeting

## **COMMITTEE REPORTS**

## **MAYOR AND COUNCIL ISSUES**

## **MANAGER'S REPORTS**

## **ATTORNEY'S REPORTS**

## **COMMUNICATIONS**

1. Letter from Denise Jenkins to City Council, Re: Resignation from EDC and notice not to reappoint to Board of Review at term expiration
2. Letter from Kim L. Wagner to City Council, Re: Support of Aquatic Facility
3. Letter from Winston Myrie to Bruce Jerome, Re: Speed Zone on Old Novi Road
4. Letter from Anthony Nowicki to James Utley, Re: Tri-Mount letter dated July 23, 1997
5. Letter from Lynn Kocan to Planning Commission, Re: Ash Gear - Truck Traffic Implications on Nine Mile Road, Matters for Consideration, 8/20/97
6. Memorandum from Lou Martin to City Council, Re: 1997 NATOA Programming Awards
7. Letter from Residents of Royal Crown Estates, Re: Support of Consideration for Aquatic Facility at Power Park

8. Petition from Residents of Yorkshire Place in Support of Aquatic Facility at Power Park

**ADJOURNMENT**

There being no further business before City Council, the meeting was adjourned at 1:45 a.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Transcribed by Barbara Holmes

Date Approved: September 8, 1997