



Rochester Hills Minutes City Council Regular Meeting

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*Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, July 25, 2007

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:33 p.m. Michigan Time.

ROLL CALL

Present: Barbara Holder, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent: Erik Ambrozaitis and Jim Duistermars

Others Present:

*Ed Anzek, Director of Planning and Development
Bryan Barnett, Mayor
Julie Jenuwine, Director of Finance
Jane Leslie, City Clerk
Roger Rousse, Director of DPS/Engineering
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Raschke, seconded by Holder, to Approve the Agenda as Presented.

The motion carried by the following vote:

Aye: Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis and Duistermars

PUBLIC COMMENT

Mr. Lee Zendel, 1575 Dutton, stated that a member of Council called for a second Public Safety Millage to replace the current, separate, dedicated millages so that police and fire rescue would be at parity. He stated his belief that there is no parity and the previous budgets have all shown the City pays more for Police services than for Fire services.

Mr. Zendel, referring to an article in last Thursday's Eccentric written by Council Member Yalamanchi, requested that he explain the sentence that called for no tax increase for the next four years.

(Mr. Duistermars entered at 7:37 PM)

Present: Jim Duistermars, Barbara Holder, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent: Erik Ambrozaitis

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett made the following two announcements:

There will be a Ribbon Cutting / Grand opening for the Clinton River Trail at 10:00 a.m. on Saturday, July 28, 2007 at the Rivercrest Parking Lot. He stated that the trail has a new surface and is ready for all users.

He extended a warm welcome to Bosch-Rexroth; they will be opening the Rex Roth Technical Center in Rochester Hills.

ATTORNEY MATTERS

2007-0458

Adoption of Resolution to set Closed Session for Wednesday, August 1, 2007 at 6:30 PM to consult with the City Attorney regarding trial or settlement strategy in connection with specific pending litigation, Hildebrandt Revocable Trust v. City of Rochester Hills, Oakland County Circuit Court Case No. 07-083573-CH.

Attachments: Agenda Summary.pdf; Resolution.pdf

A motion was made by Duistermars, seconded by Hooper, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, on Wednesday, August 1, 2007 at 6:30 PM, Michigan Time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan. The purpose of the Closed Session is to consult with the City Attorney trial or settlement strategy in connection with specific pending litigation, Hildebrandt Revocable Trust v. City of Rochester Hills, Oakland County Circuit Court Case No. 07-083573-CH.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0251-2007

2007-0459

Adoption of Resolution to set Closed Session for Wednesday, August 8, 2007 at 6:00 PM to consider the purchase or lease of real property.

Attachments: Agenda Summary.pdf; Resolution.pdf

A motion was made by Duistermars, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, on Wednesday, August 8, 2007 at 6:00 PM, Michigan Time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan. The purpose of the Closed Session is to consider the purchase or lease of real property.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0252-2007

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.

2007-0430 Approval of Minutes - City Council Regular Meeting - May 23, 2007

Attachments: CC Min 052307; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Rochester Hills City Council Regular Meeting held on May 23, 2007 be approved as presented.

Enactment No: RES0234-2007

2007-0445 Approval of Minutes - City Council Work Session Meeting - June 6, 2007

Attachments: CC Min 060607; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Rochester Hills City Council Work Session Meeting held on June 6, 2007 be approved as presented.

Enactment No: RES0235-2007

2007-0340 Request for Approval of the Sedimentation Basin Agreement between Rochester Hills Corporate Center LLC, a Michigan limited liability company, and the City of Rochester Hills, for Adams Marketplace.

Attachments: Agenda Summary.pdf; Exhibits 62507.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Sedimentation Basin Agreement, an Agreement for the protection of adjacent and downstream properties, watercourses and wetlands for Adams Marketplace, City File #05-030.8, between the City of Rochester Hills and Rochester Hills Corporate Center, LLC, a Michigan limited liability company, 28470 Thirteen Mile Road, Farmington Hills, Michigan 48334, affecting property identified as Parcel No. #15-30-176-001.

Further Resolved that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

Enactment No: RES0236-2007

2007-0374 Request for Approval of the Storm Water Detention System Maintenance Agreement, between the City of Rochester Hills, and C & D Building, LLC a

Michigan Limited Liability Corporation, for Hamlin Industrial Condos.

Attachments: Agenda Summary.pdf; Agreement 51007.pdf; Exhibit 051707.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Storm Water Detention System Maintenance Agreement, relative to the details of the development and use, repair and maintenance of the storm water system, for Hamlin Industrial Condos, for City File #05-044, between the City of Rochester Hills, and C & D Building, LLC, a Michigan Limited Liability Corporation, 12955 23 Mile Road, Shelby Township, MI 48315.

Further Resolved that the City Clerk is directed to record the agreement with the Oakland County Register of Deeds.

Enactment No: RES0237-2007

2007-0377

Request for Acceptance of a Sanitary Sewer Easement granted by C & D Building, LLC, for Hamlin Industrial Condos.

Attachments: Agenda Summary.pdf; Map.pdf; Sanitary Sewer 101706.pdf; Exhibit Pg 1 51007.pdf; Exhibit Pg 2 51007.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer easement granted by C & D Building, LLC, a Michigan Limited Liability Company for the construction, operation, maintenance, repair and/or replacement of a Sanitary Sewer Easement over, on, under, through and across land more particularly described as Parcel No. #15-28-126-031.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0238-2007

2007-0378

Request for Acceptance of an Off-Site Watermain Easement granted by Steve Stolaruk, for Hamlin Industrial Condos.

Attachments: Agenda Summary.pdf; Map.pdf; Watermain Easement 51007.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an off-site watermain easement granted by Steve Stolaruk, 1928 Star Batt Drive, Suite E, Rochester Hills, MI 48309 for the construction, operation, maintenance, repair and/or replacement of a watermain easement over, on, under, through and across land more particularly described as Parcel No. #15-28-177-022.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0239-2007

2006-0854

Request for Acceptance of an Off-Site Watermain Easement granted by KTW,

LLC, a Michigan Limited Liability Company, for Hamlin Industrial Condos.

Attachments: Agenda Summary.pdf; Map.pdf; Off Site Watermain Easement.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an off-site watermain easement granted by KTW, LLC, a Michigan Limited Liability Company, of 32085 Waltham Drive, Beverly Hills, MI 48025, for the construction, operation, maintenance, repair and/or replacement of an off-site watermain easement over, on, under, through and across land more particularly described as Parcel No. #15-28-126-021.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0240-2007

2007-0431

Request for Purchase Authorization - DPS/ENG: Construction of approximately 500 feet of pathway along Auburn Road west of John R in the amount of \$42,567.50 plus a 20% contingency in the amount of \$8,513.50 for a total not-to-exceed of \$51,081.00; DeMattia Group, Plymouth, MI.

Attachments: Agenda Summary.pdf; Rouse Memo 081706.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved, that the Rochester Hills City Council hereby approves the construction of approximately 500 feet of pathway along Auburn Road west of John R in the amount of \$42,567.50 plus a 20% contingency in the amount of \$8,513.50 for a total not-to-exceed of \$51,081.00; DeMattia Group, Plymouth, Michigan.

Enactment No: RES0241-2007

Passed The Consent Agenda

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

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

UNFINISHED BUSINESS

2007-0427

Request for Purchase Authorization - DPS/FLEET: Blanket Purchase Order for auto and truck parts in the amount not-to-exceed \$112,000; Motown Automotive, Farmington Hills, MI; Rowerdink, Inc, Livonia, MI, Coach & Motor Company, Clinton Twp, MI; and Other Vendors as required.

Attachments: Agenda Summary.pdf; RFP Tabulations.pdf; Resolution.pdf

A motion was made by Hooper, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Motown Automotive, Farmington Hills, MI, Rowerdink, Inc, Livonia, MI, Coach & Motor Company, Clinton Twp, MI, for the purchase of auto and truck parts in the amount not-to-exceed \$112,000 through July 31, 2010.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0242-2007

2006-0958

Request for Approval of Revised Conditional Land Use - St. Paul's Albanian Catholic Community Church Parking Lot Addition and Associated Landscaping (42 new parking spaces on approximately .5 acre). St. Paul's is located on two parcels totaling 25 acres on Auburn, west of Rochester Road, north of M-59, zoned R-3, One Family Residential, St. Paul's Albanian Catholic Community Church, applicant

Attachments: Agenda Summary.pdf; Letter MDOT 062707.pdf; Map.pdf; Staff Report.pdf; Site Plans.pdf; Memo Anzek.pdf; Minutes PC 011999.pdf; Minutes PC 010400.pdf; Minutes PC 011800.pdf; 032807 Agenda Summary.pdf; 032807 Resolution.pdf; 0958 Suppl Info re Passing Lane.p

Mr. Anzek gave a brief overview of what has previously transpired with this project. He then referred to a letter received from MDOT which stated that they had made the determination that St. Paul's Albanian Catholic Church would be responsible for widening the west bound Auburn shoulder to a paved 12 feet between Walbridge Drive and Harrington Road. Mr. Anzek mentioned that the striping on Auburn Road, as it currently exists, would remain the same. He further stated that the Church agrees to the required improvements.

Mr. Hooper questioned when they anticipated the improvements would occur.

Mr. Anzek responded that the City's Land Improvement permits are almost complete. However, since the road work would be under the control of MDOT, the two would have to be coordinated.

President Rosen questioned where the parking lot addition was relative to the conservation easement.

Mr. Anzek stated that there had been discussion at the Planning Commission Meeting wherein they requested that the applicants take special care when doing construction in that portion to make sure there was not any damage to the natural features. He concluded that the applicants had agreed to do so, and that the City's staff would be inspecting and watching to ensure that takes place.

A motion was made by Hooper, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved, that the Rochester Hills City Council hereby approves the Revised Conditional Land Use to construct 42 additional parking spaces at St. Paul's Albanian Catholic Community Church, City File No. 98-037.3, located on Auburn, north of M-59, Zoned R-3, One Family Residential, Parcel No. 15-34-127-006, with the following findings and condition:

Findings:

- 1. The proposed parking lot addition is being developed to help alleviate parking problems.**
- 2. The proposed parking lot addition will be accessed by using existing ingress to and egress from Auburn Road, thereby not increasing the number of**

driveways.

3. The proposed addition will not be located within 50 feet of any roadways.
4. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular. Further, the proposed parking lot addition will improve access for the church attendees.
5. The proposed parking lot addition is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, the natural environment, the capacity of public services and facilities affected by the use, and the Albanian Catholic Church community.
6. The proposed parking lot addition is part of the larger church development, which is served adequately by essential public facilities and services.
7. The proposed parking lot addition will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
8. The proposed parking lot addition will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Condition:

1. The improvements to Auburn be completed by St. Paul's church, per the letter from the Michigan Department of Transportation dated June 27, 2007.
2. That engineering drawings for the Auburn Road improvements be submitted along with cost estimates to MDOT and the City Engineering Department.
3. That bonds for the improvements be submitted to MDOT prior to the City issuing a Land Improvement Permit for the parking lot expansion.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0243-2007

2007-0367

Acceptance for First Reading an Ordinance to Amend Section 102-326 of Article III, Water Services, of Chapter 102, Utilities, and to repeal subsection (8) of Section 54-776 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to discontinue the sale and authorization of Area Maintenance Water Meters, repeal conflicting Ordinances, and prescribe a penalty for violation.

Attachments: Agenda Summary.pdf; Ordinance.pdf; 072507 Agenda Summary.pdf; Suppl Info.pdf; 060607 Agenda Summary.pdf; Orig Ordinance.pdf; 062107 News Article.pdf; DWSD's Coincidental Water Peak.pdf; Misc Articles.pdf; Resolution.pdf; 061807 Ltr re Area Mtrc Meters.pdf

President Rosen shared a telephone message received by the Clerk's Office from Mr. Ambrozaitis stating that he is against stopping the sale of area maintenance meters, and that he would rather look at other measures of conservation such as watering at peak

times.

Mr. Yalamanchi stated his support on this issue. He pointed out that Council members received a letter from the Mill Stream Village Association and he wanted to make sure the City takes their situation into consideration and allows them the time and opportunity to install the meters.

President Rosen stated the City made the decision thirty (30) years ago to have area maintenance meters so that residents and businesses would not have to pay sewer charges for water not going down into the drains. He commented that the City is essentially built out. He went on to express his concern that a situation may arise where one home may have an area maintenance meter, but a neighbor would not be able to purchase one.

President Rosen and **Mr. Staran** concurred that these meters are typically installed when sprinkler systems are being put in.

Mr. Hooper stated that ending the sale of area maintenance meters was a recommendation of the Water and Sewer Technical Review Committee which consists of fifteen (15) individuals, seven of which are citizen representatives. He explained that the water rate increase is a result of the City's peak factor increasing which he feels is due to individuals watering their lawns. He went on to report that next year the water rate will increase seventeen percent (17%), and that the City is anticipating double digit increases in the next three years as well. Mr. Hooper further stated that in addition to stopping the sale of area maintenance meters, the Water and Sewer Technical Review Committee discussed reducing the one hundred percent (100%) credit that is currently being given on sewer rates for maintenance meter usage; as well as the feasibility of incorporating a timeframe when this credit would not be allowed, such as November through March. He stressed the City needs to do whatever it can to lower the rates and voiced his support of this change to the ordinance.

President Rosen referenced an article in the Detroit Free Press reporting that Plymouth Township has taken the step of banning watering from 5:00 a.m. to 9:00 a.m., and from 5:00 p.m. to 9:00 p.m. He concurred with Mr. Hooper that most of the rate increase is caused by watering lawns. He commented that he thought peak time elimination would be effective.

PUBLIC COMMENT

Ms. Harper West, 155 Arizona Ave, stated she supports water conservation. In addition, she believes the City should start with educating the public on ways to conserve before implementing this ordinance.

President Rosen stressed that the goal is to not have the City's peak usage coincide with Detroit Water and Sewer Board's peak usage. He explained that if the City's peak usage is less during the time that Detroit's is high, it will get a lower rate; likewise, if the City's is high when Detroit's is high, the City will get higher rate.

Mr. Duistermars stated that he believes a reservoir system, the topic of which has been brought up at previous Council meetings, would help solve the increase in rates as well as the low water pressure issue. He commented that the upfront expense would eventually pay itself off and save residents money from that point on. He stressed that he would like to see the area maintenance program continue.

Mr. Yalamanchi stated that he was open to the idea of peak time elimination and to introducing it as part of the ordinance language. He concurred that public education is critical. He stated that he strongly supports stopping the sale of new area maintenance meters.

President Rosen pointed out that he wanted to implement something that would be the most effective. He agreed that not much public education has been done thus far. He noted that currently the Mayor has an Executive Order addressing watering lawns on odd and even days. He stressed that the elimination of peak time watering can be added to the ordinance, implemented this summer, and the City would see results because of it.

Mayor Barnett mentioned that although the City does have an even/odd day watering schedule, it does not have the manpower to enforce it. He stated that it would be the same with any watering schedule, whether it be mornings or evenings. He concurred with Ms. West's comment that it comes down to education.

Mr. Staran noted that the effective date of the ordinance can be August 17, 2007, as the ordinance usually goes into effect the day following its publication after the second reading. He further clarified that the language in the text of the ordinance itself would state that the ban or suspension of area maintenance meters will start on November 1, 2007.

Ms. Raschke suggested placing educational pieces on the water bill.

Mr. Hooper again brought up the Water and Sewer Technical Committee's suggestion to reduce the credit given on sewer for these meters and/or restrict the timeframe that the credit is given.

Mr. Staran responded that the way the contract is written, it simply states there should be no sewer charge which would eliminate the ability to reduce it. He noted that he would work with Ms. Jenuwine and look into the feasibility of restricting the timeframe that the credit is given.

A motion was made by Yalamanchi, seconded by Hooper, that this matter be Adopted by Resolution.

Resolved that an Ordinance to Amend Section 102-326 of Article III, Water Services, of Chapter 102, Utilities, and to repeal subsection (8) of Section 54-776 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to discontinue the sale and authorization of Area Maintenance Water Meters, repeal conflicting Ordinances, and prescribe a penalty for violation is hereby accepted for First Reading.

The motion carried by the following vote:

Aye: Holder, Hooper, Raschke and Yalamanchi

Nay: Duistermars and Rosen

Absent: Ambrozaitis

Enactment No: RES0272-2007

2007-0067

Creation of the Police Funding & Millage Technical Review Committee

Attachments: Agenda Summary.pdf; 071807 Agenda Summary.pdf; 060807 Agenda Summary.pdf; 012407 Agenda Summary.pdf; Excerpt CC Minutes 012407.pdf; Potential Tech Cmte Worksheet.pdf; Rosen's Disc Points.pdf; 060807 Resolution.pdf; Resolution.pdf

Mr. Yalamanchi stated that although he is not in support of this committee, he is open to creating a Millage Technical Review Committee to look at all of the millages. He further stated that Council should vote on the recommendation for police funding that Mr. Hooper proposed and if they voted in support of it, the proposal could then go to the voters.

Mayor Barnett suggested that Council create separate committees for Police and Roads to better define their needs. He noted that once those needs are defined, Council could bring the two committees together to talk about solutions.

Mr. Yalamanchi suggested creating one committee to look at Roads, Police, and Parks. He stated the committee could gather and review all the information and make a recommendation. He stressed that he did not see a need for duplicating efforts.

President Rosen concurred with Mayor Barnett that there should be a separate committee for both Police and Roads. He noted that to combine the two would be too big of an undertaking. He mentioned that a committee for Police should be formed first.

Ms. Holder agreed that combining all of those issues would be a huge task for one committee. She then questioned why the City does not go out for a RFP for police services. She stated that although she is pleased with the services currently being provided by the Oakland County Sheriffs, it is Council's job to make sure they are being fiscally responsible by continuing to contract with the Oakland County Sheriff Department (OCSD). She then requested that RFP language be added to the resolution. Ms. Holder stressed that she did not think the outgoing council members should be on the committee.

President Rosen noted that the three outgoing members have experience and knowledge and he believes there is no reason to exclude them.

Ms. Raschke stated that she would be willing to serve on the committee until her term is up. She also nominated Mr. Ambrozaitis for this committee based on his "Five Points."

PUBLIC COMMENTS

Mr. Lee Zindel, 1575 Dutton, stated that Council does not need any more committees. He pointed out that nothing has changed and he feels it is time for action.

Mayor Barnett stated that rather than bog the committee down with going out for an RFP, the Administration would be happy to gather information for the committee to review.

Mr. Duistermars stated that a committee could address not only the millage problem, they could also discuss what he feels is the root problem; whether or not the City has enough police protection.

Mr. Hooper referred to a recent survey conducted by Oakland University on behalf of the City and noted that based on this survey, there is not enough community support for a millage to achieve full funding for police services at this point.

Ms. Holder stressed that the City is currently subsidizing \$2.8 million out of the General Fund to pay for police services, over and above what is collected for police millages. She pointed out that could be put towards local road repairs. She stated this is what the committee could be looking into and educating the public on.

President Rosen then stated that the Chair is open to either:

- establish the committee
- establish a different committee
- to not establish a committee
- to think on it for a week or two

Mayor Barnett encouraged Council to lean toward the formation of a committee.

Ms. Rascke stated she was in favor of creating a Police Millage Committee and

stressed the need for public education.

***President Rosen** pointed out that earlier in the year Council agreed that police and secure future funding was a very high priority. He noted his frustration that since then Council has not been able to move forward with this.*

A motion was made by Duistermars, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council acknowledges the importance of continuing to address the ongoing police funding issues;

Whereas, a number of City Council Members have given presentations regarding the Police Funding Issue bringing forth different ideas and recommendations;

Whereas, City Council knows the importance of developing appropriate strategies and recommendations in response to this issue including feedback from Administrative staff, Oakland County Sheriff's Department, residents and business owners;

Whereas, the Rochester Hills City Council has decided to create Technical Review Committees in lieu of City Council Communication Committees to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the Police Funding & Millage Technical Review Committee as follows:

Name of Committee: Police Funding & Millage Technical Review Committee

Purpose and Charge: The Committee shall be responsible for conducting a fact finding and for conducting discussion with the Administration, Oakland County Sheriff's Department (OCSD), residents and businesses in the City of Rochester Hills to develop appropriate strategies and to report back to City Council its findings on the following issues:

- 1. Staffing levels for the Oakland County Sheriffs Department contingent in Rochester Hills for the near and medium term future with the analysis including appropriate metrics for Rochester Hills.**
- 2. Funding levels and sources with particular attention to the analysis of dedicated millage funding versus general fund contributions, how other cities fund their police services and provide a recommendation that emphasizes long-term sustainable funding for Police services.**
- 3. Based on recommendations for 1) and 2) and discussions with interested residents, civic or business groups as appropriate, consider whether to recommend a millage proposal to be placed before Rochester Hills voters on the November 2008 election. Recommendations for millage, if any, should carefully consider voter support levels and potential for passage.**
- 4. The Technical Committee should begin investigations and discussions in July 2007 and report back to the City Council by April 2008.**

Membership:

City Council - Two to three Members

Administrative Representative - Up to four appointed by the Mayor

OCSD Representatives - Rochester Hills commander and up to two representatives of OCSD management

Residents or business representative - Up to three selected by City Council

The motion failed by the following vote:

Aye: Duistermars and Yalamanchi

Nay: Holder, Hooper, Raschke and Rosen

Absent: Ambrozaitis

Enactment No: RES0253-2007

2007-0465

Creation of the Police and Road Funding Technical Review Committee

Mr. Yalamanchi inquired whether or not Council had the necessary information outlining the needs for both roads and police.

President Rosen responded that the information they have was compiled two years ago.

Mayor Barnett stated the Administration could provide Council with some new, revised information on the road issues.

Mr. Duistermars stated his satisfaction that this committee would address his two major concerns with the City's funding issues for both the road and the police.

A motion was made by Hooper, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council has agreed to establish a Police and Road Funding Technical Review Committee to study police funding needs and local road funding needs and to report back to Council.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke and Yalamanchi

Nay: Rosen

Absent: Ambrozaitis

Enactment No: RES0254-2007

2007-0466

Appointments of Three (3) City Council Members to the Police and Road Funding Technical Review Committee.

Mr. Hooper nominated himself.

Ms. Raschke nominated herself and Mr. Ambrozaitis.

Council agreed that if Mr. Ambrozaitis does not accept this appointment, they will make another appointment at the next meeting.

A motion was made by Hooper, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council has appointed Council Members Ambrozaitis, Hooper and Raschke to the Police and Road Funding Technical

Review Committee.**The motion carried by the following vote:**

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0255-2007

2007-0079

Adoption of Resolution to Rescind Resolution RES0180-2007 establishing City Council Goals for 2008 adopted at the May 23, 2007 Regular City Council Meeting.

Attachments: Agenda Summary.pdf; Goals & Object Vers 1.pdf; Goals & Object Vers 2.pdf; Goals & Object Vers 3.pdf; Goals & Object Vers 4.pdf; Goals & Object Vers 5.pdf; 071807 Agenda Summary.pdf; 062207 Agenda Summary.pdf; 052307 Agenda Summary.pdf; 042707 Agenda Summa

A motion was made by Yalamanchi, seconded by Hooper, that this matter be Adopted by Resolution.

Resolved that the City Council Rescinds Resolution RES0180-2007 adopted at the May 23, 2007 Regular City Council Meeting establishing its 2008 Goals.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0256-2007

Attachments: Agenda Summary.pdf; Goals & Object Vers 1.pdf; Goals & Object Vers 2.pdf; Goals & Object Vers 3.pdf; Goals & Object Vers 4.pdf; Goals & Object Vers 5.pdf; 071807 Agenda Summary.pdf; 062207 Agenda Summary.pdf; 052307 Agenda Summary.pdf; 042707 Agenda Summa

A motion was made by Yalamanchi, seconded by Hooper, that this matter be Adopted by Resolution.

Resolved that the City Council establishes the following as its Fiscal Year 2008 Goals and Objectives:

GOAL: PUBLIC SAFETY

To protect the residents, businesses and visitors of Rochester Hills by providing high quality public safety

Objective: Identify community-wide level of public safety desired and cost to deliver such service

Objective: Review any strategies possible for delivering the current level of service more effectively/efficiently

GOAL: FISCAL MANAGEMENT

To help ensure short-term and long-term prosperity by performing fiscal planning, demonstrating fiscal responsibility and efficient management of the taxpayers' assets

Objective: Study non-tax, tax and structural issues in the City Charter for possible amendment

Objective: Approve FY2008 budget at the same level of expenditure as the FY2007

budget

Objective: Request that the administration establish a list of identifiable cuts to reduce the budget by two-percent

GOAL: ECONOMIC / TAX BASE

To retain investment, maintain a diversified tax and employment base, promote redevelopment and uphold high property valuations in the City

Objective: Implement current systems and processes and develop a seamless system that minimizes time for approvals and eliminates redundancies

Objective: Implement the revised Master Land Use Plan

Objective: Foster a business community that takes an active role in the development of the local economy.

Objective: Promote regional investment by existing businesses and encourage business to hire locally.

Objective: Attract businesses that focus on R&D, engineering, Bio-tech, Nano-tech, life-science, insurance and banking.

GOAL: INFRASTRUCTURE MANAGEMENT

To provide reliable and safe infrastructure (roadways, utilities, buildings etc) throughout the City

Objective: Implement the revised Master Thoroughfare Plan

Objective: To support the Local Street Committee's review and recommendation for a 3-5 year local street funding and standards solution in time for the FY2009 budget.

Objective: To sustain the local street program specifically through a targeted repair and replacement program. Maintain funding at \$3.5 million from the general fund in addition to State Act 51 revenue.

Objective: To study and establish a Special Assessment District Policy (SAD) for developing and funding gravel roads to asphalt.

Objective: To establish neighborhood drain maintenance policy (including sump pump discharge) and study solutions for drain maintenance funding.

Objective: To establish and implement a long-term street lighting policy.

GOAL: RECREATION, PARKS, CULTURAL

To preserve Rochester Hills' natural resources and recreational character along with fulfilling the community's leisure desires

Objective: To implement the Green Space Millage effectively.

GOAL: COMMUNITY / NEIGHBORHOODS

To protect the family-oriented community from adverse events and conditions by strategic planning and proactive management in all aspects of municipal governance

Objective: To establish a sump pump maintenance policy.

Objective: To establish a strategic plan with the administration by 2008 year-end.

Objective: To study and make recommendation(s) for the management of the deer population in the City.

Objective: To preserve existing neighborhoods through code enforcement/blight ordinances.

GOAL: COMMUNITY TRUST & PARTICIPATION

To promote effective communication between City Council, administration, residents, businesses and visitors so that decisions reflect the community's desires and expectations

Objective: Maintain openness and transparency in conducting City business by way of cable broadcast, webcast of City Council workshops and regular meetings and accessibility to City documents.

Objective: Engage residents in the decision making process and encourage community participation and involvement by focusing on committee recruitment.

Objective: Inform residents through various media and personal interaction on the numerous issues that effect quality of life.

Objective: Involve youth in the leadership and development of the City's future by way of encouraging their participation on the Rochester Hills Government Youth Council.

Objective: Recognize resident's service on City boards and commissions and other acts of volunteerism.

GOAL: EFFECTIVE GOVERNANCE

To provide clear policy direction to the administration for the execution of City programs and services

Objective: To establish a strategic plan with the administration by 2008 year-end.

Objective: Explore opportunities for new public/private partnerships and possibilities for consolidation of City services.

Objective: Implement records management program to improve institutional memory

Objective: Take the lead on fostering, strong, cooperative, working relationship with Oakland County, regional local governments, Oakland University, Crittenton Hospital, Rochester College, Rochester/Avondale Community Schools, and other public/private institutions.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0256-2007

NEW BUSINESS

2007-0457

Appointment of Youth Members to the 2007/2008 Rochester Hills Government Youth Council (RHGYC)

Attachments: Agenda Summary.pdf; 072507 Agenda Summary.pdf; 072507 Resolution.pdf

Ms. Holder mentioned that thirty (30) students were interviewd for the Rochester Hills Government Youth Council (RHGYC) this year. She stated that in order to get a good respresentation from the different Council Districts, schools and grades, the interview team agreed to increase the number selected to fifteen (15). She went on to say that it had been a very difficult decision because all of the applicants were very bright, enthusiastic and impressive individuals.

Mr. Yalamanchi questioned whether he should recuse himself.

Mr. Staran stated there was no need.

A motion was made by Holder, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Rochester Hills Government Youth Council (RHGYC)

Interview Team and Waives Article II, Membership and Terms, Section 1.a. of the RHGYC Bylaws and Rules of Procedure to allow the appointment of fifteen (15) members to the RHGYC for the 2007/2008 term;

Be It Further Resolved, the Rochester Hills City Council concurs with the recommendation of RHGYC Interview Team and appoints the following students to the RHGYC for the 2007/2008 term beginning September 1, 2007 and ending August 31, 2008:

Name	High School	Council District
Sarah Bachleda	Adams	1
Sara Etienne	Rochester	4
Molly Graham	Marian	1
Jonathan Han	Rochester	3
Kristina Hurst	Adams	2
Dalina Ivezaj	Stoney Creek	2
Angie Jackson	Rochester	4
Kelley Kosuda	Rochester	2
Daniel Offenbacher	Rochester	4
Leo Oriet	Avondale	3
Orfeh Vahabzadeh	Adams	2
Christina Winkler	Notre Dame	1
Regina Wong	Cranbrook	1
Pratyusha Yalamanchi	International Academy	1
Richard Yoon	Rochester	3

Be It Further Resolved that the RHGYC terms shall be one (1) year beginning September 1, 2007 and ending August 31, 2008.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

2007-0424

Request for Approval of Three Monument Signs, pursuant to the May 26, 2005 Amended Consent Judgment, for Adams Marketplace - City File No. 05-030.

Attachments: Agenda Summary.pdf; Drawings.pdf; Resolution.pdf

Mr. Hooper recused himself due to a conflict of interest.

President Rosen commented that it appears they are advertising to M59. He pointed out that they have two road frontages on Adams and they will be without a sign for one of them.

Mr. Anzek concurred with President Rosen. He then went on to point out that this is what was discussed and negotiated, and it is part of the Consent Judgment.

Mr. Yalamanchi also stressed that he felt it would be better to have one of the signs moved from M59 and placed at the Adams Road east entrance.

Mr. Anzek stated he would share Council's concerns with the applicant.

A motion was made by Duistermars, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby approves three seven foot high x 22 feet long x 2' 4" wide monument signs to be located as outlined in the

Consent Judgment, for Adams Marketplace, City File No. 05-030.**The motion carried by the following vote:**

Aye: Duistermars, Holder, Hooper, Raschke and Rosen

Nay: Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0249-2007

2007-0335

Request for Approval of Conditional Land Use - To allow a veterinary clinic to operate in the PetSmart Store at 1116 S. Rochester Rd., south of Avon and west of Rochester Road, zoned B-3, Shopping Center Business, PetSmart, Inc., applicant.

Attachments: Agenda Summary.pdf; Map.pdf; Staff Report 060507.pdf; Letter Rentrop 052107.pdf; Development Application.pdf; Floor Plan.pdf; B-3 Ordinance.pdf; Resolution.pdf

President Rosen questioned if something had previously been located in the front left corner of the store.

Mr. Anzek responded that it may have been designed to accommodate a veterinary operation, but it was used as a dog get-acquainted, play with the puppy area. He stated that they are now requesting to put the veterinary service in.

A motion was made by Duistermars, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved, that the Rochester Hills City Council hereby approves the Conditional Land Use for PetSmart, Inc., City File No. 95-004.4, to allow a veterinary clinic to operate in the PetSmart Store at 1116 S. Rochester Rd., south of Avon and west of Rochester Road, zoned B-3, Shopping Center Business, Parcel No. 15-22-226-019 based on plans dated received by the Planning and Development Department dated May 3, 2007, with the following findings and subject to the following condition.

Findings:

- 1. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-658(6) in particular.**
- 2. The proposed development has been designed to be compatible, harmonious, and appropriate with the existing character of the general vicinity and adjacent uses of land.**
- 3. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.**
- 4. The development should be not detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.**
- 5. The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.**

Condition:

- 1. That pet waste be monitored and removed on hourly basis, during normal working hours, from adjacent parking lot islands, parking lots and sidewalks.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent: Ambrozaitis

Enactment No: RES0250-2007

COUNCIL COMMITTEE REPORTS

President Rosen mentioned that there would be an Environmental Oversight Committee Meeting next Thursday, August 2, 2007.

ANY OTHER BUSINESS

Mr. Hooper stated that he has not received a response to his request for an opinion from the City Attorney on moving fund balances from one fund to another. He also requested an opinion as to whether the City can pull out of the fund balance, money that came from the General Fund, went to a targeted fund that went into fund balance, and then move it back into the General Fund.

Mr. Staran stated that they have talked about it and perhaps he has given more verbalized opinions rather than putting it in writing. He mentioned that he would provide something in writing as soon as possible.

NEXT MEETING DATE

*Closed Session - August 1, 2007 at 6:30 p.m.
Regular Work Session - August 1, 2007 at 7:30 p.m.*

ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 9:18 p.m.

JAMES ROSEN, President
Rochester Hills City Council

JANE LESLIE, Clerk
City of Rochester Hills

LEANNE SCOTT
City Council Coordinator

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

