



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
(248) 656-4600  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

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

**Vision Statement:** *The Community of Choice for Families and Business*

**Mission Statement:** *"Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."*

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Monday, February 7, 2011

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time.*

## ROLL CALL

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

## Others Present:

*Ed Anzek, Director of Planning and Development  
Bryan Barnett, Mayor  
Scott Cope, Director of Building/Ordinance Compliance  
Ron Crowell, Fire Chief/Emergency Management Director  
Paul Davis, Acting Director of DPS/Engineering  
Scott Difilippo, Rochester Hills Government Youth Council Representative  
Jane Leslie, City Clerk  
John Staran, City Attorney*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

**A motion was made by Pixley, seconded by Webber, that the Agenda be Approved as Presented. The motion carried by the following vote.**

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

## PUBLIC COMMENT

**Scot Beaton**, 655 Bolinger Street, stated that the water reservoir issue spurred great resident interest through social networking and mentioned that he passed out flyers regarding the potential for a water reservoir on John R Road 14

months ago. He mentioned that Council members voting to discontinue the project cited recent news events surrounding the Detroit Water and Sewerage Department as the reason for their support to discontinue the project.

**Mary Lou DiSessa**, 1664 Crestline Court, spoke in favor of the adoption of an Ordinance to regulate dangerous dogs. She explained that her brother, residing in Arizona, recently had his small leashed dog attacked and killed by a Pit Bull that escaped through a door. She stated that if Council is unwilling to adopt an Ordinance banning Pit Bulls, the issue should be put to a vote of the residents. She distributed copies of an Ordinance regulating dangerous dogs adopted by authorities in Denver, Colorado. She cited district court rulings that verified that home rule municipalities have the legal authority to regulate dangerous dogs; and noted that the Colorado Supreme Court upheld these rulings.

**Gary Uhl**, 3508 Wedgewood Drive, expressed his thanks to Council for shelving the water reservoir project and noted that his subdivision, along with several others, have vowed to stay politically active in the affairs of the community. He stated that Council's relationship with the community is perceived as adversarial and commented that the legislative process should be more collaborative.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mayor Barnett** addressed public comments, stating that as an elected official, he is thrilled that neighborhood and civic groups wish to become more involved. He pointed out that the Building Department hosts neighborhood association forums in an effort to increase networking throughout the community and mentioned that while issues are often controversial, the Administration welcomes engaged residents. He stated that he appreciated Mr. Uhl's leadership and commented that the City is always looking for ways to reach the many thousands of City residents. He made the following announcements:

- The Administration is seeking community input for the Parks and Recreation Master Plan and will host two open forums for discussion and community input to the Plan on Thursday, February 10, 2011 and Thursday, February 17, 2011 from 4:00 p.m. to 8:30 p.m. in City Hall. The Planning Commission will also hold a Public Hearing to receive comments on the Plan on Tuesday, March 1, 2011 at 7:00 p.m.; and an online survey for input is available on the City's website. The Plan is updated every five years and was last updated in 2007.
- The City's DPS crew expended over \$70,000 to clear the streets from the last big snowstorm which occurred on February 2nd and 3rd, successfully clearing City streets by Thursday at 4:00 p.m. Only eight complaints were received regarding snow clearing, and six residents called to compliment the drivers' work. A nine-minute video plays on Rochester Hills Television which highlights how the City plows snow.

He requested that Paul Davis, Acting Director of DPS/Engineering, address recent inspection results and upcoming actions regarding the Avon Road Bridge over the Clinton River.

**Paul Davis**, Acting Director of DPS/Engineering, reported that the recent engineering inspection of the bridge for structural stability found that the bridge continues to deteriorate. While three different levels of weight restrictions were previously imposed on the bridge, more stringent weight restrictions have become necessary and were posted, reducing the limit to 14 tons gross weight. He explained that the Road Commission for Oakland County (RCOC) is moving forward to address the bridge's problems and bridge replacement is slated for funding in 2013. He displayed an aerial photograph of the bridge and intersection, noting the current lane configuration and how the traffic pattern will be altered to take the three currently-open lanes down to two. He explained that the westbound center turn lane will be eliminated and the bridge reduced to two 12-foot lanes as soon as the weather and pavement conditions allow the markings to be changed. He mentioned that the road configuration west of Livernois should remain the same; however, the signal phasing for the traffic light will be changed. He reported that Avon Road will operate one direction at a time, allowing for west- or eastbound traffic to either turn or proceed straight through the intersection without opposing traffic moving. He commented that while this signal phasing is not expected to help the projected congestion, the RCOC's primary goal is public safety.

He pointed out that neither Avon Road nor Livernois are City roads. He explained that the RCOC has applied for and has been granted bridge reconstruction monies. He noted that several other RCOC projects have come in under their expected budgets, allowing for the potential that this project could move up one year in scheduling. He explained that Council will soon be requested to consider an Interlocal Agreement to commence engineering design in 2011, with the City's contribution currently estimated at approximately \$250,000. He mentioned that the RCOC has already selected a design consultant, and a scoping meeting for the project will be held this coming Friday. The Administration will ensure that the bridge design will be consistent with the City's Pathway and Master Thoroughfare Plans. He noted that the State's process for submissions and reviews must be followed. He commented that it is not likely that the project could be constructed in 2011, as late-season construction could make the project much more costly and difficult. He stated that the best the City could hope for is to commence construction in spring 2012.

**President Hooper** questioned whether consideration was made to prohibit left turns from westbound Avon to southbound Livernois, commenting that he foresees the potential for traffic gridlock.

**Mr. Davis** responded that while the option exists to make all movements through-movements, the phasing of the signal is not expected to add much more delay for turning vehicles. He noted that there is a significant demand for left turns at that intersection, and commented that the RCOC's proposal for traffic movement is the recommended way to handle traffic in the intersection.

**Mr. Webber** questioned whether monies could be guaranteed for reimbursement if the City opted for advance construction. He further questioned if there is a chance that the bridge could be closed altogether.

**Mr. Davis** displayed the Michigan Department of Transportation's Planning Guide for projects and responded that due to the various necessary stages of review, advance construction would not be likely. He commented that conceptual plans issued for a pre-bid meeting in March would not go out for bid until September, and it would be difficult to start construction late in the calendar year. He stated that if the bridge condition continues to worsen, its closing would be a distinct possibility.

**Mr. Rosen** mentioned that a television report today stated that the Livernois Road Bridge is also deteriorating.

**Mr. Davis** responded that the Livernois Bridge was also submitted for funding last year and was not selected. He commented that this bridge will be the first priority for submission for next year, and noted that while the bridge is the same type of construction and exhibits the same failure, the current load postings are better than the Avon Road Bridge. He pointed out that inspections will continue for both bridges.

**Mayor Barnett** noted that the Administration has spoken with the City's Congressional Representative and the State's Senators to request Federal funding be freed for the project. He commented that allocations are locked up in Congress as it considers the Omnibus Bill. He pointed out that Governor Rick Snyder also addressed the Avon Road Bridge during his campaign. He commented that the RCOC is woefully insufficiently funded and stated that the City is screaming for help.

**Mr. Yalamanchi** expressed appreciation for the Administration's hard work. He questioned whether the City is preparing itself for the possibility of full closure and requested an explanation of how the weight limits worked.

**Mr. Davis** noted that the consultant has not made a projection on the deterioration rate and it would be pure speculation at this point whether there would be a need for closure. He explained that the weight limit refers to the gross weight of a vehicle. He commented that the Administration is requesting the RCOC's consultant address whether an emergency vehicle would be allowed to cross the bridge in certain critical situations. He noted that DPS vehicles over 14 tons would not be permitted to cross the bridge.

**Mr. Brennan** questioned whether the City could lend funds to the County or State and receive reimbursement later.

**Mr. Davis** noted that the Local Bridge Program covers construction costs and includes payments to the contractor at 95 percent. The remaining five percent of the costs would be the RCOC's responsibility. He stated that bridge design is not paid through this funding source and as the RCOC has experienced significant budget constraints, the City is being asked to share in fifty percent of the engineering costs. He pointed out that the City has approached the RCOC to determine whether advance construction could be done; however, their response has been that this is just not possible.

**Mayor Barnett** stated that the City is still requesting that the RCOC consider advancing the project, commenting that the day the traffic pattern changes will be chaotic. He mentioned that Council will be asked to do whatever possible to advance funding as quickly as possible with the knowledge that it will be reimbursed.

**Mr. Davis** responded that while there are programs out there that would allow advance construction, the Bridge Program is a different category of funding that does not include an advance construction provision.

**Mr. Klomp** noted that the worst-case scenario should be expected and it would be worth looking into advance construction.

**Mr. Davis** noted that alternative routes will be reviewed, and commented that Hamlin Road to the south is weight restricted during winter months. He stated that the adjacent subdivision roads may see more traffic.

**Scott Difilippo**, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC is working on several fundraising opportunities, including a post-Super Bowl bottle drive in several subdivisions this week. He noted that planning is continuing for a June 5K Run/Walk to benefit Neighborhood House.

**Mr. Yalamanchi** requested information regarding the total costs incurred to date for the Water Reservoir Project.

**Mayor Barnett** responded that approximately \$79,000 was incurred to date and noted that the TetraTech contract allows cancellation at no penalty with a seven-day notice.

**Mr. Davis** stated that TetraTech was asked to complete the work necessary to deliver the water model to the City's for its files and noted that it is expected that their work would be complete and the information delivered to the City by this coming Friday. He indicated that he would provide a final number after the completion of their work.

**Mr. Webber** announced that the 2011 Community Outlook Luncheon will be held on Tuesday, February 22, 2011 at Oakland University.

**Mr. Rosen** announced that the Road Commission for Oakland County would hold their biennial Strategic Planning Meeting at City Hall on Thursday, February 10, 2011 at 11:00 a.m. He complimented the City's road-clearing efforts during the recent snowstorm.

**Mr. Klomp** reported that the Fire and Ice Festival was held in downtown Rochester on January 27th through 29th and included a successful spaghetti dinner at Rochester's Fire Station to benefit the Rochester Area Youth Assistance.

**Mr. Brennan** noted that the City's goal is to conduct open and transparent government. He mentioned that he has spoken with Ms. DiSessa regarding regulating Pit Bulls in the City.

**Mr. Pixley** noted that he received several compliments regarding snow removal, noting that preparation in advance of the storm made a difference. He noted that the City should continue to monitor the Avon Road Bridge, as public safety is a number-one priority.

**President Hooper** noted that the Administration was directed to review the City's Dangerous Animal Ordinance and stated that interested individuals will be notified when it is brought before Council for discussion.

## ATTORNEY MATTERS

**President Hooper** mentioned that he and Mr. Klomp have received several e-mails regarding the interpretation of the use of property purchased under the Green Space Millage, and relative to previous discussions on the Tienken Road property. He mentioned that discussions were held between himself, Mr. Klomp and Mr. Staran and reported that the Green Space Advisory Board (GSAB) will be tasked with a review of the subject for their advice and recommendation to Council.

**John Staran**, City Attorney, stated that as mentioned, the most recent issue concerned the use of City park property for the now-discontinued water reservoir project. Over the years, there have been other instances and examples where there has been consideration and heated debate and controversy over the proposed use of portions of City Park property for different public or private development projects or infrastructure. He noted that the City's Bond Counsel provided input to a legal opinion specific to these properties. He stated that it is understandable that questions have arisen on how this impacts other properties that the City owns and what the uses or protections exist for property the City acquires. He commented that in his opinion, there are significant differences that would result in a different legal conclusion between properties being considered, such as the Tienken Road property and properties that have been acquired by the City for green space with the dedicated Green Space Millage. He noted that those properties have more protection based on the circumstances of that Millage that would make it far less likely, and far more difficult for those properties to be converted to a different use or developed as active recreation parks. He stated that this is not a new issue and pointed that that discussions have been held with the GSAB as far back as 2006 regarding issues such as this and some potential measures that the City could or should consider to provide another layer of protection or assurance for the residents to protect those properties and keep them in their park use, or in the case of green space properties, their natural undeveloped state. He noted that Mike Hartner, Director of Parks and Forestry, has begun the process to have this addressed by the GSAB; and mentioned that he has been asked to attend an upcoming GSAB meeting to discuss what measures and alternatives the GSAB should consider recommending to Council to provide these additional protections or assurances. He explained that Council could consider Resolutions of Intent, the adoption of Council Policies, adoption and recording of Restrictive Covenants, Preservation Easements or Ordinances. He

*noted that the City has not yet brought all its green space properties under the coverage of the City's Parks Ordinance. He stated that a number of measures will be discussed, and the GSAB will be requested to come before Council with recommendations to provide an additional level of assurance to residents that parks and green space properties will remain that way.*

**Mr. Klomp** mentioned that there is a clear definition of green space property acquired by the Green Space Millage. He questioned how that definition would apply to parks that have been acquired by different means.

**Mr. Staran** responded that green space properties can become parks. He explained that green space properties acquired with the voter-approved dedicated Green Space Millage are afforded additional specificity than those acquired by a bond millage such as the Tienken parcel. He noted that among the limitations of a Green Space Millage is the statement that the property is being acquired to permanently preserve green spaces. He pointed out that other statements of intent include minutes and the Green Space ballot question language. He stated that the clear intent is that green space properties be maintained in their natural state and are not to be improved, or turned into recreational facilities. He commented that having said that, there are additional possibilities that can be considered and discussed but have not been implemented. He would expect any additional considerations to be thoroughly vetted by the GSAB.

**Mr. Klomp** commented that as park properties are not so clearly defined as to use, park properties could be considered for soccer fields or other activities.

**Mr. Staran** responded that this was absolutely true.

**Mr. Klomp** stated that the discussions should result in a clear understanding of the distinction between the two types of properties.

**(Mr. Klomp exited at 8:04 p.m. and re-entered at 8:06 p.m.)**

## PRESENTATIONS

2011-0051 Update on Emergency Dispatch Services with Oakland County; Ron Crowell, Fire Chief, presenter

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

**Ron Crowell**, Fire Chief/Emergency Management Director, stated that it has been seven months since the decision was made to transfer Emergency Dispatch Services to Oakland County. He noted that following Council's direction to issue a Request for Proposal for Dispatch Services, it was expected that challenges would be encountered in the transition and that like-for-like services would not be provided. He stated that efforts have been expended as a team, to do everything possible to make the system work. He mentioned that had he not thought that this would be possible and the lives and safety of the City's residents would be in jeopardy, he would have voiced his opinion at that time.

*He explained that changes have been made by both the City and Oakland County for the betterment of service to the community. He pointed out that Oakland County dispatches from a Computer Aided Dispatch (CAD) system. Vince Foisy, Supervisor of Communication Systems and former dispatcher Dan Kupiec spent time working with Oakland County's dispatchers during the transition. He noted that he meets with Captain Tim Atkins, Oakland County Sheriff's Office, monthly and Mr. Foisy speaks with Chad Chewing and Mel Maier at Oakland County on a regular basis.*

*He reported that since the transition, response time has increased by approximately 30 seconds. He explained that the City originally had one Dispatcher and one call-taker. Oakland County has three call-takers and an east console and noted that times are dependent upon the number of incoming 911 calls. He noted that Oakland County services Rochester Hills, Oakland Township and Addison Township through an East Fire Dispatch Office and mentioned that Rochester Hills is the largest community provided dispatch services. He stated that it is his opinion that the system is working and mentioned that procedures are constantly tweaked to provide better service and safety to the City.*

**Mr. Webber** commented that everyone involved in the decision recognized that there would be challenges in the transition and questioned what efforts are underway to make sure that these challenges do not occur.

**Chief Crowell** responded that the County uses an Automatic Vehicle Locator system along with CAD. He explained that when a call comes in, the system will specify which unit needs to respond. He mentioned that occasionally, the unit called for is not the closest available to respond and the Rochester Hills Duty Captain will radio Oakland County's Dispatch to tell them that a different unit will be responding. He commented that the Duty Captain has the authority to make the decision to change the call and is responsible to provide the service.

**Mr. Klomp** mentioned that it was discussed that there would be positions for some of the displaced City dispatchers and questioned whether placements were made.

**Chief Crowell** responded that three of the City's former dispatchers were hired by Oakland County. He reported that one individual quit in November. He explained that with recent cuts made by Oakland County, a process began where Patrol Deputy positions eliminated allowed these Officers to bump back to the Jail, and Jail Officers bumped to Dispatch, displacing the two remaining City dispatchers. He noted that in discussions with Captain Atkins, one of the displaced Dispatchers indicated that they will not return if offered; the other displaced Dispatcher would be eligible for a position should someone else retire or leave.

**Mr. Klomp** questioned what is being done with the space previously allocated to Dispatch at Fire Station No. 1.



**Chief Crowell** responded that offices were moved from the back of the station to the front, and the facility was converted to house the EMS Coordinator and the Public Education Specialist. He noted that the City also maintains a mini-dispatch capability, able to handle any situation that could arise such as downed power lines or other non-emergency dispatches.

**Mr. Klomp** questioned what actual response times were and questioned whether additional patient transport services are being provided.

**Chief Crowell** noted that the average response time increased from 5.54 minutes to 6.15 minutes, noting that only emergency calls are included. He mentioned that the Department is working to enhance patient transport services, noting that these services have been doing better than he had anticipated.

**Mr. Pixley** commented that he knows that the Administration is very focused on making sure that the system is right. He stated that it was expected that there would be some challenges going forward and expressed his appreciation for the communication with the County to ensure that the highest level of service is provided.

Presented.

## 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.

**2011-0037** Approval of Minutes - City Council Regular Meeting - January 10, 2011

**Attachments:** [CC Min 011011.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0021-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 10, 2011 be approved as presented.

## Passed the Consent Agenda

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

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

## NOMINATIONS/APPOINTMENTS

2011-0058 Request to Confirm the Mayor's appointment of Rosemary Donovan to the Rochester Hills Board of Review for a three-year term to expire December 31, 2013

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

**A motion was made by Brennan, seconded by Yalamanchi, that this matter be Adopted by Resolution. The motion carried by the following vote.**

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

Enactment No: RES0022-2011

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Rosemary Donovan to the Rochester Hills Board of Review for a three-year term to expire December 31, 2013.

## NEW BUSINESS

2009-0519 Request for Purchase Authorization - FIRE: Increase to Blanket Purchase Order for EMS billing and reporting services in the amount of \$4,188.02 for a new not-to-exceed amount of \$94,188.02; AccuMed Billing, Inc., Riverview, MI

**Attachments:** [Agenda Summary.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**Ron Crowell**, Fire Chief/Emergency Management Director, explained that the increase in the Blanket Purchase Order is requested because of increases in emergency 911 EMS calls along with increases in basic transport services. He noted that the City received an additional \$135,000 in income, which increases the percentage it must pay to complete last year's billing period.

**President Hooper** questioned whether revenue increased beyond the original estimate.

**Chief Crowell** responded that the City's EMS services were reorganized in 2010 and noted that ambulances are now staffed with Paid-On-Call employees. He noted that costs for supplies and fuel usage have not increased. He stated that the services are within budget.

**A motion was made by Yalamanchi, seconded by Klomp, that this matter be Adopted by Resolution. The motion carried by the following vote.**

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

Enactment No: RES0023-2011

**Resolved**, that the Rochester Hills City Council authorizes the increase to the Blanket Purchase Order to AccuMed Billing, Inc., Riverview, Michigan for EMS billing and reporting services in the amount of \$4,188.02 for a new not-to-exceed amount of \$94,188.02.

**2009-0092** Request to Schedule a Public Hearing Regarding Tax Abatement Transfer for Magna Electronics to Magna eCar USA, LP

**Attachments:** [Agenda Summary.pdf](#)  
[Application Transfer.pdf](#)  
[Application.pdf](#)  
[031610 Agenda Summary.pdf](#)  
[Analysis.pdf](#)  
[Development Agreement.pdf](#)  
[Application.pdf](#)  
[Suppl Presentation.pdf](#)  
[030209 Agenda Summary.pdf](#)  
[030209 Resolution.pdf](#)  
[031610 Resolution.pdf](#)  
[Resolution.pdf](#)

**Ed Anzek**, Director of Planning and Development, stated that this request to schedule a Public Hearing is to recognize the name change of Magna Electronics to Magna eCar USA, LP. He mentioned that Magna Electronics has been doing very well and has merged with Magna eCar. He explained that the State Tax Commission has determined that this transfer is necessary.

**A motion was made by Webber, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote.**

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

Enactment No: RES0024-2011

**Whereas**, on March 16, 2009, the Rochester Hills City Council established an Industrial Development District identified as 1935-1955 Enterprise Dr., further identified as:

Lots 1, 2 and the west 96' of Lot 3 of "T.A.N. Industrial Park" a subdivision of part of the North 1/4 of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 184 of Plats, Pages 16 through 18 of the Oakland County Records; and

**Whereas**, the Rochester Hills City Council approved an Industrial Facilities Exemption Certificate, IFT #2009-143 on March 16, 2009 for Magna Electronics for a period of eight (8) years, to be located at the Industrial Development District described above; and

**Whereas**, Public Act 198, 207.571, Sec. 21 (1) states that the holder of an IFT may transfer it to another entity with the approval of the local government unit and the commission after application by the new owner and notice and hearing in the same manner as provided in section 5 for the application for a certificate; and

**Whereas**, the City received an application from Magna eCar USA, LP, the new company name of Magna Electronics on January 20, 2011 requesting the transfer of IFT #2009-143; and

**Whereas**, the application further states that this request is the result of a name change only from Magna Electronics to Magna eCar USA, LP, the latter of which will assume all

rights and obligations under existing agreements.

**Resolved**, that the Rochester Hills City Council hereby schedules a Public Hearing to consider the request on Monday, February 28, 2011 at 7 p.m. in the Council Chambers of the Rochester Hills City Council, located at 1000 Rochester Hills Dr., Rochester Hills, MI 48309; and

**Be It Further Resolved**, to send a certified copy of the notice to Magna eCar USA, LP, attention Kevin Pavlov, 1955 Enterprise Drive, Rochester Hills, MI 48309 no later than Friday, February 18, 2011; and

**Be It Further Resolved**, to authorize the City Clerk to publish notice of the Public Hearing in a paper of general circulation on or before Thursday, February 17, 2011; and

**Be It Finally Resolved**, to authorize the Planning and Economic Development Department to notify the taxing authorities of the Public Hearing by certified mail no later than Monday, February 21, 2011.

**2011-0057** Request for Approval of an Interlocal Agreement with Shelby Township for Building Department Plan Review and Inspection Services

**Attachments:** [Agenda Summary.pdf](#)  
[Interlocal Agreement.pdf](#)  
[Inter-Local Agreement \(Date Corrected\).pdf](#)  
[Resolution.pdf](#)  
[Suppl Resolution \(Revised\).pdf](#)

**Mayor Barnett** recognized Scott Cope, Director of Building/Ordinance Compliance, stating that his leadership has culminated in something very unique. He explained that Mr. Cope convened a meeting of building department officials county-wide to present ideas of job sharing across municipal borders. Shelby Township was the first to express interest; and their Township Board approved the arrangement two weeks ago.

**Scott Cope**, Director of Building/Ordinance Compliance, reported that building department officials were gathered to discuss shared services with the intent of helping each other to save costs while continuing to provide a full-range of services to the community. He noted that the Interlocal Agreement presented tonight does not require any compensation be paid by either municipality, as it includes a window of 50 hours that can be utilized by either community at no cost. He mentioned that this just scratches the surface of the potential for shared services between public entities and could set a tone for how other services could be shared. He noted that the two communities would get together to work out details of the shared services, commenting that while it is easy to say that employees will be shared, each community has differences in its methods of operation and how Ordinances are enforced. He pointed out that both communities utilize the State Building Code. He mentioned that discussions will be held with Shelby officials to ensure that customers of both communities will receive the same type of service they are accustomed to. He explained that the wheels of determining the scope of shared services turn very slowly, noting that it takes much communication and discussion. He pointed out that the key to the agreement is that there is no out-of-pocket money by either community. He mentioned that he would be meeting with another community this coming Friday to expand the possibilities of shared services.

**President Hooper** questioned whether the other community could be named and how billing between the communities would be reconciled.

**Mr. Cope** responded that he would prefer not to name the other community at this time. He explained that billing between the two communities would be reconciled every six months, with a charge assessed at the rate of \$75 per hour for any time rendered to the other community in excess of 50 hours.

**Mr. Webber** mentioned that this is exactly what Council's Strategic Planning Goals and Objectives call for and is a reason why the Sister City Committees between Rochester and Auburn Hills exist. He noted that the concept is very innovative and takes time.

**Mr. Pixley** concurred, stating that the City will hopefully become a model going forward. He mentioned that while no dollars will change hands, it could benefit the City in reduced third-party or overtime costs.

**Mr. Cope** mentioned that it could reduce the necessity of having part-time inspectors, noting that the City currently has three.

**Mayor Barnett** noted that an updated resolution was provided as Supplemental Information. This resolution was revised to ensure that its passage does not tie the City to the draft agreement included. He mentioned that credit is due to Mr. Cope for his leadership, pointing out that there has been much discussion in Lansing with the suggestion that future funding will be tied to collaboration. He stated that whether the City has a large project going forward, such as the \$60 million Crittenton Hospital expansion, or an inspector who needs to go on short-term disability, this will provide an alternative to utilizing overtime or part-time employees.

**Mr. Yalamanchi** questioned whether the proposed shared services would prove more economical than utilizing part-time help and whether similar agreements would be developed for other communities and other City departments.

**Mr. Cope** responded that it would be more economical than calling in part-time help, as there would be no cost for the first 50 hours. He mentioned that other agreements would be developed in a similar manner, stating that this could provide the City with unlimited resources. He pointed out that the agreement states that the City's own work is its first priority; and if unable to provide manpower to the other community because of workload, it would not be required to. He commented that the City could potentially have eight resources around it in its neighboring communities and there is hope that at some point resources can be shared back and forth. He stated that the key is to develop a relationship with a community and show that the concept of shared services can work.

**Mr. Yalamanchi** expressed hope that more governmental units will move toward aggressive consolidation.

**Mr. Cope** noted that it was Council's direction that spurred these efforts.

**Mayor Barnett** stated that the City is considered a leader in consolidation of services.

**Mr. Rosen** mentioned that all building inspectors in Oakland County use the State's Building Code; as opposed to a plow driver who uses an individual City's policy to clear streets. He requested clarification of the paragraph regarding payment, and questioned whether at six months the balance of any hours goes to zero.

**Mr. Cope** responded that a cumulative running total of hours would be kept. He explained that at the reconciliation, any balance which exceeds 50 hours would be paid to the other community. He mentioned that \$75 an hour is a reasonable cost to assess for those hours.

**Mr. Yalamanchi** questioned whether all department services would be included, such as plan reviews and inspections.

**Mr. Cope** responded that services would include those related to Building Codes, including electrical, mechanical, plumbing, fire suppression, fire alarm and plan reviews for code compliance as well. He stated that services would not include Ordinance inspections or enforcement, as other communities would have to learn the City's Ordinances to provide those services. He noted that discussions with Shelby Township's building officials will include any special ordinances that must be reviewed for compliance during inspections. He expressed his thanks to City Attorney John Staran for his assistance in providing the draft agreement, noting that it is without complexities to make it easy to communicate with other communities.

**A motion was made by Webber, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote.**

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

Enactment No: RES0025-2011

**Resolved**, that the Rochester Hills City Council hereby approves the concept of an Interlocal Agreement between the City of Rochester Hills and the Charter Township of Shelby for the sharing of Building Department Plan Review and Inspection Services and authorizes the Mayor to negotiate the details and execute an agreement on behalf of the City.

## **COUNCIL COMMITTEE REPORTS**

*None.*

## **ANY OTHER BUSINESS**

*None.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, February 28, 2011 - 7:00 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 8:51 p.m.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*MARY JO WHITBEY  
Administrative Secretary  
City Clerk's Office*

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