



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

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

Monday, November 12, 2012

7:00 PM

1000 Rochester Hills Drive...

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:01 p.m. Michigan Time.*

ROLL CALL

Present 7 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark
Tisdel, Michael Webber and Ravi Yalamanchi

Others Present:

*Ed Anzek, Director of Planning and Economic Development
Bryan Barnett, Mayor
Jim Breuckman, Manager of Planning
Alan Buckenmeyer, Parks Operations Manager
Scott Cope, Director of Building/Ordinance Compliance
Ron Crowell, Fire Chief/Emergency Management Director
Jean Farris, Supervisor of Procurement
Captain Michael Johnson, Oakland County Sheriff's Office
Kevin Krajewski, Network Administrator/Deputy Director of MIS
Jane Leslie, City Clerk
Tim Matz, EMS Coordinator
Tara Presta, Chief Assistant
George Rice, DPS/Engineering Construction Inspector
Keith Sawdon, Director of Finance
Scott Schlagel, Rochester Hills Government Youth Council Representative
Allan Schneck, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

*- Led by **George Rice**, DPS/Engineering Construction Inspector.*

***Mr. Tisdel** noted that Mr. Rice is a 30-year city employee. He noted that the
Mayor's Office received a letter from a grateful resident who explained that Mr. Rice
came to their door in early October to inform them that road work would be
undertaken in front of their home and they would be unable to use their driveway*

for a week. The resident told Mr. Rice that their three-year-old would be having surgery during that time and a construction project denying access to their driveway would cause undue stress and hardship. Mr. Rice rearranged the order of construction to allow access during the week of the surgery. The resident expressed her appreciation for Mr. Rice's kindness. Mr. Tisdell thanked him for taking care residents so well.

Mr. Rice led the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion was made by Webber, seconded by Kochenderfer, that the Agenda be Approved as Presented. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

PUBLIC COMMENT

Tom Ryan, 3626 Hollenshade Drive, stated that one year ago, voters approved a City Charter Amendment to limit non-conforming use of City parks and open spaces. He commented that a proposed use to allow oil and gas exploration does not meet the explicit use criteria and is a defined exemption for use of a park. He stated that while he can understand that there is a commercial benefit to allowing exploration, he does not understand how Council can choose to proceed without a vote of the people.

Gary Uhl, 3508 Wedgewood Drive, stated that he is pleased that Council members expressed concerns that there would be no structures installed or drilling in City parks. He commented that he appreciates that Council has expressed interest in protecting the City's parks use for recreational purposes. He stated that he is disappointed that there has not been a clear identification of where all properties under review for drilling are located. He commented that while it appears that this could be a good business decision for the City, he would suggest that any proceeds from the venture be directed for use toward park development and improvement, and the needs of the Cemetery.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper acknowledged that today is Veteran's Day and recognized those veterans who have paid the ultimate price so that the country can enjoy a free and open government. In response to Public Comment, he noted that further Council discussion regarding an oil and gas lease for City properties has been postponed until a written response is received from City Attorney John Staran. He noted that once that item is placed on a Council agenda, discussion would include what may or may not happen with any proceeds the City will receive.

Mr. Webber acknowledged Veteran's Day. He commended City Clerk Jane Leslie and her staff for their work on the Presidential election. He noted that voter turnout was over 70 percent and stated that the only complaints he heard included comments on the length of the ballot and the long lines. He wished everyone a great Thanksgiving holiday.

Mr. Klomp commented that he attended the City's Veteran's Day Ceremony at Veterans Memorial Pointe, which included a recognition of a soldier who lost his life in Afghanistan several months ago. He noted the large turnout of voters for the election, and thanked everyone who was involved. He mentioned that the Ram's Horn Restaurant was once again hosting a Feed the Hungry night tonight, giving food to those in need. He announced the recent birth of his son, Gavin Louis, and commented that he and his wife are overwhelmed with joy.

Mr. Kochenderfer announced that the Holiday Giving Tree was once again in place in front of the Mayor's Office. He noted that Rochester Area Neighborhood House is coordinating the names of the individuals in need this year; and suggested that interested individuals take a tag off the tree, purchase the items listed on the back of the tag, and return the gifts to the Mayor's Office by December 7th. He congratulated the Administration and the Road Commission for Oakland County for the completion of the Livernois Bridge project, and urged the Administration to review whether there can be any lessons learned for preventative measures that can be taken in the future.

Mr. Rosen echoed Council comments regarding Veteran's Day and expressed his congratulations to the Klomps on the birth of their son.

Mr. Tisdell expressed his appreciation to the country's Veterans and offered his congratulations to Mr. Klomp. In response to Public Comment, he stated that he did not believe that anything could be built on the parks for oil and gas exploration. He noted that the tracts of land being assembled consist of a minimum of 640 acres and stated that if oil is found anywhere within those tracts, the royalties would be distributed in proportion to the percentage of land ownership within the tract. He commented that the City could realize a new revenue stream as its parcels could be a significant percentage of the tracts.

Scott Schlagel, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC met today, set Purpose Statements and reviewed plans for its Action Committees. He noted that the members will participate in the Rochester Hometown Christmas Parade this year.

Mayor Barnett reported that the City's Veteran's Day recognition ceremony was held at Veteran's Memorial Pointe, and noted that the park has evolved over the years to include monuments to veterans of World War I, World War II, Vietnam War, Korean Conflict and the recent Gulf War and Middle East conflicts. He mentioned that a recent addition includes a recognition of Staff Sergeant Kyle B. McClain, a Rochester Hills native who was killed in August of this year.

He mentioned the following:

- The Feed the Hungry event ongoing today at the Ram's Horn restaurant at Rochester and Hamlin Roads.
- Gold Star Restaurant contributed breakfast and pastries for City Hall election workers on Election Day.
- The Clerk's Team did a great job in coordinating their election activities. Hundreds of election workers were paid a small stipend to help. The turnout of 75 percent this year was higher than that of 2008. The highest turnout occurred in 2004, when 82 percent of the registered voters cast ballots. The longest lines were approximately one-and-one-half hours at Adams High School precincts.
- The City's ballot question to repurpose an expiring Drain Millage passed by a margin of 65 percent to 35 percent. The proposal's passing will repurpose this expiring Drain Debt toward roads, and will give the City more flexibility in funding activities. There was only a nine percent dropoff in the number of votes cast between the first question on the ballot for the President to the last ballot question.
- Both Livernois Road and Crooks Road are now open. Having these routes restored should greatly improve the City's emergency response times.
- The Fall Hills Herald is now available, online and in hard copy at City Hall.
- The Village of Rochester Hills Tree Lighting Ceremony is set for Friday, November 16th at 7:00 p.m.
- Downtown Rochester's Lagniappe event will be held on Monday, November 26th from 6:00 p.m. to 9:00 p.m. Construction on Main Street is expected to be complete by that date.
- The Rochester Hometown Christmas Parade is set for Sunday, December 2nd. The parade will be broadcast on Rochester Hills Television; it will not be carried on WXYZ-TV this year.

ATTORNEY MATTERS

None.

PRESENTATIONS

- 2012-0435** Presentation to City Council on the progress and enhancements made to EMS services provided by the Fire Department

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

Ron Crowell, Fire Chief/Emergency Management Coordinator, introduced **Captain Tim Matz**, EMS Coordinator, and noted that Captain Matz oversees the daily operation of the EMS Division.

Chief Crowell stated that he has been a member of the Rochester Hills Fire Department (RHFD) for 30 years and has been Fire Chief for the past seven years. He commented that he remembers being a first responder eleven or twelve years ago and knowing that the citizens were not receiving the level of service that they deserved. He noted that the Administration, with the support of Council at that time, decided that the City needed to provide its own EMS services. He commented that the City now has an outstanding EMS Service.

He gave the following presentation:

ROCHESTER HILLS FIRE DEPARTMENT - PROVIDING EMERGENCY MEDICAL SERVICES:

Celebrating 10 Years; History and Innovation:

- History / Improved Services:

- * Fire engines were used to provide advanced life support / Five ambulances respond to emergency calls.*
- * Staffing levels / Staffing increased in 2008.*
- * Paid-on-Call EMS commuted from home / Paid-on-Call EMS respond from Fire Stations 3 and 5.*

A map was displayed of the fire station locations and response boundaries for each. He noted that the 2013 Budget provides that all five fire stations will be staffed 24 hours a day, seven days a week with an ambulance. Three advanced life support ambulances and two basic life support ambulances will be available.

Advancing Collaborations:

- Mutual Aid Agreements

- * Rochester / Oakland Township / Auburn Hills*

Chief Crowell noted that in total, 11 ambulances cover three communities.

- Transport Services

- * Crittenton Hospital Medical Center to Cancer Center, nursing homes and other areas.*

He mentioned that the RHFD is the sole provider of transport from Crittenton Hospital to the Cancer Center. He noted that since 2011, \$294,212 in revenues have been generated by transport services.

A chart was displayed that showed the number of EMS calls and Medical Transports for each year since 2003. He pointed out that calls have increased each year since 2008. He explained that the City's population is aging and there has been more traffic. He stated that it is hoped that fire calls will decrease; however, it is known that EMS calls go up. He commented that call numbers are on track with 2011; however, EMS calls are going up. He reported that in the last ten years, over 31,000 residents and visitors have been treated by Rochester Hills Fire Department EMS Division. He noted that these numbers include medical runs resulting in transport and do not include fires or falls by the elderly where no transport resulted.

Improved Response Times:

- Reduced response times since 2010 by nearly 3 minutes from close to seven minutes to under five minutes.*
- Sixty second "out the door" time.*

- Staffing the fire stations also contribute to a reduction in response times, along with increased manpower.

He commented that the move to staff Station 5 in 2013 will hopefully reduce response times even further. He displayed a slide highlighting several news reports of rescues by the RHFD.

Resident Satisfaction Survey:

- Out of 365 respondents, only 1% were dissatisfied.

Chief Crowell introduced Steve and Jewell Govern, and asked them to speak of their experience in the birth of their son with the help of the RHFD.

Steve Govern stated that their infant son was born at home with the help of Rochester Hills EMTs. He explained that his wife was ready to deliver the baby, they dialed 911, and the capable operator led him through the whole process. He commented that the EMT arriving at the home was very calm and reassured them that everything would be all right.

Chief Crowell noted the following:

Celebrating 10 Years: Saving Lives:

- Calls increased 53 percent
- Service times reduced by 48 percent
- 98% overall customer satisfaction rate

He stated that as a Fire Chief and a resident of Rochester Hills, he could not be more proud of his Department and the outstanding service level it provides. He commented that the members of the RHFD thank Council for its support.

Council Discussion:

President Hooper stated that it is a reflection of a job well done by Chief Crowell and all the men and women who serve on the RHFD. He commented that the City is blessed to have the quality of people it has serving the community and it is reflected in the overall satisfaction rate. He mentioned that on a personal note, his mother used the EMS service multiple times, and he is blessed and appreciative of the care she received. He stated that the community will stand behind its public safety.

Mr. Kochenderfer expressed his thanks to Chief Crowell and the entire Department. He commented that he is most impressed by the dramatic decrease in response times. He questioned how many times all five ambulances are on runs and a neighboring community must be contacted for assistance; and which community is contacted first.

Chief Crowell responded that this occurs once or twice a day. He commented that one day within ten minutes, the RHFD received five calls. He stated that this is a benefit of having such a strong agreement with neighboring communities.

He explained that the first call for assistance goes to Rochester, and Oakland Township moves to cover the area near Tienken and Rochester Roads. He mentioned that when Oakland Township's ambulances are out on runs, RHFHD units will move to locations near Tienken and Rochester Roads to be closer in case of a need for help.

Mr. Kochenderfer questioned how often the first community contacted cannot respond and the second community must respond.

Chief Crowell responded that this happens only about once or twice a month.

Mr. Yalamanchi expressed his thanks to the RHFHD for their service.

Mr. Rosen expressed his appreciation to EMS and Fire crews. He commented that this is still a fairly small town, and he tends to see many of the same trucks and faces time after time responding. He noted that the entire community should shoulder some responsibility by taking Cardiopulmonary Resuscitation (CPR) courses and having defibrillators where a need could arise.

Chief Crowell noted that the RHFHD website lists CPR classes. He mentioned that when Fire Prevention Bureau inspection staff go out to review senior facilities, Nancy Butty, Public Education Specialist, accompanies them to do a fall prevention program for residents. He commented that staff would much rather prevent than respond.

Public Comment:

Lee Zendel, 1575 Dutton Road, read from a speech given by a British Pastor at a London memorial service honoring 300 firefighters who died on 9/11. The speech related how those brave men and women did not flinch, flee or fail to protect the rest. He stated that over 100 police officers and 100 firefighters nationally die putting the lives of the public over their own. He commented that there would be no fire or rescue department without firefighter/paramedics and they should be honored and recognized by name. He suggested an annual event to honor the men and women who make the RHFHD what it is, and added that those men and women who staff the Oakland County Sheriff's Substation should also be given recognition. He commented that a moment of silent prayer for the safety of the country's Armed Forces, deputies and firefighter/paramedics should be offered at the beginning of each Council meeting. He stated that the City should have closed today in observance of Veteran's Day.

Presented.

RECOGNITIONS

2012-0441 Proclamation in Recognition of the Rochester Hills Fire Department for Ten Years of Outstanding EMS Service

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

Mayor Barnett stated that the community is grateful to the members of the Rochester Hills Fire Department for the services it provides on a daily basis. He commented on the excellent response times and mentioned various news reports of lengthy response times in other communities. He requested the many members of the Department in attendance to stand and be recognized. He read the Proclamation.

Council Members congratulated each Fire Department member in attendance.

Presented.

Whereas, the Rochester Hills Fire Department began providing Basic and Advanced Life Support service to the residents and visitors of Rochester Hills on October 25, 2002; and

Whereas, since that time, the Rochester Hills Fire Department has provided medical treatment and transport to over 31,000 people; and

Whereas, the Rochester Hills Fire Department has grown since 2002, and the Emergency Medical Service (EMS) currently has three Advanced Life Support and two Basic Life Support Ambulances that are staffed 24 hours a day, seven days a week; and

Whereas, throughout the years, the Rochester Hills Fire Department has steadily improved and reduced the average response time from 7.67 minutes to a current average response time of 4.76 minutes; and

Whereas, the Rochester Hills Fire Department continues to receive outstanding ratings from the residents and visitors they serve.

Now, therefore, be it resolved, that the Mayor and City Council of Rochester Hills hereby recognize the Rochester Hills Fire Department for ten years of outstanding service, and commend the members of the department for the dedication, commitment, and professionalism each of them provide to the citizens of Rochester Hills.

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.

- 2012-0434** Request for Purchase Authorization - BLDG: Contract/Blanket Purchase Order for ADA Facility Improvements at Fire Station #1 in the amount of \$38,663.55 with a 10% contingency of \$3,866.35 for a total not-to-exceed amount of \$42,529.90; M.J. White & Son, Inc., Novi, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0214-2012

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for ADA Facility Improvements at Fire Station #1 to M.J. White & Son, Inc., Novi, Michigan in the amount of \$38,663.55 with a 10% contingency of \$3,866.35 for a total not-to-exceed amount of \$42,529.90 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

- 2012-0394** Request for Adoption of Resolution authorizing the Mayor or his agents to make application to the Road Commission for Oakland County (RCOC) for the necessary permits for posting road closures and detours for the 2012 Christmas Parade to be held on Sunday, December 2, 2012

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0215-2012

Whereas, the Cities of Rochester Hills and Rochester jointly host an annual Christmas season parade conducted under the auspices of the Rochester Regional Chamber of Commerce; and

Whereas, the parade route begins on Rochester, south of Tienken Road in the City of Rochester Hills, and proceeds south along Rochester Road to Third Street in downtown Rochester; and

Whereas, staging this event requires closing certain State and County routes and using others for posted detour routes; and

Whereas, the two cities coordinate parade planning by dividing responsibility for obtaining necessary permits, with the City of Rochester Hills applying to the Road Commission for Oakland County for the detour and the closure of Walton at Livernois, and the City of Rochester applying to the Michigan Department of Transportation for the closure of Rochester Road from E. Second Street to Tienken Road.

Resolved, that the Rochester Hills City Council authorizes the Mayor or his agents to make application to the Road Commission for Oakland County for the necessary permits for posting road closures and detours; and

Be It Further Resolved, that the parade detour routes be scheduled for Sunday, December 2, 2012, between the hours of 12:30 p.m. and 4:00 p.m. on Livernois, Avon, Rochester, and Tienken Roads; and

Now, Therefore, Be It Resolved, that the City of Rochester Hills will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board of County Road Commissioners against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued; and

Be It Further Resolved, that a certified copy of this Resolution be filed with the City Clerk of Rochester Hills, Oakland County, Michigan and with the Road Commission for Oakland County, Waterford, Oakland County, Michigan.

2012-0395 Request for Adoption of the 2013 Annual Permit for Work on State Highways

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0216-2012

Whereas, the City of Rochester Hills hereinafter referred to as the "GOVERNMENTAL AGENCY" periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations; within and adjacent to its corporate limits;

Now Therefore, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL AGENCY's facilities according to a PERMIT issued by the DEPARTMENT.

5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

7. This indemnification resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

Be It Further Resolved, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Allan E. Schneck, P.E. - DPS Director
Paul M. Davis, P.E. - City Engineer
Paul G. Shumejko, P.E., PTOE -Transportation Engineer
Tracey A. Balint P.E. -Public Utilities Engineer

2012-0381 Request for Purchase Authorization - MAYOR: Contract for fireworks displays for Festival of the Hills 2013 and 2014 in the amount not-to-exceed \$70,000.00; Wolverine Fireworks Display, Inc., Kawkawlin, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0217-2012

Resolved, that the Rochester Hills City Council authorizes a Contract for fireworks displays for Festival of the Hills 2013 and 2014 to Wolverine Fireworks Display, Inc., Kawkawlin, Michigan in the amount not-to-exceed \$70,000.00 and further authorizes the Mayor to sign a contract on its behalf.

2012-0439 Request for Purchase Authorization - MIS: Purchase of GIS Software Maintenance in the amount not-to-exceed \$31,000.00; Environmental Systems Research Institute, Redlands, CA

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0218-2012

Resolved, that the Rochester Hills City Council authorizes the purchase of GIS Software Maintenance to Environmental Systems Research Institute, Redlands, California in the amount not-to-exceed \$31,000.00.

2012-0440 Request for Purchase Authorization - MIS: Project Budget for the purchase of equipment, supplies and software in the amount not-to-exceed \$44,400.00 through December 31, 2013; State Contracts and Other Supply Sources

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0219-2012

Resolved, that the Rochester Hills City Council authorizes a project budget for the purchase of equipment, supplies and software utilizing State Contracts and Other Supply Sources in the amount not-to-exceed \$44,400.00 through December 31, 2013.

2012-0371 Request for Purchase Authorization - CITYWIDE: Blanket Purchase Order for office supplies and equipment in the amount not-to-exceed \$65,000.00 through December 31, 2013; Office Max, Warren, MI; other office supply vendors

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0220-2012

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for office supplies and equipment to Office Max, Warren, Michigan and other office supply vendors as appropriate in the amount not-to-exceed \$65,000.00 through December 31, 2013.

2012-0372 Request for Purchase Authorization - CITYWIDE: Blanket Purchase Order for various maintenance, hardware and building supplies in the amount not-to-exceed \$35,000.00 through December 31, 2013; Home Depot, Rochester Hills, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0221-2012

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Home Depot, Rochester Hills, Michigan for the purchase of various maintenance, hardware and building supplies in the amount not-to-exceed \$35,000.00 through December 31, 2013.

- 2012-0393** Request for Purchase Authorization - PLANNING/DPS/ENG: Contract/Blanket Purchase Order for wetlands and environmental consulting services in the amount not-to-exceed \$58,000.00 through December 31, 2014; ASTI Environmental, Brighton, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0222-2012

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for wetlands and environmental consulting services to ASTI Environmental, Brighton, Michigan, in the amount not-to-exceed \$58,000.00 through December 31, 2014.

Passed the Consent Agenda

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

NEW BUSINESS

(President Hooper exited at 7:57 p.m. and re-entered at 8:09 p.m.)

- 2012-0355** Request for Site Plan Approval - Holiday Inn Express & Suites, a three-story, 45,981 square-foot hotel on 2.82 acres on Marketplace Circle, south of M-59 and west of Adams, zoned Consent Judgment, Starbest Construction, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Technical Compliance Memo.pdf](#)
[Site Plans.pdf](#)
[Exterior Daytime.pdf](#)
[Resolution.pdf](#)

President Hooper stated that as his employer has a minor interest in this property, he will recuse himself from any discussion or vote on this item. He requested Mr. Webber lead the discussion on this item as Council Vice President.

Ed Anzek, Director of Planning and Economic Development, stated that the

proposed location for the Holiday Inn Express is governed by the Consent Judgment, entered into between the City of Rochester Hills and Grand Sakwa Acquisitions, LLC. He noted that the proposed site plans were found in compliance with the Consent Judgment and applicable Codes and Ordinances. He mentioned that the Planning Commission recommends approval, with the inclusion of several additional conditions; and noted that the Consent Judgment supports a hotel as an approved use.

In attendance for the applicant were **Asad Malik**, CEO and President, Amerilodge Hospitality Group; and **Richard VanDever**, Davison Land Surveying.

Mr. Malik stated that Amerilodge Hospitality Group has twelve hotels under its management in Michigan, Indiana and Ohio. He commented that the firm is focused on growing and investing in Michigan and has its office at Hamlin and Livernois in Rochester Hills. He mentioned that the firm is currently constructing a 117-room hotel in Troy. He explained that the proposed Rochester Hills Holiday Inn Express will be identical to a recently-completed 83-room hotel in Lansing.

Public Comment:

Scot Beaton, 655 Bolinger Street, stated that he welcomed the group to Rochester Hills and commented that the hotel will be a great asset to the area and a benefit for the restaurant next door. He stated that the land was originally zoned Heavy Industrial, was down-zoned to Office-Research-Technology, and has developed almost as a small town. He questioned whether there could be an interest in adding a residential element to the area by developing condominiums, multiple-family or mixed use. He stated that young families might consider moving to such a development.

Council Discussion:

Mr. Kochenderfer thanked Mr. Malik for his firm's proposed investment in the City. He questioned what the Consent Judgment parameters entail.

Mr. Anzek responded that the Consent Judgment does not grant any lenience against any development standards. It has a list of permitted and prohibited uses; and it does allow housing as a permitted use. He noted that this is done in part to provide flexible land use development. He stated that the original 2003 Consent Judgment provided right-of-way for the Adams Road relocation. He explained that it defers to the City's Landscape and Sign Ordinances and included provisions for signage for any large box retail. He noted that the Judgment actually includes more restrictive setback requirements.

Mr. Kochenderfer noted that the proposed site plan was deemed to be in substantial technical compliance.

Mr. Anzek responded that the reviewing entities have recommended granting a clear approval with the inclusion of a few minor conditions.

Mr. Rosen questioned how customers will find the hotel and whether a sign will face M-59.

Mr. Malik responded that InterContinental Hotel Group (IHG) has the largest reservation system in the world and noted that 80 percent of their hotel reservations are made via a website or by phone. He commented that 50 percent of their reservations are frequently travelers and Priority Club members. He explained that those customers seek out the nearest IHG property to their destination.

Mr. Anzek responded that signage approvals will be deferred to the Building Department. He explained that Jack Sage, Ordinance Inspector, worked out the details between the Consent Judgment and the City's Sign Ordinance. He noted that it does not permit a monument sign or free-standing tower, and mentioned that the City is working with the developer for the locations of off-site directional signs.

Mr. Rosen noted that there is a 25-foot landscape buffer at the north side of the property and commented that this buffer should be kept as nice as it can.

Mr. Malik commented that their group will work with the City and be in compliance with any regulations. He explained that the building will have a logo on both the back and front facades.

Mr. Anzek noted that the logos will need to meet the Sign Code which dictates how high the sign can be on the building. He added that a fairly extensive landscape plan is included as a part of the project.

Mr. Yalamanchi questioned whether the hotel will resemble one recently constructed in Grand Blanc.

Mr. Malik responded that it will be the same as the one constructed in Lansing and mentioned that the group is constructing the same product in Monroe.

Mr. Klomp commented business travelers have a tendency to shop and use local amenities where they stay. He questioned how the hotel will work with the community to encourage the local businesses to be aware of the hotel.

Mr. Malik stated that his company is involved in the local Chambers of Commerce and holds grand opening events in conjunction with the Chambers. He mentioned that the company is involved with community activities and is engaged with local schools. He commented that the corporation gives back as well through volunteering and charitable giving initiatives, including the American Heart Association and the Give the Kids a World Campaign in Orlando, Florida.

Mayor Barnett stated that the owner of the nearby Grand Tavern restaurant is enthused about the addition of the Holiday Inn Express to the area. He commented that the City looks forward to a long and profitable relationship.

Mr. Webber questioned when the hotel would open to the public.

Mr. Malik responded that it is hoped that plan approvals will be finalized before Christmas, with groundbreaking after New Years. Their goal would be to open six to seven months after groundbreaking, or around July 4th.

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

Aye 6 - Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Abstain 1 - Hooper

Enactment No: RES0223-2012

Resolved, that the Rochester Hills City Council hereby approves the Site Plan for Holiday Inn Express & Suites, City File No. 12-011, a 45,981 square-foot hotel located south of M-59 and west of Adams on Marketplace Circle, on Parcel No. 15-30-176-007, zoned by Consent Judgment, based on plans dated received by the Planning and Economic Development Department on October 29, 2012, with the following conditions:

Conditions:

1. That the 22 trees required as part of the Right-of-Way Landscaping (Sec. 138-12.304) shall be relocated to the Adams Road median to locations determined by City Staff to ensure no visual conflicts with turning movements and to maintain appropriate line of sight clearance.
2. Prior to issuing the Land Improvement Permit for this development, the Tree Protective Fencing (TPF) must be installed, inspected and approved by the City Staff. The TPF would be placed to protect the existing trees in the access drive on the eastern portion of the site.
3. Prior to issuing the Land Improvement Permit for this development, the Performance Bonds must be posted in the amount of \$72,900. This amount is the estimated costs for all trees (including ROW requirement met with Adams Road plantings), landscape materials and \$10,000 for irrigation.
4. That any signs shown as part of this site plan submittal not be considered part of the site plan approval. Signs are governed under the Consent Judgment and the City's Sign Ordinance and issued under separate permit.
5. Address comments from the Building Department regarding slope and ADA accessibility concerns at Building Plan submittal.

2012-0142 Request for Approval to distribute 2012 Master Land Use Plan updates to adjacent communities for the review and comment period in accordance with State Law

Attachments: [Agenda Summary.pdf](#)
[MLUP Update Pages.pdf](#)
[Future Land Use Map 2012.pdf](#)
[Minutes PC 102312.pdf](#)
[Minutes PC 073112.pdf](#)
[Minutes PC 052912.pdf](#)
[PC Memo 091412.pdf](#)
[PC Mtg Info 091812.pdf](#)
[Resolution.pdf](#)

Jim Breuckman, Manager of Planning, stated that Council is requested to approve the distribution of proposed amendments to the Master Land Use Plan for review. He explained that there is a four or five-step process to updating the Plan, including distributing the proposed amendments to adjacent communities for their review and input, and holding a Public Hearing. He stated that the Planning Commission reviewed the amendments at a number of meetings and could be allowed to adopt them; however, Council can opt to review the amendments as well. Should Council not opt to review the amendments, the process would end when the Planning Commission adopts them. Council's right to review and adopt the Amendments was incorporated into State Law seven years ago.

He summarized the proposed updates, noting that the amendments incorporate the results of the Rochester Road Access Management Plan, the M-59 Corridor Plan, a statement incorporating the Complete Street Policy, a statement about a potential amendment to the Tree Conservation Ordinance, and incorporating a change to two parcels on Old Orion Court to allow some flexibility in these parcels.

President Hooper stated that he would hope Council would keep the right to approve the amendments.

Mr. Yalamanchi concurred, noting Council should retain this right. He questioned whether elements of the presentation on the Historic District given to Council last year would also be incorporated.

Mr. Anzek responded that the Historic District Study was done in conjunction with the Mayor's Advisory Committee on Winkler Mill and the Stoney Creek Historic Areas. He stated that the Administration could look to how the Zoning Ordinance could be amended to add flexibility in historic districts, noting that homes in those districts frequently do not meet any setback requirements.

Mr. Yalamanchi questioned the proposed change for Old Orion Court.

Mr. Breuckman responded that Business Flex 1 allows very limited retail, yet allows some uses other than residential.

Mr. Yalamanchi questioned whether a presentation of the M-59 Corridor Plan was made to Council.

Mr. Anzek responded that it had been presented to the Planning Commission and the Local Development Finance Authority; however, he was unsure if a presentation was made to Council. He mentioned that the Plan was discussed at a visioning session at the Oakland University INCubator.

Mr. Yalamanchi requested a summary of the M-59 Corridor Plan.

Mr. Anzek responded that the Plan prioritized projects with a goal of maximizing dollars in public/private partnerships. He mentioned a goal of "humanizing" the industrial parks by incorporating a sidewalk program.

Mr. Kochenderfer stated that as a new Council member, he would suggest that information on the studies performed prior to his coming onto Council be distributed for the benefit of the new Council members.

Mr. Anzek suggested that an overview could be given of these plans on an evening when Council has a light agenda.

Mr. Rosen questioned what changes would be considered for the Tree Ordinance, noting that it is not applied to properties platted before a date in 1988.

Mr. Breuckman responded that there are older plats in the city dating to the 1910s and 1920s which include five-acre lots that are currently exempt from the Tree Ordinance. He mentioned that one proposed development included four of these older platted lots of five acres each which were assembled for a development proposed at 40-plus units. Potential changes would include a way to apply the ordinance when these older platted lots are redeveloped.

Mr. Rosen questioned whether there is a way to distinguish between the older parcels and questioned whether parcel size would be considered.

Mr. Breuckman stated that the statement incorporated into the proposed Master Plan is broad and merely states that the City should consider amending the Tree Conservation Ordinance. He commented that the Administration does not have any plans to amend the Ordinance immediately.

Mr. Anzek noted that there is time to consider an Ordinance Amendment and commented that he would like to see a way to protect the trees on these large lots by law. He noted that there has been some discussion on ways to preserve stands of trees, noting that some stands of trees contain several generations of growth.

Mr. Klomp mentioned the future land use map incorporated into the Amendments, and noted that several months ago Council deliberated over changes to larger parcels located on Dequindre Road.

President Hooper commented that the Plan is a living document, and is not cast in stone.

Mr. Webber questioned when this item could return to Council.

Mr. Breuckman explained that there would be a 42-day comment period, which would end at the beginning of February. A Public Hearing would have to be noticed, which could be held at the March Planning Commission meeting. The item could return for Council consideration at the end of March or early April.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0224-2012

Resolved, that the Rochester Hills City Council hereby approves the distribution of proposed Master Land Use Plan updates to adjacent communities for review and comment in accordance with State Law.

Further Resolved, that the Rochester Hills City Council hereby asserts the right to approve the proposed Master Land Use Plan amendments after the Planning Commission holds a Public Hearing on the matter and adopts the amendments.

2012-0438 Request to Authorize the Mayor and City Clerk to execute a three-year (FY2013- FY2015) agreement with the Oakland County Sheriff's Office for Law Enforcement

Attachments: [Agenda Summary.pdf](#)
[2013-2015 Law Enforcement Agreement.pdf](#)
[Resolution.pdf](#)

Keith Sawdon, Director of Finance, noted that the current agreement with the Oakland County Sheriff's Office (OCSO) ends on December 31, 2012. Funding is available, and the Administration is ready to move forward with a three-year agreement.

President Hooper questioned whether the Sheriff's Contract has been negotiated for the set prices included in the agreement.

Captain Michael Johnson, OCSO, responded that the Deputy Sheriff's Association has agreed to a three-year contract.

President Hooper questioned whether there are fill-in positions for when a Deputy calls in sick.

Captain Johnson responded that only the smallest communities, such as Addison Township with only six Deputies, have fill-in positions included. He noted that fill-in positions are not included for Rochester Hills.

Mr. Webber commented that a three-year contract provides more stability for the City. He noted that the recently-passed Police Millage will make Council's job easier moving forward, making funding available.

Mr. Kochenderfer questioned how the contract increases compare to previous years.

Captain Johnson responded that the proposed contract increases are lower than previous years' increases which were in the three percent range; and include 1.60 percent for 2013, 1.68 percent for 2014, and 1.70 percent for 2015. He explained that the County saw the defined benefit retirement program was suffering financially, and that amount was originally set to increase. However, it was determined that only 20 percent of the Sheriff's Deputies are in the defined benefit program, with no new hires after 1993 included. He added that health care costs were originally projected too high as well, and commented that a study showed that police officers in general use a lesser percentage of health care dollars.

Mayor Barnett commented that Captain Johnson has done a yeoman's work in keeping the overtime budget down.

Mr. Rosen stated that the proposed contract and the stability it provides over the next three years is wonderful, and he will gladly support it. He cautioned that overtime is clearly dependent on good fortune, and one incident could change these amounts. He commented that he is pleased with the contract and hopes that the Sheriff's Deputies are happy serving Rochester Hills.

Captain Johnson responded that he believes that they are and pointed out that the Deputies agreed to a two-and-one-half percent pay cut for 2012 and will take a zero percent pay increase for 2013 and a one percent pay increase for 2014 and 2015. He commented that the Deputies realize the importance of being frugal as well.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0225-2012

Whereas, the Rochester Hills City Council acknowledges the importance of public safety and benefits to contracting with the Oakland County Sheriff's Office for the City's law enforcement services.

Resolved, that the Rochester Hills City Council wishes to participate in a three-year (FY2013-FY2015) agreement with the Oakland County Board of Commissioners to contract between the City of Rochester Hills and the Oakland County Sheriff's Office for law enforcement services.

Be It Further Resolved, that the Mayor and City Clerk are authorized to execute the same on behalf of the City.

2012-0369 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for geotechnical engineering, construction inspection and materials testing services in the amount not-to-exceed \$401,830.00 through December 31, 2014; Testing Engineers and Consultants, Inc., Troy, MI

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

Allan Schneck, Director of DPS/Engineering, stated that Geotechnical Engineering Services are utilized by DPS for public works and private development projects. In addition, Building/Facilities utilizes these services on City projects. Approval will exercise the option contained in the solicitation from 2009 which runs through 2014. He noted that Testing Engineers and Consultants, Inc., has qualified, responsive and experienced staff.

President Hooper noted that this will be the last extension of that solicitation and that the Administration will have to go out for bids for 2015.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0226-2012

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Testing Engineers and Consultants, Inc., Troy, Michigan, for geotechnical engineering, construction inspection and materials testing services in the amount not-to-exceed \$401,830.00 through December 31, 2014.

2012-0436 Request for Purchase Authorization - BLDG/FACILITIES: Blanket Purchase Order for natural gas for various City owned buildings in the amount not-to-exceed \$128,750.00; Consumers Energy, Lansing, MI

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

Scott Cope, Director of Building/Ordinance Compliance, stated that a third-party provider is used to procure gas services for City buildings at a substantial discounted rate. He noted that the City's rate is \$3.97 per million cubic feet (MCF), while the consumer pays \$5.45 per MCF.

Public Comment:

Scot Beaton, 655 Bolinger, questioned how much the City paid in past years for natural gas. He questioned how any discovery of any natural gas beneath City property would affect rates.

Mr. Cope responded that the City paid \$172,000 in 2008, \$146,000 in 2009, and \$109,000 in 2010. He stated that a reduction in the amount allocated for this year is expected to be included in the 4th Quarter Budget Amendments.

President Hooper commented that the decrease in costs over time is significant. He stated that while the City could receive revenues from any oil or gas discovered, the rates the City pays would not be affected.

Mr. Cope responded that there are a number of reasons for the decrease, including the City's 25-in-2 program to reduce energy usage and work accomplished through the Energy Efficiency and Conservation Block Grant Program.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0227-2012

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order to Consumers Energy, Lansing, Michigan for natural gas for various City owned buildings in the amount not-to-exceed \$128,750.00 through December 31, 2013.

2012-0437 Request for Purchase Authorization - BLDG/FACILITIES: Blanket Purchase Order for purchase and delivery of electric energy for City facilities in the amount not-to-exceed \$400,000.00 through December 31, 2013; DTE Energy, Detroit, MI and Michigan Municipal Risk Management Authority, Livonia, MI

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

Scott Cope, Director of Building/Ordinance Compliance, stated that a third-party provider supplies electrical energy, allowing for a substantial savings in this area. He noted that a 7.5 percent reduction for next year in costs is projected, saving the City an estimated \$30,000. He highlighted previous years' actual electrical energy costs at \$417,000 in 2008, \$404,000 in 2009 and \$362,000 in 2010. He noted that as it is with natural gas, a reduction in electrical energy costs is expected to be included in the 4th Quarter Budget Amendments.

Public Comment:

Scot Beaton, 655 Bolinger, commented that \$400,000 is a significant amount of money to keep lights on. He suggested that the City look toward opportunities to go "off the grid" and generate its own electricity.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0228-2012

Resolved that the Rochester Hills City Council authorizes a Blanket Purchase Order for the purchase and delivery of electric energy for City facilities from DTE Energy, Detroit and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount not-to-exceed \$400,000.00 through December 31, 2013.

COUNCIL COMMITTEE REPORTS

Police and Road Funding Technical Review Committee (PRTRC):

Mr. Webber reported that the PRTRC met to discuss a Special Assessment District Policy toward conversion of City streets from gravel-to-pavement. He stated that the PRTRC has a recommendation to present for Council consideration in the near future.

Older Persons Commission (OPC):

Mr. Webber reported that the OPC Board met early this month and will be working with Leanne Scott, City Council Coordinator, to schedule a Public Hearing on budget amendments to the 2012 OPC Budget at one of Council's December meetings.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, December 3, 2012 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:08 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARY JO WHITBEY
Administrative Secretary
City Clerk's Office*

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