



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,  
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."*

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Monday, June 16, 2008

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:30 p.m. Michigan Time.*

## ROLL CALL

**Present** 6 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen and Ravi Yalamanchi  
**Absent** 1 - Michael Webber

## Others Present:

*Ed Anzek, Director of Planning and Development  
Bryan Barnett, Mayor  
Jonathan Han, Youth Council Representative  
Michael Hartner, Director of Parks and Forestry  
Julie Jenuwine, Director of Finance  
Gerry Lee, Forestry Operations Manager  
Jane Leslie, City Clerk  
Roger Rousse, Director of D.P.S./Engineering  
Leanne Scott, City Council Coordinator  
John Staran, City Attorney*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

**A motion was made by Rosen, seconded by Brennan, to Approve the Agenda as Presented. The motion CARRIED by the following vote:**

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

Absent 1 - Webber

## PUBLIC COMMENT

**Melinda Hill**, 1481 Mill Race Road, shared that she attended her college class reunion in Ohio; the weekend cost approximately \$224.00 which included room, board and gas. She commented that she paid \$224.00 for a prescription today. She stated that she is self-employed and therefore, has to pay for her own medical insurance which is the best Blue Cross Plan there is, prescriptions costs are not included. She referred to an article in the Detroit Free Press newspaper stating the City is seeking a tax increase for police and roads. She commented that this City is not in touch with reality of what is going on in today's economic times. She advised that putting a millage on the ballot for this fall does not make sense. She referred to the following:

- Water and Sewer cost increase item on City Council's Agenda
- Last week, approved budget amendments which included fund balance to make up the deficit spending in areas
- Three years ago, the Michelson Pump project was discussed during her term on City Council. At that time, there was a \$40,000.00 solution, and now three years later, it is costing \$550,000.00 for the project. The average per capita income in this community is approximately \$74,000.00 to \$76,000.00; and the average income for the Mayor and City Directors is approximately \$100,000.00 plus medical benefits, etc. She stated that there should be no increases in wages for 2009, and that it would be very appropriate to freeze salaries at this time.

Ms. Hill commented on the deer overpopulation issue stating that the City has to do something proactive about it. She mentioned that she is against bow hunting but feels that a control kill is necessary to get this problem under control.

Ms. Hill stated that Tienken Road is falling apart and money was spent putting in bridge improvements. She further stated that the road is still a mess and ruining her car. She advised that the City needs to work at starting to spend smarter.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Ambrozaitis** thanked Mayor Barnett and Mr. Pixley in advance for helping out at the Rochester Avon Youth Assistance (RAYA) function at Mongolian Barbecue tomorrow night at 6:00 p.m. He expressed his congratulations to resident and race car driver, Brian Kazalowski.

**Mr. Pixley**, announced that the Rochester Hills Youth Government Council will be announcing their plans for this Thursday evening and that he is looking forward to participate in this event as well.

**Mr. Yalamanchi** following up on last week's discussion on the deer issue, stated that he has received many helpful e-mails. He mentioned the following

*suggestions made at the previous council meeting:*

- *Do not feed the deer*
- *Installation of reflectors on the main roads and fencing*
- *Bow hunting*
- *Sharp shooting*

*He stated that some of the residents are not in favor of bow hunting and sharp shooting. He shared that from the e-mails he had received, there had been multiple automobile accidents causing insurance rates to increase, along with out-of-pocket accident costs. In addition to the economic impact, health and safety is the issue. He requested that before the end of this evening's Meeting, the City Council adopt a motion to form a committee to look into this issue. He then discussed the condition of Tienken Road as well as Crooks Road and M-59. He urged Mayor Barnett and President Hooper to speak with the City's State Representatives to move this matter forward.*

**Jonathan Han**, Rochester Hills Government Youth Council, announced that on Thursday, June 19, 2008, the RHGYC is having a bowl-a-thon to raise funds for Relay for Life. He also stated that the Youth Council is planning their beautification project which would involve working on the landscape around City Hall.

**Mayor Barnett** made the following announcements:

- *The Relay for Life, which has been a year round fund raising campaign, culminates this weekend at Hart Middle School. It is a twenty-four hour event open to the public and everyone is welcome to stop by. He announced that each year, the City's employees' team has consistently raised more money than any other group.*
- *There will be a Press Conference tomorrow at 3:00 PM to announce an Economic Development issue for the City*
- *During the recent power outage, approximately 8,400 residents were without power at the height of the storm. He stated that the City got regular updates from Detroit Energy everyday at approximately 12:00 noon, highlighting the areas still without power and giving rough estimates of when residents would be back on line. He stated that the City facilitated a lot of information to residents. He invited residents to feel free to contact City Hall, but reminded them that we are merely an information conduit. He reported that 8,000 residents were without power on Wednesday, 4,000 residents were without power on Thursday, and then only 1,400 residents were without power by Friday. The balance of residents were reconnected over the weekend.*

*He then addressed Mr. Yalamanchi's request regarding Tienken Road, Crooks Road and M-59. He stated that they have been working aggressively with Senator Bishop and Lansing because they are County and State Roads. He noted his frustration with the condition and appearance of the Livernois boulevard.*

## **ATTORNEY MATTERS**

None.

## PRESENTATIONS

2008-0307 Presentation on the Velodrome at Bloomer Park; Dale Hughes, presenter

**Attachments:** [Agenda Summary.pdf](#)  
[Velodrome Brochure Side 1.pdf](#)  
[Velodrome Brochure Side 2.pdf](#)

*Mr. Dale Hughes, made the following presentation on behalf of the Velodrome at Bloomer Park.*

**Mr. Hughes** stated that eight and a half years ago, he and a group of his associates approached City Council with the suggestion of building a velodrome, a bicycle riding track. He described how they worked with Mike Hartner, Director of Parks and Forestry, and chose a location in Bloomer Park. Mr. Hughes and his associates formed a non-profit corporation and it was approved. Mr. Hughes and area cyclists volunteered to build the Velodrome, no taxpayer dollars were used in building or maintaining the structure. He stated the following:

- They are a publicly held, non-profit corporation with donations being accepted through the Community Foundation of Rochester.
- Children, eighteen years of age and under may use it free of charge; it provides a great fitness opportunity.
- All ages can participate. For example, there is a 70-year old man with both knees replaced who logs in approximately 1,000 miles a year.
- The Bloomer Velodrome was the winner of The Daniel L. Flaherty Memorial Award on June 7, 2006.
- The Velodrome has had tremendous international exposure with Japan, Sri Lanka, Qatar, Korea, China, Germany and many other countries. Cyclists come from Colorado, Oregon, Pennsylvania and New York to train here.
- There will be an International Race the weekend of Friday, July 4, 2008 at 7:00 p.m., Saturday, July 5, 2008 at 6:00 p.m. and Sunday, July 6, 2008 at 2:00 p.m.
- Suggested renaming it the International Velodrome at Bloomer Park; also suggested that since there are several Bloomer Parks in the region, City Council might want to rename Bloomer Park to International Bloomer Park.
- The Velodrome provides Olympic dream opportunities for youth; last year one young lady new to the Rochester Hills area won the U.S. Collegiate National Woman's Champion and then onto the Elite National Championships and won the Young Women Under 23 - National Championships; provides fitness and spectator opportunities as well.
- Announced that the Nas Trac Pit Crew Band will be on Mitch Albom's Friday Night WJR Radio Program.

**Mr. Yalamanchi** commented on this impressive structure and stated that this is a perfect example of what can be done and achieved in a public/private partnership.

**Mayor Barnett** expressed that this velodrome project was a labor of love for Dale and Chris Hughes.

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.

**2008-0193** Approval of Minutes - City Council Special Meeting - April 7, 2008

**Attachments:** [CC Min Special 040708 Resolution.pdf](#)

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

Enactment No: RES0172-2008

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on April 7, 2008 be approved as presented.

**2008-0194** Approval of Minutes - City Council Regular Meeting - April 7, 2008

**Attachments:** [CC Min 040708 Resolution.pdf](#)

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

Enactment No: RES0173-2008

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 7, 2008 be approved as presented.

**2008-0305** Approval of Minutes - City Council Special Meeting - April 14, 2008

**Attachments:** [CC Min Special 041408.pdf Resolution.pdf](#)

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

Enactment No: RES0174-2008

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on April 14, 2008 be approved as presented.

**2008-0306** Approval of Minutes - City Council Regular Meeting - April 14, 2008

**Attachments:** [CC Min 041408.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0175-2008

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 14, 2008 be approved as presented.

**2008-0270** Approval of Minutes - City Council Special Meeting - April 28, 2008

**Attachments:** [CC Special Min 042808](#)  
[Resolution.pdf](#)

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

Enactment No: RES0176-2008

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on April 28, 2008 be approved as presented.

**2008-0269** Approval of Minutes - City Council Regular Meeting - April 28, 2008

**Attachments:** [CC Min 042808.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0177-2008

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 28, 2008 be approved as presented.

**2008-0291** Request to Schedule a Public Hearing to establish an Industrial Development District for Parcel Nos. 15-29-452-027 and -028, Rochester Hills, MI 48309

**Attachments:** [Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution.pdf](#)  
[061608 Agenda Summary.pdf](#)  
[061608 Resolution.pdf](#)

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

Enactment No: RES0185-2008

Whereas, the City of Rochester Hills Administration is requesting that the City Council

establish an Industrial Development District (IDD) at parcel numbers 15-29-452-027 and 15-29-452-028 as permitted under Public Act 198, of 1974, as amended, and the property is further identified as:

(2559 Devondale)

T3N, R11E, SEC 29 SUPERVISOR'S PLAT NO 9 PART OF LOT 1 & ALL OF LOT 2, ALL BEING DESC AS BEG AT PT DIST N 01-01-10 E 125.12 FT FROM SW COR OF LOT 1, TH N 01-01-10 E 229.55 FT, TH N 19-01-20 W 193.76 FT, TH N 01-04-48 E 28.01 FT TO NE COR OF LOT 1, TH N 87-01-10 E 801.69 FT, TH S 01-35-30 W 588.87 FT, TH S 88-31-00 W 379.46 FT, TH N 00-58-05 E 125.11 FT, TH S 88-31-00 W 348.61 FT TO BEG, and

(Vacant Land)

T3N, R11E, SEC 29 SUPERVISOR'S PLAT NO 9 PART OF LOT 1 BEG AT SW LOT COR, TH N 01-01-10 E 125.12 FT, TH N 88-31-00 E 348.61 FT, TH S 00-58-05 W 125.11 FT, TH S 88-31-00 W 348.72 FT TO BEG, 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 Public hearing for City Council's Regular Meeting of June 23, 2008, and

Be It Further Resolved, to send a certified copy of this Resolution to Rayconnect, Inc., attn. Earl Brown, at 3011 Research Dr., Rochester Hills, MI 48309 no later than Tuesday, June 17, 2008, and

Be It Further Resolved, to send a certified copy of this Resolution to all taxing authorities and the City's Assessor no later than Tuesday, June 17, 2008, and

Be It Finally Resolved, to direct the City Clerk's office to print a notice of the Public hearing in the Rochester Hills Eccentric or another paper of general circulation on Thursday, June 19, 2008.

**2008-0294** Request to Schedule a Public Hearing regarding the request for an Industrial Facilities Exemption Certificate (IFT) for Rayconnect

**Attachments:** [Agenda Summary.pdf](#)  
[Application.pdf](#)  
[Captured Taxes Analysis.pdf](#)  
[RayConnect Financial Analysis-Personal 1.pdf](#)  
[RayConnect TB Analysis-Real.pdf](#)  
[Personal Property Depreciation.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution.pdf](#)  
[Revised Resolution.pdf](#)  
[061608 Agenda Summary.pdf](#)  
[061608 Resolution.pdf](#)

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

Enactment No: RES0186-2008

Whereas, City Administration is requesting that City Council establish an Industrial

Development District for property located at 2559 Devondale, also known as parcel no. 15-29-452-028, further described as:

T3N, R11E, SEC 29 SUPERVISOR'S PLAT NO 9 PART OF LOT 1 & ALL OF LOT 2, ALL BEING DESC AS BEG AT PT DIST N 01-01-10 E 125.12 FT FROM SW COR OF LOT 1, TH N 01-01-10 E 229.55 FT, TH N 19-01-20 W 193.76 FT N 01-04-48 E 28.01 FT TO NE COR OF LOT 1, TH N 87-01-10 E 801.69 FT, TH S 01-35-30 W 588.87 FT, TH S 88-31-00 W 379.46 FT, TH N 00-58-05 E 125.11 FT, TH S 88-31-00 W 348.61 FT TO BEG, and for adjacent vacant land identified as parcel number 15-29-452-027, also known as:

T3N, R11E, SEC 29 SUPERVISOR'S PLAT NO 9 PART OF LOT 1 BEG AT SW LOT COR, TH N 01-01-10 E 125.12 FT, TH N 88-31-00 E 348.61 FT, TH S 00-58-05 W 125.11 FT, TH S 88-31-00 W 348.72 FT TO BEG, and

Whereas, Rayconnect, Inc. filed an application for an Industrial Facilities Exemption Certificate (IFEC) on June 6, 2008 for the same property which it proposes to acquire after concluding its due diligence and pending approval of all state and local incentives, and

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

Resolved, to schedule the Public Hearing for City Council's Regular Meeting of June 23, 2008, and

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric or a paper of general circulation on Thursday, June 19, 2008, and

Be It Further Resolved, to send a certified copy of the notice to Rayconnect, Inc., attention Earl Brown, at 3011 Research Dr., Rochester Hills, MI 48309 no later than Tuesday, June 17, 2008, and

Be It Finally Resolved, to send a certified copy of the notice to all taxing jurisdictions and the City's Assessor no later than Tuesday, June 17, 2008.

## **Passed the Consent Agenda**

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

## **The following Consent Agenda Item was discussed and adopted by separate Motion:**

**2008-0295** Request for Acceptance of a Highway Easement granted by Petraq Kaskaviqi, for Parcel No. 15-35-426-054 on Michelson, for the East Ferry Drain Project



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

**Mr. Ambrozaitis** requested that Mr. Rouse clarify specifically what portion of this project is related to the Michelson Pump Station.

**Mr. Roger Rouse**, Director of D.P.S./Engineering, responded that both of these projects are related and in the same proximity. He further stated that the Michelson Pump Station is going to be relocated so that the drain can be constructed on that location.

**Mr. Ambrozaitis** inquired if the project were simply a repair instead of a replacement, would Mr. Rouse still require this easement.

**Mr. Rouse** stated that if that were the case, the City would have to acquire some additional property for this project. He noted that most of the space needed was obtained by moving the pump station.

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

**Aye** 5 - Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Nay** 1 - Ambrozaitis

**Absent** 1 - Webber

Enactment No: RES0178-2008

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a highway easement granted by Petraq Kaskaviqi, of 1276 Hillside, Birmingham, Michigan 48009, for Parcel No. 15-35-426-054.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

## ORDINANCE FOR INTRODUCTION

**2008-0292** Acceptance for First Reading - An Ordinance to amend Sections 54.741, 54.743, 54.744 and 54.745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, to modify water and sewer rates and fees, repeal conflicting ordinances and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Resolution.pdf](#)  
[061608 Agenda Summary.pdf](#)  
[Presentation.pdf](#)  
[Example #7.pdf](#)  
[061608 Resolution.pdf](#)

**Julie Jenuwine**, Director of Finance, presented the recommendation of the

*Water and Sewer Technical Review Committee. She discussed the following prior to the first reading:*

*Committee's Purpose:*

*- To review, discuss and make water and sanitary sewage disposal rate recommendations to the City Council (effective this summer)*

*Major Influences on Rates:*

- City Charter and Ordinances*
- Water and Sewer Policies*
- Water and Sewer Funds; financial condition and trends*
- Detroit Water & Sewerage Department (DWSD) water and sewage disposal rates*
- DWSD/Oakland County Drain Commission (OCDC) sewage disposal rates*
- Rochester Hills Water and Sewer rate mark-up (operating and capital revenues and expenses)*
- Consumption/usage*
- System's infrastructure conditions*

*City Charter - Section 11.4:*

*- The Council shall establish from time to time such just and equitable rates as may be deemed advisable for supplying the inhabitants of the City and others with water and sewage disposal*

*City Ordinance - Section 102.62:*

*- Rate revisions authorized: The rates fixed in this section shall be reviewed annually and are estimated to be sufficient to provide for the payment of the expenses of administration and operation, such expenses for maintenance of the water and sewage disposal system that are necessary to preserve the system in good repair and working order and to provide for such other expenditures and funds for the system as this article may require.*

*Water and Sewer Financial Policies (Operating Fund and Capital Fund):*

- System revenues support the full (direct and indirect) cost of the water and sewage disposal services*
- Two separate Funds - Operating Fund and a Capital Fund*
- The Water and Sewer Capital Fund was created in 2005 to provide for a means to keep the operating and capital monies separate*
- Water and Sewer Operating Fund - 90 days operating costs plus depreciation equals target balance*
- The Capital and Lateral (non-operating) revenue is transferred to the Water and Sewer Capital Fund*
- An amount equal to annual depreciation is transferred to the Water and Sewer Capital Fund*

*Water and Sewer Capital Fund:*

- Annual depreciation is transferred out of the Water and Sewer Operating Fund to the Water and Sewer Capital Fund to help finance future infrastructure/capital
- The Capital and Lateral revenue is transferred to the Capital Fund to fund future infrastructure/capital
- Currently there is no official policy on the usage or build-up of the monies

Water and Sewer Funds - Significant Changes to Financial Conditions:

- Current cash balances: 1993 equals \$44 million; 2007 equals \$12.5 million

Water and Sewer Funds - Significant Changes to Financial Conditions:

- Annual interest income (operating fund only): 1995 equals \$3.2 million; 2007 equals \$419,000

Water and Sewer Funds - Significant Changes to Financial Conditions:

- Capital and Lateral (non-operating) revenue: 1998 equals \$2.5 million; 2007 equals \$329,500

Water and Sewer Funds - Significant Financial Conditions:

- Estimated infrastructure replacement costs - if City replaced the system's infrastructure today: watermain equals \$247 million; sewer equals \$165 million (lining of sewer is present procedure as opposed to complete replacement)

Water and Sewer System - Significant Changes to Financial Trends:

*In summary:*

- The City is a developed community receiving less capital and lateral revenue, which was once subsidizing operations, now C&L revenue is funding a portion of the capital costs (but for how much longer will the City see C&L revenue?)
- The City's infrastructure is aging but cash balances are now much lower than in prior years (less cash available for future replacement of capital)
- Some of the infrastructure was donated by developers, but it is the City's cost to replace
- The City utilized a significant amount of interest income to help offset operating expenses

Other Influences on Rochester Hills' Rates:

- Detroit Water and Sewage Department (DWSD)
- Oakland County Drain Commission (OCDC)

Water and Sewage Disposal Rates:

- DWSD provides the city's water (Rochester Hills is a first tier customer)
- DWSD and OCDC provide the city's sewage disposal (Rochester Hills is a second tier customer)

2008/2009 DWSD's Water Rates:

- System-wide increase is approximately eight point five percent
- Rochester Hills increase from DWSD is eleven point nine percent
- From \$2.014 per 100 cubic feet to \$2.254 per 100 cubic feet
- DWSD's rate formula favors communities with lower elevations, lower overall consumption, lower peak usage and in close proximity to Detroit

NOTE: Detroit City Council approved the rates late, therefore, the rate will go into effect September 3, 2008

OCDC Sewage Disposal Rates:

- City is a second tier sewage disposal customer to DWSD
- OCDC is first tier sewage disposal customer of DWSD, City purchase sewage disposal from OCDC
- DWSD and OCDC Sewage Disposal combined increase is twenty-four percent
- OCDC's mark-up increased 147% due to Oakland-Macomb Interceptor repair costs
- DWSD's sewage disposal increases is 5.3%
- Current rate equals \$1.337 per 100 cubic feet
- 2008/2009 rate equals \$1.659 per 100 cubic feet
- Beginning in July 2007, the City's sewage flow is measured by OCDC as opposed charging the units of water consumed. This change caused the City to be charged for an increased number of units (mostly due to inflow and infiltration).

NOTE: OCDC rate will go into effect July 1, 2008

Sewage Disposal:

- The City continues to bill sewage disposal to its customers by utilizing the consumption of water measured through the water meter (with the exception of deduct meters, common areas etc.)
- Therefore, the City bills for inflow and infiltration by building the costs into the per unit sewage disposal cost
- Rochester Hills is one of the few communities that allow for Deduct Meters for outdoor usage
- Results of Rochester Hills having Deduct Meters
- The City spreads its mark-up costs on fewer units, resulting in higher sewage rates per unit
- Encourages the use of outside watering
- Drive-up overall consumption and the peak factor, (increasing the cost of DWSD water) which in turn increases all Rochester Hills water customers' rates

Rochester Hills Water and Sewer Rates:

- Commodity
- Customer
- Capacity

Water and Sewer Rate Committee Recommendations Effective July 1, 2008:

- Water and Sewage Customer Charge - no change
- Water Commodity Charge - 11.9% increase
- Sewage Commodity Charge - 19.6% increase

NOTE: Includes 19.6% increase for flat rate sewer customers

- Capacity Charge - 3% increase

Recommendations in Relation to Policies:

Recommendation will allow for:

- Breakeven in 2009 (Revenues meet Expenses)
- Target cash balance meets actual cash balance in 2014

**President Hooper** clarified that along with himself, Mr. Yalamanchi and Mr. Brennan are on the Water and Sewer Committee. He also recognized that Mr. George Karas was in attendance. He mentioned that Mr. Karas is also a member of the Water and Sewer Committee and has been with the City a long time as a former Council Member as well as a member of many boards and commissions. President Hooper expressed his appreciation for Mr. Karas' service to the City.

**Mr. Ambrozaitis** stated that it was his understanding that the City of Troy had instituted an ordinance related to monitoring the water usage during peak hours. He requested that the Water and Sewer Committee review Troy's ordinance for pertinent ideas.

**President Hooper** responded that the Water and Sewer Committee will be meeting on July 25 to review this very subject. The discussion will involve several items to promote conservation and reduce the City's peak hourly usage, which has a direct effect on the City's rates. He stated that the Water and Sewer Committee will come back before Council with its suggestions in this regard.

**A motion was made by Brennan, seconded by Yalamanchi, that this matter be Accepted for First Reading. The motion CARRIED by the following vote:**

**Aye** 5 - Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Nay** 1 - Ambrozaitis

**Absent** 1 - Webber

Enactment No: RES0187-2008

Resolved, that an Ordinance to amend Sections 54.741, 54.743, 54.744 and 54.745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify water and sewer rates and fees, repeal conflicting ordinances and prescribe a penalty for violations, is hereby accepted for First Reading.

## NEW BUSINESS

- 2008-0268** Request for Purchase Authorization - PARKS/FORESTRY: Blanket Purchase Order for Tree Maintenance Services in the amount not-to-exceed \$159,550.00; J.H. Hart Urban Forestry, Sterling Heights, MI

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

**A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0165-2008

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to J. H. Hart Urban Forestry, Sterling Heights, Michigan for the purchase of tree maintenance services in the amount not-to-exceed \$159,550.00, through October 31, 2010.

**(Mr. Rosen exited at 8:43 p.m. and returned at 8:48 p.m.)**

- 2007-0777** Request for Approval of a Subdivision Open Space Plan - Clear Creek Subdivision No. 5, a 58-lot phase of an existing subdivision on 56 acres, located east of Sheldon, north of Tienken, zoned R-1, One Family Residential; Elro Corporation, applicant

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

**Ed Anzek**, Director of Planning and Development introduced the three matters before Council, Clear Creek Subdivision Phase 5 - Legislative File Numbers: 2007-0777, 2007-0778 and 2007-0774. He stated that the displayed survey is the entire development from Phases 1, 2, 3 and 4. He pointed to the Fifth Phase which is close to Stoney Creek High School and Hart Middle School. He stated that Mr. Harry Trubueggen and his associate will go into more detail on this plan, but associated with this approval, is the tentative preliminary plat, a wetland use permit, and a open space plan. This is the fourth amendment to the original open space plan filed; each phase has had an amendment added to it. Mr. Anzek introduced Mr. Harry Trubueggen, Executive Vice President, of Elro Corporation, and introduced Mr. Jessy Krantz, Vice President of Elro Corporation.

**Mr. Harry Trubueggen** stated that the projects are tied together and suggested walking City Council through Phase 5. He stated that for a number of City Council Members, this would not be that unfamiliar to them. He stated that his company had been working in the Clear Creek Development from 1995 to the present.

*The first plat was in 1996 or 1997 and was the largest of the five phases. Elro Corporation has been working its way from the interior of the property to the exterior. He stated that this is the last phase and the company has been very judicious incorporating each phase into what the company has in place. When they have completed this phase, it will be one development, Clear Creek Subdivision, Plats 1-5. He stated that they have used the open space option and have reduced the size of the lots from one hundred foot frontage. The total open space requirement is approximately 22.6 acres. Elro will be providing fifty-four acres of open space, more than twice what is required. He stated in working with the Planning Department and various consultants, they have come up with a plan that everyone is happy with. It addresses the open space, wetlands, the road layout issues.*

**Mr. Ambrozaitis** inquired from an economical standpoint what the basic price point of each unit.

**Mr. Trubruегgen** stated that he would have to preface his answer a bit that they are land developers, not builders. They sell the lots to builders. He stated that there are about 82 vacant lots in Phases 2 through 4 and will not bring on Phase 5 until they we can see the end of those 80 lots. He estimated that they would be developing in 2010 or 2011. Prior to that, they will be doing engineering, getting the approvals and permits. The price point builders had prior to the decrease in activity was in the \$600,000 to \$700,000 range for the package. He stated that he is sure that those builders would probably be taking less just to move merchandise.

**Mr. Ambrozaitis** concurred and commended Elro Corporation for making this investment in lieu of the economy.

**Mr. Yalamanchi** inquired whether a condition regarding the landscape architect's recommendation as to the number of trees and bond amount should be included.

**President Hooper** stated it is a condition in the tentative preliminary plat.

**Mr. Trubruегgen** stated that typically they post all of their bonds and cash prior to final plat approval.

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0166-2008

Resolved, that the Rochester Hills City Council hereby approves the Open Space Plan for Clear Creek Subdivision No. 5, City File No. 89-156.5, based on plans dated received by the Planning Department on February 25, 2008, with the following findings and subject to the following condition.

Findings:

1. The proposed open land identified on the plans dated received February 25, 2008 are appropriate and suitable to open space purposes.
2. The need to utilize the Open Space Plan provisions is established by the desire to protect and preserve wetlands.
3. The location and layout of the open spaces have a beneficial relation to the lots within and adjacent to the proposed subdivision.
4. The proposed plan can be suitably provided with all supporting and necessary utilities as proposed.
5. The plan can be developed without injuring the abutting lands as to capacity available in existing utility services.
6. The sum of all lots with land area below the required 20,000 square feet (approximately 4.1 acres) does not exceed the total amount of land area to be dedicated to private open space, which is 23 acres for the total development.

Conditions:

1. That an Amended Open Space Agreement, to include phase five, be submitted to and approved by the City Council prior to Final Plan Approval.

**This item was discussed with Legislative File Number 2007-0777.**

**2007-0778** Request for Approval of a Wetland Use Permit - Clear Creek Subdivision No. 5

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

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0167-2008

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for Clear Creek Subdivision No. 5, City File No. 89-156.5, to impact approximately 59,116 square feet for the construction of streets, lots and pathways, based on plans dated received by the Planning and Development Department on February 25, 2008, with the following findings and subject to the following conditions.

Findings:

1. Of the approximately 15 acres of City-regulated wetlands on site, the applicant is proposing to impact approximately one acre.
2. No prudent alternatives exist for constructing the streets for the development, due to the City and County traffic requirements.



3. The Wetland/Watercourse impacts caused by the road crossings appear to be unavoidable.
4. The applicant is proposing to construct 1.3 acres of replacement wetlands in order to mitigate the lost of one acre of regulated wetland.
5. Most mitigation will occur in the same wetland as the impact and is designed to improve the same functions as the wetland to be impacted, as well as all wetlands on the site.

Conditions:

1. That the applicant receive all applicable DEQ permits and Oakland County Drain Permits Prior to issuance of a Land Improvement Permit.
2. That the applicant provide a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to Construction Plan Approval.

**This item was discussed with Legislative File Number 2007-0777.**

**2007-0774** Request for Approval of the Tentative Preliminary Plat - Clear Creek Subdivision No. 5, the fifth phase (58 lots on 56 acres) of a 322-lot subdivision north of Tienken and east of Sheldon, zoned R-1, One Family Residential; Elro Corporation, applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Site Plans.pdf](#)  
[Staff Report.pdf](#)  
[Review Comments.pdf](#)  
[Resolution.pdf](#)

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0168-2008

Resolved, that the Rochester Hills City Council hereby approves the Tentative Preliminary Plat for Clear Creek Subdivision No. 5, City File No. 89-156.5, 58-lots on 56 acres and the fifth phase of Clear Creek, located north of Tienken, east of Sheldon, zoned R-1, One Family Residential, Parcel No. 15-02-200-015, based on plans dated received by the Planning and Development Department on February 25, 2008, with the following findings and subject to the following conditions.

Findings:

1. The Tentative Preliminary Plat, after conformance with conditions, meets all applicable requirements of the Zoning Ordinance and the Subdivisions Ordinance.

2. The Tentative Preliminary Plat for Clear Creek No. 5 is the fifth phase of Clear Creek Subdivision; Clear Creek No. 4 Final Plat was approved by City Council on May 4, 2005.
3. Adequate utilities are currently available in the Sheldon/Mead Road R.O.W., and sanitary sewer will be extended from the existing stub streets in Clear Creek, to properly service the proposed development.
4. The Tentative Preliminary Plat represents a reasonable and acceptable plan for developing the property.
5. The Tentative Preliminary Plat represents a reasonable street layout, as well as a reasonable lot layout and orientation.
6. The proposed development is compatible with surrounding zoning districts and land uses.
7. Architecture of the new homes will be similar in style to what currently is being built in the other Clear Creek phases (per Environmental Impact Statement provided by applicant).

Conditions:

1. That the Open Space Plan is approved by City Council prior to the approval of the Tentative Preliminary Plat.
2. That the Wetland Use Permit is approved by City Council prior to the approval of the Tentative Preliminary Plat.
3. That the applicant receives a Land Improvement Permit prior to commencing any work on the site.
4. That the applicant receives all engineering related permits and approved Construction documents required by Public Services prior to Final Plat approval.
5. Change the diameter of the water main proposed on Mead Road to 16" (12" shown), prior to Construction Plan Approval.
6. All proposed street names must be approved by the City's Communication Division prior to Final Plat Approval by Staff.
7. Provision of a performance guarantee in the amount of \$305,375.00, as adjusted if necessary by the City, to ensure the proper installation of trees, for replacement of damaged trees, and for all other landscaping expenses. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.

**2008-0243** Request for Approval of a Revised Conditional Land Use - American House of Rochester Hills, a proposed 80,500 square-foot convalescent senior living facility, part of the American House complex, located on Adams Road, north of South Boulevard, zoned SP, Special Purpose; Fusco, Shaffer & Pappas, Inc., applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Site Plans.pdf](#)  
[Staff Report 052008.pdf](#)  
[Resolution.pdf](#)

**Mr. Ed Anzek**, Director of Planning and Development, introduced the three items regarding the American House on Adams Road:

- Revised Conditional Land Use - senior housing in an Special Purpose District requires a Conditional Land Use being issued by the City Council;

- Approval of Height Modification - The Planning Commission considered this and supported it unanimously. The proposal is a two-story building, but using the terrain and slope of the site, they could get the walk-out to the back and deem that as a third-story. He stated this is permitted but does require a modification; and

- Approval of a Revised Site Plan - with the Special Purpose Zoning, approval of a site plan is attached to the Conditional Land Use Permit.

Mr. Anzek explained that there was a previous approval approximately three to four years ago for three more buildings out front. The developer has decided that the market is not viable and is proposing a congregate care/convalescent center facility. He further explained that this would not be independent housing as previously approved. He then introduced Mr. Jeremy Griffiths, Architect and Mr. Tim McCafferty of REDICO, partner with the Developer.

**Mr. Griffiths** reviewed the overall campus plan, noting that the first nine buildings were already developed. The proposed building is a congregate care/convalescent center, commonly referred to as assisted living. He explained that this building will provide 550 square feet studio units, as well as 700 square feet single units. They will have no cooking facilities, but will have common dining room and lounge areas. There will be 24-hour staff and have the ability to provide medications to those who need it. He further explained that this building was designed to appear as a two-story building, noting that they have made the best use of the topography in order to compliment the campus and to create a lower-level walkout area. He described the existing low spot as being enhanced by a pond, landscaping and a terrace for the residents.

**Mr. Ambrozaitis** expressed his support of this project and thanked them for investing in the City.

**Mr. Yalamanchi** questioned if the other buildings on the campus were independent living and inquired about their occupancy levels.

**Mr. Griffiths** responded that the occupancy in the other units is at ninety-two to ninety-five percent, and have been at that level for a long period of time. The new building is proposed to have seventy-one new beds. The total project, including the new building, is approximately two hundred ninety-one units and beds. Two hundred and twenty of those are apartment-type, independent units, and seventy-one congregate care/convalescent units. Responding to Mr. Yalamanchi's

question, he stated that Waltonwood is also a licensed home for the aged and they designed that as well.

**President Hooper** mentioned that at previous Planning Commission meetings discussion took place as to making improvements to the façade on the existing building to the South of this proposed building, facing Adams Road. He inquired if they had plans to do this.

**Mr. McCafferty** responded that there are no current plans to do so. He explained that American House and REDICO are now partners and the plan is to go through a Capital Improvement Plan for all of their buildings. He stated that some of the buildings are coming to the age where roofs need to be replaced and structural repairs must be completed. He noted that the road entry to this campus will be designed with very attractive landscaping to take the attention away from the existing building.

**A motion was made by Pixley, seconded by Brennan, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0169-2008

Resolved, that the Rochester Hills City Council hereby approves a Revised Conditional Land Use for American House of Rochester Hills, City File No. 99-007.4, an 80,500 square-foot senior living facility and part of the American House complex, located on Adams Road, north of South Boulevard, zoned SP, Special Purpose, Parcel No. 15-31-301-037, American House Village of Rochester Hills, LLC, applicant, based on plans dated received by the Planning and Development Department on May 8, 2008 with the following findings:

Findings:

1. The development is for a select group of the population, the elderly, whose special needs require the close physical proximity of accessory uses and support facilities.
2. The project consists of a different type of living unit (convalescent care) constructed pursuant to an overall comprehensive plan for the entire development.
3. The development is located just north and west of, and will have common Adams Road access with, other existing American House facilities which provide other senior housing and care opportunities.
4. Accessory and support facilities are present in the building and area, and are available to future residents of the subject site.
5. The proposed development is required to provide 9,585 square feet of ancillary facilities and has provided 9,835 square feet.
6. The proposed development is required to provide 2,485 square feet of common facilities and has provided 7,489 square feet.
7. The proposed building is two to three stories in height; three stories can be approved

by City Council per Section 138-1111(i) after a Recommendation to approve by the Planning Commission, which occurred at its meeting on May 20, 2008.

8. The proposed development is required to provide 800 square feet of land area for each bed and has provided 1,839 square feet.

9. 36 parking spaces are required and 42 are being provided.

10. The provision of housing for the elderly is consistent with the intent and purpose of the Zoning Ordinance in general and of Section 138-933 (9) in particular.

11. The development has been designed and will be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.

12. The development can be adequately served by essential public facilities and services, and all utilities are available to the site.

13. The development is not detrimental, hazardous, or disturbing to existing land uses, persons, property or the public welfare.

14. The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**This item was discussed with Legislative File Number 2008-0243.**

**2008-0254** Request for Approval of a Height Modification - American House of Rochester Hills

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

**A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0170-2008

Resolved, that the Rochester Hills City Council hereby approves a Height Modification to allow three stories on the rear portion of the building for American House of Rochester Hills, City File No. 99-007.4, based on plans dated received by the Planning and Development Department on May 8, 2008, with the following findings:

Findings:

1. The side and rear yard setbacks are at least equal in depth to the height of the proposed building.

2. The proposed roof slope and building will be consistent with other buildings on the entire development.

3. The increased height will be compatible with the surrounding and nearby topography, existing and reasonably expected development, the Master Plan for the area, and the health, safety and welfare of the City.

**This item was discussed with Legislative File Number 2008-0243.**

**2008-0245** Request for Approval of a Revised Site Plan - American House of Rochester Hills, a proposed 80,500 square-foot senior housing facility on 3.4 acres on Adams, north of South Boulevard, zoned SP, Special Purpose, Fusco, Shaffer & Pappas, Inc., applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Site Plans.pdf](#)  
[Review Comments.pdf](#)  
[Resolution.pdf](#)

*Mr. Anzek added that when considering senior housing, there are many concerns. He complimented Jeremy Griffiths and his crew and described how they worked very closely with the City's Fire Department to add safety features. He stated that there is a spirit of cooperation not seen every day but they went over and above to see it happen.*

**A motion was made by Ambrozaitis, seconded by Pixley, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:**

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen and Yalamanchi

**Absent** 1 - Webber

Enactment No: RES0171-2008

Resolved, that the Rochester Hills City Council hereby approves the Revised Site Plan for an 80,500 square-foot senior housing facility on 3.4 acres on Adams Road, north of South Boulevard, zoned SP, Special Purpose, Parcel No. 15-31-301-037, based on plans dated received by the Planning and Development Department on May 8, 2008, with the following findings and subject to the following conditions:

Findings:

1. The proposed phase is a continuation of the existing American House Community, which serves the population with several types of senior care living, from independent living to convalescent care.
2. The Revised Site Plan and supporting documents demonstrate that all applicable requirements of the Rochester Hills Zoning Ordinance can be met, subject to the conditions listed below.
3. The location and design of the driveways and walkways, providing vehicular ingress to and egress from the site, have been designed to promote safety and convenience of both vehicular and pedestrian traffic, both within the site and for the adjoining street.
4. Parking and walkway areas have been designed to avoid common traffic problems and promote safety.

5. There is a satisfactory and harmonious relationship between the development on the site and the existing development of contiguous land and adjacent neighborhoods.

6. The proposed development does not have an unreasonably detrimental or an injurious effect upon the natural characteristics and features of the parcel being developed and the larger area of which the parcel is a part.

Conditions:

1. Approval by City Council of the Revised Conditional Land Use.
2. Provision of a performance and maintenance guarantee in the amount of \$146,637.00, as adjusted if necessary by the City, to ensure the correct installation and maintenance of the proposed landscaping. Such guarantees to be provided by the applicant prior to issuance of a Land Improvement Permit.
3. Correct table on Sheet A001 regarding Terrace Level common area calculations, adding Chapel Activity square footage to total and revising Total Building Common Area Required, prior to Final Approval by Staff.
4. Appropriate approvals from the Road Commission for Oakland County for work in the Adams Road right-of-way must be obtained prior to issuance of a Land Improvement Permit.
5. Soil Erosion Permit from the Oakland County Drain Commission must be obtained for sedimentation control, prior to issuance of a Land Improvement Permit.
6. A Land Improvement Permit must be obtained prior to beginning any work on the site.
7. All references and notations stating "Assisted Living" shall be changed to "Congregate Care" on all appropriate sheets, prior to Final Approval by Staff.
8. Delete all Junipers and other shrubs shown on Sheet L3 within 5 feet of the asphalt sidewalk, prior to Final Approval by Staff.

## COUNCIL COMMITTEE REPORTS

### **Cemetery Citizen Advisory Technical Review Committee:**

*Mr. Pixley reported that they met this afternoon. Ms. Farris is taking steps to prepare a Request For Proposal for a design contractor for the chapel. He mentioned that donation envelopes are available for prospective donations to the chapel.*

### **Human Resources Technical Review Committee:**

*Mr. Rosen reported that this Committee met this afternoon and will be bringing salary recommendations to City Council at their next meeting.*

### **Police and Road Funding Technical Review Committee:**

*Mr. Brennan stated that the Police & Road report will be done soon.*

**Charter Non-Structural Technical Review Committee:**

*President Hooper reported that they have had their last meeting and stated that there would be items coming forward for discussion with Council.*

**ANY OTHER BUSINESS**

*Mr. Yalamanchi made a motion to form a committee to discuss solutions for the deer population. This was moved by Mr. Yalamanchi and seconded by Mr. Ambrozaitis.*

*Mr. Brennan stated that Mayor Barnett indicated he is looking into this and suggested that Council wait for his report before creating a committee.*

*President Hooper stated he would like to see the information that was requested from staff. Council would then be better informed to decide if they want to form a committee or move forward with recommendations.*

*Mayor Barnett explained that they are putting the report together with pros and cons and receiving recommendations from Mike Hartner and Lance DeVoe. He stated that they are on track to get the information to Council very shortly.*

*Mr. Rosen inquired as to the length of time.*

*Mayor Barnett indicated that it would be about six weeks but could possibly occur within two council meetings.*

*Mr. Rosen suggested the possibility of accomplishing both, explaining that the time it would take to put together a committee with a charge could coincide with the Mayor's report.*

*President Hooper stated he preferred the suggestion of waiting for the report before creating a committee.*

*Mr. Yalamanchi stated his desire to move this topic forward and explained as long as it did not fall to the wayside, he would withdraw his motion.*

*Mr. Ambrozaitis concurred and withdrew his second to the motion.*

*Mr. Ambrozaitis commented on several issues:*

- He stated that the Hampton Golf Club residents have reported to him that the grass was not being cut and the residents adjacent to the golf course took care of this issue. He requested City Attorney Staran and the City's Ordinance Department to look into this.*
- He requested Mayor Barnett invite a representative from DTE to explain the grids within the City to the residents. He shared that the power has gone out in his subdivision about twelve to fourteen times over the past eight years.*
- He stated that there were a number of articles written regarding municipal finance and bond rating. He gave two articles to the City Clerk and requested that she copy them and distribute them to Council.*



- He reported on the meeting with Auburn Hills Sister City Committee and stated his support in lowering the speed limit on the City of Rochester Hills' side of the removed barrier at Tienken and Squirrel Road.

- He requested the Clerk's office to obtain a copy of the Ethics Ordinance that the City of Auburn Hills has and commented that it is a good ordinance, but he is fine with looking at Auburn Hills'.

**President Hooper** stated that the City of Rochester Hills has their own Ethics Ordinance.

**Mr. Brennan** commented that during the past week he had been receiving calls from residents regarding the proposed construction of a tower at West Middle School currently being considered by the Rochester Board of Education. He requested that City Council obtain a report to inform the residents.

**President Hooper** stated that schools are exempt from the City's Ordinance.

**City Attorney Staran** explained that if it is being built for school purposes, it would be exempt. However, towers being built for private use on school property are not exempt.

**Mr. Rosen** inquired about the weed growth on the boulevard on Adams Road around the new market place.

**President Hooper** stated that the Road Commission is not cutting the boulevard.

**Mayor Barnett** responded that the City has received complaints and that it is the County's responsibility to mow the boulevard. He stated that Roger Rouse is looking into this matter.

## NEXT MEETING DATE

*Regular Meeting - Monday, June 23, 2008 - 7:30 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 9:30 p.m.*

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GREG HOOPER, President  
Rochester Hills City Council

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JANE LESLIE, Clerk  
City of Rochester Hills

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

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