



# Rochester Hills Minutes City Council Regular Meeting

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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

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

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Wednesday, May 17, 2006

7:30 PM

1000 Rochester Hills Drive

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**DRAFT**

## CALL TO ORDER

*President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:35 p.m. Michigan Time.*

## ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor  
Dan Casey, Manager of Economic Development  
Scott Cope, Director of Building/Ordinance Enforcement  
Ron Crowell, Fire Chief  
Derek Delacourt, Deputy Director of Planning  
Bob Grace, Director of MIS  
Bruce Halliday, Fleet Manager  
Mike Hartner, Director of Parks & Forestry  
Julie Jenuwine, Director of Finance  
Diane Keller, Accountant  
Raymond "Bud" Leafdale, General Superintendent  
William "Ed" Leafdale, General Foreman  
Pam Lee, City Accountant  
Jane Leslie, City Clerk  
Roger Rousse, Director of DPS/Engineering  
John Staran, City Attorney*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

Resolved to approve the Agenda for the Rochester Hills City Council Regular Meeting of Wednesday, May 17, 2006 with the following addition:

**Add to CONSENT AGENDA:**

**2006-0387 - Adoption of Resolution to Set Special Work Session for Wednesday, May 31, 2006.**

A motion was made by Raschke, seconded by Yalamanchi, to Approve Agenda as Amended.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

## PUBLIC COMMENT

*Mr. Ed Leafdale, 875 Grace Avenue, resident and City employee, advised Council members of their role in an upcoming fund raiser for the American Cancer Society's Relay for Life event.*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Council members welcomed their newly-appointed colleague, Mr. Greg Hooper.*

*Ms. Holder noted that, due to Mr. Hooper's departure from the Planning Commission as a result of his appointment to City Council, William Boswell was appointed the new Chairperson of the Planning Commission, Ms. Deborah Brnabic was appointed Vice Chairperson, and Kathleen Hardenburg would be recommended to serve as the Planning Commission representative on the Brownfield Redevelopment Authority.*

*Mr. Ambrozaitis commented on the following:*

- *Commended School Board Trustee Mike Reno for reconsidering holding spring elections following the recent May election that cost taxpayers approximately \$70,000 for a ballot that had only one item for voter consideration.*
- *Stressed that a comprehensive blight ordinance is needed in the City.*
- *Requested that the water in River Bend Park be tested as a matter of public safety.*
- *Noted that a building under construction at South Boulevard and John R has stood idle for several months, possibly posing a safety hazard.*
- *Asked the City administration to improve the process by which they notify residents of issues of interest prior to their consideration by Council.*

*Mr. Duistermars announced the upcoming Heritage Festival and the Memorial Day Parade.*

*Ms. Raschke listed the many exhibits and events at the City's museum.*

*Mr. Yalamanchi questioned whether the City has a blight ordinance that specifically addresses the maintenance of commercial property in the City.*

*Mayor Barnett commented on the following:*

- *Recently attended a ribbon cutting for a new supermarket in the community and wished the owner good luck.*
- *Praised the owner of a local shopping center for recent renovations and improvements.*
- *Described a recent meeting at the Royal Park Hotel regarding emerging sector businesses.*
- *Noted that "some great companies are moving to Rochester Hills," indicating plans to promote and encourage more high tech growth.*
- *Encouraged residents with household hazardous waste to participate in the upcoming NO-HAZ event at Oakland University.*

- Announced Kids Day in the Park sponsored by RARA on May 20th, and encouraged all residents to take advantage of the many parks in Rochester Hills.
- Announced his new initiative called "Nuggets," those being positive things happening in City Hall and throughout the City in an effort to promote and publicize the good things happening in the community.
- Encouraged Council members to participate in the Memorial Day Parade.
- Announced the upcoming retirement party for former Mayor Pat Somerville.

## ATTORNEY MATTERS

*City Attorney John Staran had nothing to report.*

## PRESENTATIONS

**2006-0366** Presentation of Fiscal Year 2005 CAFR (Comprehensive Annual Financial Report) by the auditing firm of Plante & Moran, PLLC

**Attachments:** Agenda Summary.pdf; 0366 Resolution.pdf

*Mr. Joe Heffernan and Ms. Lisa Manetta, Certified Public Accountants with Plante & Moran, PLLC, the City's auditing firm, provided a brief overview of the Comprehensive Annual Financial Report (CAFR) that is prepared by the City's Accounting Department each year and audited by their firm. A slide presentation was shown to Council that noted the following information:*

**Statement of Governmental Net Assets - Years Ended December 31**

***Invested in Capital Assets***

2003 - \$102,144  
2004 - \$104,547  
2005 - \$110,690

***Restricted***

2003 - \$39,153  
2004 - \$40,858  
2005 - \$42,040

***Unrestricted***

2003 - \$11,492  
2004 - \$13,464  
2005 - \$21,800

**Unrestricted Net Assets as a Percentage of General Revenues - Years Ended December 31**

*Have continued to grow representing a positive trend and good financial health.*

**Governmental General Revenues (excludes program revenues) - Years Ended December 31**

***General Property Tax***

2003 - \$24,462  
2004 - \$26,078  
2005 - \$27,492

**State Shared Revenue**

2003 - \$5,712  
2004 - \$5,444  
2005 - \$5,396

**Investment Earnings**

2003 - \$918  
2004 - \$944  
2005 - \$2,619

**Cable Franchise Fees**

2003 - \$551  
2004 - \$660  
2005 - \$647

**Gain and Other**

2003 - \$603  
2004 - \$823  
2005 - \$2,150

**Ratio of General Revenue to Prior Year (adjusted for inflation) - Years Ended December 31**

General Revenues are increasing by more than inflation every year.

**Governmental Program Expenses, Net of Program Revenue - Year Ended December 31, 2005****General Government**

\$4,683 - Cost  
\$4,472 - Cost, Net of Program Revenue

**Public Works**

\$10,078 - Cost  
(\$910) - Cost, Net of Program Revenue

**Public Safety**

\$15,572 - Cost  
\$11,782 - Cost, Net of Program Revenue

**Community/Economic Development**

\$1,322 - Cost  
\$1,123 - Cost, Net of Program Revenue

**Recreation & Culture**

\$4,478 - Cost  
\$3,792 - Cost, Net of Program Revenue

**Interest on Debt**

\$2,384 - Cost  
\$2,387 - Cost, Net of Program Revenue

**Ratio of General Revenue to Net Program Expense - Years Ended December 31**

There was an excess of General Revenue in 2004 and 2005.

**Water and Sewer Fund Activity - Years Ended December 31**

**Total Operating Revenue**

2003 - \$17,744

2004 - \$17,797

2005 - \$20,516

**Total Operating Expenses**

2003 - \$19,906

2004 - \$19,690

2005 - \$23,062

**Unrestricted Net Assets**

2003 - \$16,012

2004 - \$16,670

2005 - \$19,971

*Mr. Heffernan assured Council that the financial practices of the City are in keeping with the standards of other municipalities.*

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

**Resolved that the Rochester Hills City Council hereby acknowledges receipt of the Comprehensive Annual Financial Report (CAFR) from the Administration and the auditing firm of Plante & Moran, PLLC, for the 2005 Fiscal Year.**

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

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0156-2006

**2006-0365**

Presentation of CAFR Award - FY 2004

**Attachments:** Agenda Summary.pdf

*President Rosen read the Certificate of Achievement for Excellence in Financial Reporting awarded to the City's Accounting Department by the Government Finance Officers Association of the United States and Canada (GFOA).*

*City Accountant Pamela Lee was present to accept the award and praised her staff noting, "They work hard and are very dedicated."*

**Presented**

## **CONSENT AGENDA**

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

**2006-0332**

Approval of Minutes - Special City Council Meeting - December 14, 2005

**Attachments:** CC Min Spec 121405.pdf; 0332 Resolution.pdf

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

**Resolved that the Minutes of a Special Rochester Hills City Council Meeting held on December 14, 2005 be approved as presented.**

**Enactment No:** RES0157-2006

- 2006-0373** Approval of Minutes - Regular City Council Meeting - December 14, 2005  
Attachments: CC Min Reg 121405.pdf; 0373 Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**
- Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on December 14, 2005 be approved as presented.**  
**Enactment No:** RES0158-2006
- 2006-0374** Approval of Minutes - Regular City Council Meeting - January 4, 2006  
Attachments: CC Min 010406.pdf; 0374 Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**
- Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on January 4, 2006 be approved as presented.**  
**Enactment No:** RES0159-2006
- 2006-0387** Adoption of Resolution to Set Special Work Session for Wednesday, May 31, 2006  
Attachments: 0387 Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**
- Resolved that the Rochester Hills City Council hereby sets a Special Meeting on Wednesday, May 31, 2006 at 7:30 PM Michigan Time for the purpose of discussing City Council's 2006 and 2007 Goals and Objectives.**
- Further Resolved that the City Clerk shall provide proper notice of the Special Work Session pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.**  
**Enactment No:** RES0160-2006

### **Passed The Consent Agenda**

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

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

### **The following Consent Agenda Items were discussed and adopted by separate Motions:**

- 2006-0329** Adoption of Resolution Authorizing the Parks and Forestry Director to be the Agent for the City of Rochester Hills for Oakland County's West Nile Virus Fund Program  
Attachments: Agenda Summary.pdf; Reimbursement Procedures.pdf; 0329 Resolution.pdf
- Mr. Mike Hartner, Director of Parks & Forestry, provided a brief overview of the City's efforts to combat the spread of West Nile Virus, noting that \$26,000 from the County's West Nile Virus Fund Program will be used to vector catch basins, distribute larvicide and publish information in the Hills Herald.***

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

Whereas, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

Whereas, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding, or focused adult mosquito insecticide spraying in designated community green areas; and

Whereas, the City of Rochester Hills, Oakland County, Michigan, has or will incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

Now, Therefore, Be It Resolved that the City Council of Rochester Hills authorizes and directs its Parks and Forestry Director, as agent for the City of Rochester Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0161-2006

**2006-0364**

Approval of Fireworks Display Permit Application for Festival of the Hills, to be held at Borden Park on Thursday, June 29, 2006, Melrose Pyrotechnics, Inc., Applicant

**Attachments:** Agenda Summary.pdf; 042506 Memo Gary Fireworks.pdf; 0364 Resolution.pdf

*Fire Chief Ron Crowell noted the many precautions the Fire Department puts in place to insure safety during the Festival of the Hills, specifically noting the access-restricted fall-out area and fire apparatus on location in the neighborhood, as well as approximately fifty Fire Department employees present to provide medical and fire protection. He stressed that there has never been a fire emergency as a result of the Festival fireworks.*

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

Whereas, Melrose Pyrotechnics, Inc., of Kingsbury, Indiana, has provided the fireworks display for the Festival of the Hills for the past seven years; and

Whereas, Melrose Pyrotechnics, Inc., has provided the necessary insurance with the City of Rochester Hills named as also insured; and

Whereas, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit providing their safety procedures are followed.

Therefore, It Is Resolved that the Rochester Hills City Council does hereby approve a permit for Melrose Pyrotechnics, Inc., to provide a fireworks display for the Festival of the Hills at Borden Park on June 29, 2006.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0162-2006

## PUBLIC HEARINGS

**2006-0349** Second Quarter Budget Amendments - Fiscal Year 2006

**Attachments:** Agenda Summary.pdf; Public Hearing Notice.pdf; Proposed Budget Amendments -2nd Qtr 2006.pdf; Budget Amendment Summary - 2nd Qtr 2006.pdf; Supplemental Info.pdf; 0349 Resolution.pdf

**Ms. Julie Jenuwine**, Director of Finance, was present to review the budget amendments and noted that each line item included a brief explanation for any amendment.

**President Rosen** explained that although the Tienken Bridge and John R widening projects would both be discussed at an upcoming Work Session, it was still advisable to maintain their cost in the budget as Council would have final approval if the projects are brought forward in the future. He noted it is better to have the funds available and choose not to spend them, than to have to change the budget later.

**Ms. Jenuwine** explained that the budget is constantly monitored and variance reports are generated on a monthly basis to verify that projections are appropriate. She further explained that budget amendments are done quarterly to adjust for anything not included in the technical appendices of the budget. Ms. Jenuwine also stressed that the budget amendments are very detailed.

**Mr. Duistermars** noted that budget amendments can be confusing as some amounts are merely being shifted from one account to another.

**Mr. Hooper** questioned some of the funds earmarked for local roads repair and maintenance.

**Mr. Roger Rousse**, Director DPS/Engineering, explained the various ways DPS would be using those funds to "do the greatest good" for City residents, including asphalt overlays that save the City four dollars for every one dollar spent as compared to traditional reconstruction.

**Mayor Barnett** clarified that some of those funds had been redirected as Council had indicated that it wanted the most good done for the most people. He stressed that the funds for local road maintenance and repair were not enough to repair or reconstruct entire neighborhoods.

**Mr. Ambrozaitis** questioned whether there had been any independent analysis to evaluate whether the proposed positions to be filled in DPS were necessary.

**Mr. Rousse** discussed the various internal evaluations based on work load and anticipated projects. He noted that many job duties have already been shifted as a means of reducing staff.

**Mayor Barnett** indicated that more people are needed to accomplish the anticipated work. He stressed that some services would have to be sacrificed without these employees.

**Ms. Holder** noted that Mr. Rousse, as a department director, is tasked with making these staffing decisions in conjunction with the expertise of the Human Resources director and her staff.



*President Rosen Opened the Public Hearing at 9:07 p.m.*

*There being no Public Comment, President Rosen Closed the Public Hearing at 9:08 p.m.*

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act and the Charter for the City of Rochester Hills, Chapter III, Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, the proposed 2006 2nd Quarter Budget Amendment was available for public viewing starting May 5, 2006; and

Whereas, at its May 17, 2006 meeting City Council held a Public Hearing on the proposed 2nd Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following 2006 fund totals as amended:

101 - General Fund	\$24,777,790
202 - Major Road Fund	\$7,391,940
203 - Local Road Fund	\$3,881,450
206 - Fire Fund	\$7,525,660
207 - Special Police Fund	\$7,909,790
211 - Perpetual Care Fund	\$207,600
213 - RARA Millage Fund	\$538,330
214 - Pathway Maintenance Fund	\$442,230
226 - Solid Waste Fund	\$42,000
232 - Tree Fund	\$171,660
244 - Drain Maintenance Fund	\$3,103,310
265 - OPC Millage Fund	\$1,128,940
299 - Green Space Fund	\$1,018,290
331 - Drain Debt Fund	\$2,210,400 **
368 - OPC Building Debt	\$737,890 **
391 - 1998 Refunding Debt Fund	\$187,450 **
392 - 2002 Refunding Debt Fund	\$1,396,030 **
403 - Pathway Construction Fund	\$370,000
420 - Capital Improvement Fund	\$1,018,430
592 - W&S Operating Fund	\$44,067,480
593 - W&S Improvement Fund	\$20,126,800
594 - W&S Replacement Fund	\$0
595 - W&S Debt Service Fund	\$231,790
631 - Facilities Fund	\$5,379,140
636 - MIS Fund	\$3,129,320
661 - Fleet Equipment Fund	\$2,748,480
677 - Insurance Fund	\$767,970
843 - Brownfield Redevelopment Fund	\$28,870
848 - L.D.F.A. Fund	\$2,232,950

\*\* = Note that there is no change in fund total.

The motion carried by the following vote:

**Aye:** Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Nay:** Ambrozaitis

**Enactment No:** RES0163-2006

## ORDINANCE FOR ADOPTION

**2006-0216**

Acceptance for Second Reading and Adoption - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone one parcel of land totaling .25 acre, known as parcel No. 15-31-103-002, located south of Auburn and east of Adams, from B-2, General Business, to R-4, One Family Residential, and to prescribe penalties for the violation thereof

**Attachments:** Agenda Summary Second Reading.pdf; 050306 Agenda Summary - First Reading.pdf; Map aerial.pdf; Map zoning.pdf; Staff Report.pdf; Ordinance amendment.pdf; Letter Yagiela.pdf; First Reading Resolution.pdf; 0216 Resolution.pdf

**A motion was made by Yalamanchi, seconded by Raschke, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone one parcel of land totaling .25 acre, located south of Auburn and east of Adams, known as parcel No. 15-31-103-002, from B-2, General Business, to R-4, One Family Residential, is hereby accepted for Second Reading and Adoption and shall become effective on Friday, May 26, 2006 following its publication on Thursday, May 25, 2006.**

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

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0164-2006

## NOMINATIONS/APPOINTMENTS

**2006-0264**

Nomination / Appointment to the Zoning / Sign Board of Appeals to fill one (1) three-year term to expire March 31, 2009

**Attachments:** Agenda Summary.pdf; McGunn Candidate Questionnaire.pdf; Robbins Candidate Questionnaire.pdf; 050306 Agenda Summary.pdf; Lancar Candidate Questionnaire.pdf; 040506 Agenda Summary.pdf; Questionnaires on file 031506 updated.pdf; 0264 Resolution.pdf

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

**Resolved that the Rochester Hills City Council appoints Michael McGunn as Citizen Representative to the Zoning/Sign Board of Appeals to serve a three-year term to expire March 31, 2009.**

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

**Aye:** Ambrozaitis, Duistermars, Hooper, Rosen and Yalamanchi

**Nay:** Holder and Raschke

**Enactment No:** RES0165-2006

2006-0378

Appointment of Council Member Hooper to Boards/Commissions/Committees

**Attachments:** Agenda Summary.pdf; 0378 Resolution.pdf

**President Rosen** explained that the recent appointment of former Council member Barnett as Mayor resulted in vacancies on various committees that Council would need to fill.

**Mr. Hooper** indicated he could take Mr. Barnett's place on all of his committees with the exception of the Older Persons Commission (OPC) and the Rochester Avon Recreation Authority (RARA).

**Ms. Raschke** stated she would like to serve on the OPC Board.

**Mr. Ambrozaitis** volunteered to serve on the RARA Board.

**Ms. Holder** indicated that, as she has now taken on the responsibility of being Vice President of Council, which includes being the liaison to the Youth Council, she suggested that perhaps Mr. Hooper could complete her term on the Planning Commission in exchange for his position on the Public Safety Committee.

**Mr. Hooper** agreed to complete Ms. Holder's term on the Planning Commission.

**President Rosen** also noted that he would like to serve on the Planning Commission.

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

Resolved to appoint Council Member Greg Hooper as City Council Representative to the following Boards/Commissions/Committees:

Terms to expire 12/06/06:

- \* Planning Commission
- \* Pine Trace Committee
- \* Rochester/Auburn Hills Community Coalition
- \* Strategic Planning (Council Committee)
- \* Technical Review Zoning Rewrite Committee (Administrative/Technical Committee)

Terms to expire 12/31/06:

- \* Community Development & Viability (CDV) Committee

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0174-2006

2005-0828

Appointment of one (1) City Council Member to Planning Commission to complete the appointment of Barbara Holder for a term to expire December 6, 2006

**Attachments:** Nomination/Voting Form - PC.pdf

**President Rosen** opened the floor for nominations:

**Ms. Holder** nominated Mr. Hooper.

*President Rosen* nominated *Mr. Rosen*.

There being no further nominations, *President Rosen* **closed** the floor for nominations for the **Planning Commission**.

City Council members voted for the nominees as follows:

**Mr. Hooper:** Duistermars, Holder, Hooper, Raschke, Rosen

**Mr. Rosen:** Ambrozaitis, Yalamanchi

**Ms. Hooper** was appointed to the Planning Commission to complete *Ms. Holder's* term to expire December 6, 2006.

#### **Appointed**

2005-0820

Appointment of one (1) City Council Members to Public Safety Committee to complete the term of Bryan Barnett for a term to expire December 31, 2006

**Attachments:** Nomination/Voting Form - PS.pdf

**Mr. Duistermars** nominated *Ms. Holder*.

There being no further nominations, *President Rosen* **closed** the floor for nominations for the **Public Safety Committee**.

As there was a sufficient number of nominees to fill the vacant position, **Ms. Holder** was appointed immediately to complete former Council member Bryan Barnett's term expiring December 31, 2006.

#### **Appointed**

**(Recess 9:25 p.m. - 9:38 p.m.)**

## **UNFINISHED BUSINESS**

2006-0097

Approval of the ballot language for the Rochester Avon Recreation Authority (RARA) Millage proposal to be placed on the August 8, 2006 State Primary Election ballot

**Attachments:** Agenda Summary.pdf; 022006 Letter Brice w Ballot Language.pdf; 020106 Agenda Summary.pdf; 011006 Letter RARA.pdf; 012706 Memo Leslie.pdf; 020106 Resolution.pdf; Supplemental Info.pdf; 0097 Resolution.pdf

**Mr. John Anderson**, Director; **Ms. Brandy Boyd**, Recreation Coordinator; and **Mr. Tim Brown**, Board Secretary, of the Rochester Avon Recreation Authority (RARA), were present to address any questions posed by City Council.

**City Attorney John Staran** informed Council that the ballot language being considered by Council was legal and self explanatory.

**Mr. Hooper** questioned how many people participate in RARA programs annually.

**Mr. Anderson** noted that, while it is difficult to quantify the participation, it is estimated that RARA provides approximately 38,000 recreational opportunities each year.

**Mr. Yalamanchi** noted his support for the RARA millage request but questioned whether the City could change or put in place a policy that would mandate that all millage requests be considered only during November elections.

**Mr. Staran** explained that it is entirely Council's prerogative as to when millage requests are placed on a ballot, and it is not a matter of City ordinance or policy.

**President Rosen** agreed with Mr. Yalamanchi and noted that Council should address this policy issue in the future.

**Mr. Ambrozaitis** also stressed his belief that such issues should only be placed on November ballots when the greatest voter turnout is likely.

**Mr. Duistermars**, while agreeing with his colleagues that November elections traditionally have the highest voter turnout, also noted that the upcoming August primary at which this RARA millage question will be considered would have a good voter turnout as there would be many races for consideration including the Governor's.

**Mr. Anderson** reminded Council that RARA had agreed to withdraw their request for this item to be placed on the May election ballot in an effort to save City taxpayers the cost of that election.

**President Rosen** expressed Council's appreciation for that consideration.

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

Resolved that the Rochester Hills City Council hereby approves the placement of the Rochester Avon Recreation Authority Millage proposal on the August 8, 2006 State Primary Election ballot as follows:

#### BALLOT QUESTION

##### Rochester-Avon Recreation Authority (RARA) Millage Renewal

Shall the City of Rochester Hills renew and continue to levy the 0.1571 mill (\$0.1571 per \$1,000) (reduced by the Headlee Amendment from the original 0.1691 mill) and also levy a new additional 0.0379 mill (\$0.0379 per \$1,000) for a total of 0.1950 mill (\$0.1950 per \$1,000) to provide funds for the Rochester-Avon Recreation Authority (RARA) to enable it to provide adult and youth sports leagues and recreational activities, on the taxable value of all property assessed for taxes in the City for ten (10) years, beginning in 2006 and continuing through 2015, inclusive, which will provide an estimated revenue of \$702,390 if levied in full in the first year of such levy?

Yes

No

(Explanatory Note: Pursuant to MCL 211.24f(5), the city is authorized to submit a single question asking for the renewal of a millage and an additional millage so long as the additional millage is not greater than 0.5 mill. Most recently the citizens approved a RARA millage of 0.1691, which has been reduced by Headlee to 0.1572 mill. The RARA millage expires this year and RARA would like to renew the present millage and increase the total millage to 0.1950 mill. As the additional millage increase is 0.0378 mill, the city may request for a renewal of the present millage and additional 0.0378 mill in one ballot question.)

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0166-2006

**(Recess 9:58 p.m. - 10:02 p.m.)**

**2005-0645**

Approval of the Project Budget for the DPS Facility and Authorization of the Administration to Proceed with Financing

**Attachments:** Agenda Summary.pdf; 113005 Agenda Summary.pdf; 112105 Barnett Letter.pdf; 111605 Agenda Summary.pdf; 110905 Agenda Summary.pdf; 110905 Presentation.pdf; Rousse Work Session Memo.pdf; Outside vehicle storage.pdf; Site Plans.pdf; Cost estimate.pdf; Alternat

**Mr. Roger Rousse**, Director of DPS/Engineering, explained that **Mr. Jack Michael** and **Mr. Matt Hubbard** from DeMattia Group and **Mr. Ron Zuhorski**, Architect with Yamasaki Associates, would be presenting the revised construction plans for the proposed new DPS Facility. He further indicated that **Scott Cope**, Director of Building/Ordinance Enforcement and **Julie Jenuwine**, Director of Finance, were also available to address questions.

**Mr. Matt Hubbard**, Chief Estimator of DeMattia Group, discussed the following construction cost reductions:

**Site Reductions**

- Defer earthwork on west portion of site = (\$150,000)
- Defer paving on west portion of site = (\$250,000)
- Defer underground utilities on west portion of site = (\$150,000)
- Defer construction of open material storage = (\$522,000)
- Defer construction of enclosed material storage = (\$1,348,000)
- Defer construction of salt storage building = (\$330,000)
- Maintenance to existing out buildings - allowance = \$50,000
- Defer demolition of existing building = (\$82,000)
- Interim maintenance to existing building = \$80,000
- Change site walls from brick to CMU = (\$75,000)
- Change site walls from masonry to decorative metal fencing = (\$25,688)
- Environmental (tarps, canopy and drainage) - allowance = \$150,000

**Warm Vehicle Storage Reductions**

- Lower indoor vehicle storage height by four feet = (\$45,000)
- Defer north bay of indoor vehicle storage (8,700 square feet) = (\$393,695)
- Simplify wall section (8 foot CMU wall with vertical seam metal panels) = (\$148,000)

- Eliminate Clerestory glazing (substitute siding) = (\$53,000)
- Modify plumbing layout = (\$10,000)
- Reduce plumbing fixture county by two fixtures = (\$5,000)

**Other Reductions**

- Substitute metal panels for Alucabond siding at office = (\$52,000)

**Equipment Reductions**

- Defer equipment per R. Rouse list dated 02/27/06 = (\$300,143)

**Project Budget Subtotal = \$11,883,627**

Winter conditions for summer 2006 start = \$120,000

Redesign fee (estimated) = \$125,000

Design contingency = \$75,000

**Project Budget Subtotal = \$12,203,627**

Escalation to summer 2006 - 3% = \$366,109

**Total Revised Project Budget = \$12,569,736**

**Mr. Ron Zuhorski**, Architect with Yamasaki Associates, noted changes to the appearance of the proposed facility as a result of the previously mentioned budget reductions. He specifically noted the following:

- Masonry will be replaced with metal siding along the south, east and northwest elevations.
- The white Alucabond, or composite metal, panel will be removed.
- The Clerestory windows will be removed.
- The northern most bay will be removed.
- The ceiling of the warm vehicle storage has been lowered four feet.

**President Rosen** questioned whether this was truly a redesign of the facility if aspects are merely being delayed.

**Mr. Duistermars**, who served on the committee that was tasked with reexamining the scope of the project, stressed that the new design of the facility maintains most of the functionality of the original design.

**Mr. Rouse** confirmed that, although this design is a compromise, it still meets the functionality as identified in the Maximus study as well as meeting ADA compliance and providing warm vehicle storage. He acknowledged, however, that it does defer the outside improvements such as the fuel island and the salt storage barn.

**PUBLIC COMMENT:**

**Mr. Lee Zendel**, 1575 Dutton Road, noted that, as the purpose of reevaluating the scope of the project was to reduce cost, it was unlikely that the deferred items would cost less in the future. He stressed the continuing increases in construction costs and stated, "This reevaluation was a costly mistake" and he urged Council to return to the original proposal.

**Ms. Melinda Hill**, 1481 Mill Race, expressed her disappointment that more information was not available for public review prior to the meeting. She briefly reviewed the history of the project and the substantial increases to the scope and budget of the project. She urged Council to reconsider a 2002 plan to improve the existing facility for less than a million dollars, noting it would last ten years and provide the City more time to reevaluate the need for a new facility. She noted that she is among the majority of residents who feel the City is "spending too much for this facility."

**Mr. Tom Zelinski**, 1127 Kingsview, noted he was disappointed that the review committee was unable to save more money. He acknowledged that the City needs a new facility but stressed that a facility built in conjunction with surrounding municipalities should have been considered.

**COUNCIL DISCUSSION:**

**Mr. Yalamanchi** described his objectives of serving on the DPS Facility Reevaluation Committee:

- 1) Determine the need for a new DPS Facility.
- 2) Determine whether the existing facility can be improved rather than rebuilt.
- 3) Evaluate whether the cost of the new facility could be reduced without sacrificing operational functionality.
- 4) Find an alternative to bonding to finance the new facility.
- 5) Create a long-term financial plan that encompasses the CIP for the next several years as well as potential infrastructure developments.
- 6) Establish a replacement reserve to replace future infrastructure.

**Mr. Yalamanchi** noted that the Reevaluation Committee determined that it would be more cost effective and would better serve the operational functionality and efficiencies to build a new facility. He further noted that the deferred items would not hinder efficiencies.

**Mr. Rouse** confirmed Mr. Yalamanchi's assertions noting that items such as the fueling station and salt storage barn can be deferred and eventually phased in over time. He also stressed that phasing in these items will minimize the impact on the water and sewer rates.

**Mr. Yalamanchi** further noted that he did not want the water and sewer rates to increase, nor did he want the City to pursue water reservoirs, as he believes there are alternate ways to address water pressure issues in the City.

**Ms. Jenuwine** explained that, should Council choose to fund the DPS Facility with cash rather than bonding, the recently adopted policy of moving the annual depreciation to the Water & Sewer Replacement Fund, as well as moving the Capital and Lateral Revenue to the Replacement Fund would serve as "the nest egg" for establishing the fund from which the new facility would be funded.

**Mr. Ambrozaitis** stated his opposition to this project stressing it sends the wrong message to the City's taxpayers. He speculated that the approximately \$800,000 already expended



for designing the project could have been spent paving subdivision roads. He urged Council to consider rethinking this project in terms of cooperation with other municipalities to establish a more regional facility.

**Ms. Holder** noted that because of the delays in Council approving this project, it is likely the City has lost \$7.5 million in Federal appropriations that would have funded a portion of the project. She indicated that residents near the existing facility are anxious for the facility to be improved as it is considered an eye sore. She further cautioned that businesses considering locating in the City may be discouraged by the existing facility.

**Mr. Duistermars** reminded Council that the existing facility was built in the 1970s for Avon Township and a population of approximately 40,000 people. He questioned why more communities are not involved in joint ventures if it is such a positive solution. He echoed Mr. Yalamanchi's assertion that the revised building plans retain the necessary functionality.

**Mayor Barnett** clarified that the money expended thus far for this project could only have been used for water and sewer expenses and could not legally be used for local street paving. He explained that he voted no on the original plan and is proud to have served on the committee that reexamined the project and returned with a plan for a reduced scope and cost. He assured Council he would "remain a team player in trying to work towards being part of the solution."

**President Rosen** expressed his concern that deferring aspects of the project will cost more in the future and "to some rather major degree it appears to be deceptive." He disagreed with the concept that dry storage of vehicles will extend their lifecycle, rather noting that in some cases it will actually speed the corrosion process. He noted he could support half of the proposed warm storage.

**Mr. Ambrozaitis** suggested that an independent study be conducted of the project to "save the taxpayer more money."

**Ms. Raschke** stressed how long the process has already taken to move forward with this project and stated that the improvements are necessary to protect the DPS workers and the various expensive vehicles that have already been purchased by the taxpayers.

**President Rosen** noted that, prior to considering a resolution to approve the project, Council must determine whether it will be funded with cash or from bonds.

**Mr. Lee Zendel**, 1575 Dutton Road, indicated that the City stands to lose approximately \$840,000 over the next ten years by not funding this project with bonds and putting cash into ten-year treasury notes.

**Ms. Jenuwine** explained that until very recently it had always been anticipated that this project would be funded through bonding. She noted that as a result of the recent reevaluation process funding the project through cash was indicated.

**Mr. Yalamanchi** clarified that it was not the decision of the reevaluation committee to fund the project through cash, but rather the Financial Services Committee that came to that determination. He further noted that the water and sewer rates would not be affected and funds would still be directed to the Water & Sewer Replacement Fund and Operating Fund.

**Mr. Duistermars** recommended that language be included in the resolution noting that the project would be funded using cash from those specific funds.

**Ms. Jenuwine** clarified that the funds would be consolidated and, thus, the money would come from the Water & Sewer Capital Fund.

**Mr. Hooper** questioned whether Mr. Zendel's assertion was true regarding a possible loss of money by financing the project using cash.

*Ms. Jenuwine* noted that it was likely some earned interest could be lost but there is no way to predict the interest rates over the long term.

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

Whereas, the City's project team has spent considerable time and resources researching options for space and upgrade needs for the Department of Public Services operations; and

Whereas, City Council at its November 30, 2005 Regular meeting adopted Resolution RES0422-2005 creating the DPS Facility Re-Evaluation Subcommittee consisting of three (3) Council Members and Administrative Staff, charged with the specific re-evaluation of the proposed scope of the DPS Facility and requested the Committee to provide a report; and

Whereas, City Council has received the reports and findings of the progress from the DPS Facility Re-Evaluation Subcommittee.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves a project budget for the new construction of the DPS Facility in the amount of \$12,569,736 using DeMattia Group as construction manager and Minoru Yamasaki Associates as project architect, and authorizes the Mayor to execute contracts, addendums and other documents required for the project.

Be It Further Resolved that the Rochester Hills City Council authorizes the Mayor, City Clerk or Finance Director to finance the project utilizing cash from the Water & Sewer Capital Fund.

The motion carried by the following vote:

**Aye:** Duistermars, Holder, Hooper, Raschke and Yalamanchi

**Nay:** Ambrozaitis and Rosen

**Enactment No:** RES0167-2006

**(Recess 11:55 p.m. - 12:04 p.m.)**

## NEW BUSINESS

**2004-0316**

Request for Approval of Tentative Preliminary Plat - City File No. 99-011 - Rochester Meadows, a proposed 47-lot subdivision development on approximately 22 acres, located east of Rochester Road and south of Avon, zoned R-3, One Family Residential, Parcel Nos. 15-23-201-006, 15-23-201-010, 15-23-201-011 and 15-23-201-012, Rochester Meadows LLC, applicant

**Attachments:** Agenda Summary.pdf; Map arial.pdf; Report Staff.pdf; 20040616 CC Minutes.pdf; Site Plans.pdf; 0316 Resolution ver 3.pdf

**Mr. Roy Rathka** and **Mr. Joseph Check**, Rochester Meadows, LLC, 11684 Majestic Court, Shelby Township; and **Mr. Jason Sutton** of the engineering firm A.R. Decker & Associates, 920 East Long Lake Road, Troy, were present to address any questions.

**Mr. Derek Delacourt**, Deputy Director of Planning, explained that the issue before

Council was the approval of the Final Preliminary Plat for this development. He noted that the Planning Commission had recommended approval for this stage of the project as well as a tree removal permit. He stressed that the applicant was proposing to save 37% of the trees, either through replacement or payment to the City's Tree Fund. Mr. Delacourt indicated that he had spoken to a resident who was unable to remain for the entire Council meeting and asked him to express his concern regarding the left-hand turn lane across the front of the site.

**President Rosen** indicated that the City intended to increase Avon Road to three lanes regardless of this project.

**Mr. Delacourt** agreed that that was his understanding of the plans to widen Avon Road but did not know when that widening was scheduled to take place.

**PUBLIC COMMENT:**

**Mr. Rodney Morris**, 1276 Pembroke Drive, noted that he lives in the Eddington Farms subdivision and expressed concern that this project would exacerbate an existing drainage problem in his subdivision.

**Mr. Delacourt** and **Mr. Sutton** both assured Mr. Morris that the new development, while not specifically solving the drainage problems at Eddington Farms, would in fact improve the situation, not contribute to it.

**Mr. Delacourt** assured Council members that he had received no other complaints or concerns from other area residents regarding this development.

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

**Resolved that the Rochester Hills City Council hereby grants Tentative Approval of the Preliminary Plat for Rochester Meadows (City File No. 99-011), a 47-lot subdivision on 21.15 acres located east of Rochester Road and south of Avon, zoned R-3, One Family Residential, Parcel Nos. 15-23-201-006, 15-23-201-010, 15-23-201-011 and 15-23-201-012, based on plans dated received by the Planning and Development Department on January 12, 2006, with the following five (5) findings and subject to the following conditions.**

**Findings:**

- 1. The preliminary plat meets all applicable requirements of the Zoning Ordinance and the Subdivision Control Ordinance.**
- 2. Adequate utilities are currently available to properly service the proposed development.**
- 3. The preliminary plat represents a reasonable and acceptable plan for developing the property.**
- 4. The preliminary plat represents a reasonable street layout, as well as a reasonable lot layout and orientation. In addition, all lots have access to an interior local street.**
- 5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.**

**Conditions:**

- 1. Addition of greenbelt plantings along Avon Road, outside the public**

right-of-way, to minimize the view of the rear yards of homes (especially lots 30, 31 and 47), as approved by the City's Landscape Architect.

2. That all off site drainage easements and agreements be reviewed and approved by Engineering Services prior to Construction Plan Approval.
3. All construction traffic be limited to and from Avon Road.
4. Erect a physical barrier along the wetland buffer, as identified on Sheet L2 for lots 12 and 13, as approved by Staff (fence and sign not appropriate).
5. Gravel road access to detention pond to include turf block.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0168-2006

**2006-0221**

Request for Approval of Revised Preliminary Site Condominium Plan - City File No. 05-006 - Hickory Ridge Site Condominiums. The applicant has acquired an additional parcel and would like to add 8 units to the original 42 units (now on approximately 24 acres), located east of Livernois between Hazelton and Shortridge, zoned R-4, One Family Residential, known as Parcel Nos. 15-34-151-012, -014 and -016; 15-34-176-001; 15-34-301-002, -007, -010, -012 (new parcel), Bluewood Properties LLC, applicant.

**Attachments:** Agenda Summary.pdf; Map aerial.pdf; Staff Report.pdf; Site Plans.pdf; 0221 Resolution ver 2.pdf

**Mr. Joe Damico and Mr. Dan Damico** of Bluewood Properties, LLC, 1717 Stutz, Troy, applicants; and **Ms. Carol Thurber** of the engineering firm Fazal Khan & Associates, Inc., 43345 Schoenherr, Sterling Heights, were present to answer questions.

**Mr. Derek Delacourt**, Deputy Director of Planning, explained that, following the Preliminary Site Condominium Approval for the original 42 condominium units, the client purchased property at the northern half of the property. He noted that the client had originally intended to pursue a separate eight-unit condominium development for that property but was advised by City staff to incorporate the new units into the 42-unit project to avoid the difficulties of separate homeowners associations and the attendant cooperative agreements for such things as road maintenance.

**Mr. Hooper** noted that he was present for the discussions before the Planning Commission regarding this project and agreed that combining the projects is a "good planning principle." He indicated that the Planning Commission passed the preliminary approval unanimously.

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

Resolved that the Rochester Hills City Council hereby approves the Revised Preliminary Site Condominium Plan for Hickory Ridge Site Condominiums, City File No. 05-006, a 50-unit development on approximately 24.2 acres located east of Livernois between Hazelton and Shortridge, zoned R-4, One Family Residential, Parcel Nos. 15-34-151-012, -014 and -016; 15-34-176-001; 15-34-301-002, -007, -010-, and -012 based on plans dated received by the Department of Planning and Development on April 26, 2006 with the following five (5) findings and subject to the following ten (10) conditions.

**Findings:**

1. Upon compliance with the following conditions, the preliminary plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plan represents an acceptable comprehensive development plan that connects to Livernois Road and Hazelton Avenue.
4. The preliminary plan represents a reasonable street layout and lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

**Conditions:**

1. Tree Protection Fencing must be installed, inspected, and approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit for this development.
2. Provide a landscape bond for replacement trees in the amount of \$25,250.00, plus an additional amount for trees on lots 27 through 38, as adjusted if necessary by the City's Landscape Architect, prior to issuance of a Land Improvement Permit for this development. The additional landscaping will need to be added to the plans.
3. Add landscape buffering and cost estimate for the west property line of units 36, 37, and 38, the species and size to be approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit.
4. Add a note stating there will be no entrance sign at Hazelton.
5. Obtain Sidewalk Variance from City Council for front of unit 42 on Shortridge, and record document prior to Issuance of a Land Improvement Permit.
6. Address drainage swale at the rear of lots 29 through 36 so that no drainage flows north, without removing or grading within the drip line of any tree designated for preservation without written permission of the homeowner affected. Copy of such permission must be forwarded to the Landscape Architect at least one week prior to grading.
7. Revise plans to add landscaping and cost estimate for 2 1/2" caliper trees to create 20-foot IVO for lots 27 through 36, type and sizing to be approved by the City's Landscape Architect prior to issuance of the Land Improvement Permit.
8. Revise layout of the replacement trees in area adjacent to Lot 41 (Open Space B) into natural groupings, not in evenly spaced rows, to be approved prior to issuance of the Land Improvement Permit.
9. All required easement agreements and exhibits must be provided in recordable form; the Master Deed and Bylaws must include provisions for the protection of natural features located adjacent to proposed units and must limit activities that may occur in the 25-foot natural features setback area. All documents must be approved by the City prior to City Council consideration of the Final Plan

**10. Address comments regarding the right-of-way trees as indicated in the May 4, 2006 memo from Parks and Forestry.**

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

**Aye:** Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0169-2006

**2006-0260**

Discussion regarding proposed revisions to the approved City Place PUD - City File No. 02-027. Development now named The Townes of Eddington, Robertson Brothers, applicant

**Attachments:** Agenda Summary.pdf; Map aerial.pdf; Letter Robertson 20060420.pdf; Site Plans.pdf

**Mr. Bill Gilbert**, G&V Investments, 2565 South Rochester Road, Rochester; and **Mr. Doug Smith**, Robertson Brothers, 6905 Telegraph Road, Bloomfield Hills, explained that their original plan for the City Place development had not proved feasible and, thus, appeared before Council with a revised plan for a development called The Townes at Eddington. They noted that the newly proposed development would essentially eliminate the mixed-use plan of including retail and office and would concentrate almost exclusively on residential development with the exception of the new bank already completed at the site.

**Mr. Derek Delacourt**, Deputy Director of Planning, reminded Council that the site was originally approved as a PUD development and this area is Master Planned for mixed use. He stressed that this proposed change has not moved beyond the discussion phase with City staff and the Planning Commission. He noted that at this time the applicant was seeking guidance from Council as to whether they should proceed further in the process. He stressed that it was not a matter of site plan specifics at this point, but rather whether the revised plan would be acceptable to Council to return as a PUD project.

**PUBLIC COMMENT:**

**Mr. Rodney Morris**, 1276 Pembroke, expressed his concern over traffic safety issues at the entrance to this development off of Rochester Road. He also noted that his subdivision, Eddington Farms, has paid for and maintained the center island of Eddington Boulevard and feels the sign now identifying it as The Townes of Eddington is misleading and confusing.

**Mr. Greg Rose**, 542 Lexington, noted his concerns with traffic flow on Rochester Road in front of the new development. He also questioned whether this project would still qualify as a PUD. He further expressed concern for the residents whose property abuts the new development and how the new elevations would impact their views.

**Mr. Tim Collinge**, 553 Essex, also expressed concern over traffic at the entrance of Eddington Boulevard and requested that parking not be permitted on that street. He also questioned the status of a traffic light that has been considered for this area of Rochester Road to "break up" the traffic flow.

**COUNCIL DISCUSSION:**

Council members expressed the following comments and concerns regarding the proposed new project:

- Residents are always expressing their preference for more retail development and less commercial development.

- *The details of the site plan will be addressed later in the process.*
- *Different architectural designs would be preferable as opposed to "plain town homes."*
- *Construction traffic should be kept to an access road other than Eddington Boulevard.*
- *There should be a walk-through of the property with the Eddington Farms Homeowners Association board members so they understand the changes to the development.*
- *The road leading to Hamlin Road should be left open and it should be noted to that effect in the homeowner's association bylaws .*
- *The building elevations and plantings along the existing subdivision should not drastically impact the views of existing homeowners.*
- *The proposed new development is extremely dense and very static without much aesthetic appeal.*
- *This development is much closer to what the Planning Commission envisioned ten years ago.*
- *Because of the new bank, a PUD is likely still viable for the proposed new development plan.*

**Mr. Delacourt, Mr. Gilbert and Mr. Smith** addressed the following concerns raised by Council members and residents:

- *The next step in the process is submission for a revised PUD review by staff, which would eventually be brought forward to the Planning Commission and City Council.*
- *It is unclear whether a PUD is still needed, however, Council would retain certain controls over architecture, building materials, site design, etc., if it remains a PUD project.*
- *The new buffer setback is approximately 122 feet from the proposed building to the back of the existing houses, as opposed to 100 feet in the original plan.*
- *While the proposed buildings are further from the existing buildings, the parking lot is actually closer.*
- *The tallest buildings in the new proposed plan will be three stories in height.*
- *The developers will continue to work with the existing residents with regard to buffers and parking issues.*
- *Facilitating a relationship between the residential and commercial on Hamlin Road to keep the road to Hamlin open is a benefit to the development and can be facilitated within the bylaws.*
- *Technically that area of Rochester Road does not yet meet the traffic warrants to require a traffic signal.*
- *The developer will continue to keep the existing residents well informed regarding this development.*

#### **Discussed**

2006-0170

Green Space Advisory Board (GSAB) Recommendation to City Council regarding Approval of Natural Features Evaluation Criteria

**Attachments:** Agenda Summary.pdf; Final Draft Natural Features Evaluation Criteria [5].pdf; Criteria Draft 4.pdf; Criteria Draft 3.pdf; Criteria Draft 2.pdf; Criteria Draft 1.pdf; Natural Resource Assessment.pdf; Natural Areas Ranking Criteria.pdf; CR Criteria Ranking.p

**Mr. Gerald Carvey**, Chairperson of the Green Space Advisory Board (GSAB), briefly described GSAB's recommendation for the Natural Features Evaluation Criteria, noting that all aspects are evaluated on a five-point system:

### **Summary of Categories**

- A. Water resources
- B. Habitat protection
- C. Recreational / Historical resources
- D. Other factors
- E. Adverse factors

#### **A. Water Resources**

- 1. Rivers, streams, ponds, and lakes
- 2. Wetlands
- 3. Floodplain

#### **B. Habitat Protection**

- 1. Wildlife habitat
- 2. Woodlands

#### **C. Recreational / Historical Value**

- 1. Clinton River Greenway Corridor
- 2. Other Stream and Trail Corridors
- 3. Adjacency / Connectivity
- 4. Scenic Views
- 5. Passive Recreation
- 6. Historical / Cultural
- 7. Community Planning

#### **D. Other Factors**

- 1. Other Unique Factors
- 2. Market Value Considerations
- 3. Development Risk
- 4. Steep Slopes
- 5. Size of Property

#### **E. Adverse Factors**

- 1. Environmental Hazards
- 2. Higher than "Market Value" Cost
- 3. Any Unique Detractors

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

**Resolved that the Rochester Hills City Council concurs with the recommendation of the Green Space Advisory Board (GSAB) and approves the GSAB Natural**



**Features Evaluation Criteria as presented.****The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0170-2006

**2006-0245**

GSAB Recommendation to City Council regarding Approval of City of Rochester Hills Green Space Advisory Board Property Interest Purchasing Process

**Attachments:** 0245 Agenda Summary.pdf; Final Draft Property Acquisition Process.pdf; Draft Flowchart.pdf; Purchasing Process.pdf; GASB Resolution.pdf; 0245 Resolution.pdf

**Mr. Gerald Carvey**, Chairperson of the Green Space Advisory Board (GSAB), briefly described GSAB's recommendation for the Property Interest Purchasing Process, which would involve the following steps:

1. *Parcel Identification*
  - *Natural features inventory*
  - *Priority 1 - 3 of parcels that are vacant, unrestricted or underutilized*
  - *GIS*
  - *Site attributes*
  - *County Greenway*
2. *Determining Availability*
  - *Contact by letter*
  - *Set window of opportunity*
  - *Property nomination form*
  - *Informational session*
3. *Informational Session (Candidate List)*
  - *Apply green space / natural features criteria*
  - *Price*
  - *Easement*
  - *Development rights*
  - *Donations*
  - *Partial sale / split*
4. *Window of Opportunity*
5. *Property Nomination*
6. *Natural Features Inventory*
7. *Report to City Council*
8. *Council Approval*
9. *Final Recommendation*

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

Resolved that the Rochester Hills City Council concurs with the recommendation of the Green Space Advisory Board (GSAB) and approves the City of Rochester Hills Green Space Advisory Board Property Interest Purchasing Process as presented.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**Enactment No:** RES0171-2006

**2006-0368**

Request to schedule a Public Hearing to establish an Industrial Development District at 2960 Technology Drive

**Attachments:** Agenda Summary V2.pdf; Agenda Summary.pdf; Letter Cerutti 20060412.pdf; Memo Casey 20040617.pdf; 0368 Resolution.pdf

*Mr. Dan Casey, Manager of Economic Development, explained that the City is in receipt of a request to establish an industrial development district, as well as a corresponding application for a tax abatement from Bernal, Inc., to acquire new personal property. Mr. Casey stressed that State law requires that the City Council make a decision regarding a requested tax abatement within 60 days of receipt of the application. He further noted that, in this case, the first step in the process is to set the date for two public hearings, one to consider the establishment of an industrial development district and the other for the tax abatement request. Mr. Casey requested that both public hearings be scheduled for the June 7, 2006 City Council meeting.*

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

**Whereas, North American Cerutti Corp. has filed a request for the establishment of an Industrial Development District for property it owns, identified as 2960 Technology Drive, also known as Parcel number 15-30-476-016; and**

**Whereas, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering the request.**

**Resolved to schedule the Pubic Hearing for City Council's Regular Meeting of June 7, 2006; and**

**Be it Further Resolved to send a certified copy of this Resolution to North American Cerutti Corp., attention Kelly Lang, at 2960 Technology Drive in Rochester Hills, Michigan 48309.**

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

**2006-0367**

Request to schedule a Public Hearing regarding the request for an Industrial Facilities Exemption Certificate (IFT), for Bernal, Inc., 2960 Technology Drive

**Attachments:** Agenda Summary V2.pdf; Agenda Summary.pdf; Application Bernal.pdf; 0367 Resolution V1.pdf; Bernal Financial Analysis-Real Personal.pdf; Development Agreement.pdf; Letter Lang 20060511.pdf; 0367 Resolution.pdf

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

Whereas, North American Cerutti Corp. has filed a request for the establishment of an Industrial Development District for property it owns, identified as 2960 Technology Drive, also known as Parcel number 15-30-476-016; and

Whereas, Bernal, Inc., a subsidiary of North American Cerutti Corp., filed an application for an Industrial Facilities Exemption Certificate on April 20, 2006; and

Whereas, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering the request and must render a decision within 60 days of receipt of the application.

Resolved to schedule the Pubic Hearing for City Council's Regular Meeting of June 7, 2006; and

Be It Further Resolved to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on May 25, 2006; and

Be It Further Resolved to send a copy of the notice to North American Cerutti Corp., attention Kelly Lang, at 2960 Technology Drive in Rochester Hills, Michigan 48309, no later than May 25, 2006; and

Be It Finally Resolved to send a copy of the notice to all taxing jurisdictions and the City's Assessor no later than May 25, 2006.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

## COUNCIL COMMITTEE REPORTS

### Financial Services Committee

*Ms. Holder, Chair of the Financial Services Committee, noted that the Committee was in the process of discussing water and sewer rates.*

### Administration & Information Services Committee

*Ms. Holder, Chair of the Administration & Information Services Committee, noted that the Committee is in the process of preparing their salary recommendations for directors, Council members, the Mayor and the members of various boards and commissions for City Council's consideration.*

### Community Development & Viability Committee

*Mr. Duistermars, Chair of the Community Development & Viability Committee, indicated that the Committee is currently discussing street lighting and the City's gateway program.*

## ANY OTHER BUSINESS

*Mr. Ambrozaitis reminded Council about his request that the water in River Bend Park be tested.*

*Mr. Yalamanchi noted that he has been working with a group interested in creating a community library. He stated that copies of a presentation would be distributed to his fellow Council members and noted he would continue working on this program. Mr. Yalamanchi*

also reminded President Rosen that outstanding matters were to be placed on Council's agenda under "Unfinished Business."

**President Rosen** noted that since the meeting in April regarding the consent judgment for the Adams/Hamlin development he has met with Mayor Barnett and City Attorney John Staran about "the city's responsibilities going forward and how to handle them." He expressed his opinion that the best way to proceed is to establish a regular, Council initiated administrative technical Committee called the Environmental Oversight Committee. He explained that the purpose of this committee would be to oversee the environmental clean up at the Adams/Hamlin site and the Madison/REI site to assure that decisions are made in the best interest of the neighbors, the immediate area and the community as a whole. He asked his fellow Council members to take two weeks to consider this proposal and it would be discussed in more detail at a later date.

**Mayor Barnett** distributed an opinion from Attorney Trey Brice regarding low water pressure in the City.

## NEXT MEETING DATE

Work Session - Wednesday, May 24, 2006 at 7:30 p.m.

## ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 1:32 a.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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MARGARET A. MANZ  
Administrative Secretary  
City Clerk's Office

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