

Therefore Be It Further Resolved that the Rochester Hills City Council imposes a ninety (90) day moratorium on the approval of a demolition permit to run concurrently with the initial HDC study.

ROLL CALL VOTE:

Ayes: Hill, Raschke, Robbins, Dalton
Nays: Barnett, Duistermars
Absent: Holder

MOTION CARRIED

(Recess 8:29 p.m. – 8:42 p.m.)

17. UNFINISHED BUSINESS

- 17a. Historic Districts Study Committee Report regarding the request for Elimination of Noncontiguous Historic District** - 44 acres located at 800 West Avon Road, Parcel No. 15-15-451-002, Rochester College, Applicant (Members received a copy of a City Council Regular Meeting Summary Sheet dated October 6, 2003 from Derek Delacourt, Planner II, with attachments)

President Dalton asked that those in attendance who wished to participate in public comment keep their comments to two (2) minutes and not repeat comments made prior to their turn at the podium.

Mr. John Dziurman, 160 Oak Lane, and **Dr. Richard Stamps**, 756 Cambridge Drive, representing the City's Historic Districts Study Committee (HDSC), presented the findings in their report entitled "Demay-Potere Historic District."

The study recommended retaining the local historic district designation based on the following findings:

1. There has been no loss of the physical characteristics of the structure.
2. The significance of Demay-Potere historic district has increased due to the loss of the vast majority of agricultural resources in Rochester Hills.
3. This historic district was not established pursuant to defective procedures.

The study went on to recommend possible options:

- Rehabilitation and reuse
- Redefinition of the historic district
- Relocation of the barn and other significant buildings

Mr. John Gaber, 1024 Adele Court, attorney representing Rochester College, noted that the ordinance allows that City Council can use its discretion to eliminate a historic district. He noted that while the College concurs that there is some historic significance to the site, it is not as significant as is stated in the study presented. He referenced materials previously presented to Council by the College explaining that the structure of the barn is not significant and has no link to persons or events of historic relevance.

Dr. Michael Westerfield, 800 West Avon Road, President of Rochester College, provided a brief history of the College, stressing that as the College has grown, its need to expand has also increased. With regard to the historic relevance of the barn, he noted that the College attempted to donate the building to the Henry Ford Museum and Greenfield Village, among other venues, and the offer was declined “because it lacks historical significance.” He noted the limited funds at the College’s disposal and asked that they be permitted to build on their property.

Mr. Gaber proposed that the entire historic district be eliminated and the College would then impose a two (2) year moratorium on the barn and its outbuildings. The College would then donate the building as well as a parcel of land near the Clinton River Trail for the subsequent relocation of the barn. The College would also commit to a “one for one dollar for dollar match” up to \$10,000 to finance this proposal, noting that they had received estimates of between \$15,000 and \$20,000 to accomplish this move. He noted that Mr. Dziurman’s alternative of splitting the building from the rest of the tract was not feasible. He stressed that the benefits the College provides the community outweigh those of the buildings in question.

PUBLIC COMMENT:

Ms. Carolyn Hadden, 3165 Pond Road, Leonard, expressed her opposition to delisting.

Mr. Garth Pleasant, 923 Ten Point, Rochester Hills, explained that his wife’s family owned the farm. Despite his sentimental attachment to the buildings, he supported delisting the property.

Mr. Tracey Hebert, 3764 Dearborn Avenue, Rochester Hills, identified himself as the Vice President of Extended Learning at the College and expressed his support for delisting.

Ms. Sara Barton, 889 Hadley Road, Rochester Hills, noted that she is an employee of the College and expressed her support for delisting.

Mr. Tim Parker, 800 West Avon Road, Rochester Hills, identified himself as the College’s Student Body President and expressed his support for delisting.

Ms. Candace Cain, 35233 Tall Oaks, Sterling Heights, noting she is employed by the college, expressed her support for delisting.

Mr. Larry Stewart, 5695 Montgomery Drive, Shelby Township, identified himself as Campus Historian and supported delisting.

Ms. Lynne Stewart, 5695 Montgomery Drive, Shelby Township, noted that she has been employed by the College for twenty-seven (27) years and voiced her support for delisting.

Mr. Randall Speck, 3030 Debra Court, Auburn Hills, expressed his support for delisting.

Ms. Tamera Conner, 1131 Tienken Court, Rochester Hills, noting her involvement in fundraising for the College, expressed her support for delisting.

Mr. Larry Norman, 6740 Redford Circle, Troy, expressed his support for delisting.

Mr. Alan Waites, 3220 Waterford Court, expressed his support for delisting.

Mr. David Greer, 454 Miller Avenue, Rochester, expressed his support for delisting.

Mr. Paul MacKenzie, 1167 Ridgeview Circle, Lake Orion, expressed his support for delisting.

Ms. Cathy MacKenzie, 1167 Ridgeview Circle, Lake Orion, expressed her support for delisting.

Mr. Donald R. Robinson, 574 Lockmoore Court, Rochester Hills, expressed his support for delisting.

Ms. Jennifer Kirby, 471 Kensington, Rochester Hills, noted she is a College alumni and expressed her support for delisting.

Ms. Mona Kheir, 760 Ironwood Drive, Rochester, expressed her support for delisting.

Ms. Cathrine Ries, 1049 Truwood, Rochester Hills, expressed her support for delisting.

Ms. Vivian Turner, 2570 Hempstead Road, Auburn Hills, expressed her support for delisting.

Ms. Carol VanHooser, 201 Riseman Court, Oxford, expressed her support for delisting.

Ms. Chris Osburn, 519 East University, Rochester, expressed her support for delisting.

Mr. Toby Osburn, 519 East University, Rochester, expressed his support for delisting.

Mr. Gary Carson, 8873 Kelly Lake Drive, Clarkston, expressed his support for delisting.

Mr. Scott Niemann, 800 West Avon, Rochester Hills, expressed his support for delisting.

Mr. Shannon Williams, East Longfellow, Pontiac, expressed his support for delisting.

Mr. Mark Johnson, 4510 Justine, Shelby Township, expressed his support for delisting.

Mr. Elliot Jones, 3253 Brookshaw Circle, Auburn Hills, expressed his support for delisting.

Ms. Ann Luchsinger, 1830 Washington Road, Rochester Hills, expressed her support for delisting.

Mr. Mark Davison, 1135 Tienken Court, Rochester Hills, expressed his support for delisting.

Ms. Debi Hoggatt, 2789 Imlay City Road, Lapeer, expressed her support for delisting.

Ms. Elaine May, 1161 Marquette Court, Rochester Hills, noting that she is an employee and alumni of the College, expressed her support for delisting.

Mr. Joe Howard, 800 West Avon Road, Rochester Hills, noting he is a current student of the College, expressed his support for delisting.

Mr. John Barton, 889 Hadley Road, Rochester Hills, expressed his support for delisting.

Mr. Ed Miller, 1719 Hillcrest Drive, Rochester Hills, expressed his support for delisting.

Ms. Lyn Sieffert, 942 Little Hill Court, Rochester Hills, expressed her opposition to delisting the property, suggesting that the student population of the College is primarily commuters from beyond Rochester Hills and, thus, local history has no relevance to them.

Mr. Bradley Irwin, 1105 Tienken Court, Rochester Hills, expressed his support for delisting.

Mr. Greg Doyle, 1141 Cripple Creek, Rochester Hills, expressed his opposition to delisting the property and encouraged a compromise that would save the buildings.

Mr. Rod Wilson, 403 Red Oak Lane, Rochester Hills, identifying himself as the President of the Rochester Avon Historical Society, suggested various compromises to delisting and demolishing the buildings and offered the cooperation of his organization to that end.

Mr. LaVere Webster, 1160 South Boulevard, Rochester Hills, expressed his opposition to delisting and suggested that the buildings could be moved if necessary.

Mr. Duane Harrison, 433 Cherry Tree Lane, Rochester Hills, expressed his support for delisting.

Rev. Dr. Pamela Whateley, 1600 North Livernois, Rochester Hills, expressed her opposition to delisting and questioned why the College sold a large portion of its property to the church if it had intentions of expanding.

Ms. Julie Harper, 668 Sheffield, Auburn Hills, expressed her support for delisting.

Mr. Patrick G. Kirby, 5740 Wellwood Drive, Rochester Hills, expressed his support for delisting and explained that the property sold to the church was done so as to alleviate “financial trouble.”

Ms. Birgie Niemann, 1400 Copper Circle, Rochester, noting that she is the Vice President for External Relations at the College, expressed her support for delisting.

Mr. Brian Dunphy, 1610 Fair Oak, Rochester Hills, expressed his opposition to delisting the property noting that there is room for compromise.

Mr. Michael Kilpatrick, 2858 Steamboat Springs, Rochester Hills, noting that he is a member of the HDSC, expressed his opposition to delisting the property.

Mr. David Fleer, 344 Orchardale Drive, Rochester Hills, expressed his support for the proposed compromise of moving the barn to a location near the Paint Creek Trail.

Ms. Janet Richards, 5943 Beebe Avenue, Warren, noting she is an alumni and current employee of the College, expressed her support for the compromise of moving the barn to the “Paint Creek Trail” and encouraged the “interpretation” of the barn’s historic significance be included as a part of the new location.

COUNCIL DISCUSSION:

City Clerk Bev Jasinski read a letter submitted by **Council Member Barbara Holder** that expressed Ms. Holder’s support for a compromise that would relocate the barn near the Clinton River Trail, suggesting that “access will be easier and a very interesting plaque can be constructed to explain the history as well as pictures of the move.”

(Recess 10:28 p.m. – 11:00 p.m.)

PUBLIC COMMENT (resumed):

Ms. Madylin Brooks, 6157 Blue Beach Court, Rochester Hills, expressed her opposition to delisting and encouraged the search for a compromise.

Ms. Gail Kemler, 271 Reitman Court, Rochester Hills, noting that she is a seventy (70) year resident of Rochester Hills, questioned the viability of a plan to relocate the buildings. She expressed her opposition to delisting and requested that all but the four (4) acres housing the actual buildings be delisted.

APPLICANT AND HISTORIC DISTRICT STUDY COMMITTEE RESPONSE:

Mr. Dziurman requested more time to devise a compromise that would be to the satisfaction of all parties concerned. He noted that the prospect of moving the buildings would be extremely costly. Mr. Dziurman suggested that there are financial alternatives to be sought through the Federal Government that would assist in any compromise plan. He stressed that maintaining the buildings, perhaps through adaptive reuse, would not be detrimental to current or future students.

Mr. Weatherfield stressed how quickly the college is growing and the need for more buildings such as Education, Health Sciences, Commutation Arts, etc. He noted that the four (4) acres in question would be “restrictive” to that growth.

Mr. Gaber noted that the College’s relocation plan included a two (2) year moratorium so that all parties concerned could work together to “make it a successful relocation.”

COUNCIL DISCUSSION (resumed):

Ms. Hill read several names into the record representing many emails and letters she had received on this subject, noting that in addition to opposing the delisting, many contained interesting suggestions: Maria-Teresa Cozzolino, Robert Lytle, Patrick McKay, The Sackman Family, Carolyn Dulin, Clerk of the Charter Township of Independence, Kay Mann, Jeanne Phillips, Natalie Gillet, Kasy and Hope Hopper, Dick and Vera Bacik, Frances Enright, Lynn Demsky, Barbara Butterworth, Loraine Campbell, Nancy Aronovitz, Janice and Al Mosesso, Janine Saputo, Bob and Janet Long, Carole Fischer, Roberta Chapman, Sara Van Portfliet, Michelle Swigart.

Mr. Robbins stated that he would move the motion included in the packet with a change to the resolution so it would read “and does support the delisting of the property.” Mr. Robbins then questioned the content of the report presented by the HDSC, noting that it did not include enough information for him to make “an informed decision.” He noted there is no consensus from the general public as to their opinion on the matter and expressed his opinion that adaptive reuse is not feasible. Mr. Robbins stressed that if the City would like to preserve such places, the City should purchase them. He then noted that there was no money in the City budget for such a purchase.

Mr. Duistermars voiced his concern that government should protect the “welfare of the whole and protect individual rights,” noting “I don’t think we can tell someone what to do with their property.” He supported the suggestion to relocate the barn, explaining that in its current location the public has no access to the structures in question.

Ms. Hill explained that, while she was honored to have sat on the Board of Regents of Rochester College, she had tendered her resignation the previous day because she feels this is such an important issue. She expressed her belief that there is an opportunity for compromise in this situation and her support for the study conducted by the HDSC. She noted that “preservation is here to promote a sense of community and to protect the environment for future generations.” She promoted adaptive reuse, noting that she has visited many college campuses that have employed this option. Ms. Hill acknowledged that the HDSC has asked “very little of this property” requesting that it be “maintained to a minimum.”

Mr. Barnett, after praising both the benefits and contributions of the College as well as those of the HDSC, noted that he is “striving to find compromise” with this situation. He expressed his support for the relocation of the barn to the Clinton River Trail.

Mr. Robbins suggested that additional funding be sought from other organizations, such as the Oakland County Land Conservancy, thus avoiding any “bureaucracy” associated with the City’s financial involvement. He offered to remove or table his motion.

Mayor Somerville, acknowledging that this will be a difficult decision for Council, expressed her belief that the College provides “an absolutely fantastic education” for its students “which is more important to the future.” She expressed her support for relocating the barn to another portion of the property.

Ms. Hill stressed that maintaining the barn in its current position would not jeopardize the future education of Rochester College students. She noted that the buildings are currently “being adaptively reused.” She acknowledged that she “doesn’t want to tie the College’s hands” and suggested that the area be reduced to three (3) or four (4) acres. She explained that she is not in favor of delisting because “then we [the City] have no say.” She stressed that this situation is no different from many other laws that limit the actions of the residents. She suggested that more time was needed to answer additional questions regarding possible compromise.

Ms. Raschke acknowledged the effort expended in preparing the HDSC’s report and expressed her belief that there must be a compromise that would result in a “win-win” situation.

President Dalton agreed with Ms. Raschke and also expressed a belief that a compromise that benefits all parties can be reached.

Ms. Hill suggested that the issue be postponed and President Dalton and the other interested parties be given an opportunity to arrange a compromise to be brought back before Council in a timely manner.

Mr. Barnett agreed with the suggestion, but questioned whether Council had provided enough direction to reach the appropriate compromise.

Mr. Gaber noted that a compromise would be welcome, but expressed his concern that the issue will “drag out and we won’t get a decision.” He suggested that the motion be postponed and a date be set to reach a final resolution.

Dr. Stamps acknowledged that the HDSC had received enough direction to move forward in reaching a compromise.

Mr. Dziurman suggested that an outside consultant (a historic architect) be hired to assist in reaching the final compromise.

Ms. Hill agreed with that suggestion, noting that more historic background on the site would be beneficial.

Mr. Robbins, after removing his motion from the table, expressed his concern that additional research and the use of an outside consultant would increase the timeline for reaching a

compromise. He suggested delisting the property and placing a two (2) year moratorium on any action.

Ms. Hill questioned whether the parties could come together with the assistance of President Dalton to reach a proposed compromise to be presented to Council by the beginning of the new year.

President Dalton agreed to this suggestion.

Resolution A0671–2003–R0470

MOTION by Robbins, seconded by Duistermars,

Whereas, on June 18, 2003, in response to Rochester College’s request to delist its historic district, the Rochester Hills City Council requested that the City’s Historic Districts Study Committee (HDSC) investigate, hold a public hearing, and submit a report for the Rochester College Barn DeMay-Potere Historic Farm, pursuant to Chapter 118, Division 4 of the Code of Ordinances and;

Whereas, on September 16, 2003 the Rochester Hills Planning Commission made comments on the Final Report and;

Whereas, on September 25, 2003 the City’s Historic Districts Study Committee held a public hearing to receive comment regarding the request to delist the subject property as a Historic District within the City of Rochester Hills, in accordance with Public Act 267 of 1976 (MCL 15.261 et seq., MSA 5.3407(3) et seq.) and the Rochester Hills Historical Preservation Ordinance, Section 118-131,

Resolved, by the Rochester Hills City Council that the entire 44 acre site shall be delisted as a historic district in accordance with the procedures set forth in the Historic District ordinance; and that the City Attorney shall prepare the necessary changes to the Historic District ordinance; and

Be It Further Resolved that the final decision shall be postponed until the City Council President brings the proposed ordinance changes before Council for First Reading at a yet-to-be-determined Council meeting.

Ayes: Dalton, Barnett, Duistermars, Robbins

Nays: Hill, Raschke

Absent: Holder

MOTION CARRIED

(Recess 12:30 am – 12:39 a.m.)