



Rochester Hills DRAFT Minutes

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

Administration and Information Services Committee

*Emily Burwinkle, Jim Duistermars, Abigail Gowman, Bob Grace, Barbara Holder, Brad Kinker,
Pam Lee, Jane Leslie, James Rosen, Camille Smith-Winberry, Gerard Verschueren*

Tuesday, February 7, 2006

5:00 PM

1000 Rochester Hills Drive

DRAFT

CALL TO ORDER

Vice Chairperson Duistermars called the Administration & Information Services (AIS) Committee meeting to order at 5:18 PM.

ROLL CALL

Present: Jim Duistermars, James Rosen and Gerard Verschueren

Absent: Barbara Holder and Brad Kinker

Non-Voting Members Present: Bob Grace, Pam Lee, Jane Leslie, Emily Burwinkle

Non-Voting Members Absent: Abigail Gowman and Camille Smith-Winberry

Others Present: None.

Committee Members Holder and Gowman provided previous notice they would be unable to attend and asked to be excused.

APPROVAL OF MINUTES

None were presented.

COMMUNICATIONS

2006-0129

Report on Annual Class C Inspections - 2006

Attachments: 020306 Memo Leslie Annual Insp Report.pdf; AIS Resolution.pdf

Ms. Jane Leslie, City Clerk, gave a brief presentation regarding the Annual Class C Inspection Report. Ms. Leslie noted that the Oakland County Health Department Inspector who was scheduled to attend today's AIS Committee meeting, is not present and did not give notification of being absent. Ms. Leslie distributed copies of the Inspection Report and informed the Committee that they were received on Friday, February 3, 2006 and therefore, the Committee was not able to receive them ahead of today's meeting. She encouraged the Committee to review them and she would forward any questions to the Health Department. She also noted the following:

** All inspections have been completed. There is one (1) outstanding for Pizzapapalis due to some repairs that were needed.*

** If an establishment has too many violations that are of a critical nature, the Health Department will hold a meeting with the establishment called a "pre-hearing conference".*

* *There were a few of establishments that were close to a "pre-hearing conference" meeting with the Health Department.*

* *The Health Department is mainly concerned with proper food storage processes.*

A motion was made by Rosen, seconded by Verschueren, that this matter be Received and Filed.

Resolved that the Administration & Information Services Committee (AIS) receive and file the Report on Annual Class C Inspections - 2006.

The motion carried by the following vote:

Aye: Duistermars, Rosen and Verschueren

Absent: Holder and Kinker

2006-0125

Request for Consideration from Council Member Yalamanchi regarding proposed resolutions be presented at least seven (7) working days prior to a Council Meeting by City Council Members

Attachments: Agenda Summary.pdf; 020706 Referral to CC.pdf; 020206 Memo Galeczka.pdf; 122005 Request Yalamanchi - item #3.pdf; 0125 Resolution.pdf

Member Rosen summarized a request submitted by Council Member Yalamanchi and noted that it resulted from a January Council Meeting where a motion was made by a Council member under "Any Other Business" which was a new issue to Council Members. The motion was significant and appeared to require adequate analysis in order for Council members to cast an informed vote on a resolution.

The Committee commenced discussion and noted the following:

* *Council members are provided with adequate notices of the majority of motion/resolutions because the meeting packets are distributed by the Clerk's Office on Fridays before the Wednesday meeting dates.*

* *It was suggested that "spontaneous" motions should not be discouraged, but if a Council member feels that a motion may require analysis, then the Council member should request the Council President include it on a Council Agenda which will allow for significant notice to Council members so as to gather information if necessary.*

* *Council Rules of Procedures Article VI, Section .03 b, Order of Motions, explains the order of importance of each type of motion that can be used. The motion to "Lay on the table" which postpones the motion until the next meeting, appears to be an effective way to deal with a "spontaneous" motion that may require analysis.*

* *Motions are entertained at the discretion of the Council President, however, a Council Member can use different levels of motions, i.e. tabling or postponing to address matters in question.*

The Committee's consensus regarding Mr. Yalamanchi's request was that no policy change was needed at this time. It was suggested that Council should hold an informational discussion to educate members on the different motion options and encourage them to submit agenda items in advance whenever possible.

A motion was made by Verschueren, seconded by Rosen, that this matter be Approved and Referred to the City Council Regular Meeting.

Resolved, that after reviewing the request of Council Member Yalamanchi regarding proposed resolutions be presented at least seven (7) working days prior to a Council Meeting by City Council Members, the AIS Committee has determined that there is no need for a policy change at this time because Robert's Rules and City Council's Rules of Procedure already allow for different levels of motions, i.e. tabling and postponing, etc.

Further Resolved, the AIS Committee encourages City Council members to submit requested agenda items in advance whenever possible which will provide significant notice to Council Members so that they may gather information if necessary.

The motion carried by the following vote:

Aye: Duistermars, Rosen and Verschueren

Absent: Holder and Kinker

UNFINISHED BUSINESS

2005-0345 City Council Policy for Per Diem Compensation

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

The Committee commenced discussion regarding the Council Attendance/Per Diem Compensation Draft Policy and noted the following:

* *Council Members are compensated for meetings to Boards & Commissions in which they are formally appointed to as a representative of the City.*

* *Council Members can be compared to "exempt employees". An exempt employee has a greater role and responsibility for the work that needs to be accomplished however long it takes. The perception of the amount of work it takes to get the job done is different for each member. The salary is paid based on the work that needs to be done, not by how much time an individual puts into the work he/she does.*

* *The current Council attendance sheet is a list of meetings and committees that qualify for compensation.*

* *It is a good practice for the Council President to review attendance sheets submitted by Council members similar to supervisors who review department employees' time cards.*

The Committee consensus was to include the following suggestions as DRAFT 2 for discussion at the March AIS meeting:

The following is a guideline list of meetings for per diem compensation:

1. *Regularly scheduled and noticed meetings of all Committees (except Ad-Hoc Committees) and Independent Boards & Commissions to which members are formally appointed by Council as Council's representative. (Does not include Agenda setting meetings).*

2. *Significant meetings that Council members are directed by Council or Council President to attend for legislative or policy matters on behalf of the Council or as*

an official representative of the City.

3. *Significant meetings relating to legislative or policy matters of the Council, Committees (except Ad-Hoc Committees), or Independent Boards & Commissions, with prior approval of Council President or the Council if necessary, and communicated to Council in advance (whenever possible).*

(In general, significant meetings are those which are held "in person" and last longer than one (1) hour).

Discussed

2005-0346

City Council Policy for Use of Electronic Communication Devices During City Council Meetings

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

The Committee commenced discussion regarding the Draft Policy - Use of Electronic Communication Devices During City Council Meetings and made the following points:

- * The Draft Policy stemmed from a past concern regarding access to the Internet, blogging, reading emails, etc. during a Council meeting with respect to how that may be in violation of the Open Meetings Act as well as how it may influence a Council member's vote if he/she obtained significant information that was not shared with other Council members during a public meeting.*
- * Once Council members enter a public meeting, they should no longer be in a discussion with someone. Their deliberations during a public meeting fall under the Open Meetings Act even when Council members take a recess during a public meeting. When a recess takes place during public meeting, each Council member is only allowed to have conversations with no more than two (2) other Council members in a group setting. They are encouraged to share any new information that may influence their vote. The Opens Meeting Act governs until the public meeting is adjourned.*
- * Any Council member can ask for a recess to research a particular topic in question. However, the key is for the Council member to share the information gathered during the break with the whole Council body when the public meeting is convened so that the information is "on the record".*
- * Use of various electronic means during an open meeting may be perceived as not sharing information.*
- * Council members should conduct themselves with proper etiquette and ethics to strive to avoid misperceptions that may result from usage of various electronic means during an open meeting.*
- * The Draft policy is not saying that a Council member should not answer emergency calls, but use discretion of how he/she answers pages, etc.*
- * It was suggested to change the word "refrain" to "discourage" where appropriate in the Draft Policy.*
- * It was suggested to check with the City of Troy regarding a recent policy that may have been passed regarding use of electronic devices during an open meeting.*

The consensus of the Committee was that they agree with the way the Draft Policy was written. They will discuss it again at the AIS March meeting before bringing it to Council to explain how it should be interpreted.

Discussed

NEW BUSINESS

2006-0128

Request for a "New from Quota" Class C Liquor License from Mitchell's Fish Market to be located at 370 N. Adams Road

Attachments: Agenda Summary.pdf; 020706 AIS Agenda Summary.pdf; Application.pdf; Floor plans.pdf; Department Reports (2).pdf; Supplemental Report - Bldg Dept.pdf; AIS Resolution.pdf; 0128 Resolution.pdf

Ms. Leslie, City Clerk, gave a brief update on the applicant, Mitchell's Fish Market, which included the following:

** Mitchell's has paid the application fees. The building plans have been submitted and are in the review process. It was noted that the Building Department requested Mitchell's to make some plan changes which would result in approving construction permits if required changes are made.*

** The Sheriff's Department had no findings at this time.*

** Mitchell's will be located at the former site of Harry & David at the Village of Rochester Hills.*

** The City currently has four (4) new licenses remaining in their quota.*

Appearing on behalf of the applicant was Mr. John Carlin, an attorney. After introductions were made, Mr. Carlin reviewed the floor plans which included the seating and the menu. He also noted the following:

** Mitchell's is a full service restaurant specializing in fresh fish and caters to families. There are three (3) other locations in Michigan and approximately 30 nationally. The Rochester Hills location will seat approximately 287 and have a seasonal patio facing Adams Road. Alcohol beverage sales will be approximately 18-20% of gross sales. There are no liquor violations in Michigan. They will employ approximately 70 people who will be properly trained as well as bring in their own seasoned managers.*

** Construction is scheduled to begin the last week in March with a target opening date of July 21, 2006. The company is investing approximately \$2 million dollars in the building which will be an investment in the local community tax base. The founding family owns approximately 50% of the company.*

Vice Chair Duistermars thanked Mr. Carlin for his presentation after which Mr. Carlin exited the meeting.

The Committee reviewed the company's financial statements with particular attention to Mitchell's credit liabilities. The Committee agreed that it has been the general policy of Council to discourage issuing new licenses, but rather to encourage applicants seek one to transfer into the community.

A motion was made by Rosen, seconded by Verschueren, that this matter be Recommended for Denial to the City Council Regular Meeting.

Resolved that the Administration & Information Services (AIS) Committee

recommends that the Rochester Hills City Council deny the request from Mitchell's Fish Market for a New Class C License to be located at 370 N. Adams Rd., Rochester Hills, MI, 48309.

The motion carried by the following vote:

Aye: Duistermars, Rosen and Verschueren

Absent: Holder and Kinker

2006-0021

Establish Administration & Information Services (AIS) Committee Meeting Schedule for 2006

Attachments: 011006 Memo Mertz - Meeting Schedule & Calendar.pdf; Draft resolution.pdf

The Committee had set their 2006 schedule at the January AIS meeting. However, they postponed setting the meeting time until the February AIS meeting in order to gather a consensus regarding a meeting time that was conducive to all members.

A motion was made by Rosen, seconded by Verschueren, that this matter be Approved.

Resolved that the Administration & Information Services Committee establish their 2006 Meeting Schedule as the First Tuesday of each month at 5:00 PM, at 1000 Rochester Hills Drive and will schedule those meetings dates that conflict with holidays or elections as follows:

Feb. 7, 2006
Mar. 7, 2006
Apr. 4, 2006
May 9, 2006
June 6, 2006
July 11, 2006
Aug. 15, 2006
Sept. 12, 2006
Oct. 3, 2006
Nov. 14, 2006
Dec. 5, 2006

The motion carried by the following vote:

Aye: Duistermars, Rosen and Verschueren

Absent: Holder and Kinker

2006-0119

Review of City Council Rules of Procedures

Attachments: 070606 Memo Galeczka - Written Comm.pdf; 030706 AIS Draft notes.pdf; 030306 Memo Galeczka.pdf; 020206 Memo Holder.pdf

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

The motion carried by the following vote:

Aye: Duistermars, Rosen and Verschueren

Absent: Holder and Kinker

YOUTH COMMENTS

None were presented.

ANY OTHER BUSINESS

2005-0462 Discuss Asset Management System

Attachments: Asset Mgmt CIP Info.pdf; 020706 Supplemental Info - list of users.pdf

Mr. Bob Grace, MIS Director, provided a list of other users in the surrounding geographical area. The list is electronically attached as supplemental information to this legislative file #2005-0462.

Discussed

2006-0177 Request for a "New from Quota" Class C Liquor License from Tom's Oyster Bar to be located at 6870 N. Rochester Rd., Rochester Hills, Michigan 48306

Attachments: Agenda Summary.pdf; AIS Agenda Summary.pdf; Application & Articles of Organization.pdf; Lease Commitment letter.pdf; Dept Reports.pdf; Paid Fees Receipt.pdf; LCC Local Approval Notice.pdf; AIS Resolution.pdf; 0177 Resolution.pdf

Ms. Leslie, City Clerk, introduced five (5) representatives regarding a new restaurant, Tom's Oyster Bar, to be opened at the new Papa Joe's Gourmet Market Place building located on the northwest corner of Rochester and Tienken Roads.

The five (5) representatives were:

- . Mr. Eric Eggan, attorney representing the special entity to be created to hold the new license*
- . Mr. Tony Curtis, developer of the new Papa Joe's Gourmet Market Place*
- . Mr. Tom Brandel, owner/founder of Tom's Oyster Bar*
- . Mr. Gary Kotlarz, representing one of the possible members of the special entity to be created to hold the new license*
- . Mr. Ron Ray, architect for the new Papa Joe's Gourmet Market Place building*

Mr. Eggan gave a brief presentation that included the following:

** Initially Papa Joe's applied for three (3) new licenses which were denied by City Council. However, they transferred an existing license which was approved by City Council and the Liquor Control Commission.*

** Papa Joe's is requesting a new license for Tom's Oyster Bar.*

** The holder of the new license will be a special entity created with an agreement that will give Papa Joe's the license in the event that Tom's Oyster Bar moves away. The intent is for the license to stay with the property.*

Mr. Ray gave a brief presentation of the floor plan of Tom's Oyster Bar including the following:

** The restaurant will have a separate outside entrance so there will be no need to go through the market; it will be free-standing. However, it will share another entry off the lobby with stairs and an elevator to access the upper level banquet facilities.*

* *The restaurant will be a classic New England style, with a friendly atmosphere with approximate seating capacity of 180 to 235 which includes a proposed outdoor cafe. Tom's Oyster Bar has locations in Grosse Pointe, Detroit and Royal Oak.*

Vice Chairman Duistermars thanked the representatives for their presentation.

Discussed

Update on Union Negotiations

Ms. Pam Lee, Director of Human Resources, provided a brief update on union negotiations that included pension plan issues and possible arbitration.

Ms. Lee also reminded the Committee that she will bring 2007 salary information forward for Directors, Council, Mayor and Boards & Commissions to begin discussions at the March AIS meeting..

NEXT MEETING DATE

Tuesday, March 7, 2006 - 5:00 PM

ADJOURNMENT

There being no further business to discuss, Vice Chairperson Duistermars adjourned the meeting at 7:57 PM.

Minutes prepared by Denise Mertz.

Minutes were approved as presented/amended at the _____, 2006 Regular Administration & Information Services (AIS) Committee Meeting.