



Rochester Hills Minutes City Council Regular Meeting

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*Erik Ambrozaitis, Bryan K. Barnett, Jim Duistermars, Barbara Holder,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, November 30, 2005

7:30 PM

1000 Rochester Hills Drive

DRAFT

RESCHEDULED FROM DECEMBER 7, 2005

CALL TO ORDER

Vice President Holder called the Regular Rochester Hills City Council Meeting to order at 7:34 p.m. Michigan Time.

ROLL CALL

Present: Erik Ambrozaitis, Bryan Barnett, Jim Duistermars, Barbara Holder, Linda Raschke, James Rosen and Ravi Yalamanchi

Others Present:

*Pat Somerville, Mayor
Ed Anzek, Director of Planning/Development
Dan Casey, Manager of Economic Development
Scott Cope, Director of Building/Ordinance Enforcement
Ron Crowell, Fire Chief
Paul Davis, City Engineer
Kurt Dawson, Director of Assessing/Treasurer
Bob Grace, Director of MIS
Julie Jenuwine, Director of Finance
Jane Leslie, City Clerk
Roger Moore, Professional Surveyor
Roger Rouse, Director of DPS/Engineering
Bob Smith, Captain - Oakland County Sheriff's Department
John Staran, City Attorney*

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 30, 2005 with the following amendments:

Remove Legislative File 2005-0802 Closed Session - December 14, 2005 from ATTORNEY MATTERS.

Add Legislative File 2005-0772 to amend and readopt Resolution RES0388-2005 adopted at the November 16, 2005 City Council meeting to reflect the correct dollar amount to the CONSENT AGENDA.

Move Legislative File 2005-0800 Request for Non-Profit Designation from NEW BUSINESS to CONSENT AGENDA.

Move Legislative File 2005-0769 after the first Legislative File 2005-0645 and before the second Legislative File 2005-0645.

A motion was made by Barnett, seconded by Duistermars, to Approve Agenda as Amended.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

PUBLIC COMMENT

Mr. Larry Schramm, 3298 Summit Ridge, indicated that the lack of public trust in Rochester Hills government that was noted at the previous Council meeting is due in part to the fact that the community has not expressed a need or desire for a \$16 million DPS Facility and, yet, City Council approved it.

Mr. David Kibby, 558 Whitney, expressed his disappointment that Mr. Rosen and Mr. Ambrozaitis opposed and criticized the Residential Streets Ad Hoc Committee's local road plan without speaking to its members or fully understanding the issues. He stressed that the individuals and organizations that opposed such plans should be held to the same standards of truth and integrity to which City staff, officials and involved residents are held.

Ms. Debbie Geen, 3128 Walton Boulevard, Chairperson of the Residential Vision Committee, noted that approval of the DPS Facility project should be rescinded and the scope of the project reduced. She stated, "Obviously the public prefers that the roads be plowed and maintained prior to an over-built DPS garage and reservoirs." She further noted that if various citizens' groups are able to work together, City representatives should also be able to work with these groups.

Ms. Lois Golden, 645 Apple Hill Lane, provided suggestions for addressing the local roads issue:

- *The maintenance of roads should be separated from the repair of local roads.*
- *Consider reducing the standards of street construction, as residents are likely unwilling to pay for roads that will last twenty to thirty years when they may not reside in the City for that length of time.*
- *Those residents who benefit directly from road improvements should pay more than other residents.*
- *Consider a voter-approved Charter amendment to "clear up the confusion" regarding subsidies and fund transfers.*
- *Televisе all meetings to maximize the opportunity to provide facts to residents.*
- *Consider a moratorium on any major capital expenditures until road maintenance is addressed.*
- *Prioritize the problems and address those first before incurring more debt.*

Mr. Lee Zendel, 1575 Dutton Road, stressed that delaying the DPS Facility project will further increase its cost.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Ms. Holder, Mr. Barnett, Mr. Duistermars and Ms. Raschke all welcomed their new colleagues. Mr. Ambrozaitis, Mr. Rosen and Mr. Yalamanchi expressed their gratitude and encouraged their constituents to contact them with any issues or complaints to be addressed.

Ms. Holder announced that the Christmas Parade would be taking place on Sunday, December 4th beginning at 2 p.m. She then corrected an article in a local newspaper that accused her of "name calling."

Mayor Somerville announced that the City's new AM radio alert system is operational and residents can tune in to AM 1610 for emergency information and national weather updates.

ATTORNEY MATTERS

City Attorney John Staran noted that he is moving forward on the False Alarm Ordinance, a Steep Slope Ordinance and a Native Plantings Ordinance. He further indicated that he is working with the Building Department to gather information to address the issue of temporary sales trailers at construction sites.

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.

2005-0776 Approval of Minutes - Regular City Council Meeting - August 3, 2005

Attachments: Min CC 080305.pdf; 0776 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 August 3, 2005 be approved as presented.

Enactment No: RES0405-2005

2005-0777 Approval of Minutes - Regular City Council Meeting - August 17, 2005

Attachments: Min CC 081705.pdf; 0777 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 August 17, 2005 be approved as presented.

Enactment No: RES0406-2005

2005-0744 Designation of City Depositories for Fiscal Year 2006

Attachments: Agenda Summary.pdf; 0744 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, there now may be and hereafter from time to time come unto the hands of the Treasurer of the City of Rochester Hills, Michigan, certain public monies belonging to or held for the State, County or other political units of the State or otherwise according to the law; and

Whereas, under the Laws of Michigan and the City's Investment Policy, the Rochester Hills City Council is required to provide by resolution for the deposit of all public monies coming into the hands of said Treasurer, in one or more bank.

Now Therefore Be It Resolved that the following financial institutions be named as a depository for City funds and other public monies coming into the hands of said Treasurer during the Fiscal Year beginning January 1, 2006 and ending December 31, 2006:

Bank of Rochester/The Private Bank
 Chase Bank (aka Bank One) a/c J.P. Morgan Securities Inc.
 Citizens Banking Corporation
 Charter One Bank
 Comerica Bank
 Community Central Bank
 Federated Securities Corp.
 Fifth Third Bank
 Flagstar Bank
 Franklin Bank
 Huntington Bank
 LaSalle Bank/Wealth Management/Fidelity
 MBIA Municipal Investors Service Corporation
 National City Bank
 Republic Bank
 Salomon Smith Barney/Citigroup
 Southwest Securities, Inc.
 TCF Bank
 UBS Financial Services, Inc.

Be It Further Resolved that the above depositories so designated are hereby requested, directed and authorized to honor all checks for payment of monies drawn on the various accounts when bearing the actual or facsimile signature of persons authorized by the City of Rochester Hills to sign said checks and orders.

Enactment No: RES0408-2005

2005-0763

Adoption of Resolution authorizing the Mayor or her agents to make application to the Road Commission for Oakland County (RCOC) for the necessary permits for posting road closures and detours for the 2005 Christmas Parade to be held on Sunday, December 4, 2005

Attachments: Agenda Summary.pdf; 0763 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, the Cities of Rochester Hills and Rochester jointly host an annual Christmas season parade, conducted under the sponsorship of the Rochester Regional Chamber of Commerce; and

Whereas, the parade route begins on Rochester Road, south of Tienken Road in the City of Rochester Hills and proceeds south along Rochester Road to Third Street in downtown Rochester; and

Whereas, staging this event requires closing certain State and County routes and using others for posted detour routes; and

Whereas, the two cities coordinate parade planning by dividing responsibility for obtaining necessary permits, with the City of Rochester Hills applying to the Road

Commission for Oakland County for the detours and the closures of Walton at Livernois and Tienken from Rochester to Letica Drive and the City of Rochester applying to the Michigan Department of Transportation for the closure of Rochester Road from Avon to Tienken Roads.

Now, Therefore, Be It Resolved that the Rochester Hills City Council authorizes the Mayor or his/her agents to make application to the Road Commission for Oakland County for the necessary permits for posting road closures and detours; and

Be It Further Resolved that the parade routes be scheduled for between the hours of 12:30 p.m. and 4:00 p.m., on Avon, Livernois, Tienken, Letica (E. Second Street), and Main Street (Rochester) Roads; and

Further Resolved that the City of Rochester Hills will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board of the County Road Commissioners against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued; and

Finally Resolved that a certified copy of this Resolution be filed with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0407-2005

2005-0779

Request for Purchase Authorization - CITYWIDE: Local Calling and Circuits, increase to existing blanket purchase order in the amount of \$7,000.00 for a new not-to-exceed total of \$72,000.00; AT&T, Baltimore, Maryland

Attachments: Agenda Summary.pdf; 0779 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 AT&T, Baltimore, Maryland, for the purchase of local calling and circuits, by the increased amount of \$7,000.00 for the new total amount not-to-exceed \$72,000.00 through December 31, 2005.

Enactment No: RES0409-2005

2005-0780

Request for Purchase Authorization - DPS/ENGINEERING - Survey Equipment, purchase order in the amount of \$36,234.90; Leica Geosystems, Inc., Fenton, MI

Attachments: Agenda Summary.pdf; Cost Proposal.pdf; 0780 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 Leica Geosystems, Inc. of Fenton, Michigan, for survey equipment in the amount of \$36,234.90.

Enactment No: RES0410-2005

2005-0778

Request for Purchase Authorization - FIRE: Blanket Purchase Order for PRI Circuits, Local, POTS, Centrex and circuits in the amount not-to-exceed \$150,000.00 through December 31, 2008; SBC Global Services, Inc., Lansing, MI

Attachments: Agenda Summary.pdf; SBC Rates.pdf; 0778 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to SBC Global Services, Inc., of Lansing, Michigan, for the purchase of PRI Circuits, Local, POTS, Centrex and circuits in the amount not-to-exceed \$150,000.00 through December 31, 2008.

Further Resolved that the Mayor is authorized to execute the contract on behalf of the City.

Enactment No: RES0411-2005

2004-1116

Request for Purchase Authorization - FIRE: Medical Billing and Collections, blanket purchase order not-to-exceed \$93,780.00; AccuMed Billing, Inc., Riverview, MI

Attachments: Agenda Summary.pdf; 120804 Agenda Summary.pdf; 1116 Resolution Ver 1.pdf; 2004-1116 Medical Billing & Collections.pdf; 1116 Resolution Ver 2.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to AccuMed Billing, Inc., Riverview, Michigan, for medical billing and collections in the amount not-to-exceed \$93,780.00 through December 31, 2005.

Enactment No: RES0412-2005

2005-0782

Blanket purchase order to AccuMed Billing, Inc., of Riverview, Michigan, for medical billing and collections in the amount not-to-exceed \$90,000.00 through December 31, 2006.

Attachments: Agenda Summary.pdf; 0782 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to AccuMed Billing, Inc., of Riverview, Michigan, for medical billing and collections in the amount not-to-exceed \$90,000.00 through December 31, 2006.

Enactment No: RES0413-2005

2005-0772

Amendment to Resolution RES0388-2005 regarding Acceptance of the Possession and Use Agreement for the Adams Road Parcel 11, Adams Road right-of-way property to be acquired as part of the Adams Road relocation

Attachments: Agenda Summary.pdf; Map location Parcels 1&11.pdf; Letter Staran re Parcel 11.pdf; Agreement.pdf; 0772 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Now Therefore Be It Resolved, that Resolution No. RES0388-2005 adopted by the Rochester Hills City Council at a Regular Meeting held on Wednesday, November 16, 2005

Moved by Dalton, Seconded by Robbins,

Whereas, a Possession and Use Agreement is a legal instrument providing the City control of a parcel for the acquisition of the necessary right-of-way property and temporary construction easement; and

Whereas, the City has an Accepted Possession and Use Agreement for Parcel 15-30-302-017, entered into by and among the City of Rochester Hills and Amazing Grace Properties, LLC, as shown on the attached map as Parcel 11; and

Whereas, the source of funds for this acquisition is budgeted in the LDFA on line 848-93000, Land - ROW.

Resolved that the Rochester Hills City Council hereby approves payment in the amount of \$30,395.96 for estimated just compensation and permanent possession of Parcel 11 (15-30-302-017) to Amazing Grace Properties, LLC, owner(s).

Further Resolved that the Mayor is authorized to release a check for payment in accordance with the Possession and Use Agreement, thereby granting the City the right of use of this land.

Be amended as follows

Resolved that the Rochester Hills City Council hereby approves payment in the amount of ~~\$30,395.96~~ \$36,395.96 for estimated just compensation and permanent possession of Parcel 11 (15-30-302-017) to Amazing Grace Properties, LLC, owner(s).

Be It Further Resolved, that the resolution as amended is hereby readopted by the City Council, as follows:

Whereas, a Possession and Use Agreement is a legal instrument providing the City control of a parcel for the acquisition of the necessary right-of-way property and temporary construction easement; and

Whereas, the City has an Accepted Possession and Use Agreement for Parcel 15-30-302-017, entered into by and among the City of Rochester Hills and Amazing Grace Properties, LLC, as shown on the attached map as Parcel 11; and

Whereas, the source of funds for this acquisition is budgeted in the LDFA on line 848-93000, Land - ROW.

Resolved that the Rochester Hills City Council hereby approves payment in the amount of \$36,395.96 for estimated just compensation and permanent possession of Parcel 11 (15-30-302-017) to Amazing Grace Properties, LLC, owner(s).

Further Resolved that the Mayor is authorized to release a check for payment in accordance with the Possession and Use Agreement, thereby granting the City the right of use of this land.

Enactment No: RES0414-2005

2005-0800

Request from The Filippis Foundation for Non-Profit Designation

Attachments: Agenda Summary.pdf; Designation Request.pdf; IRS Non-Profit Designation.pdf; 0800 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, The Filippis Foundation (formerly known as The Rehabilitation Research Center) was designated by The Internal Revenue Service as a 501 (c) non-profit organization in 1985; and

Whereas, The Filippis Foundation is applying for a raffle license with the intent of raffling off Super Bowl tickets at a January 12, 2006 event to raise funds for The Filippis Foundation.

Resolved that the request from The Filippis Foundation, located at 2845 Crooks Road, Rochester Hills, Oakland County, Michigan, asking that they be recognized as a non-profit organization operating in the community for the purpose of gaining a gaming license, be considered for approval.

Enactment No: RES0415-2005

Passed The Consent Agenda

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

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

The following Consent Agenda Item was discussed and adopted by separate Motion:

2005-0038

Request to enter into Purchase Agreement for the Sale of 1750 W. Hamlin Road, City-owned property on Hamlin Road east of Crooks, known as Parcel No. 15-21-352-002, Dan Casey, Economic Development Manager of Planning and Development representing the City

Attachments: Agenda Summary.pdf; 011905 Agenda Summary.pdf; Analysis of Offers.pdf; 011905 Resolution.pdf; 0038 Resolution.pdf

Mr. Yalamanchi requested background on this matter, specifically requesting the purchase amount.

Mr. Dan Casey, Manager of Economic Development, indicated that the request before Council was to authorize the Mayor to execute the closing documents for a purchase agreement that was previously authorized by Council. He explained that the City had originally purchased two parcels in 1999 for \$399,000, which have since been combined into a single parcel. The buyers bid was for \$510,000, which also included the donation of the right-of-way for the boulevard on Hamlin Road to the City at no cost and three parking spaces for the walking trail.

Mr. Duistermars further noted that the proceeds from this purchase would be returned to the Water & Sewer Funds and, thus, could not be used for any other purpose.

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

Whereas, the City of Rochester Hills owns property identified as 15-21-353-001, totaling 0.51 acres; and 15-21-352-002, further described as 1750 W. Hamlin Road, containing a manufacturing building that totals 6,486 square feet on 2.05 acres; and

Whereas, the City of Rochester Hills has received six (6) written offers to purchase the above identified properties; and

Whereas, the City of Rochester Hills is desirous of entering into a purchase agreement with Walton Associates after further negotiation, based on its initial offer of \$510,000.00; and

Whereas, Walton Associates has agreed to deed to the City at no cost necessary right-of-way for the construction of a boulevard on Hamlin Road; and

Whereas, Walton Associates has agreed in principal to provide a minimum of three (3) parking spaces and signage for general public use and access to the Clinton River Trail.

Resolved that the Rochester Hills City Council authorizes the Planning and Development Department and Purchasing Department to pursue further negotiations with Walton Associates towards a potential Purchase Agreement for the sale of 15-21-353-001 and 15-21-352-002, further described as 1750 W. Hamlin Road, based on Walton Associates initial offer of \$510,000.00; and

Be It Further Resolved that the Rochester Hills City Council authorizes the Mayor to sign the Offer to Purchase Real Estate Agreement on behalf of the City after review by the City Attorney as to form.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0016-2005

PUBLIC HEARINGS

2005-0775

Authorization of the issuance of a blanket purchase order to DiPonio and Morelli Construction Company, the City's emergency underground repair contractor, to repair the storm sewer in Clinton River Valley Park for a total amount not-to-exceed \$77,700.00 with all costs associated with the repair to be assessed to each of the owners for their pro rata share within the Clinton River Valley Subdivision No. 1

Attachments: Agenda Summary.pdf; HO Assoc Request.pdf; Open Space Agreement.pdf; DiPonio Cost Est.pdf; PH Notice.pdf; 0775 Resolution.pdf

Mr. Roger Moore, Professional Surveyor, explained that the homeowners association of the Clinton River Valley Park subdivision requested the City's assistance in repairing a malfunctioning storm sewer pipe that had caused a severe erosion problem. He indicated that the cost of the repair would be prorated among all landowners in the subdivision.

Vice President Holder Opened the Public Hearing at 8:06 p.m.

PUBLIC COMMENT:

Homeowners **Mr. Mike DeLang**, 2869 Portage Trail; **Ms. Lynn Loebis**, 2845 Portage Trail, President of the Clinton River Valley Homeowners Association; **Ms. Susan Roth**, 1798 Rapids Way; and **Mr. Lawrence Schloss**, 2851 Current Drive, expressed the following questions and comments:

- The time and materials contract should include a cap amount.
- What is involved in the remediation that will cost \$65,000?
- Will the geo-grid intended to prevent further erosion be applied to other subdivision homes along the river?
- As the homeowners association made every effort to arrange these repairs themselves

prior to involving the City, will the City waive any administration fees associated with the Special Assessment District (SAD) process?

- The City should institute an inspection and education program to assist homeowners associations in discovering these types of problems sooner.

- Who negotiated the contract and was it an open bid process?

- What recourse is there if the repairs are substandard?

Mr. Moore and City Attorney John Staran responded as follows:

- There is no cap on the time and materials estimate as there is no way to predict what other difficulties may be encountered once the work begins. In addition, the steep slope of the area adds considerably to the difficulty of the remediation process.

- Remediation will include repair of the damaged pipe. The slope will be cleared of some trees and then a geo-grid of synthetic material will be laid.

- The geo-grid will only be specific to the eroded location, followed by the planting of vegetation to enhance future stabilization.

- The contractor was chosen as the City's "emergency service contractor" through an open bid process, however, there was no bid process for this specific project.

- There is no warranty in the contract; however, any negligence or defective workmanship on the part of the contractor would be considered a breach of contract resulting in legal action taken by the City against the contractor.

- The estimate is considered "conservative" in the sense that the contractor attempted to anticipate all potential circumstances, thus the City anticipates it may not reach that total amount.

Mr. Dan Keifer, 719 Fieldstone Drive, appeared in his professional capacity with the Clinton River Watershed Council and spoke extensively on the dangers of such steep slope erosion situations, providing photos of similar circumstances within the City. He praised the homeowners association for moving forward with this repair and encouraged the City to develop a program to address these situations throughout the City

There being no further Public Comment, **Vice President Holder Closed the Public Hearing at 8:23 p.m.**

COUNCIL DISCUSSION:

Council members concurred that the City should do more to educate residents and homeowners associations as to their responsibility in these matters.

Mr. Barnett indicated that the Community Development & Viability (CDV) Committee is currently in the process of studying this issue as well as matters of encroachment into public land.

Mr. Yalamanchi requested that the contractor provide a cap to the potential expense of this project.

Mr. Moore indicated he believed it would be unlikely for the contractor to comply and expressed his professional opinion that the expense would not exceed the estimate.

Mr. Staran clarified that no City administrative fees in connection with the SAD process had been included in the subrogation to each homeowner.

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

Whereas, on January 6, 1982, the Township of Avon and Euclid Land Conversion and Management Company executed the Agreement for Subdivision Open Space Plan for Clinton River Valley Subdivision No. 1, recorded in Liber 10275, Page 348, Oakland County Records; and

Whereas, the storm sewer end-section at the outfall to the Clinton River separated from the storm sewer pipes, creating a gap that caused the steep slope of the riverbank to erode, and the separation and debris behind the bar screen needs to be repaired to prevent the continued erosion of the steep slope; and

Whereas, according to the terms of the Agreement for Subdivision Open Space Plan the Association and residents were notified of the Public Hearing; and

Whereas, the Clinton River Valley Homeowners Association has requested the City provide the necessary repairs to the storm drain and assess the pro rata share of the cost for the repairs to the owners within Clinton River Valley Subdivision No. 1; and

Whereas, in addition to the repair of the pipe and restoration, the City of Rochester Hills desires to use its option to subrogate the right of the Association against its members to the extent of the cost of the repairs and related restoration to the storm pipe and said repairs; and

Resolved that the Rochester Hills City Council authorizes the issuance of a blanket purchase order to DiPonio and Morelli Construction Company, the City's emergency underground repair contractor, to repair the storm sewer in Clinton River Valley Park for a total amount not-to-exceed \$77,700.00.

Be It Further Resolved that, in accordance with the provisions of the Agreement, all costs associated with the repair are to be assessed to each of the owners for their pro rata share within the Clinton River Valley Subdivision No. 1.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0416-2005

NOMINATIONS/APPOINTMENTS

2005-0729

Recommendation from Green Space Advisory Board Selection Committee regarding Green Space Advisory Board (GSAB) appointments of four (4) Citizen Representatives for two (2) year terms expiring December 31, 2007 and three (3) Citizen Representatives for three (3) year terms expiring December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Vacancy Notice.pdf; Carvey, Gerald.pdf; Funk, Paul.pdf; Gauthier, Tim.pdf; Hunter, Scott.pdf; Krupp, Andrew.pdf; Loeb, Lynn.pdf; McGoldrick, Lorraine.pdf; Miller, B Paul.pdf; Peterson, Dahlvin.pdf; Robinson, Jack.

Mr. Barnett explained that City Council had chosen three of its members, Mr. Barnett, Mr. Duistermars and Ms. Raschke, to evaluate the 21 applicants for the Green Space Advisory Board (GSAB) and provided the full Council with their recommendations for appointment. He stressed that all applicants were qualified, however, it was necessary to narrow the field to the seven "highly recommended" candidates and the three alternate recommended

candidates. He indicated that the subcommittee considered such things as length of residency in the City, involvement, experience, the district in which they live and what they hoped to accomplish as members of GSAB.

Mr. Duistermars stressed that the subcommittee strove to find a well-rounded balance of candidates representing all Council districts and both genders.

PUBLIC COMMENT:

Mr. Andrew Krupp, 168 Cloverport Avenue, urged Council to allow its new members ample time to review all of the applications thoroughly before making a final decision "even if there is pressure to expedite it."

Mr. Paul Miller, 1021 Harding Avenue, indicated that he has urged Council that this process "be done very carefully and with due consideration." He urged all seven Council members to review all 21 applicants. He expressed his concern that Mr. Duistermars's participation on the subcommittee represented a conflict of interest as Mr. Duistermars previously voiced his opposition to placing the open space millage request on a ballot. He provided a brief history of green space preservation in the community, specifically noting the hard work of residents Greg Doyle, Lois Golden, Pamela Wallace, Andrew Krupp, Donna Foland, Dan Keifer and Gerald Carvey.

Ms. Lois Golden, 645 Apple Hill Lane, provided her recommendations of who she felt should serve on GSAB, while also suggesting that it be expanded to more than seven members:

- 1) Tim Gauthier
- 2) Pamela Wallace and/or Andrew Krupp
- 3) Brahm Windeler
- 4) Lorraine McGoldrick
- 5) Gerald Carvey
- 6) Bill Windscheif
- 7) Scott Hunter

Mr. Dahlvin Peterson, 1147 Grandview Drive, noting his background as a parks and recreation director in two municipalities in Illinois, expressed his hope that Council would appoint him to the board and thanked Council for the opportunity.

COUNCIL DISCUSSION:

Mr. Barnett again stressed that the subcommittee recommendations were recommendations only and each member of Council was free to nominate any individuals they chose. He further noted that the GSAB will strictly be an advisory committee and anyone is welcome to attend meetings and provide input; however, only the seven Council-appointed members will have voting rights.

Mr. Duistermars clarified for Mr. Miller that he never opposed green space preservation, but rather opposed the process of Council placing a millage request on a ballot for a "non-fundamental issue" and bypassing the petition process. He described fundamental issues as those that "impact on the welfare of citizens" such as police protection or water and sewer.

Ms. Raschke agreed with her fellow subcommittee members that the narrowing of candidates for recommendation purposes was extremely difficult and special attention was paid to district representation.

Ms. Melinda Hill, 1481 Mill Race, reminded Council members that they had been urged by members of the community to establish this advisory board as quickly as possible. She noted that it is difficult to manage a committee of greater than seven

members. She further noted that board members will "certainly welcome the advice, the help, the assistance of anyone else in this community who cares to work on this project."

City Attorney John Staran explained the nomination process indicating that each Council member would name seven nominees. According to Council rules, once the nominees are established Council is required to wait two weeks before voting; however, Council can vote to waive their rules and vote immediately. He further noted that Council will need to establish how to determine the length of term of each member, as it was previously established that four members will serve three-year terms and three members two-year terms.

Mr. Rosen suggested that Council make their nominations at this meeting and vote in two weeks at the December 14th meeting.

Mayor Somerville, while acknowledging she had no vote in the matter, praised the previous involvement in green space preservation of Paul Miller, Pamela Wallace, Andrew Krupp, Lynn Loebis and Scott Hunter. She encouraged Council members to meet with each nominee one-on-one and expressed her wish that all City boards and committees drew as many interested individuals as GASB had.

Ms. Holder read the names of the subcommittee's recommendations and the districts in which they live and then opened the floor for nominations.

Council members made the following nominations:

Mr. Ambrozaitis nominated Tim Gauthier; Pamela Wallace; Brahm Windeler; Lorraine McGoldrick; Gerald Carvey; Bill Windscheif; Scott Hunter

Mr. Barnett nominated Gerald Carvey; Dahlvin Peterson; Jack Robinson; Lorraine McGoldrick; Lynn Loebis; Paul Funk; Pam Wallace.

Mr. Duistermars nominated Scott Hunter; Dahlvin Peterson; Gerry Carvey; Lorraine McGoldrick; Bill Windscheif; Lynn Loebis; Deb Wagner

Ms. Raschke nominated Lorraine McGoldrick; Paul Miller; Gerry Carvey; Scott Hunter; Pamela Wallace; Lynn Loebis; Dahlvin Peterson

Mr. Rosen nominate Gerald Carvey; Deb Wagner; Lorraine McGoldrick; Bill Windscheif; Paul Miller, Paul Funk; Andrew Krupp

Mr. Yalamanchi nominated Jack Robinson; Tim Gauthier; Pamela Wallace; Bill Windscheif; Scott Hunter; Paul Miller; Lorraine McGoldrick

Ms. Holder nominated Paul Funk; Bill Windscheif; Lorraine McGoldrick; Pamela Wallace; Dahlvin Peterson; Gerald Carvey; Paul Miller

Ms. Holder read the names of all the nominees and the number of nominations each received:

- Gerald Carvey - 6
- Paul Funk - 3
- Tim Gauthier - 2
- Scott Hunter - 4
- Andrew Krupp - 1
- Lynn Loebis - 3
- Lorraine McGoldrick - 7
- Paul Miller - 4
- Dahlvin Peterson - 4

- Jack Robinson - 2
- Pamela Wallace - 5
- Deb Wagner - 2
- Brahm Windeler - 1
- Bill Windscheif - 5

Although **Mr. Staran** reminded Council it was their prerogative to suspend their rules and appoint members to the GASB, it was the consensus of Council to hold the final vote at their regular meeting on December 14, 2005.

Discussed

(Recess 9:40 p.m. - 9:50 p.m.)

2005-0693

Postpone the Nomination/Appointment of one (1) Citizen Representative to Building Authority Board for a six (6) year term to expire December 31, 2011 and one (1) Citizen Representative to fill an unexpired term to expire on December 31, 2007

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Questionnaires on file 092605.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0693 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

It was the consensus of Council that, as there were no candidates who had recently expressed interest in serving on this board, the vote should be postponed until viable nominees can be determined.

Ms. Holder **closed** the floor for nominations for the **Building Authority Board**.

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

Resolved that the Rochester Hills City Council Postpones the nomination / appointment of one (1) Citizen Representative to serve as a Building Authority Representative for a six (6) year term expiring December 31, 2011 and one (1) Citizen Representative to fill an unexpired term to expire on December 31, 2007 until viable nominees can be determined.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0451-2005

2005-0694

Nomination/Appointment of two (2) Citizen Representatives to the Canvassing Board for four (4) year terms to expire December 31, 2009

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Sigrid Grace CQ.pdf; Paul Funk CQ.pdf; Vacancy Notice.pdf; 113005 Agenda Summary.pdf; 0694 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

Mr. Barnett nominated Ms. Sigrid Grace and Mr. Paul Funk.

Ms. Holder nominated Mr. Gerald Robbins.

Ms. Holder **closed** the floor for nominations for the **Canvassing Board**.

PUBLIC COMMENT:

Mr. Paul Funk, 2176 Rochelle Park, praised City Clerk Jane Leslie and her staff for their hard work during elections and expressed his support for the "two incumbents on the ballot."

As there were more nominations than appointments available, Council rules dictate, " Voting on appointments shall take place at least two (2) weeks after the meeting at which nominations were made."

Discussed

2005-0696

Nomination/Appointment of two (2) Citizen Representatives to the Elections Commission for three (3) year terms to expire December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Johannes Buiteweg CQ.pdf; Jason Thompson CQ.pdf; Peter Ponzetti CQ.pdf; Tischer, Charles CQ.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0696 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

Mr. Duistermars nominated Mr. Johannes Buiteweg.

Mr. Rosen nominated Mr. Jason Thompson.

Ms. Raschke nominated Mr. Charles Tischer.

Ms. Holder nominated Mr. Gerald Robbins.

There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Elections Commission**.

As there were more nominations than appointments available, Council rules dictate, " Voting on appointments shall take place at least two (2) weeks after the meeting at which nominations were made."

Discussed

2005-0698

Nomination/Appointment of two (2) Citizen Representatives to the Historic Districts Commission for three (3) year terms to expire December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Michael Sinclair.pdf; M Hill CQ.pdf; Peter Ponzetti CQ.pdf; Notice of Vacancy.pdf; 0698 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

Mr. Rosen nominated Mr. Michael Sinclair and Ms. Melinda Hill.

There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Historic Districts Commission**.

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

Resolved that the Rochester Hills City Council appoints Mr. Michael Sinclair and

Ms. Melinda Hill to serve as Historic Districts Commission Representatives for three (3) year terms expiring December 31, 2008.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0417-2005

2005-0700

Nomination/Appointment of two (2) Citizen Representatives to the Historic Districts Study Commission for two (2) year terms to expire December 31, 2007

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Charles Tischer CQ.pdf; LaVere Webster CQ.pdf; Rev Pamela Whateley CQ.pdf; 113005 Agenda Summary.pdf; Notice of Vacancy.pdf; 0700 Resolution.pdf

*Ms. Holder **opened** the floor for nominations.*

***Mr. Ambrozaitis** nominated Rev. Pamela Whateley and Mr. LaVere Webster.*

***Mr. Barnett** nominated Mr. Charles Tischer.*

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Historic District Study Commission.***

As there were more nominations than appointments available, Council rules dictate, " Voting on appointments shall take place at least two (2) weeks after the meeting at which nominations were made."

Discussed

2005-0731

Postpone Nomination/Appointment of two (2) Administration & Information Services Communication Committee Citizen Representatives for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Gerard Verschueren CQ.pdf; Questionnaires on file 092605.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0731 Resolution.pdf

*Ms. Holder **opened** the floor for nominations.*

***Mr. Duistermars** nominated Mr. Gerard Verschueren.*

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Administration & Information Services (AIS) Committee.***

It was the consensus of Council that, as there were no additional candidates who had recently expressed interest in serving on this committee, the vote should be postponed until other viable nominees can be determined.

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

Resolved that the Rochester Hills City Council Postpones the nomination/ appointment of Citizen Representatives to serve on the Administration & Information Services Committee to serve (1) one-year terms ending December 31, 2006 until viable nominees can be determined.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0458-2005

2005-0732

Nomination/Appointment of two (2) Citizen Representatives to the Financial Services Communication Committee for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Don Atkinson CQ.pdf; Jon Rea CQ.pdf; Wayne Williams CQ.pdf; 113005 Agenda Summary.pdf; Notice of Vacancy.pdf; 0732 Resolution.pdf

*Ms. Holder **opened** the floor for nominations.*

***Mayor Somerville** suggested Mr. Jonathan Rea as a possible candidate for this committee, noting that he has been a financial advisor for 25 years.*

***Mr. Duistermars** nominated Mr. Jonathan Rea, Mr. Donald Atkinson and Mr. Wayne Williams.*

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Financial Services (FS) Committee**.*

As there were more nominations than appointments available, Council rules dictate, " Voting on appointments shall take place at least two (2) weeks after the meeting at which nominations were made."

Discussed

2005-0733

Nomination/Appointment of two (2) Community Development & Viability Communication Committee Citizen Representatives for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Frank Cosenza CQ.pdf; Michael Kaszubski CQ.pdf; Notice of Vacancy.pdf; 0733 Resolution.pdf

*Ms. Holder **opened** the floor for nominations.*

***Mr. Barnett** nominated Mr. Frank Cosenza and Mr. Mike Kaszubski.*

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Community Development & Viability (CDV) Committee**.*

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

Resolved that the Rochester Hills City Council appoints Mr. Frank Cosenza and Mr. Michael Kaszubski as Citizen Representatives on the Community Development & Viability Communication Committee to serve (1) one-year terms ending December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0418-2005

2005-0734

Postpone the Nomination/Appointment of two (2) Leisure Activities Communication Committee Citizen Representatives for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Sue White CQ.pdf; Questionnaires on file 092605 updated.pdf; 113005 Agenda Summary.pdf; 0734 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

It was the consensus of Council that, as there was only one candidate who had recently expressed interest in serving on this committee, the vote should be postponed until other viable nominees can be determined.

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Leisure Activities Committee (LAC)**.*

A motion was made by Raschke, seconded by Rosen, that this matter be Postponed by Resolution.

Resolved that the Rochester Hills City Council Postpones the nomination/appointment of Citizen Representatives to serve on the Leisure Activities Communication Committee to serve (1) one-year terms ending December 31, 2006 until viable nominees can be determined.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0459-2005

2005-0735

Nomination/Appointment of two (2) Citizen Representatives to the Public Safety Communication Committee for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Don Atkinson CQ.pdf; Gary Elliott CQ.pdf; Sue White CQ.pdf; 0735 Agenda Summary.pdf; Questionnaires on file 092605 updated.pdf; Notice of Vacancy.pdf; 0735 Resolution.pdf

Ms. Holder **opened** the floor for nominations.

Mr. Rosen nominated Mr. Gary Elliot and Mr. Donald Atkinson.

Mr. Duistermars nominated Ms. Suzanne White.

*There being no further nominations, Ms. Holder **closed** the floor for nominations for the **Public Safety (PS) Committee**.*

As there were more nominations than appointments available, Council rules dictate, " Voting on appointments shall take place at least two (2) weeks after the meeting at which nominations were made."

Discussed

UNFINISHED BUSINESS

2005-0845

Rescind Resolution RES0391-2005 regarding Approval of the Project Budget for the DPS Facility and Authorization of the Administration to Proceed with Financing and Resolution RES0392-2005 adopted at the Regular City Council Meeting of November 16, 2005, which Declared the Official Intent to Reimburse Project Expenditures with Bond Proceeds and authorized Publication of Notice of Intent to issue Bonds

Attachments: Agenda Summary.pdf; 112105 Barnett Letter RE DPS Fac.pdf

PUBLIC COMMENT:

Ms. Holder read a letter into the record from **Mr. Gerald Robbins**, 2900 Culbertson, wherein he stated his opposition to any further postponement of the DPS project and indicated that Mr. Barnett's attempt at rescinding the previous Council's votes on the matter was motivated by personal political gain.

Mr. Tom Zelinski, 1127 Kingsview, voiced his surprise that a "lame duck" Council had made such an important decision at its last meeting and indicated that such occurrences result in the current distrust of local elected officials.

Mr. Lee Zendel, 1575 Dutton Road, noted that recent newspaper reports indicated the economy is improving and, thus, interest rates will increase, in turn increasing the cost of this project if it is delayed further. He also noted that a scaled-down facility would not serve the needs of the DPS department. He further noted that less than significant changes to the design of the building would result in very little savings in the overall project.

Ms. Deanna Hilbert, 3234 Quail Ridge Circle, sought clarification that if the two items under consideration were rescinded or postponed that it would "take the reservoir project off the table."

Ms. Holder assured her it would. She further noted that Council members are not hearing from residents who oppose this project. She urged these individuals to contact their Council representatives.

COUNCIL DISCUSSION:

Council members **Raschke**, **Holder** and **Duistermars** all voiced their continued support that this project continue to move forward as originally planned and as voted at the previous Council meeting. They questioned Mr. Barnett's motives in moving to rescind the previous votes, noting that his concerns could have been voiced earlier in the approval process. They noted several specific needs for the new facility as well as state and federal regulations that the current facility violates. Furthermore, they dismissed the implication that the DPS Facility project had and would continue to contribute to the City's inability to pass a local road millage, as funds for the DPS Facility would come from water and sewer funds and, thus, could not be used for local road maintenance, repair and/or construction. Additionally, they noted that it was unfair to burden the new Council members with projects that had been in progress for many years prior to their joining City Council.

Mr. Barnett stressed that he does not oppose a new facility, but rather is requesting that the scope of the project be reevaluated for a brief and specific amount of time. Using the renovation of City Hall as an example, Mr. Barnett noted that Council had withheld approval of that project while encouraging the project leaders to find ways to reduce the cost of the City Hall project.

Mr. Duistermars stressed that the DPS Facility has special needs that are different from those of a typical office building or auto dealership. He further noted that every delay in the start of the project increases its cost.

Mr. Rosen, acknowledging that it would be much easier for the new Council members to not have to consider this matter any further, expressed his belief that the new Council needs to review the scope of both the DPS and reservoir projects.

Mr. Yalamanchi listed four key points with regard to the DPS project:

- 1) *The estimated cost of deferred maintenance on the current building is approximately \$150,000 to \$350,000.*
- 2) *Employee working conditions are not good.*
- 3) *There is a loss of approximately 600 hours of productivity per year.*
- 4) *Expensive equipment is deteriorating at a faster rate due to exposure to the elements.*

Ms. Jenuwine clarified for Mr. Yalamanchi that the funding for the project would be in the form of general obligation bonds and that the water and sewer rates have been increased as a means of repaying those bonds.

Mr. Yalamanchi and **Mr. Ambrozaitis** expressed their desire to be given the opportunity to review this matter in greater detail.

Ms. Holder indicated that the City is attempting to find other means of funding all or portions of the project through federal appropriations dollars. She noted that the previous Council moved ahead with this and other projects "so as not to burden new members with issues that have been in process for years." She stressed that as a member of the DPS Technical Committee there were many times that the parties involved were encouraged to reduce the cost of the building.

Mr. Barnett noted that the perception to residents is that the DPS Facility and the local roads issue are intertwined and it has likely contributed to the failure of local road millages. He further noted that the failure of the millage would result in the loss of DPS employees, stressing that "it makes little or no sense to have a huge facility without workers to work in the facility."

Mr. Rousse clarified that the equivalent of approximately nine full time employees were reassigned to different areas of the DPS department, but there were no layoffs.

Mr. Barnett stressed that the local roads budget would be reduced further in the upcoming budget year.

Ms. Holder expressed her belief that Mr. Barnett should supply specific suggestions for budget reductions.

Mr. Barnett noted that he wanted the scope of the project to be reevaluated by a subcommittee and did not want to dictate the changes in advance.

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

Resolved that the Rochester Hills City Council hereby rescinds Resolution RES0391-2005 adopted at the Regular City Council Meeting of November 16, 2005 which Approved the Project Budget for the DPS Facility and Authorized the Administration to Proceed with Financing

Further Resolved that the Rochester Hills City Council hereby rescinds Resolution RES0392-2005 adopted at the Regular City Council Meeting of November 16, 2005 which Declared the Official Intent to Reimburse Project Expenditures with Bond Proceeds and authorized Publication of Notice of Intent to issue Bonds.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Rosen and Yalamanchi

Nay: Duistermars, Holder and Raschke

Enactment No: RES0421-2005

2005-0846

Approval of Formation of a Subcommittee charged with the specific reevaluation of the proposed scope of the DPS Facility

Attachments: Agenda Summary.pdf; 120505 Resolution.pdf; 0846 Resolution.pdf

Mr. Barnett made a motion for City Council to create a subcommittee with membership to be determined at the December 14, 2005 Council meeting charged with the specific reevaluation of the proposed scope of the DPS Facility, with results to be brought back before Council during the first Council meeting to be held in April of 2006.

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

Resolved that the Rochester Hills City Council hereby forms a subcommittee with membership to be determined at the December 14, 2005 meeting charged with the specific reevaluation of the proposed scope of the DPS Facility.

Further Resolved that the newly-formed subcommittee will report its findings to City Council at the first scheduled meeting in April of 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Rosen and Yalamanchi

Nay: Duistermars, Holder and Raschke

COUNCIL COMMITTEE REPORTS

Mr. Barnett, Chairperson of the Community Development & Viability Committee, noted that the upcoming meeting had been rescheduled for December 15th.

Ms. Holder, Chairperson of the Administration & Information Services Committee and Vice Chairperson of the Financial Services Committee, noted that both meetings had been cancelled due to a lack of Council members.

Mr. Duistermars, Chairperson of the Leisure Activities Committee, noted that the upcoming meeting had been cancelled.

ANY OTHER BUSINESS

Ms. Holder reminded Council members that it would be necessary at the next Council meeting for Council members to choose a President and Vice President. She expressed her desire to be chosen as Council President noting that she worked part time and that her youngest child is sixteen and, thus, she would have the necessary time to devote to the many added duties of this office. Furthermore, she noted that, as she performs her own research and Council responsibilities, she will not add to the responsibilities of the currently understaffed Clerk's department.

2005-0847

Approval to Direct the Financial Services Committee to study the possible financial impacts of Homeowner/City cost sharing divisions in association with Special Assessment Districts

Attachments: Referral Notice SAD.pdf

Ms. Raschke brought forward a proposed resolution that would direct the Financial Services Committee to examine the City's Special Assessment District (SAD) process in light of the repeated failures of local road millages.

Mr. Rosen expressed concern that this would "stir up a hornet's nest" and should be prefaced by assuring residents that the City would not force SADs in subdivisions.

Ms. Raschke assured her fellow Council members that it was only her intention that the SAD policy and process be examined by the Financial Services Committee; nothing would be implemented without Council approval.

Mr. Yalamanchi requested more time and information before he would be comfortable moving this item forward.

The consensus of Council was that the matter should be considered and evaluated further as Ms. Raschke had proposed.

A motion was made by Raschke, seconded by Duistermars, that this matter be Referred by Resolution to the Financial Services Committee.

Whereas the voters of Rochester Hills continue to vote down any street millage proposals; and

Whereas said millage proposals continue to lose by roughly the same percentage each time they are on the ballot; and

Whereas with each passing day more and more residential streets within our City will become in poor condition; and

Whereas lacking a street millage and no prospect of one being approved by the voters, the only possible solution for any subdivision desiring street reconstruction is through the Special Assessment District (SAD) process; and

Whereas the possibility exists that too many subdivisions over the next decade will attempt an SAD versus the City's General Fund ability to finance the City's portion under the current division of costs between the homeowner and the City.

Therefore, Be It Resolved that the Rochester Hills City Council hereby directs the Financial Services Committee of this Council to study the possible financial impacts to the City of differing homeowner/City cost sharing divisions and report back to this Council no later than June 15, 2006; and

Be It Further Resolved that this Council will not approve any new SADs until after the receipt of the Financial Services Committee report and the Council decision on its SAD cost sharing policy based on that report.

The motion carried by the following vote:

Aye: Barnett, Duistermars, Raschke and Rosen

Nay: Ambrozaitis, Holder and Yalamanchi

NEXT MEETING DATE

Regular Meeting - December 14, 2005 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, Vice President Holder adjourned the meeting at 11:51 p.m.

*BARBARA HOLDER, Vice 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.