

DISCUSSION: ROAD BALLOT PROPOSAL

President Beaton said the Road Committee and the Administration are looking for input on creating a brochure to inform the residents of Rochester Hills about the road millage ballot proposal.

Attorney Staran said the Council, as a body, can resolve that they support the millage. The individual Council members and the Mayor can advocate a position as the opportunity presents itself. He said public funds can be used to provide general information presenting the issues in a fair way.

Mayor Ireland distributed a memo outlining what the Administration has done in the past to get information to the public regarding millages and suggestions of what might be done for this election.

Council Recessed from 8:35 p.m. to 8:50 p.m.

Mr. Buller said he believes the staff should design the brochure rather than for Council to try to design it at a meeting. In response to a question from President Beaton, he said he believes it would be appropriate for City Council to see the brochure before it is distributed.

Hope Sadowski, 837 John R, said the League of Women Voters has scheduled a presentation to the community on the road millage proposal for July 16. The public will have the opportunity to meet the candidates for County Commissioner at the same time. That presentation will be cable cast.

In response to a question from Ms. Shepherd, Ms. Sadowski said the League is requesting information. It will not be a pro and con presentation, it will be strictly information on the ballot proposal. Time will be allowed for questions and answers. A similar presentation will be held on July 8 concerning the library operating millage.

Ms. Shepherd said the City should be as careful as possible about presenting the estimated tax rate for the new millage rates once this year's budget is adopted. She thinks the residents need to have this information when considering the proposals for both the roads and the library. Ms. Shepherd hopes that information can be covered as part of the program because there are projected millages. She said there will be an increase in millage this year because of the debt retirement that was voted on to build the library. There has been a freeze on property assessments for two years and residents are very concerned about what is going to happen when that tax assessment freeze is over.

Ms. Sadowski said the SEV freeze is only for 1992; it will be voted on in November.

Ms. Shepherd said that is true, but we did not have any increases last year. If the ballot proposals fail in November, and the freeze does not continue, residents can anticipate an increase that will reflect two years of increased valuation.

Ms. Roberts said this proposal should be sold as residential boulevards lined with trees.

Mr. Funk said in the past information sheets were sent to registered voters. He thinks the City has an obligation to inform everyone in the city about the proposal, whether they are registered to vote or not. He suggested that the information be included in the July *Rochester Hills Quarterly*.

Ms. Shepherd said Council touched on some of these issues last Saturday. She said there are still some questions that were raised regarding what residents will be told about the design of the roads and the design speed of the roads. Ms. Shepherd said both she and Mr. Beaton have served on the Advisory Traffic and Safety Board with Mr. Dearing. Mr. Dearing has made it very clear to all members of the Advisory Traffic and Safety Board

CONTINUED

that when a road is constructed the speed is determined by how fast people feel they can safely drive on that road. If roads are designed to a 50 mph standard, it can be anticipated that speeds on existing roads will increase. Bumps and curves will be taken out which will increase sight distance, but also will increase the speed of traffic. Ms. Shepherd said she would like these issues resolved before moving ahead with the road millage proposal.

Ms. Roberts said improved roads may make people drive a little faster, but the roads also will be made safer. She said that does not mean traffic has to go faster. We do have law enforcement and, if they do their job in enforcing the speed limit, there will be no problem.

Mr. Beaton said both he and Ms. Shepherd want to make sure that the engineering standards for the speeds of these highways are in the 40 mph range. He said you cannot design a 50 mph road and put a 25 mph speed limit on it. That would be a non-enforceable speed limit.

Mr. Jones said Mr. Beaton is talking about the 85 percentile which realistically is the higher speed. He said most of our vehicles have a speed limit of 85, 90 or 100 mph but not too many of us drive that fast. He believes engineering a road to a 50 mph speed will take care of the person in the 85 percentile so that they do not run off the road and injure themselves or someone else. Regulation is the major portion of what keeps everyone driving 35 or 40 mph. If a speed limit is 35 or 40 mph, he believes the majority of the people will drive 35 or 40 mph. Law enforcement officers will have to deal with those people who drive over the speed limit.

Mr. Beaton said Mr. Dearing has stated that speed limits are set at the 85 percentile and that is a general rule of thumb for traffic engineers across the country. He said Rochester Hills should be very careful that what is put in our community is engineered adequately so that the 85 percentile will be around 40 mph.

Ms. Shepherd said it is not the Rochester Hills City Council that will set the speed limit. She believes the state police sets speed limits on roads. Ms. Shepherd said Mr. Dearing has a history of standing firm behind his recommendations. Mr. Dearing's recommendation was that the speed limit on Brewster Road had to be 40 mph. It was only because members of the City Council voted to change that speed limit that it is now 35 mph.

Ms. Shepherd said it has been said that our roads are inadequate, that they are not designed for current traffic loads and speeds, that they were designed for 25 mph. That has been said about Adams Road. Ms. Shepherd said that if they are designed for 25 mph and people are driving 25 mph over that, "Heaven help us when they are designed for 50 mph." Ms. Shepherd said we have just begun to see what speeding is like in this city.

Ms. Shepherd agrees there are areas where safety is a concern and those areas can be addressed. She does not believe safety issues will be addressed by widening roads and creating multiple lanes of traffic. She has great reservations about promoting this millage as if it will improve safety and slow down traffic when there are strong doubts that will happen.

Ms. Shepherd feels there may be some areas where shoulders could be stabilized or improved. She would support improving shoulders and making turn-off areas more accessible. She questioned why Adams Road cannot be improved without widening. She believes widening Adams will bring tremendous amounts of additional traffic because if a road is widened it will draw traffic. Adams is the road that will continue north of our community that is to be widened and it will draw traffic from north of our community like no other road in this city.

Ms. Shepherd said that, if roads are widened, we will end up with additional traffic, greater congestion, greater safety problems, more accidents, and perhaps more deaths. The dangerous areas now are on Rochester Road, yet we are proceeding to create another Rochester Road within the city.

Ms. Shepherd requested Mayor Ireland to include an outline of tax levy considerations that people need to be aware of when the information about this millage proposal is presented

CONTINUED

in a brochure. She said she knows these figures are not finalized, but there are proposals and information that can be used. She said the residents need to be aware that there is a one mill police millage that will expire next year. That millage does need to be supported or we will lose a significant amount of our police funding. She said people need to know what the tax issues are, what can be expected, what has been voted in, what has been approved, and what the expected rate will be if both this millage and the library millage are approved.

Mr. Jones said it is outrageous to assume that be the speed limit will be automatically raised just because new pavement is put down. Speed limits of 40 and 45 mph have been set already and the speed limit can remain the same if new pavement is put down. Mr. Jones said he would like to see the speed limit reduced by at least 5 mph.

Mr. Jones said the accidents that are occurring are not happening because of the speed of the vehicles, they are happening because of the congestion. Studies have shown that there will be more accidents when there are more vehicles in a congested area. The accidents occurring on Rochester Road are not happening because of the number of vehicles or because of speeding; they are happening because there are a lot of left and right turn motions and because people are running red lights due to frustration over the congestion.

Mr. Jones said a decision must be made about what should be done to improve the safety and road congestion on our roads. People are driving on the shoulders because they are frustrated with the back up of traffic at the lights. Some of our roadways have been in existence since they were two tracks. They became asphalt and then they became concrete, but they are still the existing two tracks. If fresh pavement is put in, the vehicles that will be there are the vehicles that are there already. Mr. Jones said we can improve the pavement, the safety issues, and the congestion.

Mr. Jones said he does not believe people in New Baltimore will drive over to Adams Road just because we put fresh pavement there. We cannot put up a toll gate at the edge of the city and tell people they cannot drive on our roads. Rochester Hills residents use roads in other venues. This is America and people have a right to drive from one city to another. Mr. Jones thinks the voters will take a look at this proposal and decide what they want to have in this community because the quality of life for now and in the future is at stake.

Mr. Funk said this Council took a reasonable and responsible position when it decided to reduce the proposal from one mill to one-half mill. Council took a reasonable and responsible position when it looked at the overall transportation requirements of this community as projected by the Planning Commission. Council is attempting to have a reasonable and responsible public dialogue on the presentation of facts and information.

Mr. Funk thinks this Council has a responsibility to bring forth a series of well thought through public improvements. He said that, if mistakes were made 25 years ago in the Master Planning, we are living with those mistakes. Mr. Funk said Oakland County will improve these roads whether we want them to or not and, if the Council does not move ahead in a positive proactive way toward residential boulevards taking into consideration environmental concerns, safety issues, etc., Oakland County will put in five-lane roads because they are cheaper to build. Oakland County has already said that; they have said they will set speed limits where they please. Mr. Funk would rather take a public position of being responsible and having some say in the roads that we will have to live with than to keep pandering this issue that we do not need any road improvements.

Mr. Buller said probably the best thing the Council can do is to show a reasoned, reasonable design to the people in the Rochester Hills to let them know what their city would look like with these proposed road improvements. He is concerned about the increase in the number of vehicles on the roads. Mr. Buller said he heard a report that the true cost to our nation of operating our automobiles, considering environmental degradation and health degradation, is in the vicinity of \$300 billion beyond the cost of gas and oil and roads. He said we are subsidizing the proclivity of individuals to drive from here to there through our health system and through allowing our environment to be degraded.

Mr. Buller said tree-lined boulevards are wonderful and aesthetically pleasing but, if we are going to serve the interests of the community from now until 50 years from now, an attempt should be made to convince people that public transportation is in their long term best interest. Council ought to be asking for something that SEMCOG has said is needed, that is for municipalities throughout the area to spread some type of millage to go toward the development of a public transportation system. He said things have been made very convenient for people who are able to afford automobile transportation. Mr. Buller does not think it is too late to change that around, but he thinks something should be done to start changing that now. He said something has to be done with the roads, and he thinks this is reasonable for now. However, he hopes in the coming years Council will sit down and seriously look at coordinating the planning of our city with the townships to the north and the cities to the south to figure out what can be done to redevelop industry, commercial areas, and residential areas that would be facilitated by public transportation.

Mr. Buller said that to sell a project of this magnitude it is necessary to let the people know what is in it for them. He thinks it is possible to show that one-half mill is a minimal cost and that there will be benefits. It should be pointed out that the largely single occupancy use of the roads is being heavily subsidized by other segments of the economy and that one day we will be called to account for these subsidies. He said once these road improvements are put in place, if a resident can save 60 seconds each way, that would add up to eight full hours in a year which would be a large gain in productivity for a minimal cost.

Ms. Shepherd feels that Rochester Hills is buying into urban sprawl by moving ahead with the widening of some of our roads, that is why she is questioning what is being done and why it is being done. She questions whether this only will delay the need to try to come to a regional solution rather than constantly widening roads which we know is not going to be the ultimate solution. She said she appreciates Mr. Jones' comment that we have the freedom to drive on roads in other communities. She hopes everyone bears that in mind.

Hope Sadowski (address previously noted) said she hopes the information provided to the voters clearly states what one-half mill will cost in relation to the value of their home. People can then decide whether they can afford to do that or not. She does not think it is fair to throw millages that are already being levied that are not tax increases into the same pot. She said the community must have the correct information without tactics being used to confuse the people.

Ms. Shepherd said that, when a millage increase is being discussed, it is only fair to let the residents know what the projected millage rate will be for the following year and to know why it will be at that level.

Ms Sadowski said she cannot imagine that what is coming for next year is so devastating that one-half mill will make or break anyone. She noted that the bike path millage is going out and it was not renewed.

Ms. Shepherd said she was very upset and unhappy that the Engineering Department failed to provide timely information so that the bike path millage could be addressed on the August ballot. She said the millage rate in Rochester Hills was the same for 1989, 1990 and 1991 but that is not going to be the case this year. She said residents have the right to know that the rate will not be the same, that it will be increased substantially.

Mr. Funk said the increase is less than one-half mill and that is driven by the fact that the construction bonds for the library go into effect. He said some other millages actually will be reduced. Very preliminary numbers are available at this time, but the numbers will be presented publicly in late July. A public hearing will be held in August. Mr. Funk said he agrees that the millage rate needs to be shown. The city has nothing to hide.

Mr. Funk said Council discussed why the bike path millage was not put on the ballot in August and the possibility of bringing it back for inclusion on the November ballot was also discussed. Council felt bike path improvements are proper; however, the majority of Council felt it was inappropriate to discuss it as a non-agenda item at midnight and then place it on the ballot without an opportunity for public awareness. Mr. Funk said

Ms. Shepherd told him she was hoping the bike path millage would be on the August ballot because that would help promote more taxes and the road millage would fail.

Ms. Shepherd said she told Mr. Funk she thought it was important to have the bike path millage on the ballot because the City had taken the position that millages are more likely to pass in August. She said the bike path millage failed in November just like the road millage failed and she asked why it could not be on the August ballot. She said the Engineering Department failed to do the necessary preparatory work to bring this to the City Council in a timely manner.

Mayor Ireland asked Mr. Schmidt to address Council regarding what can and cannot be put in the *Rochester Hills Quarterly* based on comments made by Attorney Ternan.

Jim Schmidt, Community Relations Officer, said he is prohibited from putting pros and cons in the *Quarterly*. He said the Council has voted to support the millage and the Mayor has endorsed the millage and the information will be provided on that basis.

Mr. Schmidt said the information presented will not include any relationship to other taxes, other millages, or other situations. Any answer or information he provides using City funds must be informational based on the wording, or the reasonably implied wording, of the ballot question. He said that, if someone asks what this proposal will cost, he can say it will cost one-half mill and indicate what one-half mill is worth in the City of Rochester Hills. Based on several attorney general opinions, the easiest format to work with and be legal is a question and answer format. All answers must be based on the specific wording of the ballot proposal.

President Beaton said the suggestion was made that an illustration be provided showing how a road improvement might look if this millage is passed.

Mr. Schmidt said that could be included if the wording in the ballot proposal includes the words "four-lane boulevards." If those words are not included, the illustration cannot be used.

Mr. Funk asked if it would be proper for the Council, in explaining the reasons behind this ballot proposal, to refer to the BRW study and the various public hearings that were held.

Attorney Staran said going into the background and the reasons why this ballot proposal should pass would get into the pro and con arguments. Mr. Staran said much of the information and reasoning in the BRW study would go more toward advocating a particular position on how one should vote rather than providing general information about what the voter will get for one-half mill.

Mr. Funk said he thinks one general citizen question will be why the roads on this ballot were selected. He said a generic answer would be they were selected because these roads are the ones that were brought forward by the BRW study.

Mr. Staran said that would be an answer to a direct question about these particular roads and they are listed in the ballot proposal.

Mr. Schmidt said he was speaking about the restrictions placed on what information can be put out using public funds. That would include printed or cable cast materials outside of the City Council meeting. It does not restrict anything an individual or group of Council members wishes to say, and it does not say anything about what can be said at a public meeting.

Mr. Staran said there are no constraints on the Mayor or the Council from personally advocating a position or discussing the issue.

Mr. Peters said an issue that came up on Saturday was whether or not there can be trees on either side of the road and between the bike path and the road. He thinks all of the Council members are concerned that they are getting information that is different than what they thought originally. Mr. Peters said he spoke to Bob Bills who is a landscape architect

CONTINUED

who has done extensive landscape architectural work for roads in the southeast Michigan area. Mr. Bills assured Mr. Peters that trees can be placed between the road and the bike path, even with 120-foot right-of-way. Smaller trees could be used along with a selective use of evergreens, pines and spruces. Mr. Peters said the key is that it must be done in the initial stages when the initial engineering is done, and we know the County will do landscape architecture as an afterthought. Rochester Hills wants to be there at the beginning to engineer these roads properly from a safety prospective and from an aesthetic standpoint.

President Beaton asked Mr. Peters to find out if Mr. Bills would be willing to attend a future City Council meeting to discuss this issue. He said he would request that Mr. Dearing and Mr. Dohr be present for that discussion also. It might be possible to finalize the general concept of what a residential four-lane boulevard should be in Rochester Hills. Mr. Beaton said a picture is worth a thousand words and, if we want to sell this to the community, we should show them what it will look like.

Ms. Shepherd said, if statements are made regarding what our boulevards will look like, a statement should be included regarding whether we will use gabian baskets for retaining walls. She explained that gabian baskets are made of fencing material filled with crushed rock similar to what exists on the retaining wall at Pizza Hut near the old Chatham store. Ms. Shepherd said Mr. Dietrick stated that is the design that has been proposed for use along the pathway on Adams Road and that design would be continued along the length of Adams Road. She has spoken to members of Council and they have indicated they are not interested in seeing that type of treatment; however, the present Council members may not be seated at the time those decisions are made. Ms. Shepherd would like to see a written statement that Rochester Hills does not support the use of gabian baskets on retaining walls where residents are likely to be in close contact with them. She said gabian baskets are designed to be durable in order to retain river banks and to be under roadways but they are not designed to be highly visible.

Ms. Ireland indicated that she cannot make that statement but she will get a memo from Mr. Dohr and Mr. Dearing in response to Ms. Shepherd's request.

Mayor Ireland read the ballot proposal:

"In order to provide road improvements to the following major roads, Livemois between Walton and Hamlin, Crooks between Hamlin and South Boulevard, Hamlin between Rochester and Crooks, Adams between Tienken and Hamlin, and to provide funds for improved intersection signalization on Walton Boulevard, Rochester Road and other roads throughout the community, shall the City of Rochester Hills levy a tax of up to one-half mill on assessed valuation of all property assessed for taxes in the city as authorized under Section 4.2.7 of the City Charter for a period of nine years, being the years 1992 to 2000 inclusive."

Mr. Funk said he still contends that can be explained in the material. He said concerns about gabian baskets, trees, etc. can be addressed during the design of the work.

Mr. Beaton said he thinks it would be healthy for the community to bring Mr. Bills, Mr. Dearing and Mr. Dohr before Council to have a general discussion before this goes before the voters. The use of gabian baskets can be discussed at that time. He hopes any retaining walls built in Rochester Hills will be terraced in a way that ground cover material will cover them over time.

Mr. Peters said that, in addition to adopting a resolution in support of the millage, the Council can adopt a resolution saying it is Council's intent that the roads be four-lane boulevards. That resolution can be publicized.

~~AFRICA - AWARD OF 1992-93 AGGREGATE BIDS - REGATE
CARRIERS - (memo received a memo from Barbara A. [redacted] dated May 29, 1992, a memo from Thomas Dohr dated May 29, 1992, a copy of a purchase requisition, bid tabulations, specifications, and proposed resolution).~~

CONTINUED