



# 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*

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Wednesday, August 4, 2004

7:30 PM

1000 Rochester Hills Drive

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**DRAFT**

## CALL TO ORDER

*President Dalton called the Regular Rochester Hills City Council Meeting to order at 7:30 p.m. Michigan Time on August 4, 2004.*

## ROLL CALL

**Present:** John Dalton, Bryan Barnett, Jim Duistermars, Melinda Hill, Barbara Holder and Linda Raschke

**Absent:** Gerald Robbins

Others present:

*Pat Somerville, Mayor  
John Staran, City Attorney  
Bev Jasinski, City Clerk  
Ed Anzek, Director of Planning/Development  
Ron Crowell, Assistant Fire Chief  
Julie Jenuwine, Interim Finance Director  
Roger Rousse, Director of DPS/Engineering  
Greg Waltherhouse, Fire Chief  
Bob White, Supervisor of Ordinance Services*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

*Resolved that the Agenda for the August 4, 2004 Regular Meeting of the Rochester Hills City Council be approved with the following amendment:*

*Add under NEW BUSINESS File ID #2004-0664 - Rochester Hills versus SOCRRA.*

**A motion was made by Barnett, seconded by Hill, to Approve Agenda as Amended. The motion carried by the following vote:**

**Aye:** Dalton, Barnett, Duistermars, Hill, Holder and Raschke

**Absent:** Robbins

## PUBLIC COMMENT

*Mr. Lee Zendel, 1575 Dutton Road, noted that during the recent Primary Election eleven (11) Michigan communities passed new millages for fire and/or police services. He expressed his hope that the Rochester Hills community would realize the need to similarly support these services.*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*President Dalton commended City Clerk Bev Jasinski and her staff for their efforts during the previous day's Primary Election. He noted that only 16% of eligible voters visited the polls, and expressed his hope that more residents would take advantage of this right in future elections.*

*Ms. Raschke described a program available through the Oakland County Sheriff's Department for residents of Rochester Hills to receive twenty (20) hours of free training in disaster preparedness. She encouraged residents to call 248-537-3530 for more information.*

*Ms. Hill noted that she worked the Primary Election and commended the Clerk's Office for "an excellent job."*

*Mr. Barnett congratulated all the individuals who ran for office in the Primary Election.*

### (Mr. Robbins Entered at 7:47 p.m.)

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

## PRESENTATIONS

2004-0639

Youth Representatives Program

- 2003-04 Youth Representatives Report
- 2004-05 Introduction of New Representatives

**Attachments:** Agenda Summary Sheet.pdf; 0639 Master Report.pdf

*President Dalton and Ms. Susan Galeczka, City Council Liaison, introduced four (4) of the departing members of the Youth Representative Program:*

*\* Ms. Katie Hauswirth, 3901 West Tienken Road, of the Administrative and Information Services Committee*

*\* Ms. Ann Ruggiero, 1728 Edinborough, of the Community Development & Viability Committee*

*\* Ms. Kathryn Tignanelli, 3651 Aynsley, of the Community Development & Viability Committee*

*\* Ms. Lang Liu, 1113 Springwood Lane, of the Financial Services Committee*

*Each member spoke briefly on her participation in the Youth Representative Program and expressed their gratitude for the opportunity to serve the community through this program.*

*Ms. Hill, Chairperson of the Administrative and Information Services and Financial Services Committee, and Mr. Barnett, Chairperson of the Community Development and Viability Committee, expressed their gratitude for the participation of the Youth Representatives and presented the four young ladies in attendance with engraved, commemorative paper weights.*

**Presented**

## ATTORNEY MATTERS

*City Attorney John Staran noted that the ballot language to eliminate the City Primary Election from the City's Charter that was adopted at a previous City Council meeting would*

*require a correction to the wording. He stated he would bring the corrected resolution forward at an upcoming Council meeting.*

**2004-0656** Adoption of Resolution to adjourn to Closed Session at the conclusion of tonight's meeting (August 4, 2004) for the purpose of discussing pending Attorney/Client Privileged Communications

**Attachments:** Agenda Summary.pdf; 0656 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 4, 2004 at the close of tonight's meeting. The purpose of the Closed Session is to discuss Attorney/Client Privileged Communications.**

**The motion carried by the following vote:**

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

**Enactment No:** RES0253-2004

## **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.

**2004-0606** Acceptance of the Conservation Easement granted by Singh Cider Mill Village, LLC, for City file #00-024, Parcel No. 15-13-401-001

**Attachments:** Agenda Summary.pdf; Easement.pdf; 0606 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 conservation easement granted by Singh Cider Mill Village, L.L.C., a Michigan limited liability company, 7125 Orchard Lake Road, Suite 200, West Bloomfield, Michigan 48322, to protect the functions and values of the existing woodlands and wetlands, over, on, under, through and across land more particularly described as Parcel No 15-13-401-001.**

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

**Enactment No:** RES0254-2004

**2004-0619** Conveyance of a Highway Easement granted by the City of Rochester Hills to the Road Commission of Oakland County, for Adams Road crossing of the Clinton River Trail property, Parcel No. 15-30-401-007

**Attachments:** Agenda Summary.pdf; Easement.pdf; 0619 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 conveys a highway easement granted by City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48309-3033, to the Road Commission of Oakland County, of 31001 Lahser Road, Beverly Hills, MI 48025, for Adams Road crossing of the Clinton River Trail Property over, on, under, through and across land more particularly described as Parcel No. 15-30-401-007.

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

Enactment No: RES0255-2004

**2004-0454**

Acceptance of the Storm Sewer Easement, granted by Unity Church of Rochester, a Michigan Ecclesiastical Corporation, for Parcel No. 15-15-326-003

**Attachments:** Agenda Summary.pdf; Easement.pdf; 0454 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 Storm Sewer easement granted by Unity Church of Rochester, a Michigan Ecclesiastical Corporation, of 1038 Harding Ave., Rochester Hills, MI 48307 for the construction, operation, maintenance, repair and/or replacement of a Storm Sewer Easement over, on, under, through and across land more particularly described as Parcel No. 15-15-326-003.

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

Enactment No: RES0256-2004

**2004-0638**

Request for Safe Harbor Right-of-Way Telecommunications Permit for Michigan Bell Telephone d/b/a SBC Michigan

**Attachments:** Agenda Summary.pdf; Application.pdf; Permit.pdf; 0638 Resolution.pdf

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

**Now Therefore Be It Resolved that the Rochester Hills City Council hereby approves the City of Rochester Hills Unilateral MPSC Safe Harbor Right of Way Telecommunications Permit for Michigan Bell Telephone d/b/a SBC Michigan;**

**Be It Further Resolved, that the Rochester Hills City Council authorizes the Mayor to sign the Permit on behalf of the City.**

Enactment No: RES0257-2004

**2004-0634**

Request for Purchase Authorization - FIRE: Apparatus Bay Floor Coating for Fire Station #3, Fire Station #4 and the Public Safety Building, purchase order in the amount of \$43,064.00; Venture Speciality Products and Services, Farmington Hills, MI

**Attachments:** Agenda Summary.pdf; Bid Tab.pdf; Pictures.pdf; 0634 Resolution.pdf

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

**Resolved, that the Rochester Hills City Council hereby approves a purchase order to Venture Specialty Products and Services, Farmington Hills, Michigan for construction services for apparatus bay floor coating at Fire Station #3, Fire Station #4 and the Public Safety Building in the amount of \$42,900.**

Enactment No: RES0258-2004

## Passed The Consent Agenda

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

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

## ORDINANCE FOR ADOPTION

**2004-0627**

Second Reading and Adoption - An Ordinance to amend Section 134-107 of Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify regulations governing the discontinuation and amortization of nonconforming signs, repeal inconsistent ordinances and prescribe a penalty for violations

**Attachments:** Agenda Summary Second Reading.pdf; Letter Staran 072904.pdf; Ordinance Amendment Revision.pdf; Agenda Summary First Reading.pdf; Ordinance Amendment First Reading.pdf; Minutes CCWS 031004.pdf; Minutes CCWS 051204.pdf; 0627 Resolution First Reading.pdf; 06

*Mr. Tom Stevenson, 708 River Bend Drive, thanked Council for the changes made to the City's Sign Ordinance.*

*Ms. Holder reiterated her suggestion that a committee be created comprised of City staff members and residents to address issues similar to the Sign Ordinance that would act as an advisory board to such bodies as the Sign Board of Appeals and/or the Zoning Board of Appeals. She suggested that this issue be directed to the Community Development and Viability Committee for evaluation.*

*Mr. Robbins noted that the discussion was inappropriate during this portion of the Council meeting and suggested that it be addressed during "Any Other Business."*

**A motion was made by Robbins, seconded by Barnett, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to amend Section 134-107 of Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify regulations governing the discontinuation and amortization of nonconforming signs, repeal inconsistent ordinances and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption and shall become effective on August 13, 2004 following its publication on Thursday, August 12, 2004 in the Rochester Eccentric.**

**The motion carried by the following vote:**

**Aye:** Dalton, Barnett, Duistermars, Holder, Raschke and Robbins

**Nay:** Hill

**Enactment No:** RES0259-2004

**2004-0588**

Second Reading and Adoption - An Ordinance to amend Chapter 98, Traffic and Vehicles, Article III, Michigan Vehicle Code, Section 98-61, Adoption by Reference, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, by re-adopting by reference the Michigan Vehicle Code; repeal conflicting ordinances; and prescribe penalties for violations

**Attachments:** Agenda Summary Second Reading.pdf; Agenda Summary First Reading.pdf; Letter Staran 052104.pdf; Chapter 98 Ord Amendment.pdf; 0588 Resolution First Reading.pdf; 0588 Resolution Second Reading.pdf

**A motion was made by Robbins, seconded by Duistermars, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to amend Chapter 98, Traffic and Vehicles, Article III, Michigan Vehicle Code, Section 98-61, Adoption by Reference, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, by re-adopting by reference the Michigan Vehicle Code; repeal conflicting ordinances; and prescribe penalties for violations is hereby accepted for Second Reading and adoption and shall become effective on August 13, 2004 following its publication on Thursday, August 12, 2004 in the Rochester Eccentric.**

**The motion carried by the following vote:**

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

**Enactment No:** RES0260-2004

### NEW BUSINESS

**2004-0641**

- Proposed 2005 Budget
  - a. Mayor's Presentation
  - b. Adoption of Resolution acknowledging receipt of 2005 Proposed Budget and setting the Budget Public Hearing for Wednesday, September 15, 2004

**Attachments:** Agenda Summary.pdf; 0641 Resolution.pdf

**BUDGET PRESENTATION:**  
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*Mayor Somerville reviewed the fiscal status of the City of Rochester Hills, noting several 2004 Accomplishments relating to the following issues:*

- \* *Strengthening the Tax Base*
- \* *Maintaining the City's Infrastructure*
- \* *Improving Processes and Efficiencies*
- \* *Increasing the Level of Service*

*The Mayor then discussed the highlights of the fiscal year 2005 Budget, noting that the recommended total budget for the City of Rochester Hills for 2005 is \$97,231,480 and listing some significant funds:*

<i>General Fund</i>	<i>\$23,610,550</i>
<i>Major Roads</i>	<i>\$8,039,770</i>
<i>Drain Improvements</i>	<i>\$6,064,390</i>
<i>Fire</i>	<i>\$6,356,780</i>
<i>Special Police</i>	<i>\$7,514,890</i>
<i>Water/Sewer</i>	<i>\$44,379,840</i>

*The Mayor noted that revenue projections for the 2005 Budget were challenging due to recent reductions in State Shared Revenues, which represent twenty-two percent (22%) of the General Fund revenues and is the largest single source of revenue in the General Fund after taxes. She stressed that it is not known whether this revenue source will ever be restored. Despite this fact, Mayor Somerville indicated that the recommended 2005 budget for the City proposes to keep the millage rate the same as 2004; the third lowest millage rate of the thirty-one (31) cities in Oakland County.*

*The Mayor discussed in detail revenue projections, anticipated operating expenses and proposed capital expenditures for the coming year concluding that, "While the past year has been filled with economic uncertainty and hard decisions, I believe we must continue to move forward as a community to improve what we have already obtained."*

*President Dalton asked that Council members submit any questions they have regarding the Mayor's proposed budget to Ms. Susan Galeczka, City Council Liaison, by Friday, August 13th, with the understanding that all questions will be addressed simultaneously by City Staff no later than August 23rd, thus giving Council members adequate time to review the answers prior to the budget Work Session meetings scheduled to begin August 30th.*

*Mayor Somerville agreed to this arrangement.*

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

**Whereas, the Rochester Hills City Council and the Administration have worked together to develop major City goals and objectives for 2005 and beyond: and**

**Whereas, based on these major City goals and objectives, the 2005 Proposed Budget Plan was developed: and**

**Whereas, at this August 4, 2004 meeting, the Mayor has presented the 2005 Proposed Budget Plan for the Fiscal Year ending December 31, 2005,**

**Be It Resolved, that the Rochester Hills City Council acknowledges receipt of and hereby gives notice of a Public Hearing to be held at 7:30 P.M. on Wednesday, September 15, 2004, at the Rochester Hills City Hall, 1000 Rochester Hills Drive for the purpose of presenting the 2005 Proposed Budget Plan and providing an opportunity to all interested citizens and elected officials of the City of Rochester Hills to present comments thereon prior to the adoption by the Rochester Hills City Council.**

**Be It Further Resolved, that the publication of the Notice of Public hearing is hereby authorized.**

**The motion carried by the following vote:**

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

**Enactment No:** RES0261-2004

**(RECESS 9:13 p.m. – 9:31 p.m.)**

**2004-0664**

Adoption of Resolution regarding City of Rochester Hills VS. SOCRRA

**Attachments:** Letter Need 080304.pdf; 0664 Resolution.pdf

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

**Resolved:**

**1. The Rochester Hills City Council concurs with the recommendation of the Rochester Hills/SOCRRA Standing Committee, indicating that the proposal received from the Avon Meadows Golf Group, L.L.C., and its principals, Paul T. Chirco, Paul Carabelli, and Carl Munaco, is the preferred proposal regarding a golf course development on the SOCRRA property in Rochester Hills.**

**2. In making this concurrence, the Rochester Hills City Council further indicates**

its expectations with regard to the final selection of the golf course developer by SOCRRA:

(i) SOCRRA will negotiate in good faith with the selected developer to execute a lease for the property.

(ii) If negotiations are unsuccessful with the selected developer, SOCRRA will negotiate in good faith with the second developer, if still interested, or any other developer who may be interested at that time.

(iii) SOCRRA should agree to commit to relocate the compost facility, if relocation can be accomplished to a lawful site at "no net cost" as generally defined in SOCRRA's proposed Base Facility Lease Requirements.

(iv) SOCRRA should agree to commit to execute a lease with a developer, provided the composting facility may be relocated as described above, and provided items 2, 5, 6, 7, 8, 9 10, and 11 of SOCRRA's proposed Based Facility Lease Requirements are satisfied.

The motion carried by the following vote:

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

**Enactment No:** RES0262-2004

**2004-0631**

Request for Purchase Authorization: DPS/ENGINEERING: 2004 Pathway Rehabilitation Project, contract in the amount of \$166,176.20; Pro-Line Paving, Washington Township, MI

**Attachments:** Agenda Summary.pdf; Bid tab.pdf; 0631 Resolution.pdf

*Mr. Roger Rousse, Director of DPS/Engineering, explained that the request before Council for four (4) miles of pathway rehabilitation has been budgeted and equates to approximately \$41,000 per mile to address deficiencies such as raised areas and/or dips in the pathway.*

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

**Whereas, on July 8, 2004, the City received three (3) sealed bids for the 2004 Pathway Rehabilitation Project with Pro-Line Asphalt Paving submitting the lowest responsive responsible bid in the amount of \$166,176.20.**

**Resolved, that the Rochester Hills City Council hereby approves the award of the contract for the 2004 Pathway Rehabilitation Project to Pro-Line Asphalt Paving of Washington Township, Michigan as the lowest responsive, responsible bidder in the not-to-exceed amount of \$166,176.20 and authorizes the Mayor and City Clerk to execute a contract on behalf of the City.**

The motion carried by the following vote:

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

**Enactment No:** RES0263-2004

**2004-0633**

Request for Purchase Authorization: FIRE: Ambulance Billing Services, Increase to blanket purchase order in the amount of \$30,000 for a new not-to-exceed total of \$80,000; AccuMed Billing, Inc, Riverview, MI

**Attachments:** Agenda Summary.pdf; 0633 Resolution.pdf

*Fire Chief Greg Walterhouse explained that the ambulance billing service was invoicing more revenues for the City than anticipated and, thus, an increase to the blanket purchase order was necessary.*



*PUBLIC COMMENT:*

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*Lee Zendel, 1575 Dutton Road, noted that the unanticipated increase in revenues for the ambulance billing service indicates that ambulance service is a "very needed program in this City" and will be in greater need as the City's population ages.*

**A motion was made by Robbins, 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 AccuMed Billing, Inc., of Riverview, Michigan, for the purchase of ambulance billing services by the increased amount of \$30,000 for the new total amount not-to-exceed \$80,000 through December 31, 2004.**

**The motion carried by the following vote:**

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

**Enactment No:** RES0264-2004

**2004-0637**

Request for Purchase Authorization: DPS/ENGINEERING: Municipal Engineering/Plan Review Services for private development, increase in blanket purchase order in the amount of \$100,000.00 for a new not-to-exceed total of \$600,000.00; Orchard, Hiltz & McCliment, Inc, Livonia, MI

**Attachments:** Agenda Summary.pdf; 0637 Resolution.pdf

*Mr. Roger Rousse, Director of DPS/Engineering, explained that this is a "direct pass-through" for the City, noting that the City collects fees from developers for plan review, which is used to fund these services; thus, there is no out-of-pocket expense for this service. He noted that the City plans to issue RFPs for continuing this service and requires an increase to the purchase order to "cover the time frame" between the current vendor and a possible future vendor.*

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

**Resolved that the Rochester Hills City Council increase the blanket purchase order to Orchard, Hiltz & McCliment, Inc. for Municipal Engineering/Plan Review Services for \$500,000.00 through December 31, 2004 to a new not-to-exceed amount of \$600,000.00.**

**The motion carried by the following vote:**

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

**Enactment No:** RES0265-2004

**2004-0655**

Proposed Charter Amendment regarding Council Initiated Referendum and Advisory Questions

**Attachments:** Agenda Summary.pdf; 0655 Master Report.pdf

*Mr. John Staran, City Attorney, explained that at the request of Council member Robbins, he prepared two (2) optional amendments to the City Charter: Option 1 would allow for a Council initiated referendum to be voted "up or down" by residents; Option 2 would authorize City Council to place non-binding advisory questions on election ballots.*

Mr. Staran described the possible negative aspects of either Option:

- \* It may be too convenient at times to go to a vote of the people regarding difficult issues.
- \* Council members may feel pressured by residents or other Council members to use this new process.
- \* If used once for a controversial issue, voters may expect Council to always allow a popular vote on such issues.
- \* While a vote on an advisory question would not be binding on Council, it may be difficult for Council to oppose the "will of the people."

COUNCIL DISCUSSION:

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Council members discussed the following factors associated with both Options presented:

- \* It would be difficult to establish criteria that would limit the types of issues to be brought to a vote.
- \* A super-majority vote of the Council should be required to place any issue on a ballot.
- \* Residents have indicated that they would like the ability to vote on certain issues.
- \* This would be just another "tool in [a Council member's] tool chest" to be used when making legislative decisions.
- \* Option 1 would be restricted to just changes in ordinances, as it would be very difficult to put more complex issues to a simple "yes" or "no" vote of the residents.
- \* Option 2 could refer to any issue, as it would be advisory and not necessarily binding.
- \* It would cost the City approximately \$35,000 to hold a special election to decide an issue brought forward under either Option 1 or 2.
- \* Council should not get in the "habit" of having votes of the residents decide difficult issues.
- \* Rather than surrender the authority of Council's position to make decisions for residents, perhaps scientific surveys could be conducted to take "the pulse of the community" on certain issues.
- \* It would be very difficult to use these new processes fairly among different interest groups and issues.
- \* Residents can gather signatures through the petition process to bring issues to a vote if they so choose.
- \* It could be very difficult for Council members to disregard a vote of the people on an advisory question.
- \* The purpose of representative democracy is for elected officials to make difficult decisions on behalf of their constituents.
- \* It was noted that the authors of the United States Constitution emphasized a representative democracy "because sometimes the populace can be wrong."

*\* This issue seems rushed and should require more examination on a subcommittee level before it is brought before City Council for a decision.*

*\* Council should have a Work Session to discuss reviewing the City Charter in general.*

*Mr. Robbins moved that Option 1 be adopted with a change to the language to require a super-majority vote of Council to place a referendum on a ballot. He stated that the Federal, State and County governments have the ability to put a referendum on a ballot and asked if they were not representative democracies.*

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

**Resolved that the City Council of Rochester Hills seeks to amend Section 2.12 of the City Charter as follows:**

#### **Section 2.12A Council Initiated Referendum**

**The Council may, by two-thirds vote of its members, submit any proposed ordinance to a referendum for adoption or rejection at any regular or special election, in the same manner and with the same force and effect as provided in this Charter for submission on petition. The referendum election shall be held not less than sixty (60) days from the date of the Council meeting at which the ordinance is ordered submitted to the electors.**

**The motion failed by the following vote:**

**Aye:** Holder and Robbins

**Nay:** Dalton, Barnett, Duistermars, Hill and Raschke

**Enactment No:** RES0266-2004

## **COUNCIL COMMITTEE REPORTS**

*None.*

## **ANY OTHER BUSINESS**

**2004-0667**

**Discussion Regarding Creation of a Proposed Committee to Promote Communication with Local Businesses**

*Ms. Holder suggested that a committee be created that would mitigate disagreements between the City and businesses in the community resulting from City policies and/or ordinances, prior to these matters reaching either litigation or such bodies as the Zoning Board of Appeals or the Sign Board of Appeals.*

*Ms. Hill volunteered to take the issue to the Administration and Information Services Committee, of which she is Chairperson, as she felt it was an issue of communication between the City and the business community.*

**A motion was made by Duistermars, seconded by Holder, that this matter be Referred by Resolution to the Administration and Information Services Committee.**

**Resolved that the Rochester Hills City Council directs the Administration and Information Services (AIS) Committee to examine the creation of a committee to**

promote communication between the City and the local business community in an effort to mitigate instances of disagreement regarding City ordinances and policies as an intermediary step prior to the pursuit of a lawsuit or a hearing before such bodies as the Zoning Board of Appeals/Sign Board of Appeals.

The motion carried by the following vote:

**Aye:** Dalton, Barnett, Duistermars, Hill, Holder and Raschke

**Nay:** Robbins

## **NEXT MEETING DATE**

*Regular Meeting - Wednesday, August 18, 2004 at 7:30 p.m.*

## **ADJOURNMENT**

*There being no further business before Council, President Dalton adjourned the meeting at 10:18 p.m.*

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

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

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

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