



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

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

Vision Statement: The Community of Choice for Families and Business

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

Monday, October 20, 2008

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:31 p.m. Michigan Time.*

ROLL CALL

Present 7 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,
Michael Webber and Ravi Yalamanchi

Others Present:

*Bryan Barnett, Mayor
Dan Casey, Manager of Economic Development
Scott Cope, Director of Building/Ordinance Compliance
Jean Farris, Supervisor of Procurement
Bob Grace, Director of MIS
Jane Leslie, City Clerk
Ishan Patel, Youth Council Representative
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

**The Agenda was Approved as Amended to add Legislative File Number 2008-0547
Consider Approval of Settlement of Austin Drive Condemnation Lawsuit under
ATTORNEY MATTERS; President Hooper then moved Legislative File 2008-0547 from
ATTORNEY MATTERS to ANY OTHER BUSINESS.**

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

PUBLIC COMMENT

Lee Zendel, 1575 Dutton, stated that the methodology proposed by the Oakland County Sheriffs Office to reduce the deer population in the City is very safe and should be allowed to go forward.

Harper West, 155 Arizona Avenue, expressed concern about motorists speeding through her neighborhood and spoke on behalf of the residents living on Arizona Avenue. She stated she had written a letter on May 8, 2008 and knew there had been a speed study conducted in August 2008. She requested an update on the results of the speed study.

Dave Kibby, 558 Whitney, commented on the deer issue and advised City Council to consider the humanity of culling rather than deer deaths by starvation and/or automobile accidents.

Deanna Hilbert, 3234 Quail Ridge Circle, suggested that because of the recent number of deer deaths due to Epizootic Hemorrhagic Disease (EHD), City Council may want to consider a delay in the culling of the deer herd for this year. She noted that she had seen a decrease in the number of deer in her neighborhood.

Brian Robichaud, 2815 Walsh, expressed his concern for the traffic problem his neighborhood is experiencing on Bagley, west of Livernois and north of Auburn Road. He stated that the residents are concerned about their children waiting at the bus stop. He inquired about the possibility of additional stop signs and perhaps a no-left-turn sign at the corner of Bagley and Livernois. He then stated he was in favor of culling the deer herd because deer are not on the endangered species list. He noted that culling the herd would help both the eco-structure and the safety of the citizens.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper commented that the only decision City Council has made thus far was to pass the Ordinance banning the feeding of deer. He stated that as this matter progresses, everyone that has submitted a Public Comment Card would be notified when the deer matter would reappear on City Council's Agenda.

Mr. Brennan congratulated The Rochester Girls Golf Team for winning the 2008 Division 1 State Championship on October 18, 2008. He stated this was their second state crown in school history since the first crown was achieved in 2002. He then commended resident Lindsay Rogers, a graduate of Rochester High and a student at the University of Michigan for participating in a program called City Year Detroit. He explained that the goal of this organization is to bridge the gaps between the suburbs and the cities to address injustice, poverty, racism and inequality. He noted that Eric Wilson, Commissioner for the Oakland County Road Commission had written an article in the Oakland Press alerting Michigan residents that the State of Michigan is in the minority of states that deposit the revenue from

the gas sales tax to the General Fund to use for education funding in Michigan. He stated his agreement with Commissioner Wilson, due to the condition of Michigan's roads, that the legislature should revisit the disbursement of these funds into its roads.

Mr. Ambrozaitis congratulated Christine and Amy Meier, two sisters who are members of The Rochester Girls Golf Team for winning the 2008 Division 1 State Championship. He encouraged The Rochester Adams High School Football Team, after their recent loss, that a state championship could still be possible.

Mr. Pixley reminded all interested entrants that the deadline is fast approaching to participate in the 2008 Annual Hometown Christmas Parade.

Mr. Webber congratulated all three of the City's high schools and especially the parents that support these student athletes. He enthusiastically announced the forthcoming Rochester vs. Rochester Adams game. He congratulated Coach Pleasant, sentimentally noting that he was a former student of Coach Pleasant's basketball camps over the years.

Ishan Patel - Rochester Hills Government Youth Council (RHGYC) gave a brief update on the Youth Council's projects for the year:

- He stated that the RHGYC would be participating in the 2008 Annual Hometown Christmas Parade.
- He noted the RHGYC is discussing the possibility of hosting a 5K Run.
- He reported that the RHGYC just completed the Two For Tuz Project wherein school supplies were collected for a high school in need located in the City's Sister City, Tuz, Montenegro.

Mayor Barnett made the following announcements:

- Non-perishable food items had been collected at City Hall all week for Gleaner's Community Food Bank of Southeastern Michigan Food Drive.
- Oakland County Sheriffs Office - Coats for the Cold Coat Drive wherein gently used, clean coats are being sought for donation would be commencing at City Hall on Monday, October 27, 2008.
- The Hills Herald, a semi-annual publication provided by the City, would be delivered in the upcoming week containing a sample ballot.
- He reminded registered voters to vote and pointed out that the absentee ballot request is another option if registered resident voters would be unable to get to the polls on election day.

Mayor Barnett congratulated The Rochester Girls Golf Team for winning the 2008 Division 1 State Championship and then addressed the following concerns of residents during Public Comment:

- He cautioned that the City is two weeks away from wrapping up road construction; motorists should monitor their speeds conservatively and law enforcement would be monitoring the construction roads to ensure safety.
- He informed Ms. West that his recollection is of two speed studies being

conducted; one before the school day begins and one after the school day is in session to analyze the different traffic patterns. He indicated he would look into this matter and get her a status update within a couple of days.

- He informed Mr. Robichaud that a 'No Left Turn' sign on Bagley Street would hamper the residents currently living in that subdivision trying to turn left onto Livernois. He stated that Mr. Barlow had been speaking with some residents of that community to see what the impact of such a sign would be.

- Regarding the deer issue, he stated that he had a discussion with Lance DeVoe, Park Ranger II, who informed him that the EHD disease had taken approximately 60-75 deer, resulting in a 6-7% decline in the approximate 1,000 deer located in the City. He explained that these numbers are strictly raw data at this time and unconfirmed.

ATTORNEY MATTERS

None.

RECOGNITION

2008-0533 Proclamation in Recognition of Garth Pleasant for his induction into the Michigan Basketball Coaches Hall of Fame

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

Mayor Barnett introduced Coach Garth Pleasant complimenting him not only as a basketball coach but as a life coach and a motivational speaker in the development and growth of boys into men. He read the following proclamation:

Presented.

Whereas, Garth Pleasant, Rochester College Basketball Coach, was recently selected to be inducted into the Michigan Basketball Coaches Hall of Fame, one of the highest honors that any coach can receive in the State of Michigan; and

Whereas, through his ability to connect with his players, Garth continues to shape teams on the court and to shape the lives of young men off the court; and

Whereas, in addition to his duties on the basketball court, Garth serves as Rochester College Athletic Director and Professor of Physical Education; and

Whereas, Garth has been the minister of the Lake Orion Church of Christ for over 25 years; and

Whereas, Garth Pleasant is a shining example of strong leadership, whether as minister, coach, teacher, husband or father. His faith and fortitude are virtues to be respected and greatly admired.

Now, Therefore, Be It Resolved, that the Mayor and City Council of the City of Rochester Hills hereby honor Garth Pleasant, and congratulate him on his induction into the

Michigan Basketball Coaches Hall of Fame.

CONSENT AGENDA

- 2008-0539** Request to Grant Detroit Edison an overhead and underground easement (right of way) for the relocation of the Michelson Pump Station

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[Easement.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0334-2008

Resolved, that the City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48309, hereby grants to Detroit Edison, an overhead and underground easement (right of way) No. #26483531, for the relocation of the Michelson Pump Station, for Parcel No. #15-35-476-004.

- 2008-0540** Request for Acceptance of the Pedestrian-Bicycle Pathway Easement granted by James P. Cull and Linda L. Cull, 3050 W. South Blvd., Rochester Hills, Michigan 48309, for #E07-012, South Blvd. Pathway Project

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0335-2008

Resolved, the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a pedestrian-bicycle pathway easement granted by James P. Cull and Linda L. Cull, 3050 W. South Blvd., Rochester Hills, Michigan 48309, for the construction, operation, maintenance, repair and/or replacement of a pedestrian-bicycle pathway easement over, on, under, through and across land more particularly described as Parcel No. 15-31-400-005, and authorizes the payment of \$700.00.

Passed the Consent Agenda

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

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

PUBLIC HEARINGS

2008-0515 Request to Establish an Industrial Development District at 1685 Northfield Dr., 2775 Commerce Dr., 1758 Northfield Dr., 1744 Northfield Dr. and 2798 Product Dr., Rochester Hills, MI 48309

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)
[101308 Agenda Summary.pdf](#)
[101308 Resolution.pdf](#)

Dan Casey, Manager of Economic Development, introduced Hi-Tech Mold and Engineering and stated that the company has been in the City since 1987, they own four buildings and currently employ 165 people. He noted the following regarding the request before Council:

- Hi-Tech Mold and Engineering is requesting a five year abatement of both real and personal property for a proposed investment that includes \$450,000 in building improvements. Their plan is to invest \$3,400,000.00 in new equipment and therefore are requesting the re-establishment of an Industrial Development District (IDD) to include all four buildings currently owned by the Company as well as a fifth building that was recently leased. He pointed out that prior to 1990 or 1992, City Council terminated virtually every development district in the City. He noted that there had been an existing IDD covering their current building locations as well as the buildings around them. City Council since that time, has chosen to adopt these IDDs on a case-by-case basis. He discussed the Company's plans to create fifteen jobs to support this project, in addition to the retention of the current 165 employees. He thought it important for Council to note while the Company is established in Winchester, TN and owns the 400,000 square foot facility located there, the Company is requesting the re-establishment of the IDD to enable them to invest in the facility located in Rochester Hills rather than the facility in Winchester, TN. He then introduced Mr. Shaun Karn and Mr. Robert Schulte.

Mr. Shaun Karn, CFO for Hi-Tech Mold and Engineering, stated that they work in conjunction with Schulte Control Group which is comprised of four companies: Hi-Tech Mold and Engineering and Hi-Tech Aerospace and Engineering which are both located in Rochester Hills, Michigan; along with Hi-Tech Mold and Engineering Southeast and Baxter Enterprises, both of which are located in Winchester, TN. He explained that while the Michigan operation has been mainly an automotive sector, it is their wish to diversify into aerospace and energy and to move forward with their footprint here in Michigan.

Mr. Robert Schulte, CEO for Hi-Tech Mold and Engineering, shared that he is second generation at their Company which is family-owned and operated. He stated he has always been able to find the skill set of individuals possessing a strong work ethic in Michigan's working residents, more so than any other state. He stressed their desire to develop their non-automotive applications in the City of Rochester Hills.

Mr. Casey stated that in order to be eligible for a real property improvement and personal property abatement, the Company would have to invest a minimum of

\$500,000 or more in personal property. In the Company's proposal, they are proposing to invest \$450,000 in real property. Ordinarily, he would say that they are not eligible for real property abatement, however, there is a provision in City Council's Policy to allow Council to consider the condemnation of the Company's total investment and grant their request for both the real and the personal property. He pointed out that the basic eligibility policy is for seven years but the Company is only requesting five years. He indicated that the tax abatement analysis projects that the Company, without the abatement, will be paying \$190,000 in new taxes to all jurisdictions combined over a five-year period. The City's portion of that amount would be approximately \$65,000 in new taxes over that five-year period with the abatement which would cut the Company's taxes by 50%, thereby easing the Company's real and personal property responsibilities allowing them to make an investment. He stated that with the abatement, the benefit would be that the Company would pay \$91,500 in taxes to all jurisdictions combined and the City's portion would be \$32,500 thereby giving the Company a tax break of approximately \$91,000 over a five-year period for the total investment.

President Hooper opened the Public hearing at 8:12 p.m. for Item 2008-0515. Seeing no public input, President Hooper closed the Public Hearing at 8:13 p.m.

Council Discussion:

Mr. Ambrozaitis expressed his gratitude to Hi-Tech Mold and Engineering for conducting their business in the City of Rochester Hills. He reported that another local company closed its business the week before.

Mr. Yalamanchi inquired if a waiver needed to be placed on the Council Policy before setting the threshold at \$500,000.

City Attorney Staran stated that this matter is to establish the IDD but for Legislative File Number 2008-0516, the motion in the packet will need to be amended.

A motion was made by Ambrozaitis, seconded by Webber, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0336-2008

Whereas, Adco Investments LLC and Hi-Tech Mold & Engineering, Inc. have jointly filed a request for the establishment of an Industrial Development District for property owned and located at:

1685 Northfield Dr., also known as parcel Number 15-28-377-024, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 39 12-05-88 FROM 022;
and

2775 Commerce Dr., also known as Parcel Number 15-28-376-026, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK N 80 FT OF LOT17, ALSO ALL

OF LOTS 18 & 19, ALSO LOT 20, ALSO S 110 FT OF LOT 21 02-10-00 FR 005 & 025; and

1758 Northfield Dr., also known as Parcel Number 15-28-376-022, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK S 320 FT OF LOT 17 07/17/86 FR 006; and

1744 Northfield Dr., also known as Parcel Number 15-28-376-014, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 50 3-27-84 FR 300-050; and

2798 Product Dr., also known as parcel Number 15-28-376-019, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 47, ALSO N 50 FT OF LOT 48 4/9/85 FR 011 & 012; and

Whereas, the Rochester Hills City Council held a public hearing regarding this request at the Regular Meeting of October 20, 2008 at 7:30 p.m. in the Council Chambers, at 1000 Rochester Hills Dr., Rochester Hills, Michigan, during which the owner of the property, taxing authorities, and all interested parties were given the opportunity to be heard, and

Whereas, the establishment of an Industrial Development District is consistent with the objectives of the City for industrial development and the creation of new employment opportunities.

Resolved, that the Rochester Hills City Council determines that the levies of ad valorem taxes are at a rate, when taken together with the rates of ad valorem taxes levied by any other taxing authority which levies taxes within the City of Rochester Hills, equals or exceeds \$30.00 for each \$1,000.00 of taxable value, and therefore is eligible for designation as an Industrial Development District pursuant to said Act, and

Be It Further Resolved, that the above legal description is hereby designated an Industrial Development District.

2008-0516 Request for an Industrial Facilities Exemption Certificate by Hi-Tech Mold and Engineering, Inc. for Real and Personal Property

Attachments: [Agenda Summary.pdf](#)
[Application.pdf](#)
[Development Agreement Draft.pdf](#)
[TB Analysis.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)
[101308 Agenda Summary.pdf](#)
[101308 Resolution.pdf](#)

See Legislative File 2008-0515

President Hooper opened the Public hearing at 8:17 p.m. for Item 2008-0516. Seeing no public input, President Hooper closed the Public Hearing at 8:18 p.m.

Mr. Yalamanchi amended the motion to include 'real and personal' property.

A motion was made by Yalamanchi, seconded by Ambrozaitis, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0338-2008

Whereas, Hi-Tech Mold and Engineering, Inc., as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, are located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended, and

Whereas, the Industrial Development District is that property located at 1685 Northfield Dr., 2775 Commerce Dr., 1758 Northfield Dr., 1744 Northfield Dr., and 2798 Product Dr., further identified as:

1685 Northfield Dr., also known as parcel Number 15-28-377-024, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 39 12-05-88 FROM 022;
and

2775 Commerce Dr., also known as parcel Number 15-28-376-026, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK N 80 FT OF LOT 17, ALSO ALL OF LOTS 18 & 19, ALSO LOT 20, ALSO S 110 FT OF LOT 21 02-10-00 FR 005 & 025; and

1758 Northfield Dr., also known as Parcel Number 15-28-376-022, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK S 320 FT OF LOT 17 07/17/86 FR 006; and

1744 Northfield Dr., also known as parcel Number 15-28-376-014, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 50 3-27-84 FR 300-050;
and

2798 Product Dr., also known as parcel Number 15-28-376-019, further described as:

T3N, R11E, SEC 28 NORTHFIELD INDUSTRIAL PARK NO 2 LOT 47, ALSO N 50 FT OF LOT 48 4/9/85 FR 011 & 012; and

Whereas, Hi-Tech Mold and Engineering, Inc. has made application to the Rochester Hills City Council for an Industrial Facilities Exemption Certificate under the above noted legislation, and

Whereas, A Public Hearing regarding this request was held at City Council's Regular Meeting of October 20, 2008 in which the taxing authorities, applicant and public were given an opportunity to be heard, and

Whereas, the Rochester Hills City Council has reviewed the application and made the following findings:

a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, does not have the effect of substantially impeding the operation of the

City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.

b. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.

c. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of providing a new facility on industrial property.

d. The construction of the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.

Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the request of Hi-Tech Mold and Engineering, Inc. for an Industrial Facilities Exemption Certificate for a period of five (5) years after project completion for real and personal property, and

Be It Further Resolved, that the accompanying agreement between Hi-Tech Mold and Engineering, Inc. and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution no later than October 24, 2008, and

Be It Finally Resolved, that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form.

(Mr. Ambrozaitis exited at 8:22 p.m. and returned at 8:24 p.m.)

2008-0083 Discussion regarding Single Trash Hauler

Attachments: [Agenda Summary.pdf](#)
[Contract.pdf](#)
[Attachment A.pdf](#)
[Attachment B.pdf](#)
[Resolution.pdf](#)
[102008 Agenda Summary.pdf](#)
[City Council Survey Results.pdf](#)
[Final Responses.pdf](#)
[Request for Proposals.pdf](#)
[Public Hearing Notice.pdf](#)
[042808 Agenda Summary.pdf](#)
[042208 Building Memo.pdf](#)
[Solid Waste Survey \(Revised\).pdf](#)
[Solid Waste Survey.pdf](#)
[022508 Agenda Summary.pdf](#)
[Mayor Memo 021208.pdf](#)
[CC Min 032906.pdf](#)
[CC Agenda 032906.pdf](#)
[Cope Memo 032406.pdf](#)
[2004 Recommendations.pdf](#)
[CC Minutes 051403 & 012804 and Agenda 072104.pdf](#)

President Hooper indicated that a single trash hauler was the number

one topic during elections. He stated that this was the number two topic at City Council's Team Building Session in January 2008. In February 2008 City Council requested the City Administration to obtain comparison program data from other communities. He said that in April 2008, this compiled data was reviewed and City Council directed the City Administration to seek Request for Proposal (RFP) for the Solid Waste Program. He explained that in June 2008, the RFP was issued and then introduced Ms. Jean Farris, Supervisor For Procurement.

Ms. Farris stated this was the largest and most comprehensive solicitation she has ever been involved with at the City. She worked with a team comprised of Council President Hooper and Councilman Pixley, Scott Cope, Director of Building and Ordinance Compliance, Bob White of Ordinance Enforcement, Mayor Barnett and Jim Frey, Consultant of Resource Recycling Systems. She stated that at the end of April 2008, the Purchasing Department was directed to prepare a Request For Proposal (RFP) for a single trash hauler that was all inclusive of services and options. She explained that the RFP process was selected to allow the City flexibility to negotiate both price and scope. By mid-June 2008, the RFP was posted to the City's e-procurement site and mailed to known haulers within the City of Rochester Hills. She stated that a pre-proposal meeting was held with all interested haulers. Proposals were received by the Purchasing Division on July 21, 2008. Six proposals were distributed to the individual team members for evaluation. She stated that City Council was surveyed to establish program priorities and to assist the team in designing a program centering around those priorities. She stated that a supplemental proposal was requested predicated on the program design of the six waste haulers. The Solid Waste Committee formulated a score evaluation based upon price and qualifications. The respondents were then reduced to four, and interviewed together with RecycleBank, a concept introduced during the process. The four firms submitted best and final offers. Based upon the program offering, scoring criteria and the best pricing during the best and final offers, Allied Waste was selected to begin negotiation. She then introduced the representatives of Allied Waste to present their proposed solid waste program for the City of Rochester Hills.

Tom Mahoney, General Manager of Allied Waste, introduced himself, Greg Stalter, Municipal Marketing Manager for the State of Michigan and Atul Nanda, Vice President, Midwest Region/President, Canadian Division of RecycleBank to present their proposed solid waste program for the City of Rochester Hills. He stated their intention is to provide Council and the residents with a comprehensive understanding of the program and to answer all questions. He stated that the comprehensive solid waste program they have put together was based on input from the current customer base as well as their knowledge of the community. He noted that Allied Waste (AW) currently services over 50% of the City's community, and presented the following presentation:

ALLIED WASTE PROGRAM FEATURES:

- Unlimited Weekly Trash, Recycling and Yard waste Service
 - yard waste service is seasonal: April- November
- Once a month pick-up of Bulk Items

- inclusive service - call ahead to arrange pick-up on standard collection day
- Free Christmas Tree pick-up
 - available each year during last week of December and first two weeks of January
- 95-gallon cart provided for trash labeled private for Rochester Hills
- 65-gallon cart provided for recycling labeled private for Rochester Hills
- Weekly Monday - Thursday trash, recycling and seasonal yard waste collection
- During Holiday weeks, Friday will be utilized as a make-up collection day to avoid weekend service
 - Customers will be notified via automated phone message on service day change due to Holidays

Customer Service Features:

- Service guarantees specifically outlined in the contract
- Local Customer Service Center located in Pontiac, Michigan
- Less than 24-hour resolution of customer concerns
 - Real time access for the City to track customer resolution - daily, weekly and monthly reporting
 - Dedicated Supervisor having daily interaction with City personnel
- Automated telephone reminders to residents whose service day is affected by Holidays
- Reduction of waste service truck traffic by approximately 70% which reduces wear and tear on City roads and safer streets

Resident Benefits:

- Most residents would receive enhanced services at a reduced rate than they are currently paying.
- Firm 5-Year Base Service Pricing along with a 5-Year extension option protects against unexpected price increases.
- City's Fuel Program will allow fuel cost surcharges to be managed fairly including one adjustment per year and the opportunity for the price to decrease when fuel cost goes down.

Solid Waste Program Pricing:

Year 1: \$46.14 per quarter per resident
Year 2: \$47.43 per quarter per resident
Year 3: \$48.78 per quarter per resident
Year 4: \$50.13 per quarter per resident
Year 5: \$51.54 per quarter per resident

- Program includes a 5-year contract with 3% base price increases per year and an annual fuel adjustment (up or down per formula).
- Base Fuel Price is \$4.00 per gallon.

Fuel Adjustment Cost:

Quarterly Price with Annual Fuel Adjustment

Average Fuel Price	Qtly. Adjustment	Year 1 2009	Year 2 2010	Year 3 2011	Year 4 2012	Year 5 2013
\$5.50	\$1.59		\$49.02	\$50.55	\$52.02	\$53.53
\$5.00	\$1.05		\$48.48	\$50.01	\$51.48	\$52.99
\$4.00	\$0.00	\$46.14	\$47.43	\$48.78	\$50.13	\$51.54
\$3.50	(\$0.54)		\$46.89	\$48.42	\$49.89	\$51.40
\$3.00	(\$1.05)		\$46.38	\$47.91	\$49.38	\$50.89
\$2.50	(\$1.59)		\$45.84	\$47.37	\$48.84	\$50.35

- Based on 19,464 gallons per quarter and 18,533 homes.
- Base Fuel Price \$4.00 per gallon.

Discount Opportunities:

- Senior Citizen Discount - 5% Discount off Current Year Base Price
- Pre-pay Discount - 5% Discount off Current Year Base Price for pre-paying for 12 months of service
- Online Payment Discount - 3% Discount for utilization of automated online payment service

Mr. Mahoney stated that residents could use their carts from other companies labeled yard waste for removal service.

Mr. Stalter described the RecycleBank Program as essentially an incentive based program of earning recycle bank points by simply recycling. He explained that the designated cart has a Radio Frequency Identification chip (RFID) imbedded in the cart to be read by the recycle pick-up truck before emptying the cart's contents into the truck. The neighborhoods' total recycle collection is tallied and the RecycleBank Points are divided evenly among all participants in a neighborhood or subdivision. He stated that residents can also donate their accumulated points to local community organizations, school programs or City parks. He presented the following:

RECYCLEBANK INCENTIVE BASED RECYCLING PROGRAM:

Why recycle? Recycling saves energy, reduces waste and sanitary landfill costs; preserves landfill space, re-uses valuable resources, creates jobs, and is good for the economy.

- Rochester Hills would be the **first** Michigan municipality to participate in this cutting edge recycling program joining other eco-progressive communities around the country
- Participating residents can earn RecycleBank Points. The more that is recycled, the more points that are earned.
- RecycleBank Points are redeemed online or by telephone to order rewards.
- An average home with average recycling can earn approximately \$240 worth of rewards per year.

RecycleBank Procedure:

- (1) Recycle - recyclable materials are placed in Allied Recycle Cart.

(2) Record - Allied Recycle Cart has an identification chip that is recorded by the recycling truck.

(3) Reward - once account is activated, participation amount is translated into rewards at local and national stores. Redemption of RecycleBank Points Rewards is similar to placing a catalog order online or using the telephone. Reward mailer is sent to participant's home within 2-3 business days.

Recyclable Materials List:

- Cardboard and Paper Bags (wax-free, flattened and cut into pieces)
- Paperboard (wax-free)
- Magazines and Catalogs
- Junk Mail
- Office Paper
- Phone Books
- Newspaper (unbundled)
- Kitchen Cookware (metal pots, pans, tins and utensils)
- Rinsed/Cleaned Steel and Tin Cans (empty only)
- Rinsed/Cleaned Clear, Color, Green and Brown Glass
- Rinsed/Cleaned Aluminum Cans (empty only)
- Rinsed/Cleaned #1 and #2 Plastic Jugs/Bottles
- Rinsed/Cleaned #3-#7 Household Plastic Containers (empty only)
- Most retail and grocery Plastic Bags
- Clear, plastic bags can be used for additional recycling material if recycle bin is full.

President Hooper opened the Public Hearing at 9:10 p.m.

Public Comment:

Paul Franklin, 2136 Elkhorn, stated that the residents in his subdivision are strongly in favor of having a single waste hauler program. He inquired about the contract break process for subdivisions currently under contract with other waste haulers. He stated that his subdivision had desired the single waste hauler program included as part of the City tax program for tax deduction purposes and asked if this would be possible. He shared that under his subdivision's current contract, there have not been additional fuel or environmental surcharges and asked if there are additional surcharges that were not in the presentation.

Melinda Hill, 1481 Mill Race Road, commented that the City has pursued implementing a single hauler system for over twenty years and this is the fourth time this matter has come before City Council. She had questions regarding the following:

- Why must residents pay to recycle;
- She expressed her concern regarding the tracking of her personal spending and recycling habits for marketing purposes;
- She stated that the 95-gallon cart is large and and that she currently uses a 32-gallon cart.

Ms. Hill noted that exclusive of the cost of RecycleBank and the 95-gallon cart, the costs are very similar to those presented four years ago.

Lee Zendel, 1575 Dutton, questioned if he only deposited one weeks' worth of newspapers into the recycle cart, would he still receive the same proposed \$240 RecycleBank Points as every registered resident involved in the RecycleBank Program. He questioned which City personnel would be handling the 24-hour conflict resolution process with Allied Waste. He inquired about residents residing in Florida for the winter season having to pay for single waste hauler services to a vacant home.

Jerry Kondalski, 2107 Reagan, expressed his support of the single waste hauler program and requested further clarification of the procedure for the removal of bulk items and/or excessive waste.

Gary Jaracz, 582 W. Hamlin Road, suggested the possibility of Allied Waste offering two different sized waste carts and asked about RecycleBank Rewards Points being used as a credit on the next billing cycle.

Dave Kibby, 558 Whitney, expressed his appreciation for the lower cost of the single trash hauler and the reduction of loose trash littering his yard. He indicated that there would be a reduction in noise and air pollution as well as a reduction of wear and tear on the streets. He calculated that most residents will experience a cost savings of approximately \$250 per year due to the reduction in cost for the trash removal and the City's watering ban during peak water usage hours. He stated that this cost savings might enable some residents to afford their medications.

Harper West, 155 Arizona Avenue, applauded the single trash hauler program because it includes a recycling plan.

Karl Striebel, 635 Timberline Drive, stated his support of the single trash hauler program. He questioned the size of the trash hauler trucks that were shown in Allied Waste's video presentation.

Frederick Hambleton, 5741 Shore Drive, Orchard Lake, MI 48324, Richfield Management, questioned the services provided by Allied Waste and RecycleBank compared to those offered by Richfield Management.

Brian Robichaud, 2815 Walsh, expressed his concern that discussion of the proposed program would get mired in details of the past and stated his preference for the aesthetic uniformity of the carts. He suggested residents concerned about potential marketing of their personal habits opt-out of the points program and recycle for the sake of the Earth.

Sheryl Wragg, 860 Woodridge, commented she had experience with six different trash hauling companies and complimented the Solid Waste Committee for a very thorough and methodical procurement process. She stated her support for City Council approving this program.

Terry Lanker, 583 Snowmass, indicated that the residents of Shadowoods

Subdivision would appreciate only one trash hauler driving on their new streets and inquired about the option of having a smaller waste cart.

John Gaber, 1024 Adele Court, as President of Covington Place Subdivision No. 3, distributed a letter of support of the single waste hauler program. He questioned if there could be options as to different cart sizes, as well as options for residents who are not currently participating in trash removal services.

Dan Garman, 3145 Irish Road, Davison, Michigan, Richfield Management Customer Service Representative, stated his company provides waste hauling services for approximately 15% of the residents of the City of Rochester Hills. He referred to a recent study performed by the City of Rochester noting that this study ranked Richfield Management as number one in both customer service, as well as price. He stated that Council should strongly weigh these two areas in their final decision.

Gordon Statz, 2196 Willow Leaf Drive, President of Whispering Willows Subdivision, reported that their subdivision is pleased with the accomplishments of the Solid Waste Committee and encourages City Council to approve this proposal from Allied Waste quickly.

Naomi Eliezer, 2080 Avoncrest Court, stated her support of this program and asked if the RecycleBank Reward Points could be applied to residents' invoices. She asked if hazardous waste would be included in this program.

Sigrid Grace, 1129 Fairview Farms, commented that one trash hauler significantly increases the quality of life by reducing noise pollution and wear and tear on the road. She stated that the proposed carts would prevent the wildlife from entering the trash and is impressed with the recycle program.

President Hooper closed the Public Hearing at 9:50 p.m.

(Recess 9:51 p.m. - 10:10 p.m.)

Council Discussion:

*In response to President Hooper's question about residents' contract dilemma, **City Attorney Staran** responded that the City does have the authority to institute this type of program which may result in the termination or superseding of existing contracts.*

President Hooper addressed the resident's question about the single trash hauler being included in the City's tax base. He stated that this proposal is invoice-based and informed the residents that this was decided at the committee level because it had the most community support. He then addressed the question about hidden surcharges and increases and responded that the increases are 3% cost of living increase as well as a fuel surcharge schedule based on the fuel cost of \$4 per gallon. He questioned if there is a weight limit for the 95-gallon cart.

Mr. Mahoney responded that the carts are emptied by automated trucks thereby eliminating the need for a weight limit.

*In response to President Hooper's request for clarification, **Mr. Nanda** of RecycleBank responded that every pound of recyclable material is equated to 2 1/2 points, and that 5,400 points a year are the maximum allowed. The limit is set to prevent contamination and people from cheating the system. He calculated that his company is seeing an annual average of \$240 in rewards being redeemed by residents participating in the RecycleBank Program. He stated that there is a donation option for residents to donate their RecycleBank Reward Points to over 160 charities across the United States. To redeem a reward, the participating residents would take their reward coupon to the establishment of their choice and get \$5 off of \$25 spent. The RecycleBank reward point amounts would be selected by the participating businesses and would be exclusive to the RecycleBank Program. Residents wishing to participate would log-in to the RecycleBank Program website to register for Reward Points or to donate their Reward Points. Resident participation in the RecycleBank Rewards Program is not required.*

President Hooper asked for clarification from City Administration regarding the 24-hour resolution process and City Staff following through on this process with Allied Waste.

Scott Cope, Director of Building/Ordinance Compliance, responded that the Supervisor of Ordinance Services would be overseeing the resolution portion of the program and in communication with the contact person from Allied Waste to ensure resident resolution. He explained that the procedure would be for a resident to contact the conflict resolution number at Allied Waste, the City would be notified on a 24-hour basis and would follow up for successful resolution and, if needed, will step in to ensure the resolution of the complaint. He reported that the contract with AW will contain liquidated damages to be applied if complaints are not resolved in the manner indicated in the contract.

President Hooper addressed the opt-out questions with the proposal including a limited \$20 annual opt-out fee whether a resident cancels their trash service for one week or six months. He then inquired as to what the procedure would be for vacant homes.

Mr. Mahoney responded that upon written notification, a seasonal period allowance would be observed wherein Allied Waste would not bill or service that particular address. He stated that in the case of a foreclosure where the Company has not been notified, AW would continue trash removal service and invoice the owner of record. He explained that it has been AW's experience in foreclosure situations, that the foreclosing entity will have work crews removing material from the home and setting it out for trash removal service. He stated there is an annual period that overdue invoices are placed as a lien on the owner of record's tax bill.

President Hooper responding to the questions regarding Richfield Management's proposal, asked Jim Frey, Consultant from Resource Recycling Systems and a member of the Solid Waste Committee to describe Richfield Management's proposal.

Mr. Frey stated that each vendor had a price tally based upon the information that was provided on the cost sheet. Richfield Management had a reference in their letter addressing a different way to analyze fuel escalation and that sentence affected the subcommittee's evaluation of best price. He explained that the ranking of the vendors included technical, organizational as well as financial analysis. He stated that the combined points allocated to Richfield Management by a ranking of all the members of the steering committee still would not have resulted in Richfield Management being selected.

Ms. Farris explained that the RFP specifically stated the required criteria necessary included experience, strength of operations, technical and financial criteria and price for evaluation of the proposals. The criteria was then weighted, the subcommittee reviewed the initial submissions along with the supplemental proposals and scored each vendor and shortlisted the vendor list at that time.

President Hooper requested clarification from AW as to the specific handling of yard waste and bulk item removal.

Mr. Mahoney responded that branches should be the standard four foot in length bundles and no more than fifty pounds in weight for trash removal service. He defined bulk as light demolition items, such as furniture or minor repairs occurring in a resident's home. He indicated that there is no limit to the number of items, however, removal is limited to once per month. He stated that the weight is limited to what two people could reasonably lift for removal.

President Hooper inquired about different size carts being available based upon a household's requirements and if residents would be able to continue using the carts they currently own.

Mr. Mahoney responded that the recycling cart has to be the 65-gallon cart because of the RFID chip in place. He explained AW would need to have advance notice of residents interested in having a smaller cart than the standard 95-gallon cart. He described residents being able to use their current carts labeled as yard waste or as an additional cart for trash removal if the 95-gallon cart is full and the lid cannot be closed to properly contain the trash.

President Hooper restated the residents' questions about applying RecycleBank Points to their AW bill, and if new trash hauler trucks will be purchased if this program moves forward.

Mr. Mahoney responded that the RecycleBank Points are not valid for redemption on residents' invoices with AW. He said that new trucks with automated arms, the same size as the current trash hauler trucks, would be purchased for use in the City should this contract move forward.

President Hooper requested Ms. Farris to define the contract length and renewing options.

Ms. Farris responded that the current contract would be for five years and at the end of five years, the City has the option to renew and renegotiate the terms

of the contract.

City Attorney Staran confirmed Mr. Hooper's statement that the City currently has an Ordinance requiring all single family homes to retain a licensed trash hauling service.

President Hooper indicated that the City currently has provisions for hazardous waste disposal at four locations within the City and asked Mr. Cope to clarify this program further for residents. He asked Mr. Mahoney if AW would provide curbside hazardous waste removal.

Mr. Cope responded that the City of Rochester Hills currently participates in the No-Haz Program with Oakland County and there are three events throughout the year for residents to participate at no cost: Oakland University, Lake Orion and Waterford.

Mr. Mahoney responded that AW does not provide curbside hazardous waste removal.

Mr. Ambrozaitis questioned the following:

- If AW merged with another company, would the contract be intact.
- The single waste hauler proposal does not include condominiums or businesses.
- AW's definition of senior citizen advantage is what specific age.
- Whether yard waste would be picked up weekly.

Mr. Mahoney responded that if AW merged with another company, the contract would remain intact. He confirmed that the single waste hauler program is for single family homes and stated that AW defines senior citizens' age as 65. He confirmed the weekly pick up of yard waste for the months of April through November.

Mr. Rosen questioned what the expectations were of Council as a result of the presentation by AW.

President Hooper responded that a public hearing was to be held; the gathering of comments and Council deliberations; and the preparation of a final decision. If City Council votes to move forward then: (1) the Mayor, the City Administration and the City Attorney will be authorized to enter into negotiations for a contract with AW; and (2) the City Attorney will be directed to draft an Ordinance amendment for a single trash hauler.

Mr. Rosen expressed his appreciation of the direct billing by AW, the service rates and service proposal, but stated his concern regarding the mandatory service affecting residents residing out of state for the winter. He suggested that it would behoove condominiums, apartments and businesses to use the same waste hauling company. He questioned whether the RecycleBank Reward Points are based upon an individual cart or are the entire truck route contents divided evenly amongst the participating residents.

Mr. Nanda responded that the entire truck route contents are weighed and divided evenly amongst the participating residents. He explained that RecycleBank encourages more recycling activity which increases diversion from the landfill thereby decreasing the disposal cost at the landfill. He stated that before this program would begin, RecycleBank sends a team to local businesses and to work with the Chamber of Commerce to set up unique rewards that cannot be obtained through newspapers or websites.

Mr. Webber questioned if Allied Waste and RecycleBank are two separate companies or a partnership; if a partnership, how long has this partnership been in effect; and if separate entities, do Allied Waste and RecycleBank work with other entities.

Mr. Mahoney responded that the companies are two separate entities and signed a national partnership agreement on July 1, 2008.

Mr. Nanda stated that RecycleBank is a privately owned company that began on the East Coast and is located in approximately fourteen states. They recently opened a location in Minnesota and upcoming locations will be in South Dakota and Cincinnati, Ohio. He explained that in the states that Allied Waste is not a major hauling company, RecycleBank does work with other companies. He stated that in Michigan, RecycleBank is working exclusively with Allied Waste.

Mr. Webber asked if Mr. Nanda sees a drop in recycling rates in states that have non-returnable containers versus deposit charging states.

Mr. Nanda responded that the difference is minimal and that his company finds that some people prefer the convenience of the recycling cart than returning their containers to the stores for redemption.

Mr. Webber inquired about the timeframe for Allied Waste and RecycleBank to prepare for implementation of this program in Rochester Hills and questioned what Allied Waste's typical billing cycle was.

Mr. Mahoney responded that both companies would require ninety days' preparation time and that Allied Waste's billing cycles are on the quarter system; January, April, July and October.

Mr. Webber stated his support of the single trash hauler concept and commented that it would be exciting for the City to get in on the ground floor of the RecycleBank concept.

Mr. Yalamanchi expressed his concerns of poor service reports regarding Allied Waste in the past and inquired what type of plan would be in place to ensure effective and proper management of the waste hauling service in the City.

Mr. Mahoney responded that the 24-hour conflict resolution system, combined with a dedicated supervisor from AW and the City, backed by the liquidated damages contained in the contract would ensure Allied Waste's success.

Mr. Yalamanchi asked President Hooper about the lien process for residents not paying their Allied Waste invoice and if service is suspended for lack of payment.

President Hooper stated that this was discussed briefly but asked Mr. Cope and City Attorney Staran for clarification of this process.

Mr. Cope responded that Allied Waste would use their ninety-day process of notifying the City to direct the Treasury Department to contact the defaulting resident to notify them that a special assessment will be charged against their taxes if the Allied Waste invoice is not paid by September 1st. After September 1st, if there has been no payment, then an administrative fee would be added onto the tax bill as well. If the Treasury Department receives payment of these fees, the funds are forwarded to Allied Waste. However, if payment is still not received by September 1st, the tax bill is forwarded to Oakland County and becomes a lien on the property. If Oakland County receives payment, the City is notified and reimburses Allied Waste for the funds received from Oakland County or the property owner.

Mr. Mahoney responded that service is not discontinued but the invoice would be applied to the tax lien against the property.

City Attorney Staran added that suspending trash hauling service would present a blight problem; and that contracting with a different trash hauler would be in violation of the ordinance amendment and defeat the City's purpose of having a single trash hauler.

Mr. Yalamanchi inquired how residents could terminate current trash hauling contracts without penalty. He questioned if there would be a grandfather clause and how will other waste hauling companies know about the City's single trash hauler contract and not penalize residents forced to terminate their contracts.

City Attorney Staran responded that these are some of the details that still need to be worked through so there are no delays to the beginning of the program or any affects on the pricing. He explained that these details will have to be negotiated and incorporated into the proposed contract and the Ordinance.

Mr. Yalamanchi commented that it was time to move forward with this program and that it would be up to the waste hauling company chosen to effectively implement the program.

Mr. Brennan asked to read an e-mail from former Councilwoman Linda Raschke stating that residents have always been responsible for their agreements with trash hauling companies and to let this idea go. He clarified that he was the messenger and that these are not his comments. He requested that RecycleBank rewards should have the ability to be converted into rebate relief on residents' Allied Waste invoices. He inquired further about cart use being mandatory as well as the availability of shredding services.

Mr. Mahoney responded that AW has looked at the possibility of additional

services such as providing a dumpster to residents for renovation clean-up but that the conversion of reward points to offset residents' Allied Waste trash removal costs are not available at this time. He stated that mandatory cart use is necessary for participation in the RecycleBank Program, but not mandatory for refuse removal. He responded that AW does not provide shredding services, however, the shredded material could be deposited into the recycling cart.

Mr. Brennan stated that Richfield Management submitted a pretty good bid and commented that he would like to see a presentation by them because they service the City of Rochester which is the City's Sister City and this could possibly be a cooperative service. He commented that while he likes the idea of recycling, he would like his garbage picked up efficiently and at a low cost.

Mayor Barnett stated that all the proposed companies came forward with excellent proposals that had unique qualities but this proposal stood out because it met the community's priorities and needs. He informed City Council that currently 50% of the residents engage Allied Waste for waste hauling services. He commented that residents would appreciate the definitive definition of the fuel escalation charge and that the variable in this proposal is the fuel surcharge. He appreciates the aesthetic appearance of a carted community and that Rochester Hills would be a recycling leader in Michigan and thereby creating a green community. He reminded residents that by the City being the first to implement RecycleBank, the City will always have the lowest price and any benefits given to other communities that join RecycleBank will always be available to Rochester Hills. He shared that he is an absolute supporter of this proposal because of the methodical process in which the Solid Waste Committee engaged its review of the submitted requests for proposal.

Mr. Pixley stated his appreciation and support of the closed loop customer service aspect of the proposal. He expressed his satisfaction of the letters notifying residents and interested parties about the public hearing for this agenda item. He stated that this proposal addresses cost and customer service, as well as reinforcing the importance of recycling in the City's community.

President Hooper stated the importance of seeking residents' major service needs because not every resident would be able to reap the benefits of group pricing by crafting their own contracts. He stated that the next step would be the negotiation of the various details between AW's attorney and City Attorney Staran and the drafting of the Ordinance amendment.

Discussed.

NOMINATIONS/APPOINTMENTS

- 2008-0502** Reappointment of Paul Funk, Dale Hetrick and John Dalton, and the appointment of four (4) additional Citizen Representatives to the Police and Road Funding Technical Review Committee for terms to expire December 31, 2009.

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Don Cline Jr CQ.pdf](#)
[Tim Jacobson CQ.pdf](#)
[Walter Johnson CQ.pdf](#)
[Thomas Neveau CQ.pdf](#)
[Nancy Soisson CQ.pdf](#)
[Resolution.pdf](#)
[Paul Funk CQ.pdf](#)
[Dale Hetrick CQ.pdf](#)
[John Dalton CQ.pdf](#)
[100608 Agenda Summary.pdf](#)
[100608 Nomination Form.pdf](#)
[Notice of Vacancy.pdf](#)
[100608 Resolution.pdf](#)

President Hooper stated that Don Cline, Jr., Tim Jacobson, Walter Johnson, Thomas Neveau and Nancy Soisson were nominated at the October 6, 2008 Regular City Council Meeting. He noted that Mr. Paul Funk, Mr. Dale Hetrick and Mr. John Dalton would be re-appointed and City Council will vote for four additional members.

City Council voted for the nominees as follows:

President Hooper: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

Mr. Ambrozaitis: Mr. Jacobson, Mr. Johnson, Mr. Neveau and Mr. Cline

Mr. Brennan: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

Mr. Pixley: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

Mr. Rosen: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

Mr. Webber: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

Mr. Yalamanchi: Mr. Cline, Mr. Jacobson, Mr. Johnson and Mrs. Soisson

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

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0339-2008

Resolved, that the Rochester Hills City Council reappoints Mr. Paul Funk, Mr. Dale Hetrick and Mr. Jack Dalton to serve as Citizen Representatives on the Police and Road Fund Technical Review Committee, each for a term expiring December 31, 2009.

Be it Further Resolved, that the Rochester Hills City Council appoints Don Cline, Jr., Tim Jacobson, Walter Johnson and Nancy Soisson to serve as Citizen Representatives on the Police and Road Fund Technical Review Committee, each for a term expiring December 31, 2009.

2008-0505 Appointments of two (2) City Council Members to the Police and Road Funding Technical Review Committee for terms to expire December 14, 2009

Attachments: [Appointment Form.pdf](#)
[Nomination Form.pdf](#)
[Resolution.pdf](#)

President Hooper stated that the following Council Members were nominated at the October 6, 2008 Regular City Council Meeting: Hooper, Rosen and Webber. City Council members voted for the nominees as follows:

Mr. Ambrozaitis: Rosen and Webber
Mr. Brennan: Hooper and Webber
Mr. Pixley: Hooper and Webber
Mr. Rosen: Rosen and Webber
Mr. Webber: Hooper and Webber
Mr. Yalamanchi: Hooper and Webber
President Hooper: Hooper and Webber

A motion was made by Brennan, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0340-2008

Resolved, that the Rochester Hills City Council has appointed Council Members Greg Hooper and Michael Webber to the Police and Road Funding Technical Review Committee, each for a term expiring December 14, 2009.

ANY OTHER BUSINESS

2008-0547 Consider Approval of Settlement of Austin Drive Condemnation Lawsuit

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

A motion was made by Rosen, seconded by Ambrozaitis, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0337-2008

Whereas, the City Council has previously determined and declared the public necessity to acquire public road right-of-way necessary for the proposed construction and extension of Austin Drive from its current terminus to Devondale Road; and

Whereas, the City instituted the lawsuit, City of Rochester Hills v Crown Service Plaza Partners ("Crown"), Oakland County Circuit Court No. 08-095054-CC, for the purpose of acquiring a public highway easement on a portion of the property owned by Crown; and

Whereas, the City and Crown have negotiated a tentative settlement as set forth in the proposed Final Order for Settlement.

Therefore, It Is Resolved that the City Council approves the settlement as set forth in the proposed Final Order for Settlement and hereby authorizes the City Attorney to sign the Order on the City's behalf and present it to the Court for entry.

COUNCIL COMMITTEE REPORTS

Cemetery Citizen Advisory Technical Review Committee:

Mr. Pixley reported that the Cemetery Citizen Advisory Technical Review Committee had met earlier in the day and discussed the proposed chapel. He noted that a letter had been sent to all property owners and members of the community regarding a fundraising opportunity to support the chapel initiative. He reported that \$11,600.00 had been raised and deposited with the Community Foundation of Rochester and anticipates an additional \$15,000.00.

Advisory Traffic and Safety:

Mr. Webber reported that at their last meeting, they discussed the following:

- A speed study of Shagbark was reviewed and encouragement of selective enforcement to aide in curtailing escalating speeds ensued.*
- Parking concerns on Cumberland Drive relative to Hamlin Elementary School during student pick-up and drop-off. It was proposed to adjust those times to be earlier.*
- The deer/vehicle traffic issues.*
- The enforcement of the City's Ordinance regarding snow removal from residential sidewalks.*

President Hooper commented that based on Public Comment, the Advisory Traffic and Safety Committee needs to study Bagley and Arizona as well.

NEXT MEETING DATE

Regular Meeting - Monday, October 27, 2008 - 7:30 PM

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 11:15 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*CHRISTINE A. WISSBRUN
Administrative Secretary
City Clerk's Office*

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