



Rochester Hills Minutes City Council Regular Meeting

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

Wednesday, October 5, 2005

7:30 PM

1000 Rochester Hills Drive

DRAFT

CALL TO ORDER

President Hill called the Regular Rochester Hills City Council Meeting to order at 7:39 p.m. Michigan Time.

ROLL CALL

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

Absent: Jim Duistermars

Others Present:

*Pat Somerville, Mayor
John Staran, City Attorney
Jane Leslie, City Clerk
Ed Anzek, Director of Planning/Development
Scott Cope, Director of Building/Ordinance Enforcement
Ron Crowell, Fire Chief
Julie Jenuwine, Director of Finance
Raymond "Bud" Leafdale, General Superintendent
Roger Rousse, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council hereby approves the Agenda of the Regular Rochester Hills City Council Meeting of October 5, 2005 as presented.

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

The motion carried by the following vote:

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

Absent: Duistermars

PUBLIC COMMENT

Ms. Lori Crose, 550 Lockport Road, representing Oakland University, announced the "Second Annual Emergency Preparedness for Business Continuity Conference" to be held on November 10th. She indicated that the conference is intended to inform businesses about emergency response plans to promote personal safety and business preservation.

Ms. Beth Tilove, 769 Snowmass Drive, listed various efforts on the part of the Residential Streets Ad Hoc Committee to inform residents about the road millage proposal on the upcoming November Ballot:

- * Informational program in conjunction with the League of Women Voters to air on Channel 55.
- * Informational mailing to all residents.
- * OPC candidates luncheon.
- * Town hall meetings.
- * Meeting with the Detroit News Editorial Board.

Mr. Barnett clarified that all of these efforts were being coordinated by the citizen's ad hoc committee, not City staff nor elected officials.

Ms. Brenda Mueller, 2649 Winter Park Road, announced the formation of an advocacy group called Citizens for Better Streets in support of the road millage.

Ms. Kathy Bommarito, 898 Augusta Drive and **Ms. Joanne Marcil**, 547 Augusta Drive, announced that their Brookwood subdivision would be holding their seventh annual flea market on October 22nd to benefit "Make a Difference Day," which they described as "the largest community service effort in the nation rallying charitable organizations and citizens into action on one day."

Ms. Debbie Geen, 3128 Walton Boulevard, Chairperson of the Residential Vision Committee, questioned Council's spending on certain budget items in lieu of plowing roads and criticized the size of the road millage proposal. She urged Council to contact a consultant who she claimed would provide a presentation free of charge to assist the City with its financial issues.

President Hill noted that the road millage request is actually smaller than in previous years and that her request to Ms. Geen to provide more information about the financial consultant has yet to be fulfilled.

(Mr. Duistermars entered at 7:43 p.m.)

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Somerville announced that there were still appointments available for the October flu shot clinic to be held in City Hall.

Ms. Raschke thanked those who participated in her husband's fundraiser.

Mr. Barnett urged residents to become informed about the road millage proposal and to vote in November.

Ms. Holder displayed a photo of former City Clerk Bev Jasinski's mother who recently celebrated her 102nd birthday.

President Hill encouraged residents to attend the Pumpkin Festival at the Van Hoosen Museum on October 8th.

ATTORNEY MATTERS

City Attorney John Staran announced that he had delivered a check to the City for approximately \$300,000 representing the cash portion of the Lombardo Companies' Meadowfield/Nowicki Park land swap agreement.

RECOGNITIONS/PRESENTATIONS

2005-0615 Mayor's Proclamation in Recognition of National Physical Therapy Month

Attachments: Agenda Summary.pdf; Proclamation.pdf

Mayor Somerville read the following proclamation.

**City of Rochester Hills
Office of the Mayor**

National Physical Therapy Month

Whereas, the American Physical Therapy Association has designated October as National Physical Therapy Month; and

Whereas, the theme for this year's celebration, "Physical Therapy: Your Health. Our Hands," truly reflects a "hands on" profession; and

Whereas, dedicated and skilled physical therapists, being committed to better health for all, help citizens lead more productive and functional lives through the benefit of physical therapy rehabilitation; and

Whereas, in honor of this celebration, HealthQuest Physical Therapy and Wellness Center of Rochester Hills is encouraging Rochester Hills community members to get their "hearts pumping" by starting a walking program with family members, friends, neighbors or their favorite pet!

Now, Therefore, I, Pat Somerville, Mayor of the City of Rochester Hills, do hereby proclaim the month of October 2005 as "PHYSICAL THERAPY MONTH" in the City of Rochester Hills and urge all public officials and private citizens to join with the physical therapy profession to secure better health care for all our citizens.

In Witness Whereof, I have hereunto set my hand and caused my Seal to be affixed this twenty-first day of September two thousand five.

**Pat Somerville, Mayor
City of Rochester Hills**

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.

2005-0616 Approval of Minutes - Regular City Council Meeting - June 1, 2005

Attachments: Min CC 060105.pdf; 0616 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 June 1, 2005 be approved as presented.

Enactment No: RES0315-2005

2005-0619 Approval of Minutes - Regular City Council Meeting - June 15, 2005

Attachments: Min CC 061505.pdf; 0619 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 June 15, 2005 be approved as presented.

Enactment No: RES0316-2005

2005-0640 Approval of Minutes - Regular City Council Meeting and Work Session - June 22, 2005

Attachments: Min CC 062205.pdf; 0640 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting and Work Session held on June 22, 2005 be approved as presented.

Enactment No: RES0317-2005

Passed The Consent Agenda

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

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

UNFINISHED BUSINESS

2005-0514 Adoption of General Fund - 2006 Budget (100's)

Attachments: Agenda Summary Budget Adoption.pdf; 092805 Final Recap all changes.pdf; 091405 Agenda Summary.pdf; Memo Jenuwine 090205.pdf; Memo Jenuwine 082205 - 2006 Q&A.pdf; Memo Jenuwine Monday responses.pdf; Memo Jenuwine Tuesdays II responses1.pdf; Memo Jenuwine

Ms. Julie Jenuwine, Director of Finance, indicated that the 2006 budget under consideration reflects all of the changes for which Council reached consensus during the budget work sessions.

President Hill indicated that she would have preferred that the \$1.7 million being transferred to the CIP be designated for local roads regardless of the outcome of the November election.

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from

the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the General Fund Budget for Fiscal Year 2006 as follows:

Fund Balance to Balance	\$ 23,140
City Taxes	10,987,170
Licenses & Permits	2,136,700
State Shared Revenue	5,201,820
Charges for Service	5,517,290
Fines & Forfeitures	112,000
Investment Earnings	480,000
Other Revenue	226,050
Total General Fund Revenues	\$24,684,170
Total General Fund Expenditures	\$24,684,170

The motion carried by the following vote:

Aye: Barnett, Dalton, Duistermars, Holder and Raschke

Nay: Hill and Robbins

Enactment No: RES0318-2005

2005-0516

Adoption of Special Revenue Funds - 2006 Budget (200's)

Attachments: 0516 Resolution.pdf

President Hill indicated that she does not agree with the number of personnel being added to the Fire Department and police services.

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in

the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Major Road Fund (202) Budget for Fiscal Year 2006 as follows:

Fund Balance	\$2,836,840
State Shared Revenue	3,220,010
Charges for Service	213,950
Investment Earnings	300,000
Other Revenue	2,387,360
Transfer-In	1,692,480
Total Major Road Fund Revenues	\$10,650,640
Total Major Road Fund Expenditures	\$10,650,640

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Fund (203) Budget for Fiscal Year 2006 as follows:

Fund Balance	\$ 828,220
License & Permits	10,000
State Shared Revenue	1,216,070
Municipal Contributions	40,000
Charges for Service	102,200
Investment Earnings	73,080
Other Revenue	20,390
Transfer-In	25,000
Total Local Street Fund Revenues	\$2,314,960
Total Local Street Fund Expenditures	\$2,314,960

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Fire Department Fund (206) Budget for Fiscal Year 2006 as follows:

Taxes	\$6,446,500
License & Permits	13,500
State Shared Revenue	3,450
Charges for Service	959,500
Fines & Forfeitures	8,000
Investment Earnings	90,000
Other Revenue	2,000
Total Fire Department Fund Revenues	\$7,522,950
Total Fire Department Fund Expenditures	\$7,522,950

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Special Police Protection Fund (207) Budget for Fiscal Year 2006 as follows:

Fund Balance	\$ 330,350
Taxes	4,137,640
Licenses & Permits	24,000
State Shared Revenue	28,000
Municipal Contributions	228,680
Charges for Service	105,810
Fines & Forfeitures	390,000
Investment Earnings	90,000
Transfer In	2,566,700

Total Special Police Protection Fund Revenues	\$7,901,180
Total Special Police Protection Fund Expenditures	\$7,901,180

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Stoney Creek Perpetual Care Fund (211) Budget for Fiscal Year 2006 as follows:

Charges for Service	\$37,000
Investment Earnings	22,000
Total Stoney Creek Perpetual Care Fund Revenues	\$59,000
Total Stoney Creek Perpetual Care Fund Expenditures	\$59,000

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Rochester Avon Recreation Authority (R.A.R.A.) Millage Fund (213) Budget for Fiscal Year 2006 as follows:

Taxes	\$538,150
Total R.A.R.A. Millage Fund Revenues	\$538,150
Total R.A.R.A. Millage Fund Expenditures	\$538,150

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Pathway Maintenance Fund (214) Budget for Fiscal Year 2006 as follows:

Taxes	\$434,630
Charges for Service	1,200
Investment Earnings	6,230
Total Pathway Maintenance Fund Revenues	\$442,060
Total Pathway Maintenance Fund Expenditures	\$442,060

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Tree Fund (232) Budget for Fiscal Year 2006 as follows:

Fund Balance	\$164,950
Charges for Service	30,000
Investment Earnings	20,000
Total Tree Fund Revenues	\$214,950
Total Tree Fund Expenditures	\$214,950

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Public Improvement / Drain Fund (244) Budget for Fiscal Year 2006 as follows:

Fund Balance	\$3,345,330
Taxes	1,196,340
License & Permits	500
Charges for Service	86,000
Investment Earnings	135,000
Total Public Improvement / Drain Fund Revenues	\$4,763,170
Total Public Improvement / Drain Fund Expenditures	\$4,763,170

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Older Person's Commission (O.P.C.) Millage Fund (265) Budget for Fiscal Year 2006 as follows:

Taxes	\$1,128,510
Total O.P.C. Millage Fund Revenues	\$1,128,510
Total O.P.C. Millage Fund Expenditures	\$1,128,510

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Green Space / Natural Features Fund (299) Budget for Fiscal Year 2006 as follows:

Taxes	\$1,017,870
Total Green Space Fund Revenues	\$1,017,870
Total Green Space Fund Expenditures	\$1,017,870

The motion carried by the following vote:

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

Enactment No: RES0319-2005

2005-0517

Adoption of Debt Funds - 2006 Budget (300's)

Attachments: 0517 Resolution.pdf

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Improvement Bond Fund / 2001 Series Budget for Fiscal Year 2006 as follows:

Fund 313 - Local Street Improvement Bond Fund / 2001 Series:

Fund Balance	\$108,000
Interest Earnings	24,000
Transfer In	57,320

Total Local Street Debt Fund / 2001 Series Revenues	\$189,320
Total Local Street Debt Fund / 2001 Series Expenditures	\$189,320

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Improvement S.A.D. Bond Fund / 2001 Series Budget for Fiscal Year 2006 as follow:

Fund 314 - Local Street Improvement S.A.D. Bond Fund / 2001 Series:

Fund Balance	\$63,360
Interest Earnings	34,760
Principal	24,920
Transfer In	91,760

Total Local Street S.A.D. Debt Fund / 2001 Series Revenue	\$214,800
Total Local Street S.A.D. Debt Fund / 2001 Series Expenditures	\$214,800

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Improvement Bond Fund / 2002 Series Budget for Fiscal Year 2006 as follows:

Fund 325 - Local Street Improvement Bond Fund / 2002 Series:

Fund Balance	\$183,400
Interest Earnings	45,000
Transfer In	137,990

Total Local Street Debt Fund / 2002 Series Revenues	\$366,390
Total Local Street Debt Fund / 2002 Series Expenditures	\$366,390

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Drain Debt Fund Budget for Fiscal Year 2006 as follows:

Fund 331 - Drain Debt Fund:

Taxes	\$2,196,550
Interest Earnings	13,850

Total Drain Debt Fund Revenues	\$2,210,400
Total Drain Debt Fund Expenditures	\$2,210,400

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Improvement S.A.D. Bond Fund / 1994 Series Budget for Fiscal Year 2006 as follow:

Fund 337 - Local Street Improvement S.A.D. Bond Fund / 1994 Series:

Fund Balance	\$153,150
Interest Earnings	20,790
Principal	10,080

Total Local Street S.A.D. Debt Fund / 1994 Series Revenues	\$184,020
Total Local Street S.A.D. Debt Fund / 1994 Series Expenditures	\$184,020

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Street Improvement S.A.D. Bond Fund / 1995 Series Budget for Fiscal Year 2006 as follow:

Fund 338 - Local Street Improvement S.A.D. Bond Fund / 1995 Series:

Fund Balance	\$113,500
Interest Earnings	19,320
Principal	12,400
Transfer In	53,740

Total Local Street S.A.D. Debt Fund / 1994 Series Revenues	\$198,960
Total Local Street S.A.D. Debt Fund / 1994 Series Expenditures	\$198,960

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Older Person's Commission (O.P.C.) Building Debt Fund Budget for Fiscal Year 2006 as follows:

Fund 368 - Older Person's Commission (O.P.C.) Building Debt Fund:

Taxes	\$732,190
Interest Earnings	5,700

Total O.P.C. Building Debt Fund Revenues	\$737,890
Total O.P.C. Building Debt Fund Expenditures	\$737,890

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Municipal Building Debt Fund Budget for Fiscal Year 2006 as follows:

Fund 370 - Municipal Building Debt Fund:

Interest Earnings	\$ 400
Transfer In	679,610

Total Municipal Building Debt Fund Revenues	\$680,010
Total Municipal Building Debt Fund Expenditures	\$680,010

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Refunding Bond Debt Fund / 1998 Series Budget for Fiscal Year 2006 as follows:

Fund 391 - Refunding Bond Debt Fund / 1998 Series:

Taxes	\$184,570
Interest Earnings	2,880

Total Refunding Bond Debt Fund / 1998 Series Revenues	\$187,450
Total Refunding Bond Debt Fund / 1998 Series Expenditures	\$187,450

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Refunding Bond Debt Fund / 2002 Series Budget for Fiscal Year 2006 as follows:

Fund 392 - Refunding Bond Debt Fund / 2002 Series:

Fund Balance	\$ 174,400
Taxes	1,196,680
Interest Earnings	24,950

Total Refunding Bond Debt Fund / 2002 Series Revenues	\$1,396,030
Total Refunding Bond Debt Fund / 2002 Series Expenditures	\$1,396,030

The motion carried by the following vote:

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

Enactment No: RES0320-2005

2005-0518

Adoption of Capital Funds - 2006 Budget (400's)

Attachments: 0518 Resolution.pdf

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Fire Capital Fund Budget for Fiscal Year 2006 as follows:

Fund 402 - Fire Capital Fund:

Interest Earnings	\$120,000
Transfer In	796,810
Total Fire Capital Fund Revenues	\$916,810
Total Fire Capital Fund Expenditures	\$916,810

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Pathway Construction Fund Budget for Fiscal Year 2006 as follow:

Fund 403 - Pathway Construction Fund:

Fund Balance	\$425,060
Charges for Service	800
Interest Earnings	45,000
Transfer In	207,640
Total Pathway Construction Fund Revenues	\$678,500
Total Pathway Construction Fund Expenditures	\$678,500

Resolved, that the City Council of the City of Rochester Hills hereby adopts the

Capital Improvement Fund Budget for Fiscal Year 2006 as follows:

Fund 420 - Capital Improvement Fund:

Interest Earnings	\$ 30,000
Transfer In	2,609,420
Total Capital Improvement Fund Revenues	\$2,639,420
Total Capital Improvement Fund Expenditures	\$2,639,420

The motion carried by the following vote:

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

Nay: Hill

Enactment No: RES0321-2005

2005-0519

Adoption of Water and Sewer Funds - 2006 Budget (500's)

Attachments: 0519 Resolution.pdf

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its June 15, 2005 meeting City Council adopted Water and Sewer rates in accordance with 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, to Modify Water and Sewer Rates and Fees, repeal conflicting ordinances, and prescribe a penalty for violations to provide the revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Water and Sewer - Operating Fund Budget for Fiscal Year 2006 as follows:

Fund 592 - Water and Sewer - Operating Fund:

Retained Earnings	\$4,145,230
License & Permits	63,400
Charges for Service	25,861,130
Fines & Forfeitures	85,000
Interest Earnings	320,000
Other Revenue	5,000
Bond Proceeds	19,921,880
Total Water and Sewer - Operating Fund Revenues	\$50,401,640
Total Water and Sewer - Operating Fund Expenses	\$50,401,640

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Water and Sewer - Capital Improvement Fund Budget for Fiscal Year 2006 as follows:

Fund 572 - Water and Sewer - Capital Improvement Fund:

Transfer In	\$11,434,120
Total Water and Sewer – Capital Improvement Fund Revenues	\$11,434,120
Total Water and Sewer – Capital Improvement Fund Expenses	\$11,434,120

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Water and Sewer - Capital Replacement Fund Budget for Fiscal Year 2006 as follows:

Fund 574 - Water and Sewer - Capital Replacement Fund:

Transfer In	\$14,087,740
Total Water and Sewer – Capital Replacement Fund Revenues	\$14,087,740
Total Water and Sewer – Capital Replacement Fund Expenses	\$14,087,740

The motion carried by the following vote:

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

Enactment No: RES0322-2005

2005-0520

Adoption of Internal Services Funds - 2006 Budget (600's)

Attachments: 0520 Resolution.pdf

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Facilities Fund Budget for Fiscal Year 2006 as follows:

Fund 631 - Facilities Fund:

Retained Earnings	\$ 363,630
Charges for Service	2,906,160
Interest Earnings	105,000
Transfer In	1,644,500
Total Facilities Fund Revenues	\$5,019,290
Total Facilities Fund Expenses	\$5,019,290

Resolved, that the City Council of the City of Rochester Hills hereby adopts the MIS Fund Budget for Fiscal Year 2006 as follows:

Fund 636 - MIS Fund:

Retained Earnings	\$ 679,230
Charges for Service	1,816,370
Interest Earnings	84,000
Transfer In	219,000
Total MIS Fund Revenues	\$2,798,600
Total MIS Fund Expenses	\$2,798,600

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Fleet Equipment Fund Budget for Fiscal Year 2006 as follows:

Fund 661 - Fleet Equipment Fund:

Retained Earnings	\$ 486,520
Charges for Service	1,882,160
Interest Earnings	96,000
Transfer In	8,000
Total Fleet Equipment Fund Revenues	\$2,472,680
Total Fleet Equipment Fund Expenses	\$2,472,680

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Insurance Fund Budget for Fiscal Year 2006 as follows:

Fund 661 - Insurance Fund:

Charges for Service	\$676,970
Interest Earnings	11,000
Total Insurance Fund Revenues	\$687,970
Total Insurance Fund Expenses	\$687,970

The motion carried by the following vote:

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

Enactment No: RES0323-2005

2005-0522

Adoption of Agency Funds / Rochester Avon Recreation Authority (R.A.R.A.) Operating Fund; Older Person's Commission (O.P.C.) Operating Fund; Local Development Finance Authority (L.D.F.A.) Operating Fund; Economic Development Corporation (E.D.C.) - 2006 Budget (800's)

Attachments: 0522 Resolution.pdf

Mr. Dalton read the budget totals from the resolution.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and the Charter for the City of Rochester Hills, Chapter III, Section 3.2, the Mayor as the Chief Executive Officer shall prepare the budget proposal for the ensuing year and shall submit it to the Council at its first meeting in August; and

Whereas, at its August 3, 2005 meeting City Council acknowledged receipt from the Mayor of the Proposed 2006 Budget Plan and set a Public Hearing to be held September 7, 2005 at 7:30 p.m. to hear comments on the Proposed Budget Plan; and

Whereas, at its September 14, 2005 meeting City Council adopted the tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2005 to provide the tax revenues included in the 2006 Budget.

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Rochester Avon Recreation Authority (R.A.R.A.) Operating Fund Budget for Fiscal Year 2006 as follows:

Fund 808 - Rochester Avon Recreation Authority (R.A.R.A.) Operating Fund:

Municipal Contributions	\$ 609,585
Charges for Service	1,246,870
Interest Earnings	17,500
Miscellaneous Revenue	6,500
Total R.A.R.A. Operating Fund Revenues	\$1,880,455
Total R.A.R.A. Operating Fund Expenditures	\$1,880,455

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Older Person's Commission (O.P.C.) Operating Fund Budget for Fiscal Year 2006 as follows:

Fund 820 - Older Person's Commission (O.P.C.) Operating Fund:

State and Federal Grants	\$ 442,000
Municipal Contributions	1,699,652
Charges for Service	759,000
Interest Earnings	12,000
Miscellaneous Revenue	782,248
Total O.P.C. Operating Fund Revenues	\$3,694,900
Total O.P.C. Operating Fund Expenditures	\$3,694,900

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Local Development Finance Authority (L.D.F.A.) Fund Budget for Fiscal Year 2006 as follows:

Taxes	\$ 346,530
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Municipal Contributions	319,720
Interest Earnings	5,000
Transfer In	99,580
Total L.D.F.A. Fund Revenues	\$770,830
Total L.D.F.A. Fund Expenditures	\$770,830

Resolved, that the City Council of the City of Rochester Hills hereby adopts the Economic Development Corporation Fund Budget for Fiscal Year 2006 as follows:

Fund 893 - Economic Development Corporation (E.D.C.) Fund:

Fund Balance	\$ 1,190
Interest Earnings	70
Total E.D.C. Fund Revenues	\$1,260
Total E.D.C. Fund Expenditures	\$1,260

The motion carried by the following vote:

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

Enactment No: RES0324-2005

NEW BUSINESS

2005-0579

Approval of the Agreement for the Maintenance of the Storm Water Detention System between the City of Rochester Hills and Hamlin Associates, Inc., for Avon Lakes Subdivision No. 4 for Parcel No. 15-25-276-037

Attachments: Agenda Summary.pdf; Agreement.pdf; 0579 Resolution.pdf

Mr. Ed Anzek, Director of Planning/Development, indicated that the City's concerns regarding wetlands and the construction of a wall have been satisfied by the applicant.

Mr. Joel Garrett, President of Hamlin Associates, Inc., was present to address Council's questions.

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

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Storm Water System Maintenance Agreement, relative to the details of development and use, repair and maintenance of the storm water system, for Avon Lakes Subdivision No. 4, City File #80-976.4, between the City of Rochester Hills and Hamlin Associates, 5877 Livernois Road, Suite 103, Troy, Michigan 48098 affecting property identified as Parcel No. 15-25-276-037.

Further Resolved that the City Clerk is authorized to execute and deliver the Agreement on behalf of the City.

The motion carried by the following vote:

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

Enactment No: RES0325-2005

2005-0586

Acceptance of Amendment to Declaration of Covenants, Easements and Building and Use Restrictions of Avon Lakes Village Subdivisions, City File No.

80-976.4, located south of Mackwood and west of Dequindre Roads, Hamlin Associates, Inc., applicant

Attachments: Agenda Summary.pdf; Amendment DCE.pdf; 0586 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby accepts the Amendment to Declaration of Covenants, Easements and Building and Use Restrictions of Avon Lakes Village Subdivisions, City File No. 80-976.4, incorporating the final phase of the development in conformance with the Final Plat. The affected property is zoned R-4, One Family Residential, and identified as part of Parcel No. 15-25-276-037.

The motion carried by the following vote:

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

Enactment No: RES0326-2005

2005-0585

Final Plat Approval - City File No. 80-976.4 - Avon Lakes Village Subdivision No. 4, the fourth phase totaling 27 lots on approximately 8.7 acres located south of Mackwood and west of Dequindre Road, zoned R-4, One Family Residential and known as part of Parcel Number 15-25-276-037, Hamlin Associates, Inc. applicant

Attachments: Agenda Summary.pdf; Letter PEA 20050718.pdf; Map aerial.pdf; Memo Moore 20050830.pdf; Minutes CC 20030618.pdf; Minutes PC 20030318.pdf; Minutes PC 20030520.pdf; Report Staff 20030515.pdf; Letter ASTI 20050809.pdf; Final Plat1.pdf; Final Plat2.pdf; 0585 Re

Mr. Barnett questioned how soon construction would begin on this project and whether Mr. Garrett was also the developer.

Mr. Garrett noted that he is the developer as well as the builder and that he intended to begin construction as soon as possible.

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

Resolved that the Rochester Hills City Council hereby approves the Final Plat for Avon Lakes Village Subdivision No. 4 (City File No. 80-976.4), the fourth phase of a subdivision located south of Mackwood and west of Dequindre Road, subject to submittal of all required performance guarantees, fees, and other requirements that must be met prior to release of the Mylar. The affected property is zoned R-4, One Family Residential and identified as part of parcel number 15-25-276-037.

The motion carried by the following vote:

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

Enactment No: RES0327-2005

2004-0032

Discussion Regarding False Alarm Ordinance

Attachments: Agenda Summary.pdf; 0032 Referral Notice.pdf; Sterling Heights False Alarm Info.pdf; False Alarm info.pdf; 033104 Agenda Summary.pdf; 020204 PS Minutes.pdf; 032604 Master Report.pdf; 040204 Memo Capt. Smith.pdf; 091405 Resolution.pdf; 0032 Resolution.pdf

Ms. Raschke indicated that the Public Safety Committee had discussed the matter of excessive false alarms in the City and had determined that a review of the City's current

false alarm ordinance was recommended.

Mr. Staran explained that he had met with Fire Chief Ron Crowell, Captain Bob Smith of the Oakland County Sheriff's Department and Mr. Ed Anzek, Director of Planning/Development to discuss this matter. He described the process as a "good, productive meeting" and that they have a "good running start" to begin revising the ordinance.

Mr. Barnett requested that Mr. Staran's changes be brought back for an informal review prior to Council being asked to take action.

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

Resolved that the Rochester Hills City Council directs the City Attorney to work with Administrative Staff to review the current False Alarm Ordinance and provide a revised ordinance taking into consideration the National Model and ordinances from other communities as they apply to the City of Rochester Hills; and

Be It Further Resoled that the City Attorney is requested to provide a report at a future City Council meeting.

The motion carried by the following vote:

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

2005-0549

Discussion Regarding Green Space Advisory Board

Attachments: Agenda Summary.pdf; Open Space outline 1.pdf; 093005 Agenda Summary.pdf; 092905 CDV Agenda Summary.pdf; Memo Advisory Board.pdf; 081705 Agenda Summary.pdf; 081105 Email Funk P.pdf; 082405 Resolution.pdf; 0549 Resolution.pdf

President Hill indicated that Council had passed a resolution requiring that a committee be created following the passage of the open space millage to act in an advisory capacity and bring recommendations forward to Council for the acquisition of open space. She noted that the Community Development & Viability (CDV) Committee and the Leisure Activities Committee had preliminary discussions to determine the composition of the new committee.

Mr. Barnett, Chairperson of the CDV Committee, explained that the committees had made the following determinations:

* The new committee would have no authority, but would serve solely in an advisory capacity.

* Membership would consist of seven (7) voting citizen representatives, four (4) non-voting ex officio members (City Assessor or his/her designee, the City Parks/Forestry Director or his/her designee, the City Surveyor or his/her designee and one City Council member).

* The mission of the committee will be to develop strategies and recommendations to City Council regarding the expenditure of millage funds for permanently preserving natural green spaces, wildlife habitats and scenic views; protecting woodlands, wetlands, rivers and streams; and expanding the Clinton River Greenway and other trail corridors.

Mr. Barnett noted that the objective of the committee is broad and asked for input from his fellow Council members.

Mr. Robbins questioned the need for this new committee, stating that the Leisure Activities Committee could fulfill this purpose without "further enlarging the bureaucracy." He further noted that there will be a cost associated with supporting this new committee and questioned how these costs will be met, as the millage funds cannot be used for this purpose.

Mr. Staran concurred that it was unlikely millage dollars could be used to support the advisory committee.

Mr. Duistermars, Chairperson of the Leisure Activities Committee and member of the CDV Committee, noted that one of the main topics discussed was the restriction of membership. He stated that it had been determined that no paid officials or paid directors of organizations or groups whose responsibilities deal with land conservation or trail systems be appointed.

Council members agreed that potential applicants will need to be evaluated in terms of their affiliations to ensure that there is a cross-section of representation on the committee.

President Hill encouraged Council to think about the process further and come forward on October 19th with recommendations for the process of not only appointing members to this committee, but also the process by which the committee will bring recommendations forward to Council. For example, she questioned whether recommendations should be filtered through the communication committees, or whether a public hearing would be needed.

Mr. Barnett stressed the importance of establishing all the criteria before requesting applications from interested parties.

PUBLIC COMMENT:

Ms. Debbie Geen, 3128 Walton Boulevard, Chairperson of the Residential Vision Committee, stated that she opposes the creation of additional boards or committees that have no control or authority.

Discussed

(Recess 8:51 p.m. - 9:05 p.m.)

2005-0646

Designation of Delegate and Alternate to National League of Cities' Annual Business Meeting to be held on Saturday, December 10, 2005 at the Congress of Cities in Charlotte, North Carolina

Attachments: Agenda Summary.pdf; Letter NLC.pdf; 0646 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby names Barbara Holder as the City of Rochester Hills' Official Representative and Voting Delegate, to the National League of Cities' Annual Business Meeting to be held on Saturday, December 10, 2005 at the Congress of Cities in Charlotte, North Carolina.

Be It Further Resolved that, following the November 8, 2005 General Election, should a newly-elected Council member choose to attend the conference, they shall be named as the City of Rochester Hills Alternate Official Representative and Voting Delegate, to the National League of Cities' Annual Business Meeting to be held on Saturday, December 10, 2005 at the Congress of Cities in Charlotte, North Carolina.

The motion carried by the following vote:

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

Enactment No: RES0329-2005

2005-0645

Postpone Approval of the Project Budget for the DPS Facility and Authorization of the Administration to Proceed with Financing

Attachments: Agenda Summary.pdf; 112105 Barnett Letter.pdf; 111605 Agenda Summary.pdf; 110905 Agenda Summary.pdf; Agenda for DPS Presentation Nov. 9 05.pdf; Rouse Work Session Memo.pdf; Outside vehicle storage.pdf; Site Plans.pdf; Cost estimate.pdf; Alternative Summ

Mr. Duistermars, while acknowledging the urgent need for a new DPS Facility, made a motion to postpone the decision on funding until the November 16th Council meeting following a more detailed discussion of the matter at a Work Session meeting at the end of October.

President Hill agreed with Mr. Duistermars, noting that postponing this issue would allow the matter to be determined after the General Election and, thus, "wouldn't have to interfere with any of the information going out on the road millage." She further noted that this would also provide an opportunity for all Council members to gain a better understanding of the funding recommendation.

Ms. Holder, stating that she has been a member of the DPS Facility Committee since 2003, cited the many reasons for the need for this new facility. She stressed that any pressing City needs should be addressed immediately regardless of what is on an election ballot.

Ms. Raschke agreed with Ms. Holder that the matter should not be postponed.

PUBLIC COMMENT:

Ms. Debbie Geen, 3128 Walton Boulevard, Chairperson of the Residential Vision Committee, stated that the City does not need a \$16 million dollar DPS Facility, referring to it as "a waste of taxpayer money." She questioned the use of "an expensive Birmingham architect" when the City "cannot provide adequate local services."

A motion was made by Duistermars, seconded by Barnett, that this matter be Postponed by Resolution.

Resolved that the Rochester Hills City Council hereby Postpones consideration of approval of a project budget for the new construction of the DPS Facility for a total cost of \$15,695,000 (\$145,000 additional architectural) with DeMattia Group as construction manager and Minoru Yamasaki Associates as project architects until the November 16, 2005 Regular City Council meeting.

Be It Further Resolved that the matter of funding be discussed at the October 26, 2005 City Council Work Session meeting.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars and Robbins

Nay: Holder and Raschke

Enactment No: RES0419-2005

COUNCIL COMMITTEE REPORTS

Administration & Information Services (AIS) Committee:

Ms. Barb Holder, Chairperson of the AIS Committee, noted that three applicants had come before the Committee to request liquor licenses from the City's quota. One will be brought forward to Council with the recommendation to approve their request. She further noted that Mr. Bob Grace, Director of MIS, provided the Committee with a software update.

ANY OTHER BUSINESS

Mr. Dalton noted that he has been contacted by residents regarding the new burning ordinance. He asked that the personnel responsible for enforcing this ordinance be fully informed of the changes and details of the new ordinance to avoid confusion.

President Hill assured Mr. Dalton that she had received an email from Fire Chief Ron Crowell acknowledging that the matter would be addressed.

NEXT MEETING DATE

Regular Meeting - Wednesday, October 19, 2005 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Hill adjourned the meeting at 9:22 p.m.

*MELINDA HILL, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

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

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