



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

*Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier
community of choice to live, work and raise a family by enhancing our vibrant residential
character complemented by an attractive business community."*

Monday, January 28, 2013

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:00 p.m. Michigan Time.*

ROLL CALL

Present 7 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark
Tisdel, Michael Webber and Ravi Yalamanchi

Others Present:

*Bryan Barnett, Mayor
Jim Breuckman, Manager of Planning
Scott Cope, Director of Building/Ordinance Compliance
Paul Davis, City Engineer/Deputy Director of DPS/Engineering
Mike Hartner, Director of Parks and Forestry
Eric LaRose, Rochester Hills Government Youth Council Representative
Jane Leslie, City Clerk
Pat McKay, Supervisor of Interpretive Services
Tara Presta, Chief Assistant
Jack Sage, Ordinance Inspector
Keith Sawdon, Director of Finance
Allan Schneck, Director of DPS/Engineering
Leanne Scott, City Council Coordinator
Joe Snyder, Senior Financial Analyst
John Staran, City Attorney
Michelle Thorpe, Rochester Hills Government Youth Council Representative
Ashish Tripathi, Rochester Hills Government Youth Council Representative*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Yalamanchi, seconded by Webber, that the Agenda be Approved as Amended to add Legislative File 2013-0047 Proclamation in Recognition of Jane Leslie immediately following Approval of Agenda. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

2013-0047 Proclamation in Recognition of Jane Leslie

Attachments: Suppl Proclamation.pdf

President Hooper stated that City Clerk Jane Leslie is retiring on Friday, February 1st, and noted that this is her last meeting. He noted that Clerk Leslie has been a long-time employee of Rochester Hills and mentioned that it is hoped that she will have many happy years of retirement. He thanked her for her service to the City. He read the proclamation.

Clerk Leslie expressed her thanks to Mayor Barnett, City Council, and to all of the employees and residents of Rochester Hills. She stated that the City has great leadership and commented that she has enjoyed her time with the City.

Presented.

Whereas, Jane Leslie's career began on January 12, 1981 when she was hired as a Clerk Receptionist for the City of Rochester Hills. Through the years, Jane continued to make a positive and valuable impact and was appointed to the position of City Clerk on April 6, 2005; and

Whereas, Jane Leslie's career has spanned over 31 years. Her tireless dedication and extraordinary contributions to the community, citizens and visitors has been greatly appreciated. She has maintained a high degree of integrity throughout her years of service; and

Whereas, Jane Leslie has exemplified the tradition of municipal clerk through her guidance, knowledge and professionalism.

Now, Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills, hereby recognize and congratulate Jane Leslie on her retirement after many years of hard work and dedication to our community.

Be It Further Resolved, that on behalf of all city employees and residents, the Mayor and City Council wish Jane Leslie the very best in all her future endeavors.

PUBLIC COMMENT

Lorraine McGoldrick, 709 Essex Drive, commented on the following:

- She requested information regarding billing for the Street Lighting Program.
- She requested the Traffic Improvement Association perform a study for the stretch of M-150 between Avon and Hamlin Roads to address the need for a traffic light in the area of Yorktown and Meadowfield.
- She stated that Council should form an Ethics Committee.
- She questioned why the Heritage Festival was required to pay sign permit fees to promote their event while the Velodrome and Brookside Way events are

allowed to place signage without fees.

- She mentioned information released regarding flyers distributed in 2009 by the group Taxpayers for Accountability.

Mike Mann, 2811 Walbridge, expressed his disappointment that he was unable to schedule a burial for his wife at the Van Hoosen Jones-Stoney Creek Cemetery for Monday, January 21st, as he was informed that this was a City Holiday and no burials could take place on that day.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper requested Clerk Leslie address concerns raised during Public Comment regarding burial at the Van Hoosen Jones Stoney Creek Cemetery over a holiday weekend.

Jane Leslie, City Clerk, stated the City's Cemetery Rules state that no burials can take place on Sundays or Holidays. She commented that funeral homes holding services on a Sunday or holiday arrange burials for the following business day. She noted that she informed Mr. Mann that he could contact the Mayor's office directly.

Mayor Barnett explained that he was in Washington D.C. during the day that Mr. Mann contacted his office. He stated that he contacted Jane Leslie, City Clerk, who shared the Cemetery Rules with him. He mentioned that at the time Mr. Mann contacted the City, he did not own lots in the Cemetery.

In response to Mr. Mann, **President Hooper** expressed an apology on behalf of City Council and noted that the Cemetery Rules state that burials cannot take place on Sundays or holidays. He addressed Public Comment with the following:

- He requested that the Administration review procedures for the Street Lighting Program.*
- He noted that a previous study performed by the Michigan Department of Transportation on M-150 (Rochester Road) concluded that a traffic light was warranted at the boulevard at Eddington Farms Subdivision on the east side, with a relocated entry at Drexelgate on the west. He was not aware of another study proposed for that stretch of roadway. He requested Allan Schneck, Director of DPS/Engineering, review the City's options. He noted that the State owns Rochester Road.*
- He mentioned that the City has an Ethics Ordinance in place.*

He once again expressed his thanks to Clerk Leslie for her many years of service, and wished her the best.

Mr. Webber expressed his condolences to Mr. Mann for the loss of his wife. He reported that the Fire and Ice Festival, hosted in downtown Rochester in

conjunction with Oakland County Parks, was very well attended. He welcomed Dr. Robert Shaner, newly-named Superintendent for the Rochester Community Schools. He expressed his appreciation to Clerk Leslie, noting that it has been a pleasure and honor to work with her.

Mr. Klomp offered his condolences to Mr. Mann. He commented that the Fire and Ice Festival was fortunate to take place during ideal weather conditions. He noted that he will continue to communicate with Ms. McGoldrick regarding concerns she expressed during Public Comment. He expressed his appreciation to Clerk Leslie, commenting that she made a tremendous impact on the City.

Mr. Kochenderfer expressed his condolences to Mr. Mann. He commented that he would request the Administration look into any difficulties in contacting Cemetery staff and have the Cemetery Citizens Advisory Technical Review Committee investigate whether the Cemetery Rules were followed. He mentioned that Oakland University (OU) hosted a successful Homecoming Weekend and commented that over 100,000 OU alumni comprise a strong force in the community. He congratulated Clerk Leslie on her years of service to the City.

Mr. Rosen expressed his appreciation to Clerk Leslie, noting that retirement is a good thing. He invited her to continue to be active in City activities by participating in Boards, Commissions and Committees.

Mr. Tisdell offered parting words to Clerk Leslie, noting that in his involvement with the Rochester Hills Government Youth Council, he found her very generous with her time, offering support and help as needed.

Mr. Yalamanchi thanked Clerk Leslie for her years of service. He offered condolences to Mr. Mann, suggesting that there should be a way to convey Cemetery Rules in advance to those inquiring. He stated that there should be some way for the Mayor to make a decision regarding Cemetery Rules.

Ashish Tripathi, Rochester Hills Government Youth Council Representative (RHGYC), reported that the group held its first event in conjunction with the Strive 4 A Safer Drive Program, collecting signatures on over 200 no-texting pledges at the Crosstown Showdown basketball game at Oakland University. He noted that the next event for the safe driving program will be a contest for all three local high schools to come up with a media production promoting safe driving. He reported that the Green Team subcommittee will be selling reusable grocery bags to raise funds to purchase four or five trees for Bloomer Park. He expressed his congratulations on behalf of the RHGYC to Clerk Leslie on her retirement.

Mayor Barnett commented that every burial is a sad situation and offered his condolences to Mr. Mann on his loss. He mentioned that Clerk Leslie contacted him after Mr. Mann's call and stated that Council would have to consider whether it wishes to change the burial policy for Sundays and holidays moving forward. He congratulated Clerk Leslie on her retirement, noting that her challenging position includes managing a department of nine staff members, along with almost 250 election workers, coordinating her work with ever-changing Council Members and Mayors. He mentioned the following:

- He noted that the City was recently recognized for its innovation, and commented that this innovation ties closely to Oakland University (OU). OU recently announced over \$40 million in new projects, including a large residential component within the City of Rochester Hills and a large bell tower. He stated that Rochester Hills is proud to be OU's home town.
- He congratulated the City of Rochester for hosting a successful Fire and Ice Festival, noting that Rochester Hills' DPS team helped accumulate the snow needed for the events.
- The City received recognition from the University of Michigan, as it was once again given the E-Cities award as a "five-star" community, one of eight top performing communities in Michigan. The award is given to cities for their efforts in attracting and retaining entrepreneurial companies.
- Two of the City's schools were named for participation in RecycleBank's Green Schools program. Residents can donate their RecycleBank points as donations to these schools, which will be matched by RecycleBank up to a \$5,000 donation to each school. The program ends March 15th.

ATTORNEY MATTERS

City Attorney John Staran expressed his thanks to Clerk Leslie for her years of service to the City.

PRESENTATIONS

2013-0044 Rochester Hills Government Youth Council's Bi-Annual Report to City Council

Attachments: [Agenda Summary.pdf](#)

***Eric LaRose**, Chairperson, and **Michelle Thorpe**, Vice Chairperson, thanked City Clerk Jane Leslie for her work with the Rochester Hills Government Youth Council (RHGYC). They presented the bi-annual report for the RHGYC, and listed the following activities:*

- *Incoming RHGYC members were sworn in and outgoing members recognized at the August 13, 2013 Regular City Council Meeting.*
- *Members participated in an Orientation Luncheon in August, discussing relevant topics with Mayor Barnett, Department Directors, and Council Members.*
- *The group provided manpower at the City's water table for the Brooksie Way Half Marathon.*
- *RHGYC members manned a table at Parisian as a fund raiser, selling coupon booklets for Community Day.*
- *The group participated in the City's Holiday Family Fun Night, hosting games and activities for City staff and their families.*
- *Members marched in the Rochester Home Town Christmas Parade dressed as construction elves.*
- *This year's 5K Run/Walk will again benefit the Boys and Girls Club of Troy. RHGYC members recently visited the club and viewed how last year's*

proceeds were used to augment programs for area teens.

- Members continue to participate on City committees and at City Council meetings.

- This year, five action committees were formed. Modeled off of the City's Technical Review Committees, they include the Education Committee, the Green Team, Helping Hands, Public Relations and Senior Services. The committees have been active in reaching out to the community.

- The group is participating in the Strive 4 a Safer Drive Program, designed to promote safe text-free driving and sponsored by AAA and Ford Motor Company. The RHGYC received a \$2,000 grant to cover its expenses for their participation in the program, and have planned events including securing over 200 pledges for text-free driving at the Crosstown Showdown at Oakland University, and an upcoming multi-media contest to promote safe driving.

- The Green Team will be selling reusable grocery bags for \$3, with funds raised used to purchase four to five trees for Bloomer Park.

Chairperson LaRose noted that this has by far been the busiest year in the group's history.

Presented.

CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

2013-0035 Approval of Minutes - City Council Regular Meeting - December 10, 2012

Attachments: [CC Min 121012.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0019-2013

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on December 10, 2012 be approved as presented.

2013-0031 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Rochester Medical Building, LLC

Attachments: [Agenda Summary.pdf](#)
[Storm Water Mtnc Agrmnt.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0020-2013

Resolved, that the Rochester Hills City Council hereby approves the storm water system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system from Rochester Medical Building, LLC, 22039

John R, Hazel Park, Michigan 48030, for the Nakkash Medical Office Building, Parcel No. #15-35-226-023.

Further Resolved, that the City Clerk is authorized to execute and deliver the agreement on behalf of the City.

- 2013-0034** Request for Purchase Authorization - BLDG: Contract/Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance for unoccupied lots in the amount not-to-exceed \$35,000.00; Contract/Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance for occupied lots in the amount not-to-exceed \$10,000.00; Brantley Development LLC, Westland, MI; Universal Lawn Care Inc., Shelby Township,

Attachments: [Agenda Summary.pdf](#)
[Proposal Tab - Occupied.pdf](#)
[Proposal Tab - Unoccupied.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0021-2013

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance for unoccupied lots to Brantley Development LLC, Westland, Michigan in the amount not-to-exceed \$35,000.00 through December 31, 2013 and a Contract/Blanket Purchase Order to Universal Lawn Care Inc., Shelby Township, Michigan for weed mowing and lawn maintenance for Ordinance compliance for occupied lots in the amount not-to-exceed \$10,000.00 through December 31, 2013 and further authorizes the Mayor to execute contracts on behalf of the City.

- 2013-0038** Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for 2013 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$45,000.00; Oakland County Waste Resource Management Division, Waterford, MI

Attachments: [Agenda Summary.pdf](#)
[Inter Local Agreement.pdf](#)
[Program Costs.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0022-2013

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and

Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and

Whereas, recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and

Whereas, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of these toxic and poisonous

household chemicals, and for the communities to realize the economies of scale; and

Whereas, Oakland County, through its Waste Resource Management Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ); and

Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program; and

Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program; and

Whereas, the NO HAZ Interlocal agreement establishes a NO HAZ advisory board to assist and advise Oakland County in the development of the NO HAZ program.

Now, Therefore, Be It Resolved, that our community, the City of Rochester Hills, hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature, and

Be It Further Resolved, that we hereby appoint Jack Sage as our official representative to the NO HAZ Advisory Board, to work with the Oakland County Waste Resource Management Division as needed to plan the NO HAZ program for 2013.

Be It Further Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order to Oakland County Waste Resource Management Division for the 2013 NO HAZ Program in the amount not-to-exceed \$45,000.00.

Passed the Consent Agenda

A motion was made by Yalamanchi, seconded by Kochenderfer, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

The Following Consent Agenda Items were Discussed and Adopted by Separate Motion.

2013-0039 Request for Purchase Authorization - DPS/FLEET: Purchase Order for three (3) new vehicles (replacements for 39-170, 39-172, 39-36) in the amount of \$65,282.00; Red Holman Buick GMC, Westland, MI

Attachments: [Agenda Summary.pdf](#)
[Cars & Trucks Summary.pdf](#)
[Building 1500 4x4 EXT CabPickup 13\[1\].pdf](#)
[Forestry 2500 4x4 EXT Chassis Cab 13\[1\].pdf](#)
[Resolution.pdf](#)

Public Comment:

Lee Zendel, 1575 Dutton Road, questioned why a local dealership is not considered for the vehicle purchase.

President Hooper responded that the purchase is competitively bid each year.

Mayor Barnett stated that the Red Holman group has had the contract for years. He commented that dealers in this area do not seem to wish to bid at the low prices that they get.

Mr. Rosen noted that the dealership does not make much money on each vehicle. He mentioned that any warranty work is done locally, benefitting the City's local dealerships.

Mr. Yalamanchi commented that he had requested information regarding the salvage value of vehicles that the City disposes of, and noted that the City receives from 38 to 55 percent of the value of the vehicles when they are sold. He expressed his appreciation to staff for a job well done in securing these high returns.

President Hooper commented that the City receives maximum dollars for the vehicles, benefitting the City's taxpayers.

A motion was made by Yalamanchi, seconded by Webber, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0023-2013

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of three (3) new vehicles (replacements for 39-170, 39-172, 39-36) from Red Holman Buick GMC, Westland, Michigan in the amount of \$65,282.00.

2013-0043

Request for Agreement Approval - PARKS: Acceptance of the terms of the Development Project Agreement #RP12-479 Grant for Bloomer Park Velodrome Surface Renovations; Michigan Department of Natural Resources

Attachments: [Agenda Summary.pdf](#)
[DNR Cover Letter.pdf](#)
[DNR Project Agreement.pdf](#)
[V-Worldwide Letter.pdf](#)
[Staran Review.pdf](#)
[Resolution.pdf](#)

Mr. Yalamanchi acknowledged Dale Hughes, owner of V-Worldwide of Rochester, Michigan, whose group is contributing labor and equipment representing a 25 percent match toward the project costs.

Mayor Barnett noted that the project is funded in part by a grant made possible because Michigan residents chose to participate in the Recreation Passport Program when purchasing their license tabs.

A motion was made by Yalamanchi, seconded by Kochenderfer, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0024-2013

Whereas, on March 19, 2012 City Council gave support to the Parks & Forestry Department in the submittal of a grant application to the Michigan Department of Natural

Resources (MDNR) through their Recreation Passport Grant Program. The application was submitted and resulted in the MDNR offer of a Development Project Agreement RP12-479 Grant; and

Whereas, the surface of the International Velodrome at Bloomer Park is in serious need of replacement/renovation; and

Whereas, the MDNR has offer to the Parks & Forestry Department the Development Project Agreement RP12-479 Grant in the amount of \$45,000; and

Whereas, the required minimum 25% match to the Grant (\$15,400.00) has been pledged by Dale Hughes, owner of V-Worldwide of Rochester, Michigan in the form of labor and equipment necessary for the installation of the surface panels; and

Whereas, the project will be cost neutral to the City;

Resolved, that the Rochester Hills City Council hereby accepts the terms of Development Project Agreement #RP12-479 Grant as received from the Michigan Department of Natural Resources (MDNR) for the Bloomer Park Velodrome Surface Renovations, and that the City Council does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project.
2. To maintain satisfactory financial accounts, documents and records to make them available to the MDNR for auditing at reasonable times.
3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

Further Resolved, that the Mayor is authorized to execute the Development Project Agreement #RP12-479 on behalf of the City.

PUBLIC HEARINGS

2013-0019 FY 2013 1st Quarter Budget Amendments

Attachments: [Agenda Summary.pdf](#)
[2013 1st Qtr BA Overview.pdf](#)
[2013 1st Qtr BA \(Detail\).pdf](#)
[2013 1st Qtr Budget Adjustments.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)

Joe Snyder, Senior Financial Analyst, explained that the proposed 1st Quarter Budget Amendments will increase total City revenues by \$1.6 million and increase total City-wide expenses by \$5 million, resulting in a net draw of \$3.4 million from Fund Balances. He pointed out that many projects are being carried over that were not completed in Fiscal Year 2012, including the Grant Street Pump Station, South Boulevard Water Main, Tienken Road Corridor Widening, Livernois Road Enhancement, a sanitary sewer truck purchased but not yet delivered, the Museum Calf Barn Restoration, Avon Creek Restoration Phases 2 and 3, Network Security Enhancements, Ordinance Division laptops, and \$35,000 to perform restoration work from 2012 Local Street projects. He noted that most of the projects are already under contract and approved by Council and those that have not been approved as yet are expected to come before Council for consideration within the next few meetings.

President Hooper Opened the Public Hearing at 7:53 p.m. / Seeing No Public Input, President Hooper Closed the Public Hearing at 7:54 p.m.

President Hooper noted that the Budget Amendments serve as a funding mechanism for these projects.

Mr. Kochenderfer pointed out that there were fewer right-of-way acquisitions completed in 2012 for the Tienken Road Widening Project than anticipated. He questioned whether that will have any impact on the construction schedule.

Mr. Snyder responded that the project is being divided into two segments, with one section being the stretch of Rochester Road to Sheldon Road and the other being Livernois Road to Rochester Road. He mentioned that the Rochester Road to Sheldon section has a faster timeline.

Mayor Barnett added that the County expects the section east of Rochester Road will be undertaken in 2013 and the section west of Rochester Road in 2014.

Mr. Kochenderfer noted that \$100,000 is included for the OU INCubator and requested further explanation on how this funding is allocated.

Mr. Snyder responded that after discussions with the City Assessor, it was determined that funding could be released to the OU INCubator. He commented that monies are held for the various funds awaiting the result of Tax Tribunal cases.

Mr. Yalamanchi questioned what amounts are outstanding relative to Tax Tribunal cases.

Mr. Snyder responded that while amounts are still held City-wide the liabilities are beginning to decrease.

Mayor Barnett stated that the City holds a conservative amount in reserve, far more than what is actually expected as a liability. He noted that after this amount is disbursed, approximately \$150,000 to \$200,000 will be left held in reserve for in INCubator funding.

A motion was made by Yalamanchi, seconded by Webber, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0025-2013

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, in accordance with Section 19 of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, the City Council may permit the Mayor to execute *adjustments* to the budget within limits;

Whereas, the Public Hearing for the proposed FY 2013 1st Quarter Budget Amendments was noticed on January 10, 2013; and

Whereas, the proposed FY 2013 1st Quarter Budget Amendments were available for public viewing beginning on January 18, 2013; and

Whereas, at its January 28, 2013 meeting City Council held a Public Hearing on the proposed FY 2013 1st Quarter Budget Amendments.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby approves the following FY 2013 fund totals as amended:

101 - General Fund	\$24,811,500
202 - Major Road Fund	7,002,340
203 - Local Street Fund	7,898,090
211 - Stoney Creek Perpetual Care Fund	1,225,000
244 - Water Resources Fund	625,100
592 - W&S Operating Fund	31,305,110
593 - W&S Capital Fund	6,647,140
595 - W&S Debt Fund	603,620
631 - Facilities Fund	5,571,940
636 - MIS Fund	1,823,850
661 - Fleet Equipment Fund	4,144,260
752 - Stoney Creek Perpetual Care Trust Fund*	1,328,120
* = No expenditure, revenue only	
851 - SmartZone Fund	100,000

and, Therefore, Be It Further Resolved, the Mayor is authorized to administratively adjust the operating budget line-items up to \$25,000 per event, but in no case may total expenditures of a particular fund exceed that which is appropriated by the City Council without a budget amendment.

ORDINANCE FOR INTRODUCTION

- 2008-0663** Request for Historic District Designation for a portion of the National Twist Drill site, located at the northeast corner of Rochester and Tienken Roads, consisting of a portion of Parcel Nos. 15-02-300-004 and 15-02-300-015, Zoned I Industrial, and to Accept for First Reading the proposed Ordinance adding the

Noncontiguous Historic District identified as 6841 and 6875 North Rochester Road

Attachments: [Agenda Summary.pdf](#)
[Resolution2ndRead.pdf](#)
[Ordinance.pdf](#)
[Ordinance Exhibit A.pdf](#)
[012813 Agenda Summary.pdf](#)
[121012 Agenda Summary.pdf](#)
[Adopted Final Report National Twist Drill\[1\].pdf](#)
[Proposed Reduced District Map.pdf](#)
[Minutes HDC Public Hearing 111512.pdf](#)
[Letter G Obloy 111512.pdf](#)
[JFrench Ltr of Support.pdf](#)
[ESwanson Ltr of Support.pdf](#)
[DGrimes Ltr of Support.pdf](#)
[KGrimes Ltr of Support.pdf](#)
[Twist Drill staff report 110812.pdf](#)
[Draft FINAL REPORT National Twist Drill 110112.pdf](#)
[SHPO comments 103112.pdf](#)
[Minutes PC 091812.pdf](#)
[Memo Breuckman 091412.pdf](#)
[Minutes HDSC 091312.pdf](#)
[Draft PRELIMINARY REPORT 090612.pdf](#)
[Twist Drill Survey Sheets.pdf](#)
[CC Agenda Summary 081312.pdf](#)
[Mozer Request 072612.pdf](#)
[2008 Draft Preliminary Report Twist Drill.pdf](#)
[Proposed District Map.pdf](#)
[Minutes HDSC 060911.pdf](#)
[Minutes HDSC 120910.pdf](#)
[Minutes HDSC 031110.pdf](#)
[MEMO 030310 HDSC Action Taken.pdf](#)
[Minutes HDSC 011410.pdf](#)
[MEMO 010410 Kidorf Opinion.pdf](#)
[Minutes HDSC 121009.pdf](#)
[Minutes HDSC 111209.pdf](#)
[Minutes HDSC 091009.pdf](#)
[Minutes PC 061609.pdf](#)
[Minutes HDC HDSC CC 032309.pdf](#)
[Minutes HDSC 031209.pdf](#)
[HDSC Update Mem 110409.pdf](#)
[HDSC Memo 030509.pdf](#)
[Mozer Letter 101507.pdf](#)
[121012 Resolution.pdf](#)
[012813 Resolution.pdf](#)

Jim Breuckman, Manager of Planning, noted that Kristine Kidorf, the City's Historical Consultant, was in attendance to answer any questions. He explained that as discussed in December, an Ordinance was prepared for First Reading identifying boundaries as discussed at that Council Meeting. He commented that in reviewing options for the southernmost edge of the Historic District boundary, it was determined that there would not be enough land left for development to warrant excluding an area at the right-of-way corner of Tienken Road from a Historic District.

Public Comments:

Melinda Hill, 1481 Mill Race, stated that while she appreciated Council's decision to recommend creation of a Historic District for the Twist Drill property, she questioned why the northernmost portion of the site is not being included. She expressed concern that the northernmost portion will eliminate the curb cut area off of Rochester Road, and noted that this portion of the site provides access to the buildings and could make it difficult for the Historic Districts Commission (HDC) to review any proposals in the future. She commented that while there could be problems encountered in designation without an owner's consent, few denials actually occur relative to work requests in a Historic District. She stated that more rezoning requests are actually denied than Historic District work requests.

Lorraine McGoldrick, 709 Essex, stated that while Council upheld an owner's right to make use of his land when removing the Eddy House from Historic District consideration, it is inconsistent for Council to not consider the owners' wishes in this instance.

Greg Obloy, Carson-Fischer, stated that he represents the Corporate Park of Rochester Hills, a part of the northern portion of the site. He mentioned a letter sent to Council on December 20, 2012, and noted that his clients object to even a reduced Historic District. He stated that this is nothing more than a taking without compensation. He commented that there is a difference of opinion whether the architecture is actually International or Art Deco.

Brandon Noll, Property Manager for Corporate Park of Rochester Hills, stated that he was in attendance as representative for owner Fred Ferber to voice an objection to the Historic District. He commented that at the last Council Meeting where this was discussed, it was mentioned that the property owners would be consulted in the drafting of an Ordinance. He noted that the owners were not consulted and were not aware that this would be on the agenda until approximately one week ago.

Eric Mozer, 182 Bedlington, Trustee for 6875 Rochester Road, requested Council not accept the Ordinance for First Reading, and stated that his family has spent 12 years fighting Historic Designation of the property.

Council Discussion:

President Hooper requested the City Attorney comment on allegations that this constitutes a taking of property.

John Staran, City Attorney, stated that regulatory taking is always a potential issue in a land decision; however, in this case, the City has followed all required procedures. He stated that there is authority in the Michigan Historic Districts Act given to designate properties that fit the criteria of historic resources. He commented that case law supports such designations and found them to be defensible in the face of takings claims. He mentioned that he could not agree with any statement that a designation itself constitutes a regulatory taking.

President Hooper questioned whether it would make a difference if the entire corner of the property was designated versus excluding a portion of the corner.

Mr. Staran responded that if it were included, any redevelopment affecting the corner would require review and approval by the HDC.

President Hooper commented that if a line were hypothetically drawn, any portion of land outside the boundary would not be subject to review by the HDC; however, if any portion of the development crept into the designated area, it must follow HDC requirements.

Mr. Staran confirmed that this is correct.

Mr. Tisdell stated that based on Mr. Breuckman's review of the potential for development on the corner, it appears to be of little value to maintain the corner outside of a Historic District.

President Hooper commented that this is a difficult decision for him. He stated that in the past, he has been against designating a property if an owner does not want it deemed Historic. He noted that the historic nature of the property as noted in the report is undeniable, and he feels that not to protect and preserve the portion that represents the history and heritage of the area is not the right decision. He stated that 95 percent of the property does not meet the criteria, and he would agree with a limited footprint of a designation. He mentioned that creative redevelopment of the property will enhance those building features that are being saved.

Mr. Webber commented that the property is similar to Steiner School, where only a portion was deemed historic. He stated that in the case of designation of the Eddy House, the report did not support designation.

Mr. Rosen stated that at some point the property will be valuable as something other than a manufacturing facility. He commented that historic designation will help with whatever redevelopment is possible. He noted that he would like the record to show that the City recognizes the difficulty of the situation and is open to leeway for innovative proposals for the entire area.

A motion was made by Tisdell, seconded by Rosen, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0266-2012

Whereas, 6841 and 6875 N. Rochester Road, located at the northeast corner of Rochester and Tienken, commonly known as "The Twist Drill Site" (comprised of Parcel Identification Numbers 15-02-300-004 and 15-02-300-015) was listed on the City's Potential List; and

Whereas, the Historic Districts Study Committee studied the property, the history of the site, the building and its additions, and all known family names originally associated with the property; prepared a Preliminary Report; forwarded the Preliminary Report to the State

Historic Preservation Office, and the City's Planning Commission for review; and

Whereas, on November 15, 2012 the Historic Districts Study Committee held the required Public Hearing and received comment on the potential designation of the property; and

Whereas, based on the research conducted, the review comments received from the State Historic Preservation Office and the State Historic Preservation Review Board, and the input from the Public Hearing, the Historic Districts Study Committee concluded the property meets Criteria A, Criteria B and Criteria C of the National Register criterion for designation as a Local Historic District, i.e., (Criteria A - Significant Contribution to the broad patterns of our history), (Criteria B - That are associated with the lives of persons significant in our past), and (Criteria C - That embody the distinctive characteristics of a type, period or method of construction); and

Whereas, the Historic Districts Study Committee prepared its Final Report on the property known as the Twist Drill site (6841 and 6875 North Rochester Road), and recommends that the Twist Drill site be locally designated within the City of Rochester Hills and established as the Twist Drill Historic District, comprised of a 4.77 acre portion of the two parcels, located along the site's Rochester Road frontage.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council accepts the conclusion of the Historic Districts Study Committee to designate the portion of the property known as the Twist Drill site as described in the attached Ordinance, and receives and files the Final Report as presented.

2013-0045 Acceptance for First Reading - an Ordinance to amend Sections 54-34, 54-54, 54-56, 54-470, 54-587, 54-588, 54-589, 54-590, 54-591, 54-621, 54-711, 54-742, 54-748, 54-776 and delete Sections 54-35 and 54-622 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for certain copy costs, GIS data and maps, Museum use, and miscellaneous services, and to repeal conflicting or inconsistent Ordinances

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[012813 Agenda Summary.pdf](#)
[012813 Resolution.pdf](#)
[Resolution.pdf](#)

Jane Leslie, City Clerk, noted that the proposed Ordinance Amendment is the result of an annual review of fees.

Mr. Yalamanchi requested an explanation of fees related to a third-party request for release of funds held by the City.

Clerk Leslie responded that often third party entities seek information related to escrow accounts, bonds, and any other funds held on behalf of someone else. These third party entities then obtain authorizations from owners and developers to apply for the release of funds. She explained that up to now, these entities have been applying for this information under the Freedom of Information Act, and mentioned that assembling the information to respond to these requests has become quite cumbersome for staff.

John Staran, City Attorney, commented that this type of request for information

has become commonplace over the years and is time consuming for staff. The proposed Ordinance Amendment includes a fee that covers these situations.

Mr. Yalamanchi questioned why a fee is included for refunding any overpayment of property taxes.

Clerk Leslie explained that the City's Treasurer often receives funds paid in error to the City of Rochester Hills when it should have been paid to another municipality. She noted that these funds are oftentimes overpaid by mortgage companies, banks or escrow companies and pointed out that it is costly for the City to refund these monies in both time and effort.

Mr. Yalamanchi noted a proposed fee of \$100.00 for the rental of the Dairy Barn at the Museum and questioned how often this facility is rented.

Pat McKay, Supervisor of Interpretive Services, responded that requests for rental of that facility are received more and more often. He commented that the proposed fee is comparable to what others are charging for similar facilities.

A motion was made by Yalamanchi, seconded by Tisdell, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Resolved, that an Ordinance to amend Sections 54-34, 54-54, 54-56, 54-470, 54-587, 54-588, 54-589, 54-590, 54-591, 54-621, 54-711, 54-742, 54-748, 54-776 and delete Sections 54-35 and 54-622 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for certain copy costs, GIS data and maps, Museum use, and miscellaneous services, and to repeal conflicting or inconsistent Ordinances, is hereby accepted for First Reading.

2013-0046 Acceptance for First Reading - an Ordinance to add Section 110-439 to Chapter 110 Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to charge a fee for Zoning verification and Zoning compliance review, repeal conflicting Ordinances and prescribe a penalty for

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[012813 Agenda Summary.pdf](#)
[012813 Resolution.pdf](#)
[Resolution.pdf](#)

Jim Breuckman, Manager of Planning, explained that the fee adjustments contained in the proposed Ordinance Amendment are in response to a deluge of requests from mortgage lenders or their contracted parties for verification or confirmation of how a particular site is zoned and whether it is in current compliance. He commented that it takes much staff time to meet these requests.

President Hooper questioned how many times a month these requests are received.

Mr. Breuckman responded that the requests are often submitted under the Freedom of Information Act (FOIA) and are received at the rate of five to ten each week.

John Staran, City Attorney, commented that the requests used to be only occasional; however, due to increased activity for loans and refinancing, they are now standard procedure.

Mr. Breuckman added that while some requests are simple and easily answered, others are much more complex and include requests for information pertaining to any building code violations.

Mr. Yalamanchi questioned whether the requests pertain to foreclosed properties or new sales, and if they are predominantly for commercial properties or residential.

Mr. Breuckman responded that single family owners often phone in requests and staff will provide information; the requests in question ask for written confirmation in return.

Jane Leslie, City Clerk, stated that requests received through FOIAs generally come from some of the many investigative groups that perform property research activities in conjunction with the sale or refinancing of large properties. She explained that these requests require much time by the various departments. She related one instance of information on multiple industrial sites where the response time expected was estimated at over 20 hours of work for one property.

Mr. Rosen commented that it is almost as if the title companies are asking the City to do their work for them.

Mr. Breuckman stated that it is the Administration's wish to standardize the process and arrive at a consistent way to respond to these requests. He mentioned that those requesting information will be required to sign an acknowledgement that the City will not be held responsible for any errors or omissions in providing this information.

A motion was made by Yalamanchi, seconded by Kochenderfer, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Resolved, that an Ordinance to add Section 110-439 to Chapter 110 Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to charge a fee for Zoning verification and Zoning compliance review, repeal conflicting Ordinances and prescribe a penalty for violations, is hereby accepted for First Reading.

NOMINATIONS/APPOINTMENTS

2013-0041 Request to Confirm the Mayor's appointment of Thomas Wiggins to the Economic Development Corporation (EDC) to fill the unexpired term of Dr. Bruce Kingery expiring March 31, 2015

Attachments: [Agenda Summary.pdf](#)
[Wiggins CQ.pdf](#)
[Dr. Kingery Obituary.pdf](#)
[Resolution.pdf](#)

Thomas Wiggins, in attendance, thanked Council Members and Mayor Barnett for giving him the opportunity to serve.

A motion was made by Webber, seconded by Klomp, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0026-2013

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Thomas Wiggins to fill the unexpired term of Dr. Bruce Kingery expiring March 31, 2015.

NEW BUSINESS

(Mr. Klomp exited at 8:38 p.m. and re-entered at 8:40 p.m.)

2013-0042 Request for Purchase Authorization - FISCAL: Blanket Purchase Order for printing and distribution services for the City's Water and Sewer Utility Bills in the amount not-to-exceed \$250,440.00 through December 31, 2015; Utilitec, Troy, MI

Attachments: [Agenda Summary.pdf](#)
[EBPP Service Overview.pdf](#)
[Proposals Tabulation.pdf](#)
[RFP 2012 Responses.pdf](#)
[RFP 2012 Responses Basic Serv Cost.pdf](#)
[RFP 2012 Responses Optional Service.pdf](#)
[Resolution.pdf](#)

Keith Sawdon, Director of Finance, explained that five proposals were received in response to the request for proposals issued in November for printing and distribution services for the City's Water and Sewer Utility Bills. He stated that the Administration is recommending continuing with Utilitec. He mentioned that the proposals were broken into two parts, including a component to handle electronic billing and payment; and he reported that Utilitec has a nice product which will allow residents to sign up to have notification that their bills are available online. He displayed a mockup of the online billing module and explained that the billing functions can be maintained by the customer. He mentioned that a breakeven point for providing electronic bills is at 750 to 1,000 customers. He noted that 3,500 are currently signed up for direct payment and these customers are also most likely to utilize online bill notification. He commented that it is the Administration's expectation that a larger percentage of the City's 22,000 utility customers will make use of electronic billing.

Mr. Webber commented that he would be in agreement as long as the City does not mandate or force customers to use electronic billing.

Mr. Sawdon added that over \$167,000 of the amount requested is allocated to postage, and he noted that postage costs keep increasing.

Mr. Yalamanchi expressed his appreciation for including online services. He questioned what an estimated launch date would be and how customers would be able to pay online as well.

Mr. Sawdon responded that a target date would most likely be July 1st and explained that customers will be able to access a link in the online billing module to go to the City's website to pay online. He cautioned that should postage costs continue to rise, it may be necessary to return to Council to increase the Blanket Purchase Order amount.

Mr. Yalamanchi pointed out that as more customers sign up for online services, the City should see its overall postage costs decrease.

Mr. Sawdon concurred, stating that the online services will be promoted.

Mr. Yalamanchi questioned whether information currently included as billing inserts will also be provided via email bills.

Mr. Sawdon responded that it would.

A motion was made by Yalamanchi, seconded by Klomp, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0027-2013

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for printing and distribution services for the City's Water and Sewer Utility Bills to Utilitec, Troy, Michigan in the amount not-to-exceed \$250,440.00 through December 31, 2015

2013-0040 Request for Approval of the Draft Special Assessment District (SAD) Policy recommended by the Police and Road Funding Technical Review Committee

Attachments: [Agenda Summary.pdf](#)
[Draft SAD Policy - P&RFTRC.pdf](#)
[Draft SAD Policy - Finance.pdf](#)
[P&RFTRC Resolution.pdf](#)
[Resolution.pdf](#)

Paul Davis, City Engineer/Deputy Director of DPS/Engineering, stated that the Administration is proposing to resurrect the Special Assessment District (SAD) Policy for gravel-to-pavement that was previously in place, as Council included \$200,000 in seed money in the 2013 Budget for this purpose. He explained that the Administration recommends that the previous SAD documents be used as a starting point and be updated, increasing the cap to a suggested \$5,000 with the intent to maintain a 60 percent City/40 percent resident contribution for paving local gravel roads.

Public Comment:

Lee Zendel, 1575 Dutton Road, stated that SADs pit neighbor against neighbor. He questioned how corner lots will be treated and if a \$5,000 cap would pertain to any size lot.

President Hooper commented that the assessment would apply to buildable lots and questioned how corner lots would be treated and if the cap of \$5,000 represents an average lot cost contribution.

Mr. Davis responded that there is more than one type of corner lot and mentioned that this is taken into consideration. He explained that a corner lot can abut two City-owned roads, or a City-owned and a County-owned road. He stated that the \$5,000 cap would apply to potentially buildable lots and would be dependent on zoning. Ownership of a lot wide enough and zoned to accommodate two homes would be billed for two assessments.

President Hooper questioned the basis for a 60 percent/40 percent split.

Mr. Davis responded that the SAD contribution has been 60/40 for paving since he began working for the City in 2000. He commented that he believed this ratio was adopted in the late 1990s.

Council Discussion:

Mr. Webber stated that Council did have a discussion on SADs for gravel-to-paved roads at its August budget workshops and placed \$200,000 into the budget. The Police and Road Funding Technical Review Committee (PRTRC) was directed to review the past SAD policy and make recommendations to resurrect the program. The PRTRC reviewed gravel-to-paved and also looked at paved- to better-paved. He stated that the PRTRC only focused on gravel-to-paved at this point, with an option that Council would direct them to review a policy for paved- to better-paved roads further. He added that should Council decide to proceed, a review of the \$200,000 place holder in the Budget should also be undertaken to determine whether additional funding should be allocated in a future Budget Amendment.

Mr. Rosen commented that as roads are paved, home values increase. He mentioned that initial home prices set by developers take into account the cost for roadway development. He commented that considering gravel-to-paved SADs make sense from a policy perspective. He questioned whether the \$5,000 cap assumes a paving cost of approximately \$12,000.

Mr. Davis responded that when working on the last SAD for gravel-to-paved, staff determined that costs were approaching \$12,000 to \$13,000 per buildable lot. The purpose of increasing the cap to \$5,000 is to maintain the 60/40 ratio. He concurred that while the PRTRC discussed some options such as resurfacing existing streets, the PRTRC's discussions focused on gravel-to-paved. He commented that the City has approximately 24 miles of gravel roads, while it has approximately nine times that distance in paved roads. The PRTRC did discuss that it might consider providing an opportunity for a homeowner's association or subdivision to have a means to contribute funding to have their roads resurfaced.

Mr. Rosen commented that it is his belief that the residents expect that their property taxes will pay for road rehabilitation.

Mr. Yalamanchi suggested that Council consider requiring 60 to 70 percent of the residents sign petitions for an SAD and questioned whether five or six members of Council must approve its creation.

John Staran, City Attorney, noted that Council's approval is dictated by Ordinance and requires six or four-fifths. He added that the requirement of 50 percent of the residents approving the SAD comes from the Ordinance as well.

Mr. Yalamanchi suggested that the Ordinance be reviewed for updating as well.

President Hooper commented that it would be virtually impossible to have 60 to 70 percent of the owners sign petitions.

Mr. Kochenderfer questioned what would occur if the \$5,000 cap is triggered; however, the cost is significantly higher. He noted that the City could be required to pay much more than 60 percent.

Mr. Davis responded that the cap would mean that the City would pay any difference.

Allan Schneck, Director of DPS/Engineering, stated that an SAD Policy should address gravel-to-paved roads, noting that the scope of work is defined and costs can be determined. He pointed out that staff has an understanding of what the industry is bearing in terms of cost for such projects. He commented that different conditions and factors can cause reconstruction and repaving costs to escalate.

Mr. Kochenderfer suggested including language that could allow a change of the percentage; otherwise, the City could face significant exposure. He commented that if Council wishes to consider a paved- to better-paved policy, it should tailor the language to account for the varying costs for reconstruction.

Mr. Klomp stated that the establishment of an SAD is a helpful tool for residents to better their neighborhood. He expressed concern regarding language on page two that allows that Council may establish an SAD even in the absence of 50 percent support of the neighborhood.

Mr. Davis responded that this language is included in the event that there is a safety issue, allowing Council to push through an SAD project without resident support. He pointed out that Council has not approved an SAD project to date without the support of the residents.

Mr. Klomp stated that he is not supportive of language that compels residents toward an SAD.

Mr. Staran pointed out that this language exists in the Ordinance. He stated that in all his time as City Attorney, he has never known the City to go against

the will of the majority in the creation of an SAD. He suggested that should Council want this language removed, the Ordinance can be amended.

President Hooper suggested that this item could be postponed until an Ordinance Amendment is prepared.

Mr. Staran concurred, stating that an Ordinance Amendment and draft Policy could return to Council together.

Mr. Webber suggested that the Policy not be amended if the Ordinance will be subsequently amended. He stated that efforts should be focused on the gravel-to-paved option.

President Hooper stated that more discussion was needed regarding the percentage of residents desiring the SAD, the need for a supermajority of Council to approve an SAD, and the fact that an SAD could be forced upon residents.

Mr. Rosen stated that he is comfortable with leaving in the ability to establish an SAD without a majority of the residents; however, he noted that in most cases, one would be established only when there is a majority. He pointed out that if the Policy remains silent on that issue, it could present a problem later. He concurred with revisiting the Policy at the same time as an Ordinance Amendment.

President Hooper commented that Council should absorb projects costs rather than moving forward with an SAD without resident approval.

Mr. Davis explained that a forced SAD could be required by an unfunded mandate, noting the City regularly is forced to undertake projects from an environmental standpoint.

President Hooper added that it is similar to requiring homeowners to hook up to available sewers within specific timeframes.

Mayor Barnett stated that Council expressed that it wished to re-energize the SAD project. He commented that while he cannot imagine an instance where it would be necessary, a forced SAD is a tool available in the event it is needed.

President Hooper noted that this item would be postponed and rescheduled for a future meeting.

Postponed.

COUNCIL COMMITTEE REPORTS

ANY OTHER BUSINESS

President Hooper announced that a Special Meeting of City Council will be scheduled for Monday, February 11, 2013 at 1:00 p.m. to conduct interviews for the position of City Clerk.

NEXT MEETING DATE

Regular Meeting - Monday, February 11, 2013 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:25 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARY JO PACHLA
Administrative Secretary
City Clerk's Office*

Approved as presented at the (insert date, or dates) Regular City Council Meeting.