



Rochester Hills Minutes

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Community Development & Viability Committee

*Ed Anzek, Bryan Barnett, Scott Cope, Frank Cosenza, Barbara Holder, Jim Duistermars,
Michael Kaszubski, Erin Mozer, Roger Rousse, Katie Talbert, Mark Witte*

Thursday, October 28, 2004

5:30 PM

1000 Rochester Hills Drive

DRAFT

CALL TO ORDER

Chairperson Bryan Barnett called the Community Development & Viability Committee meeting to order at 5:33 PM.

ROLL CALL

Present: Bryan Barnett, Barbara Holder, Jim Duistermars and Frank Cosenza

Absent: Michael Kaszubski

Non-Voting Members Present: Ed Anzek, Scott Cope, Roger Rousse, Erin Mozer, Katie Talbert and Mark Witte

Non-Voting Members Absent: None

APPROVAL OF MINUTES

None Presented

COMMUNICATIONS

2004-0908 Amended Community Development & Viability Bylaws.

Attachments: CDV Bylaws Final 09-22-04.pdf; Memo Galeczka - Bylaws Amdmts 092204.pdf

Received and Filed

UNFINISHED BUSINESS

None Presented

NEW BUSINESS

2004-0895 Request from residents regarding amendments to City Ordinance Section 138-1338, Roadside stands and Markets and Christmas Tree Sales to Community Development Viability Committee for review and recommendation.

Attachments: Agenda Summary.pdf; Letter 100604 Sciarrino.pdf; Ord Sec 138-1338.pdf; Draft Min CC 102004 Excerpt.pdf; 0895 Resolution.pdf; 092999SPCCExcerpt.pdf; 111799CCExcerpt.pdf; 120199CCExcerpt.pdf; 021600CCExcerpt.pdf; 040500CCExcerpt.pdf; 041900CCExcerpt.pdf; 02

Chairperson Bryan Barnett welcomed Vince Schrino, General Manager at Papa Joe's Grocery Market.

Mr. Schrino made his presentation as follows:

- * *Papa Joe's is a "World-Class" specialized Grocery Market.*
- * *Papa Joe's does not carry a range of products like other grocers, such as, Krogers, Meijers and Farmer Jack.*
- * *Specifically one of Papa Joe's peak items is farm fresh produce.*
- * *Over the past few months, sales have been decreasing in produce section of Papa Joe's.*
- * *Attributes sales decline to the Roadside Stand at Avon and Rochester roads with the following reasons:*
 - * *Roadside stand has a 50-foot tent.*
 - * *Stand is open seven (7) days a week from 7:00 am until 7:00 pm.*
 - * *Stand has a "peak season" permit from May 31st through October 31st.*
 - * *Stand received permission from the landlord to set-up roadside stand in parking lot.*
 - * *Papa Joe's customers are shopping the roadside stand.*
 - * *Concerned with regular customers not buying produce from Papa Joe's, then they are also not purchasing whatever else Papa Joe's has to sell, such as, seafood or deli.*
- * *Expressed health concerns including the following:*
 - * *Roadside stand is not required to be licensed by Food and Drug Administration.*
 - * *Stand is not bound by compliances with Health Department.*
 - * *Sanitization areas are not required to clean the product or hands.*
- * *Expressed concerns over opening a new Papa Joe's location at Tienken and Rochester Roads making the following points:*
 - * *Main concern is the possibility of an additional roadside stand opening near the Papa Joe's new site, noting that a roadside stand has made inquiries about the adjacent vacant property located at Tienken and Rochester Roads.*
 - * *It is estimated a minimum of \$60 to \$100 thousand in sales lost due to roadside stands.*
 - * *Papa Joe's anticipates investing \$25 million into developing new location.*
 - * *Papa Joe's new location will increase Rochester Hills tax base.*
 - * *New site will employ 200 - 300 local residents.*

Mr. Schrino stated his understanding is that the current Ordinance allows roadside stands to sell only locally grown produce and that this particular roadside stand is selling other items, such as, peanuts, lemons, grapefruit and Vidalia onions. He requested as a courtesy to businesses that provide an "all-year" tax benefit and employment to the community, that the Ordinance be amended to prohibit roadside stands.

Scott Cope, Director of Building Department, along with Jack Sage, Ordinance Inspector, clarified the current Ordinance and the cost of a roadside stand permit noting the following:

* *Permit cost \$200 with \$1000 cash bond and has a limited time frame.*

* *In 1967 the Ordinance which was adopted by Zoning Board of Appeals reflected roadside stands were subject to products to be grown on premises.*

* *In 1975 the Ordinance was removed from Zoning Board of Appeals hands and was subject to the following:*

* *Building Department permit required.*

* *Produce had to be grown in Avon Township or property leased or owned by the owner to the roadside stand.*

* *Other restrictions were added, such as, types of structures, which had to be temporary and portable, hours of operation, lighting, signs and so forth.*

* *The 1991 Ordinance reflects two amendments:*

* *To include flowers with produce.*

* *When a permit was issued for the selling of produce not grown in the township, the permit holder should be registered as a business; within the last eight (8) years, this requirement was removed from the Ordinance.*

* *In 2000 an amendment to the Ordinance eliminated the requirement that produce must be grown in the community on property leased or owned by the individual.*

Council member Holder agreed with the amendment to the Ordinance for the following reasons:

* *Community consists of a large number of retirees.*

* *Retirees are able to supplement their income by selling home grown produce.*

* *Inquired if Papa Joe's did a market analysis of why the loss of sales is happening.*

Mr. Schrino responded that he performed a market analysis as follows:

* *Looked at last three (3) years of sales of groceries and deli.*

* *Looked at sales in total stores.*

* *Determined a major reduction in produce sales is the most significant.*

Ms. Holder inquired whether or not Mr. Schrino knew if other area stores saw a decrease in produce sales.

Mr. Schrino responded that he did not know.

Committee members discussed the possibility of looking at neighboring communities.

Mr. Schrino expressed his opinion that Downtown Rochester is becoming a downtown area and that roadside stands do not belong in a downtown area.

Chairperson Barnett thanked Mr. Schrino for coming forward to the Committee with his concerns. He assured Mr. Schrino that the Committee will inquire with neighboring communities regarding their regulations and/or Ordinances and get back with him.

Discussed

2004-0626

Discussion regarding Oakland County's commitment to the NO HAZ Consortium

Attachments: Agenda Summary.pdf; No-haz agenda 1-19-05.pdf; 0626 Agreement.pdf; nohaz2003-2005budget.pdf; nohaz2005projectedcosts-exhibita.pdf; 072104 Agenda Summary.pdf; Letter Oak Cty 20040618.pdf; Consortion Succession Plan.pdf; PowerPoint Presentation.pdf; 2003200

Committee commenced with discussion regarding Oakland County's commitment to the NO-HAZ Consortium as follows:

- * *No-Haz is our hazardous waste collection program.*
- * *Rochester Hills has completed its second year of participation.*
- * *Oakland County will remain in program through 2005.*
- * *Currently, fifteen (15) communities participate in the No-Haz Program.*

- * *City of Pontiac, Groveland and Lake Angelus are considering withdrawing from program.*
 - * *Pontiac has a large population with zero or little participation.*
 - * *Rochester Hills cost for 2005 with Pontiac and others participating is \$9,700.*
 - * *Rochester Hills cost for 2005 without Pontiac and others participating is \$12,000.*

Jack Sage, Ordinance Inspector, reviewed the No-Haz budget.

- * *There are two (2) events for 2005, Spring and Fall, down from six (6) events in 2004.*
- * *Actual 2004 budget was \$35,000.*
- * *Total Cost for 2004 was \$27,532 with 280 cars participating at \$30 per car plus Administrative costs.*
- * *When the average cost per car decreases, the program cost decreases.*
- * *Budget is based on projected cars.*
- * *Actual 2005 budget is one-half of 2004 budget as follows:*
 - * *Amounts to \$12,000 based on an average of 254 cars.*
 - * *Fifty (50%) percent is Administration costs.*
 - * *Fifty (50%) percent is variable costs.*
- * *Appointment schedule discussion commenced as follows:*
 - * *Appointments are from 8:00 am - 12:00 noon.*
 - * *Open from 12:00 noon - 3:00 pm*
- * *After 2005, Oakland County will not be involved in No-Haz program.*

Committee members discussed having a management company facilitate the No-Haz program.

It was noted that Oakland County has agreed to cover the legal fees, draft legal documents with management company that will be collecting the hazardous material.

Chairperson Barnett agrees the City of Rochester Hills should commit to No-Haz program for one (1) more year and requested Mr. Sage to present final cost numbers at future CDV meeting.

Referred to the City Council

YOUTH COMMENTS

None Presented.

ANY OTHER BUSINESS

Committee briefly discussed updates to Residential Street Millage and noted that the Rochester Eccentric will feature Sunday's issue entirely to the Ballots issues which will include letters to the editor.

NEXT MEETING DATE

November 18, 2004

ADJOURNMENT

There being no further business to discuss, Chairperson Barnett adjourned the meeting at 6:30 PM.

Minutes prepared by Sue Busam.

Minutes were approved as presented at the March 24, 2005 Regular Community Development & Viability Committee Meeting.