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# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,  
Michael Webber and Ravi Yalamanchi*

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Monday, January 28, 2008

7:30 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:30 p.m. Michigan Time.

#### ROLL CALL

**Present** 7 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen, Michael Webber and Ravi Yalamanchi

#### Others Present

*Ed Anzek, Director of Planning and Development  
Bryan Barnett, Mayor  
Dan Casey, Manager of Economic Development  
Scott Cope, Director Building/Ordinance Compliance  
Julie Jenuwine, Director of Finance  
Jane Leslie, City Clerk  
Roger Rousse, Director of D.P.S./Engineering  
Jack Sage, Ordinance Inspector  
Robert D. Srogi, Facilities Operations Manager  
John Staran, City Attorney*

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

A motion was made by Erik Ambrozaitis, seconded by Michael Webber, to Approve Agenda as Amended to remove Legislative Files 2008-0019 and 2008-0020 and to add Legislative File 2008-0049 for Adoption of Resolution regarding City of Rochester Hills v. Elite Cleanroom Services. The motion CARRIED by the following vote:

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

## PUBLIC COMMENT

*None.*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mayor Barnett** announced the arrival of Sorenson Communications, a company from Utah moving to the corner of South Boulevard and John R. This company deals with cutting edge materials for recording materials for the deaf and hard of hearing.

**Mr. Webber** reported that he participated in the Rochester Schools march from the Rochester Hills Library to the Administration Building. He mentioned that over one hundred fifty students, parents, teachers and school board members took part in what the group hopes to make an annual event.

**Mr. Ambrozaitis** congratulated his neighbor, Renee Harvey as winner of the \$5,000.00 Martin Luther King Jr. Keeper of the Dream scholarship.

## ATTORNEY MATTERS

*City Attorney Staran had nothing to report.*

## 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.

**2008-0002** Request for Purchase Authorization - PARKS/FORESTRY: 2008 Spring and Fall Street Tree Planting; Blanket Purchase Order in the amount not-to-exceed \$67,000.00; Michigan Lawn Maintenance, Inc., dba Sherman Nursery Farms, Columbus, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Extension Letter.pdf](#)  
[Resolution.pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0006-2008

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Michigan Lawn Maintenance, Inc. dba Sherman Nursery Farms, Columbus, Michigan for 2008 Spring and Fall Street Tree Planting in the amount not-to-exceed \$67,000.00.

- 2007-0043** Request for Purchase Authorization - BLDG: Hazardous Waste Program and Collection Services for 2007 Inter-Local Agreement between Oakland County and the City of Rochester Hills; increase to Blanket Purchase Order in the amount of \$546.41, for a new not-to-exceed total of \$30,546.41; North Oakland County Household Hazardous Waste, Pontiac, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
Agenda Summary 011207.pdf  
Interlocal Report 011207.pdf  
Program Report 011207.pdf  
Estimated Cost 011207.pdf  
Resolution 011207.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0019-2007

Resolved, that the Rochester Hills City Council hereby authorizes the increase of the Blanket Purchase Order for hazardous waste program and collection services for 2007 Inter-Local Agreement between Oakland County and the City of Rochester Hills to North Oakland County Household Hazardous Waste, Pontiac, Michigan, in the amount of \$546.41 for a new not-to-exceed total of \$30,546.41.

- 2008-0011** Request for Purchase Authorization - BLDG: North Oakland County Household Hazardous Waste (No-Haz) 2008 Inter-Local Agreement between Oakland County and the City of Rochester Hills in the amount not-to-exceed \$40,000.00; North Oakland County Household Hazardous Waste, Pontiac, MI

**Attachments:** [Agenda Summary.pdf](#)  
[J. Sage Memo.pdf](#)  
[Interlocal Agreement.pdf](#)  
[Program Summary Report.pdf](#)  
[Resolution.pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0008-2008

Resolved, that the Rochester Hills City Council hereby authorizes the North Oakland County Household Hazardous Waste (No-Haz) 2008 Inter-Local Agreement between Oakland County and City of Rochester Hills in the amount not-to-exceed \$40,000.00 to North Oakland County Household Hazardous Waste, Pontiac, Michigan and authorizes the Mayor to execute the agreement on behalf of the City.

## **Passed the Consent Agenda**

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**The following Consent Agenda Item was discussed and adopted by a separate Motion:**

**2008-0026** Request for Adoption of Resolution in Support of the Alliance of Rouge Communities (ARC) comments on the proposed NPDES Wastewater Discharge General Permit, No. MIG61000

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

**PUBLIC COMMENT:**

*Melinda Hill, 1481 Mill Race Road, expressed her support of a resolution for Alliance of Rouge Communities' (ARC) comments. She requested that Mr. Rousse give a presentation regarding this issue stating that there are long term consequences that could be relatively expensive for this community as far as stormwater management goes.*

**COUNCIL DISCUSSION:**

*Mr. Yalamanchi requested that Roger Rousse give some background on this issue.*

*Roger Rousse, Director of D.P.S./Engineering, responded that this is a federal mandate coming through the state. He further explained that this is a permit that is renewed every five years. The first permit that went through was thirteen pages in length. The proposed permit is now fifty-two pages because the requirements have been greatly expanded and consequently, ARC has come to the conclusion that all of these requirements will not lead to improved water quality. Mr. Rousse stated that the City's preference is to use what limited funds we have on those activities that have measurable improvements to water quality. Therefore, what is being suggested through this alliance is that the City's comments, along with those of the other communities be taken into consideration and these provisions be modified so that each individual watershed has a set of provisions that are more targeted to water quality issues.*

*Mr. Yalamanchi questioned if the targeted areas he is referring to are already in the list of comments for submission.*

*Mr. Rousse stated that they are and that he has received correspondence from the State indicating they are willing to consider those comments.*

**A motion was made by Ravi Yalamanchi, seconded by J. Martin Brennan, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0007-2008

WHEREAS, the Michigan Department of Environmental Quality (MDEQ) has proposed new watershed-based and jurisdictional storm water general permits which regulate storm

water discharges from municipal separate storm sewer systems in compliance with the Federal Water Pollution Control Act;  
and,

WHEREAS, the proposed permit places new costly, cumbersome and prescriptive measures on communities and counties that will add to operating costs but will not allow ARC communities to continue their documented progress toward achieving water quality standards using the flexible practices incorporated to date.  
and,

WHEREAS, the proposed permit emphasizes extensive individual documentation and reporting rather than achieving measurable, watershed-wide improvements through innovative, cost-effective solutions with watershed partners.  
and,

WHEREAS, the proposed permit severely limits local control and decision-making that has been a guiding principle of the watershed permit while discouraging implementation of alternative, cost-effective approaches based on existing watershed conditions.  
and,

WHEREAS, many of the new requirements are time-consuming, expensive, and will not allow communities to focus their limited resources on documented water quality challenges  
and,

WHEREAS, municipal government budgets across the state are strained and these added duties constitute mandates on City departments that cannot be financially absorbed;

NOW THEREFORE BE IT RESOLVED, that the City of Rochester Hills requests that the MDEQ and its Director allow flexible, yet enforceable permit requirements that will lead to improved water quality;

BE IT FURTHER RESOLVED, that the MDEQ and its Director institute water quality control measures that target the water quality challenges at a given location;

BE IT FURTHER RESOLVED, that the MDEQ re-institute the existing Storm Water Pollution Prevention Initiative (SWPPI) process that allowed the MDEQ sufficient oversight and control to assure that all communities were making progress.

BE IT FURTHER RESOLVED, that the MDEQ return to a permit that allows sufficient flexibility to permit the state's watersheds to identify their most pressing issues and to address them.

## **PUBLIC HEARINGS**

**2008-0025**      FY2008 1st Quarter Budget Amendment

**Attachments:**    [Agenda Summary.pdf](#)  
                          [2008 - Budget Amendments.pdf](#)  
                          [2008 - 1st Qtr BA \(Pie Chart\).pdf](#)  
                          [Public Hearing Notice -.pdf](#)  
                          [Resolution.pdf](#)

**Julie Jenuwine**, Director of Finance, stated that ninety-nine percent of the dollars in the proposed Budget Amendment are for carryover capital projects. She went on to state that a little over one percent is the Operating Budget. Of the \$134,000.00 shown on her chart, \$126,000.00 of that amount is for the following studies not completed in 2007 but will be completed in 2008:

- Master Thoroughfare Plan
- Pathways Plan
- Dispatch Study
- Master Facilities Study
- Accreditation service the Building Department is in the process of acquiring

**Ms. Jenuwine** explained the following increases:

Board of Review is anticipating having increased activity in 2008 and is requesting additional banking service fees because of the anticipated decline in interest rates. False Alarm fees began to be collected in Spring 2007. Since this was a new process the City was not sure how this would be implemented and stated that there may be some additional supplies necessary to continue this process, explaining the slight increase.

MIS is requested desktop publishing supplies for the Economic Development function.

Capital projects are true carryovers from the 2007 Budget with the following exceptions:

the State of Michigan is projecting that the right-of-way costs associated with the Hamlin Road project will increase slightly. She cautioned that this was an estimate from the State. The City will be responsible for twenty percent of the construction costs for this project.

The South Boulevard project has increased due to new ADA requirements. This has resulted in the engineering costs for the design of the pathways to increase.

### **President Hooper opened the Public Hearing at 7:51 p.m.**

**Melinda Hill**, 1481 Mill Race Road, commented on the expanded cost for the dispatch study stating that she did not recall hearing what the scope of the project was going to be last year. She stated the following concerns regarding the LDFA item:

\$500,000.00 is being put in for construction of additional infrastructure at the Interchange Technology Park

This was submitted as a CIP project in 2007, but that does not necessarily mean it is a project that needs to be funded or moved forward

City Council is setting the Public Hearing this evening for the amendments to the LDFA Plan, which will not be considered until February 25, 2008

This was not budgeted for in 2008

This was not one of the City Council's Goals and Objectives

Feels the budget amendment for this item might be more appropriate in the second quarter once the public hearings have been held

**COUNCIL DISCUSSION:**

**President Hooper** questioned why the dispatch study increased from \$25,000 to \$41,700.

**Ms. Jenuwine** responded that the \$25,000 was for the Grant Administrator, and the \$16,700 is for the actual Dispatch Study. The amount for the Dispatch Study itself did not increase.

**President Hooper** inquired why the LDFA item is included in the first quarter budget amendment rather than the second quarter.

**Dan Casey**, Manager of Economic Development, explained that the CIP project calls for \$751,000 in total anticipated expenses for site development. Preliminary engineering and site work in the amount of \$251,900 was carried over from 2007. The balance of \$500,000 is for site development. Mr. Casey stated that this could wait for the second quarter budget amendment, but the City does have a couple of projects that are being considered for this property and having the money budgeted and available would be helpful.

**President Hooper closed the Public Hearing at 7:56 p.m.**

**COUNCIL DISCUSSION:**

**Mr. Yalamanchi** inquired if this accreditation was being sought in order for the staff to be certified.

**Scott Cope**, Director of Building/Ordinance Compliance, explained that this is a National accreditation for the Department. He stated the department had a full evaluation the first week of December 2007 and currently is waiting to hear when they will be going before the Accreditation Board. Mr. Cope noted that this is the first time the Building Department has been through this process and once they receive their accreditation they will be one of six to seven in the nation to be accredited.

**Mr. Yalamanchi** questioned if this was similar to the International Organization for Standardization (ISO9001) and how often they will need to be re-evaluated.

**Mr. Cope** responded that this is more in-depth. The accreditation group spent three days at the City monitoring the inspectors in the field, observing and sitting with the clerical staff and the plan reviewers to determine if what the City does is up to the standards they have set. He commented that they would be re-evaluated on a smaller scale every three years.

**Mr. Rosen** stated he would like Council to wait until the second quarter to

*consider the LDFA item; allowing more time to monitor the outcome of any plans for the City's property.*

**A motion was made by Ravi Yalamanchi, seconded by James Rosen, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0009-2008

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, the proposed 2008 1st Quarter Budget Amendment was available for public viewing starting January 18, 2008; and

Whereas, at its January 28, 2008 meeting City Council held a Public Hearing on the proposed 1st Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following 2008 fund totals as amended:

101 - General Fund	\$27,096,130
202 - Major Road Fund	\$12,463,520
214 - Pathway Maintenance Fund	\$702,160*
244 - Drain Maintenance Fund	\$2,930,070
402 - Fire Capital Fund	\$1,863,880
403 - Pathway Construction Fund	\$1,578,280
593 - W&S Capital Fund	\$9,663,870
631 - Facilities Fund	\$5,167,000
636 - MIS Fund	\$2,457,300
661 - Fleet Equipment Fund	\$3,909,270
848 - LDFA Fund	\$1,399,850

\* = Signifies that Total Fund Budget does not change

## NOMINATIONS/APPOINTMENTS

**2008-0003** Nomination/Appointment to the Zoning/Sign Board of Appeals to fill the unexpired term of J. Martin Brennan which will expire March 31, 2009.

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[James Duistermars CQ.pdf](#)  
[Jason Thompson CQ.pdf](#)  
[Resolution.pdf](#)  
 Agenda Summary 011408.pdf  
 Nomination Form.pdf  
 Dale Hetrick CQ.pdf  
 Brian Rolfe CQ.pdf  
[ZBA Notice of Vacancy.pdf](#)  
 Resolution 011408.pdf



*President Hooper stated that Jim Duistermars and Jason Thompson were nominated.*

**VOTE #1:**

*Jim Duistermars - President Hooper, Mr. Brennan, Mr. Pixley, Mr. Webber, Mr. Yalamanchi*

*Jason Thompson - Mr. Ambrozaitis, Mr. Rosen*

**A motion was made by Michael Webber, seconded by Vern Pixley, that this matter be Adopted by Resolution to Appoint Jim Duistermars be Appointed. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0010-2008

Resolved, that the Rochester Hills City Council appoints Jim Duistermars as Citizen Representative to the Zoning/Sign Board of Appeals to fill the unexpired term of J. Martin Brennan which will expire March 31, 2009.

- 2008-0028** Confirm the Mayor's appointments of Charles Bartkus, Peggy Ann Kralik and Anna Percy to the Rochester Hills Board of Review for three (3) year terms to expire December 2010.

**Attachments:** [Agenda Summary.pdf](#)  
[Bartkus Candidate Questionnaire.pdf](#)  
[Kralik Candidate Questionnaire.pdf](#)  
[Percy Candidate Questionnaire.pdf](#)  
[Resolution.pdf](#)

**A motion was made by Ravi Yalamanchi, seconded by Vern Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0011-2008

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointments of Charles Bartkus, Peggy Ann Kralik and Anna Percy to the Rochester Hills Board of Review for three (3) year terms to expire December 2010.

## **NEW BUSINESS**

- 2005-0191** Request to schedule a Public Hearing regarding proposed amendments to the LDFA Plan and Financing Plan.

**Attachments:** [Agenda Summary.pdf](#)  
[Restated LDFA Dev. Plan.pdf](#)  
[Restated LDFA Finance Plan.pdf](#)  
[Restated LDFA Plan Appendices.pdf](#)  
[Restated LDFA Plan Table 2 Tax Rolls.pdf](#)  
[Adams Road - Map 2A.pdf](#)  
[Austin Dr. Ext. Map 2B.pdf](#)  
[ITP Map 2C.pdf](#)  
[Map 1 LDFA CTP Flat.pdf](#)  
[Map 3 SmartZoneZoning.pdf](#)  
[Legal Notice 013108 & 022108.pdf](#)  
[Resolution.pdf](#)  
[012808 Agenda Summary.pdf](#)  
[042005 Agenda Summary.pdf](#)  
[Restated Develop Plan LDFA.pdf](#)  
[LDFA Resolution Amended Plan.pdf](#)  
[032005 Public Hearing Notice.pdf](#)  
[031605 Agenda Summary to set PH.pdf](#)  
[031605 Resolution to set PH.pdf](#)  
[042005 Resolution.pdf](#)  
[012808 Resolution.pdf](#)

**Mr. Ed Anzek**, Director of Planning and Development, and **Mr. Dan Casey**, Manager of Economic Development, gave their presentation this evening due to the fact that Mr. Casey will not be available to answer questions at the Public Hearing proposed for February 25, 2008.

**Mr. Anzek** gave the following brief history primarily for the new Council members. The Local Development Finance Authority (LDFA) was established in 1994 as a means to generate additional revenue through a Tax Increment Financing (TIF) Program to pay for planned roadway improvements. Those being the re-aligned Adams Road, Water View connecting to Leach Road and the punch through of technology to the re-aligned Adams Road. He stated that through the TIF, the City was able to capture county and city taxes and begin building a fund to pay the right-of-way and engineering services over time. He further explained that there is a requirement to keep the LDFA Plan up to date, identifying the status of current and completed projects.

**Mr. Casey** explained the process to amend the LDFA Plan indicating that the LDFA Board has approved the amended plan at their previous meeting. He noted that City Council would need to hold a public hearing to adhere to the twenty-day minimum public notice requirement. He pointed out that there is no requirement for Council to act on this at the February 25th meeting, however, there will be two publication notices appearing in the paper and they will be notifying the taxing authorities as a courtesy in advance of that meeting. Mr. Casey informed Council that the last amendment to the Plan was in 2004. Since that time the Adams Road project has been completed, except for the demolition of the bridge. He also stated that the Water View and Leach Road connections have been completed as well. He mentioned that these were the three primary projects in the Plan. He noted that there have been additional projects identified and explained that this amendment process is necessary to add these projects and to adjust the tax collection tables. He walked Council through the map identifying the various districts labeled on the map. He noted that back in 2003 the LDFA began capturing taxes from high tech usage areas and over the past four years he reported they have doubled the tax capture in the LDFA District.

**Mr. Casey** stated the following amendments to the LDFA Plan:

- *The elimination of the city donating the ineligible capture, which also affects the tax capture by jurisdiction estimates. This resulted in the tax charts begin redone to eliminate those categories.*
- *The addition of Project 4A which proposes the connection of Technology Drive to Leach Road. He explained that the Planning Department is currently going through the process of getting the approval to construct this connection.*
- *The elimination of one project due to the location of the new Adams Road.*
- *The amendment to Project 7 which is the Interchange Technology Park project in part for consistency sake. He stated that the CIP project was amended more than one year ago to provide some additional description for the site development costs. This item was discussed earlier this evening under First Quarter Budget Amendments.*
- *The addition of Project 9; another approved and budgeted CIP project which is a floating three (3) year fund to allow upgrades of intelligent infrastructure fiber optics within the existing industrial park.*
- *The addition of Project 10; the Annual Road Maintenance and Repair Fund within the LDFA. He stated that this is an offset for City expenses related to minor road improvements, such as a bad piece of slab located within on of the technology parks that needed replacing. This provides the City with the option of the LDFA Board reimbursing the City for the costs.*

*He explained that the tax captured chart was adjusted by inserting what they actually received through 2006 and then estimated the rest of the capture going through the life of the Plan. He further explained that Table 1 identifies what the projects are, and Table 4 is a sample bond schedule, even though the City does not have bonds flowing through the LDFA. The LDFA Board is required to have a sample bond schedule. Mr. Casey informed Council that the modifications to the plan are as follows: additional language to the plan is in bold; language that had been deleted from the plan is in italics.*

**President Hooper** asked for clarification that these are the proposed changes to the LDFA Plan and not in the City's budget at this time. He then inquired about the addition of projects to the plan even though the additions are not being added to the City's budget.

**Mr. Casey** explained that they updated some of the existing projects and the costs thereof, as well as the construction time frames. He stated that the one alternative project, the Technology Drive connection, was added but explained that it is already a proposed CIP project. He mentioned that there will be some time frames for construction with this project, but otherwise did not see this project moving ahead for a couple of years.

**President Hooper** inquired if there was any potential impact on the 2008 Budget, other than what had been talked about during the earlier First Quarter Budget Amendments.

**Mr. Casey** responded that there was not.

**Mr. Anzek** commented that Project 4A is an alternative; it will either be 4 or 4A. He explained that working with the Federal Highway Administration could take some time and this could still be denied, so they are looking for a back-up alternative should the original plan fall through.

**COUNCIL DISCUSSION:**

**Mr. Yalamanchi** noted that there was approximately \$100,000.00 in ineligible capture in 2006 and inquired if there is no ineligible capture in 2008 due to the new policy.

**Mr. Anzek** responded that the City is not assigning monies from the General Fund to the LDFA Fund as ineligible capture. He indicated that due to the combination of changing legislation and changing businesses, the City has gone from approximately \$450,000.00 in captures to approximately \$900,000.00.

**Mr. Yalamanchi** inquired as to how much time was remaining on the LDFA Plan.

**Mr. Casey** responded that 2027 is the final year of capture.

**Mr. Yalamanchi** questioned if there was a pro forma outlining the projects, the estimates, and the procedures for the next five to ten years.

**Mr. Casey** responded that although there is not a pro forma, each project in the Plan is assigned an expenditure number that the City works towards through the estimates and there are CIP projects that correspond to each of those projects so the City is able to track them. He pointed out that with the Austin Avenue extension, as well as with the Interchange Technology Park, the City does not know when the construction of these projects will occur because it is partly based on when a project can be brought in that makes it feasible. He noted that another option would be to construct those projects as a way to promote the new development in the future.

**Mr. Anzek** noted that the roads within the LDFA are classified as major roads. He explained that the restoration and repair of these roads are an eligible expense under the LDFA and, therefore, the City could use the LDFA money rather than the Major Road Fund to repair these roads. Mr. Anzek stated his department is working with the City's Traffic Engineer to get a better handle on what those costs will be.

**Mr. Yalamanchi** recommended that the City put together a pro forma listing all of the projects in order to see the projected revenues. Doing this may enable Council to be able to take a proactive approach and do some of these projects in order

*to attract some new businesses to the area.*

**Mr. Anzek** stressed that expending the LDFA monies to advance infrastructure would stimulate development and increase the City's tax base.

**Mr. Casey** stated it was important to note that the LDFA should not be perceived as a savings account. By Law that is not permissible. He explained that the LDFA capture has to be directed to projects, and those projects have to be constructed. If they are not, the capture has to be reimbursed to the taxing jurisdictions.

**A motion was made by Ravi Yalamanchi, seconded by Vern Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0047-2008

Whereas, the Rochester Hills Local Development Finance Authority approved the Restated Development Plan and Financing Plan at its October 4, 2007 Board meeting, and

Whereas, Public Act 281 of 1986, Section 17 (2) requires that amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection, and

Whereas, Public Act 281 of 1986, Section 16 (1) requires that that the governing body hold a public hearing prior to adopting a resolution approving a development plan or financing plan, and

Whereas, Public Act 281 of 1986, Section 16 (1) requires that notice of the public hearing be given twice in a paper of general circulation, the first of which shall not be less than 20 days before the date set for the hearing.

Resolved to schedule the public hearing for City Council's Regular Meeting of February 25, 2008, and

Be It Further Resolved to authorize the City Clerk to post notice of the Public Hearing in a paper of general circulation on Thursday, January 31 2008 and again on Thursday, February 21, 2008, and

Be It Finally Resolved to authorize the City Clerk to notify the taxing jurisdictions of the Public Hearing by certified mail no later than Thursday, February 21, 2008.

**2006-0800** Request for Purchase Authorization - DPS/Facilities: Electric Energy for City Facilities; increase to Blanket Purchase Order in the amount of \$21,870.00 for a new not-to-exceed amount of \$410,340.00; DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, MI

**Attachments:**

[Agenda Summary.doc](#)  
[KW Hours2.pdf](#)  
[101707 Agenda Summary.pdf](#)  
[112906 Agenda Summary.pdf](#)  
[112906 Resolution.pdf](#)  
[101707 Resolution.pdf](#)  
[Resolution.pdf](#)

**Roger Rouse**, Director of D.P.S./Engineering, noted that this request is for an increase to the Blanket Purchase Order to DTE Energy; the 2007 budget amount for electric services is fine. He explained that because part of the 2006 electric utility costs were paid out of the 2007 blanket, it left them short. The amount of \$21,870.00 being requested is based on actual invoices for 2007.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0012-2008

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the Blanket Purchase Order to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan for electric energy for City facilities in the amount of \$21,870.00 for a new not-to-exceed total of \$410,340.00.

**2008-0019** Request for Purchase Authorization - DPS/FACILITIES: Purchase and Delivery of Electric Energy for City Facilities; Blanket Purchase Order in the amount not-to-exceed \$400,000.00; DTE Energy, Detroit, MI and Michigan Municipal Risk Management Authority, Livonia, MI

**Attachments:** [Agenda Summary.doc](#)  
[Resolution.pdf](#)

**Item removed at the request of Administration.**

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan for the purchase of electric energy for City facilities in the amount not-to-exceed \$400,000.00 through December 31, 2008.

**2008-0020** Request for Purchase Authorization - DPS/FACILITIES: Natural Gas for various City-owned Buildings; Blanket Purchase Order in the amount not-to-exceed \$175,360.00; Consumers Energy, Lansing, MI

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

**Item removed at the request of Administration.**

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Consumers Energy, Lansing, Michigan for the purchase of natural gas for various City-owned buildings in the amount not-to-exceed \$175,360.00 through December 31,

2008.

- 2007-0381** Request for Purchase Authorization - DPS/GARAGE: Rock Salt for the Winter Season 2007-2008; increase to Blanket Purchase Order in the amount of \$87,054.00, for a new not-to-exceed total of \$145,090.00; Detroit Salt Company LLC, Detroit, MI

**Attachments:** [Resolution.pdf](#)  
[Agenda Summary.pdf](#)  
061307 Agenda Summary.pdf  
Extension Letter.pdf  
061307 Resolution.pdf

**Roger Rousse**, Director of DPS/Engineering, stated the City typically uses the same volume of rock salt per year. He explained that the amount of the original blanket was incorrect and stated this is merely a housekeeping item.

**A motion was made by J. Martin Brennan, seconded by Michael Webber, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0194-2007

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the blanket purchase order for rock salt for the winter season 2007-2008 in the amount of \$87,054.00 for a new not-to-exceed total of \$145,090.00 through June 30, 2008.

- 2008-0021** Request for Purchase Authorization - DPS/GARAGE/FLEET: Diesel and Unleaded Fuel; Blanket Purchase Order in the amount not-to-exceed \$550,000.00; Mansfield Oil Company, Gainesville, GA

**Attachments:** [Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution.pdf](#)

**Roger Rousse**, Director of DPS/Engineering reported that the prices the City is receiving are better than both Oakland County and/or the State is receiving.

**Mr. Pixley** inquired what conditions would require the use of premium fuel.

**Mr. Rousse** responded that some of the specialized equipment require higher octane fuel; such as the larger gasoline engines in the larger trucks.

**Mr. Ambrozaitis** questioned how the City was able to get a lower bid than the State and the County.

**Mr. Rousse** explained that the variable is the delivery charge and pointed out that the vendor chosen has a local fueling station. He stated that he believed it was a combination of location, lower cost of delivery charge and because the City must purchase such a large volume at one time.

**Mr. Brennan** requested that Mr. Rousse explain, for the residents, the kind of rates the City is receiving.

*Mr. Rousse explained that the City pays \$2.33 per gallon for 87octane gas. This is after the .45 cents per gallon tax amount is waived for the City and the .0236 delivery charge is added. He stated that this purchase order is good to 2010 and if the barrel price goes up, there is a flex factor but it is limited.*

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0013-2008

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Mansfield Oil Company, Gainesville, Georgia for the purchase of diesel and unleaded fuel in the amount not-to-exceed \$550,000.00 through January 31, 2010.

**2008-0049** Adoption of Resolution regarding City of Rochester Hills v. Elite Cleanroom Services

**A motion was made by James Rosen, seconded by Vern Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0015-2008

Resolved, that the Rochester Hills City Council approves the proposed facilitated settlement explained in the City Attorney's written privileged communication and authorizes the City Attorney and the Mayor to execute the necessary documents to complete the settlement.

## COUNCIL COMMITTEE REPORTS

### Green Space Advisory Board (GSAB):

*Mr. Yalamanchi reported that the Board has started to discuss changes to their bylaws and will bring recommendations to Council once they have been finalized. The Board has also created committees to work on their 2008 Work Plan. He noted that the Board has elected Bill Windscheif as Chairman and Paul Funk as Vice-Chairman.*

### Brownfield Redevelopment Authority (BRA):

*Mr. Webber reported that at the meeting on January 17th Tom Stevenson was elected as Chairperson and Suzanne White was elected as Vice-Chairperson.*

### Trailways Commission:

*Mr. Webber stated both he and Mr. Yalamanchi attended this meeting at which they began reviewing their Master Plan. He reported that this will be a year long process.*



**Rochester Hills Government Youth Council (RHGYC):**

*Mr. Pixley reported that the Youth Council was meeting this evening.*

**Rochester Avon Recreation Authority Board (RARA):**

*Mr. Ambrozaitis reported that the Board elected their members.*

**Rochester Area Youth Assistance (RAYA):**

*Mr. Ambrozaitis stated that RAYA will be celebrating their 15th Anniversary this year.*

**Planning Commission:**

*President Hooper reported that the Planning Commission reviewed the Conditional Land Use and Site Plan for the Senior Living Center and Chase Bank at Crooks Road and South Boulevard. They have made their recommendation and this item will be coming before City Council at their next meeting.*

**ANY OTHER BUSINESS**

*Mayor Barnett made the following announcements:*

- The move from the old DPS building to the new DPS building will take place one week from today.*
- The DPS Ribbon Cutting Ceremony will take place on or about the third week of February.*
- The annual City of Rochester Hills vs. City of Rochester football game is this Saturday, February 2nd at 12 noon. The money raised for this event will be given to charity.*

*Mr. Brennan announced there will be a Grand Opening Event at the new Pet Supplies Plus on Walton Boulevard at Livernois this Saturday.*

**NEXT MEETING DATE**

*Regular Meeting - Monday, February 4, 2008 at 7:30 p.m.*

**ADJOURNMENT**

There being no further business before Council, President Hooper adjourned the meeting at 8:58 p.m.

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*CHRISTINE A. WISSBRUN  
Administrative Secretary  
City Clerk's Office*

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

Complete proceedings recorded in the Official Minutes Book on file in the office of the City Clerk and by this reference is made a part hereof.