



Rochester Hills Minutes City Council

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*John L. Dalton, Bryan K. Barnett, Jim Duistermars, Melinda Hill,
Barbara L. Holder, Linda Raschke, Gerald Robbins*

Wednesday, June 2, 2004

7:30 PM

1000 Rochester Hills Drive, Rochester Hills, MI
48309

DRAFT

CALL TO ORDER

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

ROLL CALL

Present: John Dalton, Jim Duistermars, Melinda Hill, Barbara Holder, Linda Raschke and Gerald Robbins

Absent: Bryan Barnett

Council Member Barnett provided previous notice he would be unable to attend and asked to be excused.

Others Present:

*Pat Somerville, Mayor
John Staran, City Attorney
Bev Jasinski, City Clerk
Ed Anzek, Director of Planning/Development
Scott Cope, Director of Building/Ordinance Enforcement
Julie Jenuwine, Interim Finance Director
Raymond Leafdale, General Superintendent
Pam Lee, City Accountant
Roger Rousse, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved to approve the Agenda of the Regular City Council Meeting of June 2, 2004 amended as follows:

Add under NEW BUSINESS

2004-0504 Adoption of Resolution to cancel July 7, 2004 Regular City Council Meeting

A motion was made by Duistermars, seconded by Holder, to Approve Agenda as Amended.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

PUBLIC COMMENT

Mr. Lee Zendel, 1575 Dutton Road, congratulated Council Member Barnett on the recent birth of his son, Kenneth. Referring to previous comments he had made regarding Mr. Barnett's article in the Hills Herald, Mr. Zendel, citing the same source material Mr. Barnett had referenced, proceeded to refute Mr. Barnett's assessment of the damage multiple garbage trucks would inflict on the local roads.

Mr. Tom Mott, 3081 Hartford Lane, Shelby Township, expressed his disapproval of comments made by Mayor Somerville during her speech at Veteran's Memorial Pointe on Memorial Day.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Dalton announced an informational meeting to be held by the Oakland County Road Commission regarding the planned improvements to Crooks Road, from Square Lake Road to Hamlin Road. The meeting will be held in the City Hall Auditorium on June 24th from 4:00 p.m. to 7:00 p.m. Any interested parties are welcome to attend. President Dalton offered his best wishes to Mr. Barnett, his wife and new son.

Mayor Somerville announced the passing of Mr. Lester Smith, father of the City's Media Specialist, Jamie Smith.

Council members expressed their sympathy for Mr. Smith's loss and congratulations to Mr. Barnett and his wife.

Ms. Rashcke announced that the Annual Home Safety Expo will be taking place at Home Depot from 9:00 a.m. to 4:00 p.m. Saturday, June 5th and Sunday, June 6th.

Ms. Hill announced several activities taking place in the area:

** Saturday, June 5th - National Trails Day celebrated in Auburn Hills with a Fun Run/Walk at 11:00 a.m.*

** Saturday, June 12th - National Trails Day celebrated in Rochester/Rochester Hills*

** Thursday, June 17th - Fourth Annual Garden Tour hosted by the Women's Farm & Garden Club, with the Rochester Hills Museum*

Ms. Holder expressed her condolences to the family of Mr. Perry Reed, Paid On-Call Fire Fighter, for the loss of his father. She announced the Tons of Trucks event taking place on June 12th at Borden Park.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

PRESENTATIONS

2004-0403

Adoption of Resolution accepting FY2003 CAFR (Comprehensive Annual Financial Report) prepared by Plante & Moran, City Auditors

Attachments: 20040619 Agenda Summary.pdf; 20040602 Agenda Summary.pdf; 0403 Audit Presentation.pdf; Ltr Plante Moran 041504.pdf; Resolution.pdf

Ms. Michelle Watterworth of Plante Moran reviewed the results of the City's Financial Audit ending December 31, 2004, noting the following information:

** The City had a very successful conversion to GASB 34.*

** GASB 34 resulted in changes to the format of the Financial Statement resulting in a*

longer-term perspective.

** Due to GASB 34 requirements, information was needed relative to all of the City's Fixed Assets.*

** Management Discussion & Analysis section, written by City management for "non-financial readers," was added to Financial Statement.*

** A new Statement of Net Assets (assets less the City's liabilities) includes all long-term assets.*

** Net Assets are broken down into three (3) components:*

- 1) City's investment in Capital Assets*
- 2) Restricted Assets (either legally or by a third party)*
- 3) Unrestricted Assets*

The following information refers to these Net Assets and indicates that the City's Net Assets went up very slightly this past year:

Statement of Governmental Net Assets

Invested in Capital Assets:

- * \$87,437,000 (2002)*
- * \$102,144,000 (2003)*

Restricted:

- * \$51,115,000 (2002)*
- * \$36,899,000 (2003)*

Unrestricted:

- * \$13,223,000 (2002)*
- * \$13,747,000 (2003)*

** GASB 34 segregates the City's revenue into two (2) components:*

- 1) General Revenue (property taxes, state shared revenue, unrestricted interest earnings, etc.)*
- 2) Program Revenue (investment earnings, cable franchise fees, miscellaneous revenue sources, etc.)*

** GASB 34 divides the City's expenses among different functions and then subtracts out the Program Revenues.*

*Governmental General Revenues
(excludes program revenues)*

General Property Tax:

- * \$23,569,000 (2002)*
- * \$24,462,000 (2003)*

State Shared Revenue:

- * \$6,191,000 (2002)*
- * \$5,712,000 (2003)*

Investment Earnings:

- * \$1,469,000 (2002)*

* \$918,000 (2003)

Cable Franchise Fees:

* \$569,000 (2002)

* \$551,000 (2003)

Other:

* \$414,000 (2002)

* \$603,000 (2003)

*Governmental Program Expenses
Net of Program Revenue*

General Government:

* \$5,316,000 (2002)

* \$5,154,000 (2003)

Public Works:

* \$11,821,000 (Cost)

* \$3,231,000 (Cost, Net of Program Revenue)

Public Safety:

* \$12,455,000 (Cost)

* \$9,001,000 (Cost, Net of Program Revenue)

Community/Economic Development:

* \$1,122,000 (Cost)

* \$877,000 (Cost, Net of Program Revenue)

Recreation & Culture:

* \$10,812,000 (Cost)

* \$10,211,000 (Cost, Net of Program Revenue)

Interest on Debt:

* \$2,757,000 (Cost)

* \$2,757,000 (Cost, Net of Program Revenue)

Ms. Carolyn Lorenz of Plante Moran explained that, as indicated below, water and sewer rates increased, thus charges for services also increased:

Water & Sewer Fund Activity

Total Operating Revenue:

* \$15,814,000 (2002)

* \$17,744,000 (2003)

Total Operating Expenses:

* \$19,243,000 (2002)

* \$19,906,000 (2003)

Unrestricted Net Assets:

* \$16,744,000 (2002)

* \$16,012,000 (2003)

Ms. Watterworth concluded that the City of Rochester Hills continues to have a "healthy Fund Balance for a community of your size." She further noted that the City received "an unqualified opinion on your Financial Statements." She explained that that is the highest level of assurance an organization can receive on audited financial statements.

Presented**2004-0498**

Presentation on Michigan's Municipal Finance Structure and the financial problems facing local communities

Attachments: Agenda Summary.pdf; Report.pdf; Master Report.pdf

Mr. Joseph Heffernan of Plante Moran, citing as his source, the Plante Moran study entitled "System Failure: Michigan's Broken Municipal Finance Model," explained the purpose of both the Headlee Amendment (ratified in 1978) and Proposal A (created in 1994) and the interaction of these two (2) pieces of legislation.

** The Headlee Amendment was intended to limit the growth of property tax revenue by controlling local government's maximum authorized millage rate. This amendment requires that when growth on existing property community wide is greater than inflation, the local government must "roll back" its maximum authorized millage rate so that the increase in property tax revenue caused by growth on existing property does not exceed inflation.*

** Proposal A created a new methodology to determine property values for tax purposes with the introduction of taxable value. Taxable value cannot increase by more than the lesser of inflation or five percent (5%) annually until a property is sold or "transferred" regardless of how quickly existing property values may be growing.*

The Plante Moran study noted the following findings:

- 1) Since the inception of Proposal A, the differences in taxable value and state equalized value have become substantial.*
- 2) When property is sold (or transferred) the taxable value is reset to equal state equalized value. These reset values have been substantial over the past four years.*
- 3) These reset or "uncapped" values, rather than benefiting a community experiencing substantial market growth, penalize these communities by resulting in a roll back of millage rates.*
- 4) A survey of several communities between 1998 and 2003 indicate a decline in Headlee maximum authorized millage rates.*
- 5) The Headlee maximum authorized millage rates for local governments continue to move farther away from the original authorized millage rate, thus creating a permanent reduction of the millage authority of local governments.*
- 6) The combination of the Headlee Amendment and Proposal A result in a double reduction that was never intended by voters.*
- 7) Many local governments will likely seek Headlee override votes, however, the growing gap between taxable value and state equalized value will cause the roll back to repeat itself.*
- 8) Data indicates that a greater burden has been placed on the residential tax base, as compared to the commercial tax base.*
- 9) Although taxable value is increasing by the rate of inflation, property transfers are creating millage rate roll backs and reducing the millage rate levied.*

The Plante Moran study suggests two (2) corrections to the General Property Tax Act to address these problems:

A) Exempt "uncapped values" resulting from property transfers from the Headlee roll back calculation.

B) Allow Headlee roll ups, thus providing additional tax dollars that are within both the letter and spirit of the Headlee Amendment and Proposal A.

The study indicates that these two changes would provide local governments with additional millage capacity to use when needed with little impact on taxpayers.

Local governments participating in the Plante Moran study indicated the following:

* Projected structural shortfalls for General Fund revenue and expenditures for the years 2004 through 2007.

* Several participating governments projected a General Fund deficit by 2007.

* Participating governments plan to use critical amounts of General Fund fund balance between 2000 and 2007.

Presented

(Recess 8:44 p.m. - 9:00 p.m.)

2004-0496

Presentation on Open Space Preservation by Mr. Gerald Carvey, Chairperson of Rochester Hills Land Preservation Task Force

Attachments: 071404 Agenda Summary.pdf; 060204 Agenda Summary.pdf; Letter, Carvey 052504.pdf; Draft Strategic Plan pg 11.pdf; Flyer.pdf; Petition.pdf; 0496 Resolution.pdf; 0496 20040622 Letter, Staran.pdf

Mr. Gerald Carvey, 936 Ironstone, Chairperson of the Land Preservation Task Force briefly discussed suggestions for preserving open space as outlined in the committee's report entitled "The Clinton River in Rochester and Rochester Hills: A Greenway Opportunity Plan." He discussed the Primary Strategies outlined in the study:

1) Limit and control building to redevelop the community and manage growth while maintaining the country and small town atmosphere, and preserving and purchasing wetlands.

2) Organize a referendum on a bond proposal to identify and purchase open land, protecting it from development by commercial ventures and saving it as open spaces and wetlands for parks.

3) Implement a ten-year green space master plan that links all natural areas, parks and watersheds, and returns native species.

4) Develop and fund a plan to maintain, preserve and enhance our historic districts, homes, buildings and heritage.

He concluded his presentation by requesting that City Council consider placing a limited millage proposal of half a mill for ten (10) years on this fall's General Election ballot for the purpose of providing funds for the acquisition of land for the protection of natural habitat and the preservation of Green Spaces in the City.

PUBLIC COMMENT:

The following residents expressed their support for the ballot proposal:

* Mr. Dan Keifer, 719 Fieldstone Drive

- * Mr. Paul Miller, 1021 Harding Road
- * Ms. Pamela Wallace, 168 Cloverport Avenue
- * Mr. Michael Spalding, 209 Cloverport Avenue
- * Ms. Shirley Mullin, 1754 Thomas Court
- * Mr. Patrick Mullin, 1754 Thomas Court
- * Mr. Greg Doyle, 1141 Cripple Creek Lane
- * Mr. Nicholas Leshley, 3161 West Auburn Road
- * Ms. Kristen Schank, 180 Cloverport Court
- * Mr. Eric Tucciarone, 180 Cloverport Court
- * Mr. Andrew Krupp, 168 Cloverport Avenue
- * Ms. Lois Golden, 645 Apple Hill Lane

Ms. Bev Jasinski, City Clerk, read the names of several residents who expressed their support for the millage proposal via email:

- * Donna Foland (address not provided)
- * Bhaskar Banerji (address not provided)
- * Julie Rogier & John Barlage, 2275 Chalet Drive
- * James Bolton, 1227 East Horseshoe Court
- * Elizabeth Fidler, 932 Driftwood Lane
- * Beth & Matt Fuhrman, 155 Cloverport
- * Melody Hart, 3583 Sleepy Fox Drive
- * Michelle Matewicz, 263 Bedlington Drive
- * Colleen and Gary Peters, 505 Lexington Drive
- * Robert D. Peters & Marty Peters, 882 Cobblestone Drive
- * Ron Stewart (address not provided)

Mr. Lee Zendel, 1575 Dutton Road, suggested that those citizens who are passionate about this issue should gather names on petitions as he and others have in the past to put issues on election ballots.

COUNCIL DISCUSSION:

City Council members made the following comments on the millage proposal:

- * A vote of support to place the issue on a ballot does not necessarily indicate support of the issue itself.
- * The City Charter provides for the opportunity for voters to vote for dedicated millages for services they desire.
- * It is preferable to have interested parties put their efforts into educating residents about the ballot proposal itself rather than collecting signatures on petitions.
- * The passion for this issue should be spread to other issues including the passage of millages for additional police and fire services.
- * Council should limit itself to considering the community's fundamental needs such as fire, police, water, sewer, etc.
- * The Community Development & Viability Committee should consider the formation of an Open Space Advisory Board to oversee the process should the millage vote succeed.
- * The City has an obligation to educate the residents regarding the facts associated with the millage proposal.

A motion was made by Robbins, seconded by Hill, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby approves the placement of a limited millage proposal on the November 2, 2004 General Election ballot for the purpose of providing funds for the acquisition of land for the protection of natural habitat and the preservation of Green Spaces in the City.

Further Resolved that the City Council directs City Attorney John Staran to prepare the proposed ballot language to be reviewed and approved by City Council at a subsequent regular meeting.

Be It Further Resolved that, upon passage of the ballot proposal, the City Council directs the Community Development & Viability (CDV) Communication Committee to examine the possible establishment of a recommending body responsible for the evaluation of future acquisition and preservation of Green Spaces.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder, Raschke and Robbins

Nay: Duistermars

Absent: Barnett

Enactment No: RES0217-2004

(Recess 10:02 p.m. - 10:12 p.m.)

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.

2004-0485 Approval of Minutes - Regular City Council Meeting - April 21, 2004

Attachments: Minutes CC Reg 042104.pdf; 0485 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on April 21, 2004 be approved as presented.

Enactment No: RES0169-2004

2004-0482 Approval of Minutes - Rescheduled City Council Budget Work Session Meeting - May 3, 2004

Attachments: Minutes CC WS 050304.pdf; 0482 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Rescheduled Rochester Hills City Council Budget Work Session Meeting held on May 3, 2004 be approved as presented.

Enactment No: RES0170-2004

2004-0486 Approval of Minutes - Regular City Council Meeting - May 5, 2004

Attachments: Minutes CC Reg 050504.pdf; 0486 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on May 5, 2004 be approved as presented.

Enactment No: RES0171-2004

2004-0484

Approval of Minutes - Special City Council Budget Work Session Meeting - May 10, 2004

Attachments: Minutes CC WS 051004.pdf; 0484 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Special Rochester Hills City Council Budget Work Session Meeting held on May 10, 2004 be approved as presented.

Enactment No: RES0172-2004

2004-0467

Adams Road Relocation Project Right-of-Way Acquisition: Approval of the Offer to Purchase, including the temporary construction easement by and between the City of Rochester Hills and Bergeron Michigan, LLC, for Parcel 15-30-302-012, an acreage parcel.

Attachments: Agenda Summary.pdf; Exhibit A.pdf; 0467 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, an Offer to Purchase, including the temporary construction easement in conjunction with the Adams Road Relocation Project has been offered and accepted for Parcel 15-30-302-012, an acreage parcel, also known as the "Bergeron Michigan Property" as shown on the attached Exhibit A as Parcel 10;

Resolved, that the Rochester Hills City Council hereby approves the Offer to Purchase (\$17,620.00) including the temporary construction easement by and between the City of Rochester Hills and Bergeron Michigan, LLC, for Parcel 15-30-302-012, an acreage parcel;

Further Resolved that the Mayor is authorized to release a check for payment in accordance with the Statement of Compensation for right-of-way acquisition and temporary construction easement.

Enactment No: RES0173-2004

2004-0456

Confirm Mayor's appointment of Thomas Blackstone to the position on the Advisory Traffic and Safety Board vacated by the resignation of Tushar Oza for a term to expire on June 30, 2006.

Attachments: Agenda Summary.pdf; Letter, Oza T.pdf; Questionnaire, Blackstone.pdf; 0456 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's appointment of Thomas Blackstone to fill the vacancy of Tushar Oza on the Advisory Traffic and Safety for a term to expire on June 30, 2006.

Enactment No: RES0174-2004

Passed The Consent Agenda

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

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

(Linda Raschke Entered at 10:17 p.m.)

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

2004-0463

Request for Purchase Authorization - PAR: Wide-area Mower, Purchase Order for \$37,645.00; W. F. Miller Co., Novi, MI

Attachments: Agenda Summary.pdf; Bid Tabulation Sheet.pdf; 0463 Resolution.pdf

City Council members questioned the need for this mower purchase considering that a similar mower had been purchased within the past two (2) years and that the City contracts for such services with an outside contractor.

Mr. Roger Rousse, Director of DPS/Engineering, noted the following in response to Council's questions:

** The wider cut the mower provides will result in reduced mowing time and, thus, a more efficient use of the groundskeeper's time.*

** The contracted lawn services are primarily for easy cutting of boulevards and along some major roads.*

** Some more difficult duties were not bid on by the contractor and the contractor does not possess the necessary equipment.*

** The mower under consideration can be adapted for other uses such as sweeping and snow plowing.*

Council members stressed that more detailed information provided prior to Council meetings would assist them in making decisions of this nature.

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

Resolved that the Rochester Hills City Council authorize the purchase of one (1) wide-area, fine-cut, rotary mower to the lowest responsible, responsive bidder, W. F. Miller, Co. of Novi, Michigan, in the amount of \$37,645.00.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

Enactment No: RES0175-2004

PUBLIC HEARING

2004-0412

Proposed Road Name Change of Gulch Court, part of the "Hillside Creek Subdivision"; Michele Nalu, applicant.

Attachments: Agenda Summary 060204.pdf; Agenda Summary 051904.pdf; Ordinance 2nd & 3rd pgs.pdf; Ordinance 94-142.pdf; Public Hearing Notice - Name Change.pdf; Public Hearing Notice - Vacation.pdf; Draft Minutes 20040519.pdf; 0412 Resolution 2.pdf

President Dalton OPENED the Public Hearing at 10:21 p.m.

There being no Public Comment, President Dalton CLOSED the Public Hearing at 10:22 p.m.

Mr. Ed Anzek, Director of Planning/Development, explained that the applicant contacted the City several months earlier with a request to change the name of the street upon which they intended to build a home. The applicant had agreed to pay for the expenses associated with the change.

Council members agreed to the change, but expressed concern that this not set a precedent for other such requests, stressing that this situation was unique in that there are no other residents living on the street in question, thus reducing any inconvenience to neighbors.

Mr. Robbins requested that the issue of street name change requests be examined by the Community Development & Viability Committee, and a policy be developed to guide Council in the future when addressing such requests.

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

Whereas, the City Council of the City of Rochester Hills on Wednesday, May 19, 2004 did by resolution deem in advisable and declare its intention to rename the following described street, alley, public ground or part thereof, located in the City of Rochester Hills, and subject to the jurisdiction and control of the City of Rochester Hills:

The property located in the southwest quarter of section 3, T.3N., R.11E., City of Rochester Hills, Oakland County, Michigan, more particularly described as: Gulch Court, 60 feet wide, part of the "Hillside Creek Subdivision" as recorded in Liber 280, Pages 2 through 6, inclusive, in plats, of Oakland County Register of Deeds.

Whereas, in accordance with the Code of Ordinances of the City of Rochester Hills, Chapter 94-144-94-170, The City Council has held a public hearing and has heard and considered any comments or objections pertaining to such renaming; and

Whereas, the City Council determines it is necessary for the health, welfare, comfort and safety of the People of Rochester Hills to rename the above-described street, alley, public ground or part thereof;

Now, Therefore, Be It Resolved:

- 1. That the above-described street, alley, public ground or part thereof shall be renamed;**
- 2. That the current name of Gulch Court shall be known in the future as Silver Creek Court.**

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

Enactment No: RES0176-2004

2004-0461 Fiscal Year 2004 Second Quarter Budget Adjustments

Attachments: Agenda Summary.pdf; June budget amendment.pdf; Public Hearing Notice.pdf; 0461 Resolution.pdf

President Dalton OPENED the Public Hearing at 10:41 p.m.

There being no Public Comment, President Dalton CLOSED the Public Hearing at 10:42 p.m.

Ms. Hill questioned whether Fund 331 regarding the Chester and Huber Drains referred to debt service payments to the County.

Ms. Julie Jenuwine, Interim Finance Director, explained that they are reissuances that were finalized the previous year, however, when they were performed, the 2004 payments were not calculated. The 2004 principal was not included in the refinancing.

A motion was made by Robbins, seconded by Hill, that this matter be Adopted by Resolution.

Whereas, a public hearing was held on June 2, 2004 to amend and adopt new fund totals:

Now Therefore Be It Resolved that the Rochester Hills City Council hereby amends and adopts the following 2004 Budgets:

001 - General Fund	\$22,591,559
202 - Major Roads	\$6,847,874
203 - Local Roads	\$4,691,052
331 - Drain Debt Fund	\$1,983,678
592 - Water & Sewer	\$46,692,001
631 - Buildings & Grounds	\$4,392,021
636 - MIS	\$3,051,874
661 - Fleet	\$2,585,934

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

Enactment No: RES0177-2004

ORDINANCE FOR INTRODUCTION

2004-0475 Acceptance for First Reading and Ordinance to amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County Michigan, to modify water and sewer rates and fees, repeal conflicting ordinances, and prescribe a penalty for violations.

Attachments: 0475 Agenda Summary Second Reading.pdf; Agenda Summary First Reading.pdf; W&S Ordinance.pdf; 0475 Resolution.pdf

Ms. Julie Jenuwine, Interim Finance Director, and Ms. Hill clarified that the increases to

the water and sewer rates may seem high when discussed in terms of percentages, but the increases actually result in individual customer increases of pennies. For example, the Customer Charge increased from \$1.44 to \$1.58.

A motion was made by Duistermars, seconded by Robbins, that this matter be Accepted for First Reading by Resolution.

Resolved that an Ordinance to amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County Michigan, to modify water and sewer rates and fees, repeal conflicting ordinances, and prescribe a penalty for violations is hereby accepted for First Reading.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

NEW BUSINESS

2004-0466 Request for Purchase Authorization - PLANNING/DEVELOPMENT: Wetland and Environmental Consulting Services, increase existing Blanket Purchase Order in the amount of \$175,000.00 to a new not-to-exceed total of \$655,000.00; Applied Science & Technology, Inc., Brighton, MI.

Attachments: Agenda Summary.pdf; 0466 Resolution.pdf

Mr. Ed Anzek, Director of Planning/Development, explained that the request is essentially a "pass-through" meaning the money expended would be reimbursed by the developer.

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

Resolved that the Rochester Hills City Council hereby authorizes the amendment of an existing Blanket Purchase Order to Applied Science & Technology, Inc., of Brighton, MI, for Wetland and Environmental Consulting Services, by the increased amount of \$175,000.00 for the new total amount not-to-exceed \$655,000.00 through September 1, 2006.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

Enactment No: RES0179-2004

2004-0499 Report on Flooding Issues within the City of Rochester Hills

Attachments: Agenda Summary.pdf; 0499 Master Report.pdf

Mr. Roger Rousse, Director of DPS/Engineering, discussed in detail the results of the excessive rainfall experienced between Friday, May 21st and Sunday May 23rd. He noted the following:

** Over a three-day period the City experienced 4.42 inches of rain in approximately fifty-six (56) hours.*

* *Much of the flooding was a result of debris-plugged culverts and catch basins.*

* *This rainfall was deemed a twenty-five (25) year storm, however, the drainage system is based on a ten (10) year storm.*

* *The system received two and a half (2 1/2) times the design capacity.*

Mr. Rousse discussed specific flooding in the area as follows:

- 1) *Rose Brier at eyebrow - rear yard "river," street flooding and basement sewage flooding.*
- 2) *Waltonshire and Rose Brier - street flooding and basement flooding, Rose Brier damage to landscaping and deck.*
- 3) *Snowmass - rear yard flooding.*
- 4) *Nesting Ridge - street flooding, bank erosion.*
- 5) *Majestic - street flooding.*
- 6) *Augusta - rear yard and basement flooding, erosion damage.*
- 7) *Livernois at Avon - street flooding and bank erosion behind medical offices.*
- 8) *John R and Hamlin - street flooding.*
- 9) *Livernois at Cripple Creek - street flooding, erosion, yard flooding.*
- 10) *Livernois, Paint Creek Trail - damage to private bridge.*
- 11) *Butler Road - street flooding, Galloway Creek flowed over Butler Road*
- 12) *River Oaks - street flooding, parking lot flooding from Galloway Creek*
- 13) *Baypoint near Doral - street flooding, detention basin backup.*
- 14) *Avon and Dequindre - street flooding, park flooding from Clinton River*
- 15) *Greenspring - water quality basin flowed over its banks and caused erosion downstream of spillway.*

PUBLIC COMMENT:

Rev. Dr. Pamela Whateley, 1600 North Livernois Road, indicated that the culvert near her home has been a problem for some time and asked for the City's assistance.

Mr. Rousse indicated that the City is working with the Road Commission to make improvements to that culvert, however, they are still in the process of acquiring needed easements to proceed. He expressed confidence that the planned improvements, once implemented, would improve the situation. However, Mr. Rousse did stress that in this unique situation, with unprecedented rainfall, it is likely there would still be a problem with

Presented

(Recess 11:04 p.m. - 11:10 p.m.)

2004-0040

Presentation on DPS Facility

Attachments: Agenda Summary.pdf; Mlnutes, Work Session 20040128 .pdf; 0040 Master Report.pdf

Mr. Scott Cope, Director of Building/Ordinance Enforcement, introduced Mr. Robert Szantner and Mr. David Gassen of Yamasaki Associates, Inc., (architects) along with Mr. Matt Hubbard and Mr. Jack Michael of DeMattia Group (construction managers). He described the meeting held at the DPS Facility for residents within approximately 1,500 feet of the facility to discuss the project and solicit concerns from neighbors. He noted that, while attendance at the meeting was small, approximately seven (7) people, the interaction was positive and productive. Residents expressed concerns regarding noise, diesel fuel emissions, landscaping and salt infiltrating the ground water system. Attendees were reassured that vehicles will be kept inside the new facility, thus reducing noise and fumes. In addition, salt will be stored indoors.

Mr. Robert Szantner, Principal of Yamasaki Associates, discussed the planned architectural layout of the facility, noting the proper circulation and the appropriate landscape buffering.

Mr. Matt Hubbard of DeMattia Group explained that the construction project is currently estimated at \$11.761 million based on the architectural plans designed by Yamasaki Associates.

Mr. Cope noted that Phase 1 of the project was now completed and sought Council's approval of Phase 2, that being the development of complete construction documents, site plans and specifications that would provide all necessary information to move forward with construction.

Ms. Hill and Ms. Raschke both expressed positive responses to the information presented.

President Dalton questioned how construction of the new facility would be funded.

Mr. Roger Rouse, Director of DPS/Engineering, assured Council that when they returned to Council for approval of Phase 2, detailed funding options would be presented at that time.

Presented

2004-0504

Adoption of Resolution to cancel July 7, 2004 Regular City Council Meeting

Attachments: Agenda summary.pdf; 0504 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby agrees to cancel its Regular City Council Meeting scheduled for Wednesday, July 7, 2004 at 7:30 pm.

Further Resolved that the City Clerk shall provide proper notice of the Meeting Time change pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder, Raschke and Robbins

Absent: Barnett

Enactment No: RES0180-2004

NOMINATIONS/APPOINTMENTS

2004-0491 Appointment to the Historic Districts Commission for one (1) vacant three-year term to expire December 31, 2004

Attachments: Agenda Summary 2 (061604 mtg).pdf; Appointment Form 061604.pdf; Candidate Questionnaire, Blackstone.pdf; Candidate Questionnaire, Castile.pdf; Agenda Summary 1 (060204 mtg).pdf; Letter, Dressel 040104.pdf; Notice of Vacancy.pdf; List, Questionnaire and Re

Mr. Robbins nominated Mr. Gary Castile

Mr. Duistermars nominated Mr. Thomas Blackstone.

Council will take a vote to appoint the new member at the next regular meeting.

Discussed

2004-0493 Appointment to the Trailways Commission for one (1) vacant four-year term for a Citizen At Large Representative to expire December 31, 2004

Attachments: Agenda Summary 2 (061604 Mtg).pdf; Appointment Form 061604.pdf; Questionnaire, Dohr.pdf; Questionnaire, Miller.pdf; Questionnaire, Whateley.pdf; Agenda Summary.1 (060204 mtg).pdf; Notice of Vacancy.pdf; Letter, Keifer 020904.pdf; Questionnaire, Blackstone

Ms. Raschke nominated Ms. Pamela Whateley.

Ms. Holder nominated Mr. Thomas Dohr.

Ms. Hill nominated Mr. Paul Miller.

Council will take a vote to appoint the new member at the next regular meeting.

Discussed

COUNCIL COMMITTEE REPORTS

None.

NEXT MEETING DATE

Regular Meeting on Wednesday, June 16, 2004 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Dalton adjourned the meeting at 11:32 p.m.

*JOHN L. DALTON, President
Rochester Hills City Council*

*BEVERLY A. JASINSKI, Clerk
City of Rochester Hills*

*MARGARET A. STRATE
Administrative Secretary
City Clerk's Office*

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