



# Rochester Hills Minutes City Council Regular Meeting

1000 Rochester Hills Drive  
Rochester Hills, MI 48309  
(248) 656-4660  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

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

---

Wednesday, November 2, 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 7:35 p.m. Michigan Time.*

## ROLL CALL

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

Others Present:

*Pat Somerville, Mayor  
John Staran, City Attorney  
Jane Leslie, City Clerk  
Alan Buckenmeyer, Parks Operations Manager  
Scott Cope, Director of Building/Ordinance Enforcement  
Ron Crowell, Fire Chief  
Bob Grace, Director of MIS  
Mike Hartner, Director of Parks & Forestry  
Jack Sage, Ordinance Inspector  
Joe Snyder, Senior Financial Analyst  
Bob White, Supervisor of Ordinance Services*

## 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 November 2, 2005 as presented.

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

The motion carried by the following vote:

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

## PUBLIC COMMENT

*Fire Chief Ron Crowell announced that the leaf burning season had begun and would run only through the month of November. He urged residents to understand the new burning guidelines and adhere to them.*

*President Hill read the following two (2) letters into the record:*

\* *Ms. Ethel Cenknor, 2609 Stonebury Drive, submitted a letter that suggested that*

members of the Residential Streets Ad Hoc Committee were biased because they wanted their own roads repaired. She indicated that special assessments should be used to address the local roads issue.

- \* **Members of the Department of Public Service Maintenance Division** of the City of Rochester Hills all signed a letter stating, "We, as a team, continually stand ready and prepared to give our best to the citizens of this City." While acknowledging the various difficulties faced by the City, the members pledged that they would "work to our best abilities to keep our streets clean and safe to travel on."

**Mr. David Kibby**, 558 Whitney, indicated that he was skeptical and untrusting of City officials and the administration until he joined the Residential Streets Ad Hoc Committee and examined the facts. He noted that the plan proposed by his Committee will benefit all property owners in the City.

**Mr. Vincent Robinson**, 1487 Antler Court, noted that he does not support a tax increase to repair and maintain local roads. He suggested methods by which the City could save money, including no longer pursuing a new DPS Facility and not plowing City parks in the winter.

**Ms. Nancy Raffler**, 713 West Auburn, stressing the danger of unplowed roads, questioned whether Mayor Somerville is "guilty of dereliction of duty" as the City Charter mandates that City government provide for "the peace, health and safety of persons and property." She further questioned the legitimacy of grant writing fees charged by the City's former grant writer and current Council candidate Linda Davis-Kirksey.

**Ms. Debbie Geen**, 3128 Walton Boulevard, Chairperson of the Residential Vision Committee, urged City Council and the Mayor to maintain the bedroom community nature of Rochester Hills through the City's Master Plan.

**Mr. Bill Buschmann**, 1889 West Ridge, praised City staff and the administration and encouraged his fellow residents to support the local roads millage to provide the funds the City needs "to bring our roads to the high quality level this quality City needs and deserves."

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mayor Somerville** reminded Ms. Cenkner that her subdivision roads were repaired "free of charge." She then explained that the pathways are plowed using dedicated pathways millage dollars that, by law, cannot be used for any other purpose. Mayor Somerville expressed her hope that the individuals disseminating inaccurate information would come forward to correct their errors.

**Mr. Robbins** expressed his respect for Mr. Robinson and asked for his ideas to correct the safety violations at the DPS Facility.

**Ms. Raschke** noted the following:

- The Residential Streets Ad Hoc Committee road millage plan was endorsed by the Oakland Press, the Rochester Eccentric and the Detroit Free Press.
- Residents should contact the City's Planning Department or visit the website for accurate information about the local roads issue.
- There is a brochure available that discusses vehicle collisions with deer and possible solutions.
- Residents should visit the City's museum and consider purchasing a membership.

**Mr. Duistermars** referenced a pie chart in the road millage information that displays the breakdown of millage dollars and their dictated uses. He stressed that dedicated millage dollars cannot be used for any purpose other than their voted intent.

**Mr. Dalton** noted that Rochester Hills has one of the lowest tax rates in Oakland County and boasts many fine amenities, however, he stressed "those things aren't free." He suggested that Council pass a resolution preventing letters from being read into the record.

**President Hill** acknowledged that the letter issue has had some past discussion, but there is no set policy.

**Mr. Barnett**, noting that one of his jobs as a Council member is to educate City residents, gave a detailed explanation of the dedicated millage structure and the City's "Founding Fathers" intention to permit the City's residents to choose how their tax dollars would be spent. He stressed that City taxes have not increased in six years, although expenses have. He then provided a detailed explanation of the SAD process, noting the difficult aspects of the process and the unlikelihood that homeowners would agree to this "solution." He encouraged all residents to look at the facts of the situation and to vote in the General Election.

**Ms. Holder** noted that waste hauling fees have increased and residents were deprived of the savings that a single City-contracted waste hauler would have provided. She then corrected a flyer that had been distributed throughout the City noting that its claim of a 30% tax increase was incorrect. She provided a detailed explanation of the process by which residents are taxed.

**Ms. Hill** stressed that there is a definite need to address the road funding issue. She encouraged residents to become educated on the facts of the issue as well as the candidates running for Council. She also noted that she was "disturbed" by the comments made about the City's former grant writer. She requested that the matter of Linda Davis-Kirksey's fees be examined.

**Mr. Duistermars** noted that when applying for grants "the name of the game is to apply as many times as you can."

## ATTORNEY MATTERS

*City Attorney John Staran had nothing to report.*

## PRESENTATION

**2005-0715** Presentation on Request from Paint Creek Trailways Commission for Resolution of Support for National Recreation Trail Application

**Attachments:** Agenda Summary.pdf; NRT Letter.pdf; 0715 Resolution.pdf

**Ms. Kristen Myers**, Trailways Coordinator for the Paint Creek Trailways Commission, requested that Council approve a Resolution of Support for the Commission's application as a National Recreation Trail (NRT). She stressed that there was no required expenditure by the City for this designation and that no other trail in Michigan had yet to receive it. She listed the benefits of this designation:

- \* Access to technical assistance.
- \* Trail markers with the NRT logo.
- \* Access to funding opportunities that are limited to NRT designees.

\* Letters of support for fundraising and trail protection efforts.

\* Access to an Art on Trails grant program that could help continue the Commission's art projects along the trail.

\* Inclusion in the on-line National Registry of Trails with a dedicated web page.

\* Prestige and increased visibility of being a part of the National Trail System.

**Ms. Myers** noted that of the four communities associated with the trail, she had received support from the City of Rochester and Oakland Township and she intended to approach Lake Orion in the near future.

**President Hill** stated that Rochester Hills is "fortunate to have such an excellent trail in our community" noting that it is a "huge asset."

**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.

**2005-0686** Approval of Minutes - Regular City Council Meeting - July 20, 2005

**Attachments:** Min CC 072005.pdf; 0686 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 July 20, 2005 be approved as presented.**

**Enactment No:** RES0354-2005

**2005-0667** Request for Purchase Authorization - Fire: New Extrication Equipment consisting of two (2) cutters, two (2) spreaders, four (4) combination tools, six (6) gas powered power units, two (2) rams, hoses and installation in the amount of \$84,400.00; Apollo Fire Equipment Company, Romeo, MI

**Attachments:** Agenda Summary.pdf; Tabulation.pdf; 0667 Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby approves a purchase order to Apollo Fire Equipment Company, Romeo, Michigan, for Extrication Equipment in the amount of \$84,400.00 as best value for the City.**

**Enactment No:** RES0355-2005

**2005-0710** Request for Purchase Authorization - PARKS & DPS/ENGINEERING: Preliminary Engineering for Spencer Park Parking Lot Improvements in the amount of \$35,365.00 to increase the John R and Ferry Drain Project blanket purchase order (\$230,800.00) for a new not-to-exceed amount of \$266,165.00; Hubbell, Roth & Clark, Inc., Pontiac, MI

**Attachments:** Agenda Summary.pdf; HRC Proposal.pdf; 0710 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby authorizes the amendment of an existing Blanket Purchase Order to Hubbell, Roth & Clark, Inc., of Pontiac, Michigan, for the purchase of preliminary engineering services for Spencer Park Parking Lot Improvements, by the increased amount of \$35,365.00 for the new total amount not-to-exceed \$266,165.00 through December 31, 2006.

Enactment No: RES0356-2005

2005-0664

Acceptance of Watermain Easement granted by Kenneth D. & Paula J. Mage, 1600 Lomond, Rochester Hills, MI 48309 for Lomond Watermain Project - Parcel Nos. 15-09-326-013 & 15-09-376-001

Attachments: Agenda summary.pdf; Map.pdf; Easement.pdf; 0664 Resolution.pdf

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

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Kenneth D. and Paula J. Mage for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel Nos. 15-09-326-013 and 15-09-376-001.

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

Enactment No: RES0357-2005

2005-0666

Acceptance of Watermain Easement granted by Peter R. & Rosanne V. Johnson for Vardon Watermain Project - Parcel No. 15-35-326-077

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0666 Resolution.pdf

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

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Peter R. and Rosanne V. Johnson, 3468 Vardon, Rochester Hills, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel No. 15-35-326-077 for the Vardon Watermain Project.

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

Enactment No: RES0358-2005

2005-0668

Acceptance of a Watermain Easement granted by Mark R. & Lisa Dishinger, for the Vardon Watermain Project - Parcel No. 15-35-401-003

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0668 Resolution.pdf

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

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Mark R. and Lisa Dishinger, 3550 Vardon, Rochester Hills, Michigan 48307 for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel No. 15-35-401-003.

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

Enactment No: RES0359-2005

2005-0669

Acceptance of a Watermain Easement from Paul T. & Catherine Campbell, for Vardon Watermain Project - Parcel No. 15-35-326-078

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0669 Resolution.pdf

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

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Paul T. and Catherine Campbell, 3600 Vardon, Rochester Hills, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel No. 15-35-326-078**

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

Enactment No: RES0360-2005

2005-0672

Acceptance of a Watermain Easement granted by Alton J. Fields, Jr. & Peggy J. Fields for Vardon Watermain Project - Parcel No. 15-35-326-029

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0672 Resolution.pdf

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

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Alton J. Fields, Jr. & Peggy J. Fields, 3650 Vardon, Rochester Hills, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel No. 15-35-326-029.**

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

Enactment No: RES0361-2005

2005-0673

Acceptance of a Watermain Easement granted by Rodney A. & Camille Humiecki for Vardon Watermain Project - Parcel Nos. 15-35-326-015 & 016

Attachments: Agenda Summary.pdf; Map.pdf; Watermain Easement.pdf; 0673 Resolution.pdf

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

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Rodney A. and Camille Humiecki, 501 E. Nawakwa, Rochester Hills, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a Watermain over, on, under, through and across land more particularly described as Parcel Nos. 15-35-326-015 and 15-35-326-016.**

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

Enactment No: RES0362-2005

2005-0715

Request from Paint Creek Trailways Commission for Resolution of Support for National Recreation Trail Application

**Attachments:** Agenda Summary.pdf; NRT Letter.pdf; 0715 Resolution.pdf

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

**Whereas, the Paint Creek Trail, located in the communities of Rochester, Rochester Hills, Oakland Township, Orion Township and Lake Orion, was the first rail to trail in the State of Michigan; and**

**Whereas, the Paint Creek Trail is the physical representative of Michigan's only Millennium Legacy Trail and an integral part of the Oakland County Trail Network; and**

**Whereas, the Paint Creek Trail is a means of access to historical, cultural, and significant natural resources while providing for numerous outdoor recreation activities; and**

**Whereas, the Paint Creek Trailways Commission exemplifies the success of collaboration among different jurisdictions for the benefit of a unified trail system; and**

**Whereas, the Paint Creek Trail is a "Trail for All Americans" because it connects people with many destinations, while protecting and enhancing natural areas.**

**Now, Therefore, Be It Finally Resolved that the Rochester Hills City Council hereby supports the Paint Creek Trailways Commission's application as a National Recreation Trail.**

**Enactment No:** RES0363-2005

2005-0716

Amendment to Administration & Information Services Committee Bylaws and Rules of Procedure, Article II, Section 2 (c) to change Youth Representatives members to Rochester Hills Government Youth Council Members and Article III, Section 5, changing report from City Council to the RHGYC

**Attachments:** Agenda Summary Bylaws.pdf; AIS Bylaws Draft 110205.pdf; 0716 Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby Amends the Administration & Information Services Committee Bylaws and Rules of Procedure as follows:**

**ARTICLE II: MEMBERSHIP**

**Section 1.**

**The Committee shall consist of three (3) members of City Council, appointed by Council, two (2) Citizen Representatives, appointed by Council, a maximum of three (3) Youth Council members ~~Representatives~~ appointed by the Rochester Hills Government Youth Council (RHGYC) Administration and Information Services Committee and members of the City Administration, to be appointed by the Mayor.**

**Section 2.**

**c. The Rochester Hills Government Youth Council members ~~youth representatives~~**

~~to the Committee shall be appointed by the RHGYC Committee and shall serve for a one (1) year term coinciding with the school calendar year beginning in October on September 1 and expiring in on August 31 of the appropriate year.~~

- ~~i. The youth representatives must be a resident of the City of Rochester Hills.~~
  - ~~ii. Each year, the School Districts that have Rochester Hills residents attending will be notified of the opportunity for Rochester Hills youth to be involved with the City Council by serving as a representative on the Committee.~~
  - ~~iii. Interested Rochester Hills youth must submit a City Council Communication Committee Youth Representative Application to serve on the Committee to the City Council Liaison who will forward the information on to the Community Development & Viability Committee Chairperson.~~
  - ~~iv. The Community Development & Viability Committee shall review all applications and make recommendations to each respective committee. Each Committee shall be responsible for the selection of a maximum of three (3) youth members to serve on each respective committee.~~
- i. RHGYC members are required to attend a minimum of one (1) meeting per quarter.

### ARTICLE III: OBJECTIVES

#### Section 5.

~~The RHGYC members youth representative shall attend at least one (1) meeting each quarter and provide a quarterly report and/or update of the AIS Committee business to RHGYC City Council on a quarterly basis regarding their Student Council, Youth Council, or youth related programs, and his/her involvement on the Communication Committee.~~

Enactment No: RES0364-2005

2005-0717

Amendment to Community Development & Viability Committee Bylaws and Rules of Procedure, Article II, Section 2 (c) to change Youth Representatives members to Rochester Hills Government Youth Council Members and Article III, Section 5, changing report from City Council to the RHGYC

Attachments: CDV Bylaws Draft 110205.pdf; 0717 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby Amends the Community Development & Viability Committee Bylaws and Rules of Procedure as follows:

### ARTICLE II: MEMBERSHIP

#### Section 1.

The Committee shall consist of three (3) members of City Council, appointed by Council, two (2) Citizen Representatives, appointed by Council, a maximum of three (3) Youth Council members Representatives appointed by the Rochester Hills Government Youth Council (RHGYC) Community Development and Viability Committee and members of the City Administration, to be appointed by the Mayor.



Section 2.

- c. ~~The Rochester Hills Government Youth Council members youth representatives to the Committee shall be appointed by the RHGYC Committee and shall serve for a one (1) year term coinciding with the school calendar year beginning in October on September 4 and expiring in on August 31 of the appropriate year.~~
- i. ~~The youth representatives must be a resident of the City of Rochester Hills.~~
- ii. ~~Each year, the School Districts that have Rochester Hills residents attending will be notified of the opportunity for Rochester Hills youth to be involved with the City Council by serving as a representative on the Committee.~~
- iii. ~~Interested Rochester Hills youth must submit a City Council Communication Committee Youth Representative Application to serve on the Committee to the City Council Liaison who will forward the information on to the Community Development & Viability Committee Chairperson.~~
- iv. ~~The Community Development & Viability Committee shall review all applications and make recommendations to each respective committee. Each Committee shall be responsible for the selection of a maximum of three (3) youth members to serve on each respective committee.~~
- i. RHGYC members are required to attend a minimum of one (1) meeting per quarter.

## ARTICLE III: OBJECTIVES

Section 5.

~~The RHGYC members youth representative shall attend at least one (1) meeting each quarter and provide a quarterly report and/or update of the CDV Committee business to RHGYC City Council on a quarterly basis regarding their Student Council, Youth Council, or youth related programs, and his/her involvement on the Communication Committee.~~

Enactment No: RES0365-2005

2005-0718

Amendment to Financial Services Committee Bylaws and Rules of Procedure, Article II, Section 2 (c) to change Youth Representatives members to Rochester Hills Government Youth Council Members and Article III, Section 5, changing report from City Council to the RHGYC

Attachments: FS Bylaws Draft 11-02-05.pdf; 0718 Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby Amends the Financial Services Committee Bylaws and Rules of Procedure as follows:**

## ARTICLE II: MEMBERSHIP

Section 1.

~~The Committee shall consist of three (3) members of City Council, appointed by Council, two (2) Citizen Representatives, appointed by Council, a maximum of three (3) Youth Council members Representatives appointed by the Rochester Hills Government Youth Council (RHGYC) Financial Services Committee and members~~

of the City Administration, to be appointed by the Mayor.

Section 2.

- c. ~~The Rochester Hills Government Youth Council members youth representatives to the Committee~~ shall be appointed by the RHGYC Committee and shall serve for a one (1) year term coinciding with the school calendar year beginning in October ~~on September 4~~ and expiring in ~~on~~ August 31 of the appropriate year.
- i. ~~The youth representatives must be a resident of the City of Rochester Hills.~~
- ii. ~~Each year, the School Districts that have Rochester Hills residents attending will be notified of the opportunity for Rochester Hills youth to be involved with the City Council by serving as a representative on the Committee.~~
- iii. ~~Interested Rochester Hills youth must submit a City Council Communication Committee Youth Representative Application to serve on the Committee to the City Council Liaison who will forward the information on to the Community Development & Viability Committee Chairperson.~~
- iv. ~~The Community Development & Viability Committee shall review all applications and make recommendations to each respective committee. Each Committee shall be responsible for the selection of a maximum of three (3) youth members to serve on each respective committee.~~
- i. RHGYC members are required to attend a minimum of one (1) meeting per quarter.

ARTICLE III: OBJECTIVES

Section 5.

~~The RHGYC members youth representative shall attend at least one (1) meeting each quarter and provide a quarterly report and/or update of the FS Committee business to RHGYC City Council on a quarterly basis regarding their Student Council, Youth Council, or youth related programs, and his/her involvement on the Communication Committee.~~

Enactment No: RES0366-2005

2005-0719

Amendment to Leisure Activities Committee Bylaws and Rules of Procedure, Article II, Section 2 (c) to change Youth Representatives members to Rochester Hills Government Youth Council Members and Article III, Section 5, changing report from City Council to the RHGYC

Attachments: LA Bylaws Draft 11-02-05.pdf; 0719 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby Amends Leisure Activities Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council, appointed by Council, two (2) Citizen Representatives, appointed by Council, a maximum of

three (3) Youth Council members Representatives appointed by the Rochester Hills Government Youth Council (RHGYC) Leisure Activities Committee and members of the City Administration, to be appointed by the Mayor.

Section 2.

- c. The Rochester Hills Government Youth Council members youth representatives ~~to the Committee~~ shall be appointed by the RHGYC Committee and shall serve for a one (1) year term coinciding with the school calendar year beginning in October ~~on September 1 and expiring in~~ on August 31 of the appropriate year.
- i. ~~The youth representatives must be a resident of the City of Rochester Hills.~~
- ii. ~~Each year, the School Districts that have Rochester Hills residents attending will be notified of the opportunity for Rochester Hills youth to be involved with the City Council by serving as a representative on the Committee.~~
- iii. ~~Interested Rochester Hills youth must submit a City Council Communication Committee Youth Representative Application to serve on the Committee to the City Council Liaison who will forward the information on to the Community Development & Viability Committee Chairperson.~~
- iv. ~~The Community Development & Viability Committee shall review all applications and make recommendations to each respective committee. Each Committee shall be responsible for the selection of a maximum of three (3) youth members to serve on each respective committee.~~
- i. RHGYC members are required to attend a minimum of one (1) meeting per quarter.

ARTICLE III: OBJECTIVES

Section 5.

The RHGYC members youth representative shall attend at least one (1) meeting each quarter and provide a quarterly report and/or update of the LAC Committee business to RHGYC City Council on a quarterly basis regarding their Student Council, Youth Council, or youth related programs, and his/her involvement on the Communication Committee.

Enactment No: RES0367-2005

2005-0720

Amendment to Public Safety Committee Bylaws and Rules of Procedure, Article II, Section 2 (c) to change Youth Representatives members to Rochester Hills Government Youth Council Members and Article III, Section 5, changing report from City Council to the RHGYC

Attachments: PS Bylaws Draft 110205.pdf; 0720 Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby Amends the Public Safety Committee Bylaws and Rules of Procedure as follows:**

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council, appointed by Council, two (2) Citizen Representatives, appointed by Council, a maximum of three (3) Youth Council members Representatives appointed by the Rochester Hills Government Youth Council (RHGYC) Public Safety Committee and members of the City Administration, to be appointed by the Mayor.

### Section 2.

- c. ~~The Rochester Hills Government Youth Council members youth representatives to the Committee shall be appointed by the RHGYC Committee and shall serve for a one (1) year term coinciding with the school calendar year beginning in October on September 4 and expiring in on August 31 of the appropriate year.~~
- i. ~~The youth representatives must be a resident of the City of Rochester Hills.~~
- ii. ~~Each year, the School Districts that have Rochester Hills residents attending will be notified of the opportunity for Rochester Hills youth to be involved with the City Council by serving as a representative on the Committee.~~
- iii. ~~Interested Rochester Hills youth must submit a City Council Communication Committee Youth Representative Application to serve on the Committee to the City Council Liaison who will forward the information on to the Community Development & Viability Committee Chairperson.~~
- iv. ~~The Community Development & Viability Committee shall review all applications and make recommendations to each respective committee. Each Committee shall be responsible for the selection of a maximum of three (3) youth members to serve on each respective committee.~~
- i. RHGYC members are required to attend a minimum of one (1) meeting per quarter.

### ARTICLE III: OBJECTIVES

#### Section 5.

The RHGYC members youth representative shall attend at least one (1) meeting each quarter and provide a quarterly report and/or update of the PS Committee business to RHGYC City Council on a quarterly basis regarding their Student Council, Youth Council, or youth-related programs, and his/her involvement on the Communication Committee.

Enactment No: RES0368-2005

### Passed The Consent Agenda

A motion was made by Raschke, seconded by Barnett, 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

### PUBLIC HEARINGS

2005-0676 Community Development Block Grant (CDBG) 2006-2007 Annual Application  
Attachments: Agenda Summary.pdf; Public Hearing Notice.pdf; 0676 Resolution.pdf

**President Hill Opened the Public Hearing at 8:50 p.m.**

**Ms. Andrea Cooley** representing RAYA informed Council that RAYA and RARA had a very successful year and briefly described a more economical busing program they are implementing.

**Ms. Brandy Boyd** representing RARA read a letter from a RARA/RAYA participant describing the "fun times we had at camp."

**Ms. Beth Morrison** representing HAVEN thanked Council for contributing to HAVEN in the past, noting that the CDBG funds are used to provide assistance to battered spouses and abused children.

**Ms. Christina Lovgren** of the Women's Survival Center noted that their services provide assistance to women and families in crisis through counseling, legal services and a unique personal protection order program. She expressed her organization's appreciation for the City's support.

**Ms. Kay Smith** of Neighborhood House thanked Council for the financial support of their Clothes Closet program, which provides gently used clothing for residents in need. She stressed that the financial need is even greater this year due to the continuing poor Michigan economy and the charitable dollars going to assist hurricane victims in the southern states.

**Mr. Gerry Sieh** of Avondale Youth Assistance introduced **Mr. Garry Pullins**, the programs new caseworker, and provided a breakdown of how the City's CDBG contribution was used during the previous year on such programs as tutoring, various camps and field trips.

There being no further public comment, **President Hill Closed the Public Hearing at 9:03 p.m.**

**Mr. Joe Snyder**, Senior Financial Analyst, indicated that the CDBG program has been reduced by approximately 10% after nearly being eliminated entirely at the beginning of 2005. He noted the following changes in the distribution of funds:

Public Service Activities (such as the programs discussed above)

2005-2006 = 50%

2006-2007 = 45%

Minor Home Repair Program

2005-2006 = 30%

2006-2007 = 35%

Planning Services

2005-2006 = 20%

2006-2007 = 20%

Mr. Snyder further noted that, due to funding reductions, it was necessary to adjust the criteria for those who qualify for assistance in the Home Chore program from "low income" to "very low income." This has resulted in a reduction in recipients from 120 during the previous year to 90 recipients this year.

**Mr. Robbins** questioned the use of CDBG funds for Planning Services stressing that all of the money should be used for low-income residents.

**Mr. Snyder** explained that the allocation of funds is very strictly mandated by the Federal government and that by using those funds for Planning Services, as the program dictates, low-income residents will still benefit, along with all the citizens of Rochester Hills.

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

Whereas, the City of Rochester Hills has duly advertised a public hearing for the purpose of receiving comments regarding the proposed use of 2006 Program Year Community Development Block Grant funds in the approximate amount of \$150,322, and;

Whereas, a Public Hearing was held on November 2, 2005.

Resolved, that at a regular meeting of the City of Rochester Hills City Council held on November 2, 2005 at 1000 Rochester Hills Drive, that the 2006 Program Year Community Development Block Grant Application in the approximate amount of \$150,322 be approved and submitted along with the required signature page and Subrecipient Agreement signed by the City of Rochester Hills Mayor as follows:

- \$52,678** Minor Home Repair (731227) - To assist approximately twenty (20) low-moderate income households with a variety of necessary home repairs, connections to the city water and sewer system (does not include capital or lateral fees) and/or corrections of city ordinance violations. Repairs and/or improvements will conform to City of Rochester Hills and Oakland County guidelines and State of Michigan Lead Based Paint requirements.
- \$30,000** Planning (731360) - Planning Services including comprehensive Environmental Assessment, Thoroughfare and Master Planning and Historic District Surveys located within the City of Rochester Hills.
- \$36,144** Public Services / Yard Services (732170) - Home Chore Program to service approximately ninety (90) very-low income senior citizens and disabled adult households by providing for spring and fall yard clean-up services, bi-weekly lawn mowing services (May through mid October), and snow plowing services during the winter months.
- \$14,000** Public Services / Youth Services (732185) - Rochester Area Youth Assistance - Provide youth enrichment programs including summer camp and tutoring for approximately 100 youths from low-moderate income families.
- \$5,250** Public Services / Battered & Abused Spouses (730137) - HAVEN - Provide shelter and counseling services for approximately 150 abused spouses and their children who are residents of the City of Rochester Hills.
- \$5,250** Public Services / Legal Services (731073) - Provide legal and counseling services for approximately 100 abused spouses and their children who are residents of the City of Rochester Hills.
- \$3,500** Public Services / Emergency Clothing (730571) - Reimburse the administrative costs of one or more non-profit agencies that provide emergency clothing services to approximately 200 low-moderate income residents of the City of Rochester Hills.
- \$3,500** Public Services / Youth Services (732185) - Avondale Youth Assistance - Provide youth enrichment programs including summer camps and tutoring for approximately 50 youths from low-moderate income families.

The motion carried by the following vote:

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

**Nay:** Robbins

**Enactment No:** RES0369-2005

**2005-0677**

Community Development Block Grant (CDBG) - Request for Waiver / Program Year 2003-2004 Funding for Avondale Youth Assistance

**Attachments:** Agenda Summary.pdf; 2006 Recapture Waiver (AYA).pdf; 0677 Resolution.pdf

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

**Whereas, the U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th); and**

**Whereas, to help comply with this regulation, the Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years; and**

**Whereas, all unobligated 2003 and older funds are at risk of recapture December 31, 2005, however, a community may protect unobligated 2003 funds from recapture for one additional year by requesting a waiver.**

**Resolved that at a regular meeting of the City of Rochester Hills City Council held on November 2, 2005 at 1000 Rochester Hills Drive, the City Council requests a one-year deferral of recapture for CDBG Planning Year 2003-2004 funding in the amount of \$2,177.36 that was originally allocated towards Public Services - Avondale Youth Assistance.**

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

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

**Enactment No:** RES0370-2005

**2005-0678**

Community Development Block Grant (CDBG) Reprogramming Requests

**Attachments:** Agenda Summary.pdf; Request Letter.pdf; Public Hearing Notice.pdf; 0678 Resolution.pdf

***President Hill Opened the Public Hearing at 9:20 p.m.***

***There being no public comment, President Hill Closed the Public Hearing at 9:21 p.m.***

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

**Whereas, the City of Rochester Hills has duly advertised a public hearing for the purpose of receiving comments regarding the proposed reprogramming of 2003-2004 and 2004-2005 Program Year Community Development Block Grant funds; and**

**Whereas, a Public Hearing was held on November 2, 2005.**

**Resolved, that at a regular meeting of the City of Rochester Hills City Council held on November 2, 2005 at 1000 Rochester Hills Drive, the reprogramming of Program Years 2003-2004 and 2004-2005 funds be approved as follows:**

**Existing Program Year 2003-2004 (FROM):**  
**Account Number:** 3384D / 732185  
**Activity Description:** Public Service - Avondale Youth  
**Amount:** \$2,177.36

**Proposed Program Year 2003-2004 (TO):**  
**Account Number:** 3384A / 732170  
**Activity Description:** Public Service - Yard Services  
**Amount:** \$2,177.36

**Description:** Fund home chore program for approximately 90 senior (income qualified) and disabled adult households. Services will conform to Oakland County guidelines.

**Existing Program Year 2004-2005 (FROM):**  
**Account Number:** 2400 / 731619  
**Activity Description:** Remove Architectural Barriers  
**Amount:** \$24,594.00

**Proposed Program Year 2004-2005 (TO):**  
**Account Number:** 3188 / 731227  
**Activity Description:** Minor Home Repair  
**Amount:** \$24,594.00

**Description:** Assist approximately twenty (20) low-moderate income households with a variety of necessary home repairs, connections to the city water and sewer system (does not include capital or lateral fees) and/or corrections of city ordinance violations. Repairs and/or improvements will conform to City of Rochester Hills and Oakland County guidelines and State of Michigan Lead Based Paint requirements.

**Existing Program Year 2004-2005 (FROM):**  
**Account Number:** 3304 / 731360  
**Activity Description:** Planning  
**Amount:** \$35,313.00

**Proposed Program Year 2004-2005 (TO):**  
**Account Number:** 3304 / 731360  
**Activity Description:** Planning  
**Amount:** \$35,313.00

**Description:** Planning Services including comprehensive Environmental Assessment, Thoroughfare and Master Planning and Historic District Surveys located within the City of Rochester Hills.

The motion carried by the following vote:

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

**Nay:** Robbins

**Enactment No:** RES0371-2005

**(Recess 9:27 p.m. - 9:38 p.m.)**

## **ORDINANCE FOR INTRODUCTION**

**2004-0907**

Acceptance for First Reading - An Ordinance to amend Chapter 134, Signs, of



the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Sign Regulations, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations

**Attachments:** Agenda Summary.pdf; Sign Ordinance (134) (revised 11[1].09.05).pdf; 110205 Agenda Summary.pdf; Ordinance Amendment Chapter 134 Signs.pdf; Sign Ordinance Table - Revisions 11-2-05.pdf; Sign Ordinance Comparison Chart.pdf; 100704 Anzek Ltr Sign Ord.pdf; Ma

**Mr. Cope**, Director of Building/Ordinance Enforcement; **Mr. Bob White**, Supervisor of Ordinance Services; and **Mr. Jack Sage**, Ordinance Inspector, were present to discuss the changes to the ordinance and address questions.

**City Attorney John Staran** noted that there would be some minor, "non-substantive" changes to the ordinance when it returned before Council for second reading and adoption.

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

**Resolved that an Ordinance to Amend Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Sign Regulations, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations is hereby accepted for First Reading.**

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

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

**2005-0738**

Acceptance for First Reading - An Ordinance to Amend Article VI, Signs, of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Fees Charged in Connection with Signs and to Repeal Conflicting or Inconsistent Ordinances

**Attachments:** Agenda Summary.pdf; Ordinance Amendment Chapter 110 Fees.pdf; First Reading Resolution.pdf; 0738 Resolution.pdf

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

**Resolved that an Ordinance to Amend Article VI, Signs, of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Fees Charged in Connection with Signs and to Repeal Conflicting or Inconsistent Ordinances is hereby accepted for First Reading.**

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

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

## **UNFINISHED BUSINESS**

**2005-0583**

Request for a "New from Quota" Class C Liquor License from Crust Pizza located at 2595 South Rochester Road

**Attachments:** Agenda Summary.pdf; 102605 Agenda Summary.pdf; Map - Class C Liquor Licenses.pdf; 091605 AIS Agenda Summary.pdf; Letter from Attorney.pdf; 101905 Resolution.pdf; Application.pdf; Receipt for Application Fee.pdf; Lease agrmt.pdf; Floor Plans.pdf; Dept. Rep

**Mr. John Carlin**, Plunkett & Cooney, P.C., 38505 Woodward, Bloomfield Hills, attorney, indicated he and his clients, **Mr. Curtis Nordeen**, 4321 Sheridan, Royal Oak, owner; and **Mr. Jonathan Sherer**, 2324 Buckingham, Birmingham, owner; were invited to appear before the full City Council for additional consideration of their request for a Class C Liquor License.

**Mr. Dalton** repeated his contention from the previous meeting that Crust Pizza does not fit the criteria established by the City for issuing one of the six remaining quota liquor licenses.

**Ms. Holder** noted her confusion as to why Council granted a license to Famous Dave's Bar-B-Que when the Administration & Information Services (AIS) Committee had recommended denial and the owners had the financial resources to purchase a liquor license but had not sought to do so. She further questioned why the motion at the previous meeting to approve a quota liquor license for Crust Pizza had failed when the AIS Committee had recommended approval.

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

**Whereas the Administration & Information Services (AIS) Committee has reviewed the request for a New Class C Liquor License from Crust Pizza; and interviewed the applicants on September 27, 2005; and**

**Whereas the AIS Committee has recommended the request be approved.**

**Resolved that the request from Crust Pizza for a New Class C Liquor License to be located at 2595 South Rochester Road, Rochester Hills, Oakland County, Michigan 48307, be considered for approval "Above All Others" by the Michigan Liquor Control Commission.**

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

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

**Nay:** Hill, Barnett and Dalton

**Enactment No:** RES0372-2005

**2005-0690**

Selection of Council Members to sit on Green Space Advisory Board Selection Committee

**Attachments:** Agenda Summary.pdf; 101605 Agenda Summary.pdf; 10/16/05 Resolution.pdf; 0690 Resolution.pdf

**President Hill** explained that Council needed to choose three of its members to serve as the Selection Committee to bring forward recommendations for membership on the Green Space Advisory Board (GSAB).

**Mr. Robbins** voiced his opposition to creating such a committee, stating that it was not necessary and this type of method had never been used in the process of appointing individuals to committee positions.

**President Hill** noted that this process had been used to appoint members to the Youth Council and its use was intended in this situation to expedite the process.

*Mr. Dalton* indicated that all Council members should still review all applications submitted, not just those recommended by the Selection Committee.

Council members agreed that none of the three departing members of Council should serve on the Selection Committee.

#### **Discussed**

2005-0737

Adoption of Green Space Advisory Board Guidelines for Operating Procedures

**Attachments:** Green Space Outline.pdf; 0737 Resolution.pdf

*President Hill* reviewed the proposed Green Space Advisory Board (GSAB) guidelines under consideration.

#### **PUBLIC COMMENT:**

*Mr. Paul Funk*, 2176 Rochelle Park, expressed his concern that the committee selection process would eliminate many "avid green space advocates" due to their affiliation with other environmental groups. He also expressed his hope that, although only seven members will be chosen, those remaining interested parties be permitted to participate and "form a network of subcommittees" to assist with research, grant writing, etc.

*President Hill* clarified that only paid directors or officials of other environmental groups will be excluded from serving on GSAB. She stressed that this would not exclude such organizations from contributing or acting as consultants when appropriate.

*Mr. Paul Miller*, 1021 Harding Avenue, indicated his desire that the entire Council consider each candidate. He noted his opposition to "a few people choosing a slate of seven" candidates. He further noted his opposition to excluding paid members of other organizations.

*Mr. Dalton* explained that the Council members reviewing the applications will be making recommendations only, not appointments.

*Ms. Lois Golden*, 645 Apple Hill Lane, commended the Council for being concerned about conflict of interest, however, asked that they reconsider their selection criteria. She noted that despite her extensive knowledge and experience, she would be excluded from consideration as she is the Trail Manager for the Polly Ann Trail.

*Ms. Lorraine McGoldrick*, 709 Essex Drive, noted that the committee should consist of members with varying and complementary skills, noting in particular good communication.

*President Hill* reminded the audience that the criteria for choosing committee members had already been established by Council resolution. The current discussion was regarding the guidelines for the committee's operating procedures.

*Mr. Funk* reiterated his concern voiced at a previous Council meeting that including a public hearing in the process would delay the proceedings and reveal possibly confidential negotiations to public scrutiny.

*President Hill* noted that a public hearing would not delay the process by 90 days, as had been suggested. She stated that the City has held public hearings on many purchases to no detrimental impact on the negotiations. She stressed that the Council wants "residential input on how their tax dollars will be spent."

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

**Resolved that the Rochester Hills City Council hereby establishes the Green Space Advisory Board Guidelines For Operating Procedure as follows:**

1. All recommendations regarding the expenditure of millage funds are to be brought forward in the form of a written report document with supporting documents
2. Report may include, when deemed relevant, recommendations from the following:
  - Financial Services Committee
  - Leisure Activities Committee
  - Community Development & Viability Committee
  - Planning Commission
3. Prior to approving any recommendation for expenditure of millage funds, the City Council shall conduct a Public Hearing regarding the report document recommendation in order to obtain comments from residents of the community.
4. Input and recommendations from the public hearing shall be reviewed by the Board and become a part of the final report document submitted to Council for approval.

The motion carried by the following vote:

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

**Nay:** Robbins

**Enactment No:** RES0373-2005

## NEW BUSINESS

**2005-0703**

Establishment of the National Incident Management System (NIMS) as the City Standard for Incident Management

**Attachments:** Agenda Summary.pdf; TGLJCA 2006.pdf; 0703 Resolution.pdf

*Fire Chief Ron Crowell explained that a Federal Homeland Security Directive requires that all local jurisdictions adopt the National Incident Management System (NIMS) for incident management. He further indicated that following these standards will allow the City to receive Federal funding.*

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

**Whereas the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and**

**Whereas the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and**

**Whereas it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and**

Whereas to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

Whereas the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the City's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes; and

Whereas the Incident Command System components of NIMS are already an integral part of various City incident management activities, including current emergency management training programs; and

Whereas the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

Now, Therefore, Be It Resolved, that the City of Rochester Hills City Council establishes the National Incident Management System (NIMS) as the City standard for incident management.

The motion carried by the following vote:

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

**Enactment No:** RES0374-2005

**2005-0593**

Request for Purchase Authorization - MIS: Project budget for the upgrade of the City's financial software system in the amount not-to-exceed \$330,000.00; AMX International, Idaho Falls, Idaho and various other vendors

**Attachments:** Agenda Summary.pdf; Proposal Tabulation.pdf; 092705 AIS Update.pdf; 080205 AIS Update.pdf; 0593 Resolution.pdf

*Mr. Bob Grace, Director of MIS, explained that the requested upgrade had been delayed since 2005. He stressed that the need is more pressing now, as vendor support for the current system will expire in February of 2007. He further noted that the upgrade will, in effect, double the disc capacity of the system.*

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

**Resolved that the Rochester Hills City Council hereby authorizes the project budget for the upgrade of the City's financial software system in the amount not-to-exceed \$330,000.00, utilizing the services of AMX International, Idaho Falls, Idaho, and various other vendors.**

The motion carried by the following vote:

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

**Enactment No:** RES0375-2005

**2005-0346**

City Council Policy for Internet Access

**Attachments:** 030706 AIS DRAFT 2 Policy - Electronic Devices.pdf; 010406 Referral from Council.pdf; Troy E-Rule article dtd 2-16-06.pdf; 010406 CC Reg Mtg DRAFT Min EXERPT.pdf; 122905 Agenda Summary.pdf; 110205 Agenda Summary.pdf; 080205 AIS DRAFT 1 Policy - Electronic

*Council members discussed the recommended City Council Policy for Internet Access, noting the following:*

*\* Discussion of this issue should be postponed for the new Council to discuss following the November election.*

*\* Internet access, cell phone and pager usage have not been abused by Council members.*

*\* Internet access during a Council meeting can be used for quick research to enhance the discussion.*

*\* It is a matter of common sense and courtesy to silence your cell phone and pager during meetings.*

*\* Council has no authority to enforce such a policy, as individual members are accountable only to their constituents.*

*\* There already exists a policy issued by the MIS Department that encompasses these issues.*

**President Hill** wanted it noted that these were not her policies, but were recommendations brought forward by the AIS Committee as directed by City Council.

*The Consensus of Council was to postpone further discussion and consideration of this matter until after the November election when the new Council members could participate.*

#### **Discussed**

**2005-0345**

City Council Policy for Per Diem Compensation

**Attachments:** 030706 AIS DRAFT 3 - Attendance Policy.pdf; 020706 AIS DRAFT 2 - Attendance Policy.pdf; 010406 Referral from CC.pdf; 010406 CC Reg Mtg DRAFT Min EXERPT.pdf; 122805 Agenda Summary.pdf; 110205 Agenda Summary.pdf; 080205 AIS DRAFT 1 - Attendance Policy.pdf;

*The Consensus of Council was to postpone further discussion and consideration of this matter until after the November election when the new Council members could participate.*

#### **Discussed**

**2005-0721**

Introduction to Amendments to City Council Rules of Procedure

**Attachments:** Agenda Summary.pdf; 11/02/05 Agenda Summary.pdf; Rules of Procedures Draft changes 110205.pdf; 0721 Resolution to Rescind.pdf; 0721 Resolution to Adopt.pdf

**President Hill** explained that the suggested amendments to City Council's Rules of Procedure had been compiled by the Clerk's Department over the past several months.

*It was the Consensus of Council that the matter of the Council President reviewing time sheets would be removed and the issue would be brought back for consideration by the new Council following the November election.*

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

Resolved that, with the establishment of the Rochester Hills Government Youth Council and the desire on the part of the Clerk's Department for more flexibility in staffing Council meetings, the Rochester Hills City Council hereby adopts the following changes to the City Council Rules of Procedure:

Article IV - Council Officers and Duties: Section.03, Duties of Council Officers

SUBDIVIDE (b) The Vice-President into two sub sections

- \* (i) Use current language regarding Vice President
- \* ADD a new (ii) which states: Shall serve as the Council liaison to the Rochester Hills Government Youth Council (RHGYC)

Article VII - Boards, Commissions and Committees: Section.03 - City Council Communication Committees

\* (ii) 2 CHANGE youth representation to RHGYC Members to read: ... and members of the Administration, to be appointed by the Mayor, and a maximum of three (3) Rochester Hills Government Youth Council (RHGYC) Members appointed by the RHGYC...

\* (ii) ADD 5 which states RHGYC Members shall be appointed by the RHGYC at their October monthly meeting and serve a one (1) year term commencing in October and ending in August to coincide with the school year. RHGYC Members are required to attend a minimum of one (1) meeting per quarter.

\* Renumber remaining Sections respectively

\* (ii) 7 CHANGE to reflect appointment of RHGYC Members to read: Committee Members except for the RHGYC Members shall be appointed to the Committee...

Article II, General Rules: Section.04, Journal of Proceedings Section

\* (a) i CHANGE to Audio tape recordings shall be made of each public meeting by the Clerk or his/her designee except for Special Meetings, which are specifically held to adopt a Resolution to convene to Closed Session. The tapes shall be retained for at least one (1) year and one (1) day following the meeting.

The motion carried by the following vote:

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

Enactment No: RES0393-2005

## COUNCIL COMMITTEE REPORTS

### Community Development & Viability (CDV) Committee:

*Mr. Barnett, Committee Chairperson, noted that the committee had received an update regarding the road millage.*

### Financial Services Committee:

*Mr. Dalton, Committee Chairperson, noted that the committee had recommended for approval the network upgrade that had been discussed earlier in the evening.*

**Planning Commission:**

**President Hill**, Council Representative to the Commission, indicated that the commission is "moving along" with the Master Land Use Plan update and their next meeting would be at the end of November.

**Older Persons Commission (OPC):**

**Mr. Dalton**, Council Representative to the OPC, indicated there had been no resolution to the litigation between Rochester Hills and the City of Rochester.

**Mr. Staran** explained that the court appointed facilitator had determined that the matter could not be resolved through further facilitation and would need to be settled in a court of law. He predicted that the case would likely go to court in the early part of 2006, with a final decision expected within a month of court proceedings.

**ANY OTHER BUSINESS**

**President Hill** encouraged residents to vote in the General Election on Tuesday, November 8, 2005.

**NEXT MEETING DATE**

Rescheduled Work Session - Wednesday, November 9, 2005 at 7:30 p.m.

**ADJOURNMENT**

There being no further business before Council, President Rosen adjourned the meeting at 10:42 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.