



# Rochester Hills

## Minutes - Draft

### City Council Work Session

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Home Page:  
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*Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper,  
Linda Raschke, James Rosen, Ravi Yalamanchi*

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Wednesday, October 17, 2007

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Rosen called the Regular Rochester Hills City Council Work Session Meeting to order at 7:32 p.m. Michigan Time.*

## ROLL CALL

**Present** 6 - Erik Ambrozaitis, Jim Duistermars, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

**Absent** 1 - Barbara Holder

## Others Present:

*Bryan Barnett, Mayor  
Scott Cope, Director of Building/Ordinance Compliance  
Ron Crowell, Chief, Fire Department  
Pamela Lee, Director of Human Resources  
Jane Leslie, City Clerk  
Roger Rouse, Director of D.P.S.  
Orfeh Vahabzadeh, Youth Council Representative  
Robert White, Supervisor Ordinance Services*

## PLEDGE OF ALLEGIANCE

## REVIEW OF AGENDA

*Council members agreed to insert Item 2007-0100 - Request for Purchase Authorization - DPS/ENG/FACILITIES: Tuck-pointing services for brick tuck-pointing and masonry joint sealing at Fire Station #4; increase to blanket purchase order in the amount of \$4000.00 for a new not-to-exceed amount of \$44,800.00; Poe Restoration and Waterproofing Company, Commerce, MI after Item 2007-0263 - Request for Purchase Authorization - DPS/Engineering, Facilities Division: Citywide Janitorial Products; increase to blanket purchase order in the amount of \$14,736.00 for a new not-to-exceed total of \$74,736.00; Industrial Cleaning Supply (ICS), Waterford, MI.*

## PUBLIC COMMENTS

**Mr. Don Ruff**, 3587 Parrot Ridge, noted that it is campaign time again. The League of Women Voters Debate forum telecast is only being replayed at 4:00 p.m. and he requested that it be televised more often in the evening hours. He also expressed concern about campaign practices.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Rosen** suggested for the next election season that there should be a guideline for signs rather than an ordinance. He stated he was pleased to see that there was not a continuous grouping of signs.

**Mr. Ambrozaitis** expressed his disappointment with the current state of the political situation regarding recent mailings.

**Mr. Duistermars** referred to the first amendment applying to the signage issues and stated various municipalities have had issues regarding their political signage, including some litigation. Therefore, many municipalities have had to revise their political sign ordinances. He requested that the City not infringe on the peoples' right for political speech.

**Ms. Raschke** announced the 9th Annual Brookwood Subdivision's Make a Difference Day Flea Market on October 27. She stated the monies from this flea market go to numerous charities inside of our community and outside of our community. She also suggested that residents drive by Crittenton Hospital to see that the universal "H" that has been installed, and thanked Mayor Barnett and Lynn C. Orfgen, CEO of Crittenton Hospital.

**Ms. Vahabzadeh, Youth Council Representative**, reported on their October 8th Youth Council Meeting. She stated they discussed their upcoming projects, which include a youth summit, a community beautification project, a promotional Rochester Hills Youth Council Video, participation in Festival of the Hills and Voter Registration. The Youth Council will also be participating in the Swearing In Ceremony and the 56th Annual Christmas Parade.

**Mayor Barnett** responded first to Mr. Ruff's comments regarding the broadcasting of the League of Women Voter's Debate. He explained that the City Council Meetings are consistently shown at 7:30 p.m. at night. The October 31st Council Meeting will be announced as cancelled later this evening, therefore, the telecast of the League of Women Voter's Debate will be shown on those evenings that there is no council meeting. Mayor Barnett made the following announcements:

\* Justice for Children's Organization is having a fundraiser on Saturday, October 20th, at 7:00 p.m. at Great Oaks, \$75 per person and all of the money goes toward defending children that are victims of crime.

\* Lowe's opened on the south end of town.

\* Hollywood Market opened and is located at Rochester and Tienken.

*His final comment was regarding the election season stating he has also been very disappointed with some of the campaign mailing practices as well.*

**2007-0723** Request for Purchase Authorization - DPS: One Wheeled Excavator; Purchase Order in the amount of \$141,914.00; Michigan Cat, Shelby Township, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Bid Tab.pdf](#)

**Mr. Rousse** explained that their department is about two years behind on plans to replace this equipment. Since the delay, they have experienced almost \$15,000.00 in repairs. He stated this equipment has fully depreciated and is starting to have high cost repairs. He noted they found that the majority of the maintenance costs occur in the last one-third of the vehicle life cycle. This equipment is used year round on approximately every road repair project.

**Mr. Yalamanchi** inquired if this was the only excavator the City has, or one of several owned by the City. He commented that he saw one the other day and questioned it's status and age.

**Mr. Rousse** explained that particular one had been replaced within the last five years. He stated that the department tries to alternate them so they are not being replaced on the same time frames, which is generally five years apart. He stated in this case, the particular vehicle will be ten years old next year, noting the typical life span replacement is seven years.

**Mr. Rousse** explained that this vehicle is used in the winter time for ditching and any other repairs, from early spring to late fall, it is used on a daily basis for road repairs. This year the City has completed approximately 40,000 square feet of concrete road repairs, this machine was used daily on these projects. The plan for next year is to continue the accelerated concrete repair program.

**Mr. Yalamanchi** questioned if the actual payment will be \$141,000.00, after the \$30,000.00, trade-in amount.

**Mr. Rousse** responded that he was correct. He stated the budget amount was \$211,000.00 and the cost is \$171,000.00 less \$30,000.00. **Mr. Rousse** explained that the \$30,000.00 received for the trade will go into a fund for the sale of assets.

**PUBLIC COMMENT:**

**Mr. Zendel** questioned how much this unit would have cost two years ago when it was originally scheduled to be replaced?

**Mr. Rousse** responded that he would have to refer to the records.

**2006-0800** Request for Purchase Authorization - DPS/Facilities: Electric Energy for City Facilities; increase to blanket purchase order in the amount of \$83,000.00 for a new not-to-exceed amount of \$388,470.00; DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, MI

**Attachments:** [101707 Agenda Summary.pdf](#)

**Mr. Rousse** explained how they estimate what the costs are going to be. The power needs have expanded at City Hall and the police substation, and next year at the DPS garage. That estimate fell a little short. One of the reasons the estimate was off was because the year-end payment for 2006 came out of this blanket. So the request is now to adjust for that.

Responding to President Rosen's question, **Mr. Rousse** explained that the Department ran short last year, and took money out of this blanket to make the last payment. They are running into the same issue again and that is why they are asking for the increase. He stated the City's energy costs are still a best guess and they have been escalating. He further stated that City Hall has an Energy Management System with pre-programmed features that help reduce costs. This is another reason why they are asking for this increase. This system has been very helpful with the energy.

**Mr. Yalamanchi** questioned if the City is tracking the energy consumption, if so, how is that being done.

**Mr. Rousse** said he would have to get him this information. He has a graph that will help explain this much better. It shows how they have minimized the increases over the years, so as the square footage has increased, proportionately the energy consumption has gone down.

**Mr. Yalamanchi** stated that the City's costs will obviously be going up with the DPS building coming along.

**Mr. Rousse** responded that one of the things that has been done is a waste oil heater has been added to the building so all the oil gotten from oil changes, transmission and any other combustible fluids, will be collected in a tank, and that fuel will be burned to warm the maintenance bay areas in the garage.

**President Rosen** questioned if the City could use the new compact fluorescent lights in our fixtures.

**Mr. Rousse** responded that the 110 voltage fixtures could, however, the 220 voltage overhead lights cannot.

**PUBLIC COMMENT:**

**Mr. Miller**, 1021 Harding Avenue, questioned if there was any research done regarding the possible savings over a ten or twenty year cycle if the City Hall renovation and DPS Building were set to Green Building standards.

**Mr. Rousse** responded that the City is pursuing grants for that possible project. When conducting the research for the new DPS facility, one of the biggest benefits was the green roof. The result of this research determined it would have been a high, up front investment. It also would have resulted in a need to increase the structure of the building to take the additional weight of the roof materials. The City did take advantage of some of the recommendations, the lighting, the waste oil heater, insulation and other things of that nature. The building is not green or lead certified.

**Mr. Miller** responded that he understood the purpose of the roof would not have been so much energy conservation as much as a net carbon reduction.

**Mr. Rousse** responded that it was actually both. The energy reduction was substantial for both heating and cooling with the green roof. The City did not pursue this because when they explored the cost savings and the reduction in the scale of the project, that additional \$1.2 million that it would have taken to increase the structure of the building was not acceptable.

**2007-0263** Request for Purchase Authorization - DPS/Engineering, Facilities Division: Citywide Janitorial Products; increase to blanket purchase order in the amount of \$14,736.00 for a new not-to-exceed total of \$74,736.00; Industrial Cleaning Supply (ICS), Waterford, MI.

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

**Mr. Rousse** discussed how the City is making the transition to green products and is using the following aspects:

- Do they provide the same cleaning power as the products that have been traditionally used;
- What is the tolerability by the employees' use of these products (i.e. concern about change in sensitivity and reactions to different products); and
- the current costs are because of the experimentation of green products. The City makes its purchase through the Oakland County Cooperative which offers some substantial cost savings over buying these products on the open market.

**Mr. Duistermars** inquired if the cost of green cleaning supplies is competitive with traditional cleaning supplies.

**Mr. Rousse** stated that the green cleaning supplies are slightly higher in cost right now. It is his understanding that as the use of these green cleaning supplies increases, the cost may come down and be more competitive.

**2007-0100** Request for Purchase Authorization - DPS/ENG/FACILITIES: Tuck-pointing services for brick tuck-pointing and masonry joint sealing at Fire Station #4; increase to blanket purchase order in the amount of \$4000.00 for a new not-to-exceed amount of \$44,800.00; Poe Restoration and Waterproofing Company, Commerce, MI.

Attachments: [Agenda Summary.pdf](#)

**Mr. Rousse** stated there is additional tuck pointing needed at the fire stations and the museum, he is hoping this is the last we will see of this for some time. He commented that this is not a large increase but it does represent additional work that they have identified on the Project that should be taken care of in order to maintain the structure and masonry of the buildings.

**President Rosen** inquired if tuck pointing is the mortar between the bricks that has to be removed and inserted back in to seal it.

**Mr. Rousse** responded that the fire station project was discussed when they discovered some leaks in the roof. In investigating those leaks, they have identified this as a potential source and would like to get the tuck pointing taken care of to control those leaks in the roof.

**Mr. Yalamanchi** stated that in reviewing the information, he noticed the work had been previously done but then the leak came back and now it has to be redone. He wanted to know if it is normal practice to have a physical assessment performed in order to determine what work needs to be done so that it is not having to be redone.

**Mr. Rousse** explained that in this case it was tracking down a roof leak and they thought they had taken care of it. First, repairs were made to the roof and then realized it was the joint between the upper and lower roof, where the leaks were taking place. So to preserve the integrity of the interior of the building, they are trying to take care of the leak problem once and for all.

**2006-0748** Request for Purchase Authorization - FIRE: Ambulance Billing Services; increase to blanket purchase order in the amount of \$30,000.00 for a new not-to-exceed total of \$110,000.00; AccuMed Billing, Inc., Riverview, MI

Attachments: [Agenda Summary.pdf](#)

**Chief Crowell** explained that they have to come before City Council every year because they have had to estimate the call volume and time of transport. In September 2007, they had a \$71,000.00 check from AccuMed, the highest one came in. In August 2007, the City received from AccuMed for \$173,000.00 which has put his department well over what they had anticipated. Based upon what they had requested in the 2007 Budget, he is asking for a \$30,000.00 increase to be able to meet their expenditures based upon revenues.

**Mr. Duistermars** pointed out that this expense is being offset by a huge revenue stream.

**Chief Crowell** added that currently for the \$30,000.00 additional expense, the City's revenue will be \$300,000.00.

**Ms. Raschke** noted the high concentration of senior facilities in the City, and stated that the Department is on the run with the call volume jumping.

**Mr. Yalamanchi** questioned if based on the Department's estimation, the City will reach \$1.1 million.

**Chief Crowell** responded yes, but unfortunately the Department cannot fully estimate when people are going to get sick and need an ambulance.

**Mr. Yalamanchi** requested the figure of what has been collected year-to-date.

**2006-0440** Request for Purchase Authorization - HR: Supplemental Sickness and Accident Policy for POC's and full-time Fire Fighters with VFIS; Purchase Order in the amount of \$55,292.00; Emergency Services Insurance, LLC, Grand Rapids, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Amendatory Endorsement.pdf](#)

**Ms. Pamela Lee, Director of Human Resources**, explained this is an extension of a policy that the City currently has in place for the firefighters, both paid on call and full time receive supplemental, work related disability and life insurance benefits through a company called Volunteer Fireman's Insurance Services. This item was presented to City Council in 2006 and was approved for \$24,000.00+ premium, this was a one year premium. She is requesting approval of a blanket purchase order to cover the remaining two years of that insurance policy. The City had enacted a three year extension on the policy in order to save on the premium. In addition, the City had to make an adjustment in the number of covered employees for this particular policy. The amount of the request is \$55,292.00, to provide for the difference in the policy premium for 2006, 2007 and 2008.

**President Rosen** asked if the City had authorized a three year contract.

**Ms. Lee** responded that the City had signed a three year contract but that the blanket purchase order amount that was authorized was only a one year premium.

**President Rosen** asked if because the City increased staff, the City owes the insurance company catch up for 2007 and asked if what she is suggesting is that the City might as well budget it for 2008 and 2009.

**Ms. Lee** further explained that it is for 2006, 2007 and 2008 and that the premium increased to \$26,738.00 per year.

**President Rosen** answered that this still takes them to approximately \$52,000.00 plus the make up difference for 2006 so the City will catch up for 2007.

**Ms. Lee** finished by adding that the City will be in the position to pay for 2008 when the 2008 premium is due and it ends in 2008.

**President Rosen** was clarified that 2008 gets paid in July.

**2007-0738** Request for Purchase Authorization - HR: Labor and Employment Legal Services; Blanket Purchase Order in the amount not-to-exceed \$130,000.00; Kemp Klein Law Offices, Troy, MI

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

**Ms. Lee** explained that this purchase is to renew the City's contract with the law firm of Kemp Klein for the principal services of Thomas Boyer, Esq. She noted that the City is in the beginning process of an arbitration with one of the unions, the Fire Fighter Union. Mr. Boyer has been involved in helping to prepare for these proceedings. The arbitration begins in November, and she anticipates that it will continue for a good part of 2008.

**Mr. Yalamanchi** inquired if this particular contract will end in 2008.

**Ms. Lee** responded that currently the City is in arbitration over the 2005 contract which will probably will take the City through to 2008 and by the time the City has completed this contract, the City will most likely be involved in another contract negotiation.

**Mr. Yalamanchi** expressed his concern that this has gone on so long and by the time it is resolved, it will be time to negotiate again.

**Ms. Lee** explained that Public Act 312 is a very involved judicial process that is provided in lieu of the right to strike. Public safety groups are the only employee groups that have this particular right in the State of Michigan.

**Mr. Yalamanchi** stated he is concerned that in the thirty-two years of history with the firm of Kemp Klein, that the City has not obtained proposals from other firms and that maybe this is something that should be looked into, after this arbitration issue is settled.

**Ms. Lee** stated that the City has maintained very stable relations with its legal representatives, general counsel, the labor attorney and the audit firm. She explained that the City had established very important history and a very important relationship. She stated it is very important to maintain the stability of this specific relationship the history, because of the continuity, because of various serious issues involved in defending this organization and keeping the City out of serious liability which Mr. Boyer and the Kemp Klein law firm have



*been very successful doing for the City for the past thirty-two years.*

**Mr. Yalamanchi** commented that he has no doubts that the law firm of Mr. Boyer is well qualified and a good firm. He stated he feels the City should look at different attorneys and in order to see that they are comparable, competitive and might if they have more innovative ideas because of the constant, frequent changes in law.

**Ms. Raschke** stated that maintaining and keeping institutional memory is invaluable with labor negotiations.

**Mr. Hooper** questioned when and if arbitration is settled, could the City look into negotiating a six year contract.

**Ms. Lee** explained that this is part of the negotiation process and the City looks at the duration of the contract just like any other issue.

#### **PUBLIC COMMENT**

**Mr. Paul Miller** commented on the contract expiring in 2004 and stated that for the last three years, the City has been spending approximately this much for labor and legal services with this law firm. He stated that he assumed that there is other additional costs the City is incurring and wondered if it would not have been cheaper to come to an agreement sooner instead of it leading to a Public Act 312. He stated that he hoped the City can avoid this process for the new contract in 2008.

**Ms. Lee** said that there is a lot at stake with this particular contract with the City.

**Mr. Duistermars** commented on the cost of bringing in a new law firm that would have to do research to be brought up to speed, or newly graduated attorneys that could put the City into more legal jeopardy because of legal inexperience or the firm's inexperience with the City matters. He stated it would be egregious case of malpractice if the current law firm did not keep up with the current laws, the ins and outs and statutory law. He further stated that the City is being well taken care of with the City's current legal counsel.

**President Rosen** commented on institutional memory and the degree of importance to the City. He referred to term limits, the ordinary turnover of council members, employees of the City and administrations, very few people will remember what happened back in 1978. Institutional memory is the tracking of the history of our City, why the City did what it did and what happened as a result of those actions. It helps the City not to repeat bad history.

**2007-0165** Discussion on the revised proposed Property Maintenance Ordinance

**Attachments:** [101707 Agenda Summary.pdf](#)  
[100907 Building Dept Memo.pdf](#)  
[100907 Ordinance Revised.pdf](#)  
[080107 Overview of Changes.pdf](#)  
[080107 Property Mtn Presentation.pdf](#)

**Mr. Scott Cope, Director of Building/Ordinance Compliance,** began the discussion of the potential changes to the proposed Property Maintenance Ordinance. He mentioned some of the revisions were requested by Council at the meeting in August, these changes are outlined in the Memorandum dated October 9, 2007. One suggestion was to change the location of the cutting, having it start at the edge of the street. His only concern with this suggestion is that it includes the right-of-way and the right-of-way is not usually owned by the land owner and could start a legal matter. He asked if City Attorney Staran could address this possible issue. He then directed everyone's attention to Mr. Robert White, Supervisor Ordinance Services, who gave a brief slide presentation, showing some pictures giving examples of Article 2, Division 1 - External Property Maintenance. He said that the Department would hold its position on Article 1 as it stands; nothing other than minor wording has been changed in it. Since the last meeting, August 8, his department has had calls from the neighbors of the pictured properties. So he is taking this opportunity to show that the useful tools in Article 2, Division 1 do come in handy as exhibited by the pictures. He described the pictures of the various residences and the problems occurring. He also had a slide showing the Michigan cities participating in the IPMC or the BOCA Property Maintenance Code. The Department decided to formulate their own code so they could take the various problems to District Court, if necessary.

**Mr. Cope** added that the Department wanted to share the types of complaints they have been receiving over the last two months.

**Mr. Duistermars** questioned building codes addressing ongoing issues with the interior of a home.

**Mr. Cope** stated that for the Department to handle anything interior, there is a procedure to be followed. A complaint is filed, usually from a renter of property that is not being properly maintained or other obvious problems. The Department can only go into a house if they have been invited to do so by the owner. They could get a warrant but they have never done this.

**Mr. Duistermars** questioned if the International Property Maintenance Code (IPMC) was more of a base line and if the City tries to build on top of that with more specific ordinances.

**Mr. Cope** explained that the IPMC is a very detailed ordinance; it has a lot of requirements. He noted that they tried to pull out sections of that Code that they felt were necessary to address, the items that the Department has been receiving complaints about. He stated they were not wanting to adopt the whole Code because it actually is more detailed than what they felt the Department and City Council would want to get into.

**Mr. Ambrozaitis** stated he would like to see both of these Articles pass, but at this point, passing one would be better than none. He requested that City Council pass Division 1, Article 1 and work with this for now.

### **PUBLIC COMMENT**

**Mr. Zendel**, 1575 Dutton Road, dissected various issues with parts of the Article 2, Division 1. His comments are as follows:

- In Section 84.4, Item #3, junk such as neatly stacked firewood to provide shelter for chipmunks and other such rodents. Rodents are a huge class of animals, including squirrels, ground hogs, mice and rats.
- Landscaping shall be kept free of vegetation, bushes, weeds and tall grass which present a visual blight upon the area. Visual blight is like beauty in the eye of the beholder.
- Section 84.5, dogs and animals, as someone who uses the bike paths a lot, people who do not clean up after their dogs.
- Section 84.7, garage sales, stating that no more than four sales per person, he wanted to know if a database was going to be maintained.
- Section 84.8 referring to the graffiti issues - he noticed graffiti already on the new installations that AT&T is putting in. He questioned if the City was going to chase after AT&T.
- Weeds in Vintage Estates, very tall weeds but it comes up to the bike path, the other side of the bike path has weeds but it belongs to the County, how can we ask the homeowner to get rid of what he has gotten when he could say he gets them from the County.
- Section 84.12, the last part of it, all structures and exterior property shall be kept free of rodent, harborage and infestation. Where rodents will be found they should be promptly exterminated by an approved process which are not injurious to people in health. Does this mean that somehow he has to get rid of all the chipmunks and squirrels and the ground hog, he thinks this should be more specific to rats and mice.

- Section 84.13, the solid waste section, the occupant of any single family residence in this City shall separate recyclable materials and place them in properly marked containers. He thought the City had removed mandatory recycling and this portion says 'shall'.

- Section 84.16, no person shall park or store a vehicle outside of an enclosed building in a residential district if there is a sign not directly related to the vehicle use. He has noticed recently some vehicles with political signs posted on them, does the Department want to get involved that way or are we making an exception again for political signs.

- Section 84.16, c1, shall not apply to any vehicle ordinarily used but temporarily out of running condition, he wondered about the word temporary and how its used.

- Section 84.17 to weed control and read shall not apply to noxious weeds on naturally landscaped area, once again, the City's Property, fair to fine residents.

**Mr. Miller**, 1021 Harding, questioned if the City can only be invited in by the owner or the tenant of the home.

**Mr. Cope** answered that it is the owner or whomever is in control of the home.

**Mr. Miller** said that its his understanding that this is really more in line with protection of renters in case of egregious building conditions and/or standards, heat, water, sanitation, so on, rather than an attempt to force every homeowner in the City to have their home inspected.

**Mr. Cope** answered that this is not the intent at all. He went on to explain that the current language is to allow them to deal with complaints of unsafe homes.

**Mr. Miller** referring to the section on noxious weeds, stated some species of grasses were listed as illegal. He had an issue with some of the plants listed. He referenced a program that the U.S. Department of Agriculture has paying people to grow certain native plants. He stated it is his belief that non-intensively manicured property not only tends to be better for the homeowner who lives on the property, but for society in general as well as the planet.

**Mr. Steve McGarry**, 2164 Clinton View, mentioned that he came to the meeting to discuss a telephone call he had received from one of his neighbors inquiring about a residence in his subdivision. He stated there was a Sheriff's sale in March and the owners had moved out in the middle of September. The lawn had not been mowed in a month and a basketball hoop was laying in the driveway, the home's appearance looked pretty bad. He mowed the lawn because as a President of the Homeowner's Association, that is part of his job. He suggested inserting some language into this ordinance pertaining to homes in foreclosure that assigned the responsibility of lawn maintenance and basic upkeep to the bank or financial institution that would be the interim owner during a foreclosure proceeding.

**President Rosen** questioned if a bank or financial institution owns the residence, are they the responsible party.

**City Attorney Staran** responded that they were.

**Mr. Duistermars** referring to Mr. Miller's comments regarding specific types of plants that are part of landscape features or vegetables, questioned about the mechanics in determining what are weeds and what are not.

**Mr. Cope** stated the City is looking at the extreme of cases and that is what the ordinance addresses, the extreme. They are looking at properties that seem to have obvious neglect, like the grass has grown a foot tall or more; these are the kinds of things they are trying to address.

**Mr. Duistermars** questioned vacant lots and how those situations will be handled.

**Mr. Cope** said that if there has been a vacant lot in the City that requires mowing then they are familiar with the Department's processes because the City has a contractor that goes through the City and mows those properties and has been doing that for years.

**President Rosen** stated he was fine with Article 1, uneasy about Article 2 Division 1 and not in support of Article 2 Division 2. He stated that this does not mean they cannot continue working on it. He would like to continue reviewing the external part of 2 but his main concern are the people who are unable to physically keep up with some of their maintenance and upkeep; that he does not want to see them penalized for infirmities. He stated his concern regarding Division 2 because it seems like we are getting inside.

**Mr. White** stated the intent is for City Council and the public to understand that the City is being approached by residents to do something about matters in their neighborhoods. The Building Department is just asking for a tool to help the residents that are doing their part in keeping their neighborhoods clean and kept up. He made the point that the Department is being approached by residents on handling these matters and this will give the Department some guidelines to follow. He also mentioned that for preservation of communities and reputation, blight prevention is also crime prevention, if people let things go, other things start happening.

**Mr. Yalamanchi** stated that he wants this ordinance to be an effective tool for the Department so that when the request is made, an answer is available. He just would like to see blight diminished. He would also like to help the tenants that are living in substandard living conditions. His continuous discussions with Mr. Cope and Mr. White has assured him that the Department is very concerned and very willing to work with residents in need. He stated that he wants to see this move forward and stop revisiting all the 'what if' situations.

**President Rosen** responded that he is waiting for the Building Department's lead as to when they are ready to come back and present it for passage.

**Mr. Duistermars** suggested that they have the same Council for first and second reading.

**Mr. Ambrozaitis** thanked Mr. White for his comments and stated he is looking forward to the Building Department bringing this forward.

**Mr. Hooper** stated he would like to see this move forward.

**Ms. Raschke** thanked the Building Department for a job well done and commended Mr. McGarry for maintaining a property in a foreclosure.

**Mr. Zendel** stated he thinks it is a good ordinance and with a few tweaks, it should be passed. He concurred with President Rosen's comments about the seniors in the City who are not always able to maintain their property and are on fixed incomes, and stated he does not want to see those people fined.

**Mr. Hartman**, 532 E. Avon, talked about his concerns regarding developers being treated the same as the residents.

**Mr. Kibby**, 558 Whitney, commended everyone for their efforts. He suggested that an appeal process be included as part of the passage of this ordinance.

**Mr. Duistermars** expressed his desire for this to move forward for a vote at next City Council meeting.

**Mr. Cope** clarified that tonight's discussion is focused on Article 1 even though there has been various comments regarding Article 2. He wanted everyone to be sure that Article 1 is the item being tweaked and voted upon.

## CITY COUNCIL

### ANY OTHER BUSINESS

**Mr. Yalamanchi** following up on the M-59/Crooks Road Project, questioned if there was any progress.

**Mayor Barnett** responded that he does not have any additional information at this time.

**Ms. Raschke** explained that the speed limits on gravel roads were lifted in Macomb County and thereby Oakland County lifted them as well. She stated that 55 mph is much too fast. She stated her concern regarding safety issues, especially driving curvy gravel roads at 55 mph.

**Mr. Ambrozaitis** commented on the following three items:

- He would like to see discussion on the issue of a single garbage hauler. He would like it to be on record that he is not either for and/or against it, he would

*just like to have the residents of the City vote on it as soon as possible. He asked President Rosen to place it on the docket and plan to schedule it at a reasonable time.*

*- He explained some of his reasons for voting yes or no to portions of the budget the previous week, there is the individual appropriation.*

*- He made a statement to all of the people that live in Cumberland Hills, when the appropriation comes for the actual Cumberland Road Project, he publicly stated that he will be voting to support the residents in that endeavor.*

**President Rosen** addressed Mr. Ambrozaitis' comment about the single garbage hauler. He noted that in March or May of 2006, he and several employees of the City, on their own time, went through the entire mind map on trash hauling and surmised that everyone is at an impasse and that issue will always be an impasse. He did say that with the next Council, if there is a majority willing to proceed, then they will revisit this issue. At this time and the given set of circumstances, he just did not see that happening.

## **NEXT MEETING DATE**

*Regular Meeting - Wednesday, October 24, 2007 - 7:30 PM*

## **ADJOURNMENT**

*There being no further business before Council, President Rosen adjourned the meeting at 9:50 p.m.*

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*JAMES ROSEN, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

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