



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2015-0285

TO: Mayor and City Council Members

FROM: Allan E. Schneck, P.E., Director, Department of Public Services

DATE: September 28, 2015

SUBJECT: Norton Lawn and Hickory Lawn Special Assessment District (SAD) Paving Project
City File Number E14-030, Section 27

REQUEST:

The Department of Public Services requests that the City Council pass a final determination resolution to approve moving forward with the SAD paving project for Norton Lawn and Hickory Lawn in accordance with the prepared design plans and specifications and to direct the City Assessor to prepare a certified special assessment roll for the properties of each street.

BACKGROUND:

City Council held a public hearing on August 10, 2015 to receive resident comments regarding the proposed SAD paving of Norton Lawn and Hickory Lawn. A decision to end the process was not made for either street so the project progressed to deferring a final determination for at least 28 days and provide residents that are not in favor of the paving project an opportunity to circulate a petition of objection to the project. Since the 28th day occurred on the Labor Day Holiday observed on September 7th, the date to submit objection petitions to Rochester Hills was extended to September 8th.

For Norton Lawn, Rochester Hills received a petition of objection form dated September 8, 2015 and signed by Debra Sneed that covered ten parcels and eight distinct owners. One of the eight property owners, Jerzy Wronikowski, signed the objection petition on August 28th but later sent a letter dated September 2nd stating that he was in favor of paving, not against. The nine properties and seven owners do not constitute a majority of owners objecting to the paving project so it should continue to move forward.

For Hickory Lawn, Rochester Hills received two petition of objection forms with signatures dated on August 12th and 25th. There were five owners covering six properties. The petitions of objection do not constitute a majority of owners objecting to the paving project.

It should be noted, however, that Ms. Vicki Boork submitted a correspondence to Rochester Hills on September 4, 2015 that objected to the legitimacy of the original petition signatures in favor of the paving project. A copy of Ms. Boork's document is attached for reference. In summary, Ms. Boork states that the original petition drive garnered 20 signatures of support but five of the signatures should not be counted. Since 17 signatures were needed to establish a majority support of the project, the proposed SAD paving consideration of Hickory Lawn should not have proceeded forward.

City staff reviewed and further checked Ms. Boork's statements. In regards to Item 1, it is agreed to remove Ms. England from the original petition and consider her not in favor of the project.

For Item 2, the person in question is Jennifer Arsenault. I personally spoke with Ms. Arsenault and she informed me that the signature on the petition is indeed her signature and that she is in favor of the road paving project moving forward.

Item 3 was checked further to determine if the new homeowner is in favor of the paving project. The original petition was signed by Martin Tuchman who lived at 2870 Hickory Lawn. Mr. Tuchman sold his home to David Sarazin. Joe Peters, an original petition circulator for Hickory Lawn, contacted Mr. Sarazin and obtained his signature in favor of the road project moving forward.

Item 4 was listed by Ms. Boork because the original petition was signed by Holly Coulter but Ms. Coulter is not listed on the property deed for 2888 Hickory Lawn. Mr. Peters subsequently checked with Holly's husband, John Coulter, who is the property owner listed on the deed and Mr. Coulter signed a petition form in favor of the road project moving forward.

Lastly, Item 5 states that Scott Houser, an original signer of the favorable petition, is now against the paving project. Mr. Houser signed the objection petition so it is agreed to remove him from the original petition review.

The net result of original Hickory Lawn petition review is that 18 property owners are in favor of moving forward with the paving project and this exceeds the minimum number of 17 out of 33 being needed. The Hickory Lawn SAD paving project should continue to move forward.

RECOMMENDATION:

The Department of Public Services recommends that City Council pass a final determination resolution to approve moving forward with the SAD paving project for Norton Lawn and Hickory Lawn in accordance with the prepared design plans and specifications and to direct the City Assessor to prepare a certified special assessment roll for the properties of each street.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy Clerk		