



# Rochester Hills

## Minutes

### Planning Commission

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Rochester Hills, MI  
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*Chairperson William Boswell, Vice Chairperson Deborah Brnabic*  
*Members: Gerard Dettloff, Greg Hooper, Nicholas O. Kaltsounis, Nathan Klomp, David A. Reece, C. Neall Schroeder, Emmet Yukon*

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Tuesday, May 19, 2009

7:30 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

Chairperson William Boswell called the Regular Meeting to order at 7:30 p.m. in the City Hall Auditorium.

#### ROLL CALL

Quorum Present.

Also Present: Ed Anzek, Director of Planning and Development  
Keith Sawdon, Director of Fiscal Operations  
Roger Rouse, Director of Engineering Services  
Maureen Gentry, Recording Secretary

**Present** 8 - William Boswell, Deborah Brnabic, Greg Hooper, Nicholas Kaltsounis, Nathan Klomp, David Reece, C. Neall Schroeder and Emmet Yukon

**Absent** 1 - Gerard Dettloff

#### APPROVAL OF MINUTES

2009-0194 April 21, 2009 Regular Meeting

A motion was made by Schroeder, seconded by Kaltsounis, that this matter be Approved as Presented.

The motion CARRIED by the following vote:

**Aye** 8 - Boswell, Brnabic, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon

**Absent** 1 - Dettloff

#### COMMUNICATIONS

A) Planning & Zoning News dated April 2009

#### NEW BUSINESS

2009-0146 Request for Adoption of the 2010 - 2015 Capital

## Improvement Plan (Public Hearing)

*(Memo and Draft CIP dated May 15, 2009 from Keith Sawdon, Fiscal Director, had been placed on file and by reference became part of the record thereof).*

*Chairperson Boswell explained the procedure for the Public Hearing and asked Mr. Anzek to begin the discussion.*

*Mr. Anzek recalled that at the April 21st meeting, Staff was before the Commission to present the new Capital Improvement Plan (CIP) projects and the status of the CIP program to date. There had been questions and suggestions made by the Planning Commission, and he advised that Mr. Sawdon, the City's Finance Director, would walk everyone through the changes as a result. Mr. Anzek noted that three new projects had been added.*

*Mr. Sawdon advised that he had highlighted the questions raised at the meeting in his memo. There were new items incorporated into the document, which were based on ideas from the Commissioners. He referred to the water and sewer project WS-42A, M-59 Watermain replacement. Mr. Schroeder had suggested that they use a 12-inch rather than an 8-inch pipe, and they increased the size, changing the cost from \$61,800.00 to \$72,100.00. Mr. Sawdon noted the suggestion made by resident Melinda Hill to include the total costs for each project, along with the City's share, which will be added to the new document. Ms. Hill had also discussed water and sewer infrastructure and what areas in the City were not yet completed. They took the suggestion further and generated maps for the City's infrastructure for all pathways and for water and sewer. It showed where they had infrastructure, what projects were being proposed, and what was left to do, which gave the reader a better picture. There was a suggestion that during the rating process, the Team should look at not only energy savings, but also return on investment. It was a little late to add it to the 2010 process, but it would be added to the rating criteria for next year. They would look at how it benefitted the infrastructure and timing, and also what benefit the City would receive from energy savings and return on investment. Mr. Sawdon referred to the Clinton River channel restoration project, for which a funding question had been raised. The research showed that a portion was part of the 2009 budget from the pathway construction fund, which was to be completed this year. The riverbank stabilization would be done through the drain fund, and had been proposed for grants for the 2010 CIP.*

*Mr. Sawdon referred to the Tieken Pathway discussion, during which Mr.*

*Hooper recalled that an escrow account had been set up to build a pathway in the future for the Millstream Village development. They researched it and found that almost \$19,000.00 was available to offset some of the costs of the project.*

*Related to the Tienken bridge replacement at Stony Creek, Mr. Sawdon said that it was estimated to cost \$2.3 million; however, the Road Commission had not completed the design work. The first \$1.4 million would be covered by the Michigan Critical Bridge Fund, leaving \$875,000.00 left, of which the City's share would be 5%.*

*Mr. Rouse added that there had been a change to the description of the Tienken Road bridge project. That project was in the Plan for a long period, and money was now available for work to begin. They talked about a two-lane bridge over a certain span, which was included in the original design. In the last few weeks, there had been additional criteria looked at, and as a result, the bridge design had been modified. The alternate design was the topic of intense discussions. They talked about a two-lane bridge with two, twelve-foot lanes and two, four-foot shoulders with a ten-foot pedestrian walkway. That substantially reduced the footprint of the bridge, and they would get additional information as the project moved forward.*

*Mr. Anzek advised that the three new projects included MR-02F, the Hamlin Road rehab from Rochester to John R, which was added because of a pending grant application and the Dequindre rehab from Hamlin to Auburn. This was being done in part with other Dequindre improvements. The third project involved installation of M-59 sound wall barriers. The matter came up very quickly as part of the widening of M-59, and they put it in the CIP to be in a better position to get funding. He informed that there would be a meeting in two days at the MDOT regional office and several staff members, as well as residents, would be in attendance to express their concern regarding the lack of sound walls. The City was trying to work with MDOT to secure as much funding as possible. They would like a re-analysis of the testing that was done by MDOT to determine where sound walls would go.*

*Mr. Rouse advised that the last new project, Dequindre Road reconstruction, was a continuation of the work being performed by the Road Commission from Square Lake Road to Auburn. It was a high priority project, which was to extend Dequindre another mile from Auburn to Hamlin. He noted that the project was in the Master Thoroughfare Plan.*

*Mr. Anzek stated that Staff was requesting approval of the CIP if the Planning Commission was satisfied that they had addressed all of their concerns.*

*Mr. Reece referred to MR-02F, and said that the estimated City share was listed at 20%. 20% of \$2.45 million was \$491,000.00, yet it was identified in the document as \$1,015,000.00. He questioned whether the math was wrong or if he needed clarification about the percentages. Mr. Rousse said that the typical sharing cost was 80% Federal funding, 10% County on a County road and 10% City. Hamlin was a City road, so they would consequently bear a larger proportion of the costs.*

*Mr. Anzek believed that the road resurfacing was a shared 20% of 100% with the Road Commission. The pathways would be a 100% cost, and the cost included retrofitting and improving the pathways that paralleled the corridors to bring them into ADA compliance. He thought they would have to look at the cost, to see whether it needed to be clarified further. Mr. Reece said he would like to see a breakdown.*

*Chairperson Boswell opened the Public Hearing at 7:50 p.m. He advised the audience that he would not limit each person's speaking time, and explained that Staff and the Commissioners would address all comments after the Public Hearing.*

**Eric Ambrozaitis, 590 Thornridge Dr., Rochester Hills, MI Mr.**

*Ambrozaitis stated that he was present because of his concern for the wall along the M-59 corridor. With the Federal stimulus package coming in and the widening of M-59, he wanted to respectfully ask the Commission to go to the clubhouse at Country Club Village and sit and hear the incredible amount of noise. As they moved forward, he believed that the City would face serious budget issues, and it would be important to spend money properly and wisely. He asked the Commissioners to look at property values as the central theme in voting for the CIP. Property values had not fallen everywhere, and he asked them to be mindful of that, because it was a very serious issue for Rochester Hills. He asked them to please be mindful of the wall along M-59 and to ask themselves what they would do if they lived there. He brought up the meeting scheduled in two days with MDOT, and said that he was counting on Mr. Anzek's support regarding the wall, reiterating that it was very important to the residents.*

**Melinda Hill, 1481 Mill Race, Rochester Hills, MI Ms. Hill thanked Staff**

*for the changes made that she had suggested over the last couple of years, and said that she was glad to see them being incorporated into this year's Plan. She still had a concern about the water and sewer projects for Mill Race and Carter (northeastern end of the City) being put into Pending Projects. She did not feel they would get the appropriate review each year when they were put in that category versus being a part of the actual Plan. The policy of the City was to complete sewer and water throughout the entire City. She said she understood it when she was on the Policy Team and they changed the Community Center from the regular portion of the Plan into Pending Projects because it kept dropping further and further back in the ratings, and there was less interest. She was pleased to see that they included maps of existing pathways and where sewer and water existed in the City, which she agreed gave a much better picture. Regarding the Tienken Road bridge, she was glad to see that the description was updated; however, an eight-foot difference from a 54-foot bridge to a 46-foot bridge was not the same as the existing 28-foot bridge. There still were some issues about compatibility with the Historic District. She did not want anyone to think they would be replacing a two-lane with a two-lane. They would be replacing a 28-foot structure with a 46-foot structure. Regarding the Dequindre Road reconstruction, Hamlin to Auburn, the description said they would reconstruct Dequindre as a five-lane cross-section. She thought that was placed prematurely, since they were supposedly reviewing road cross-sections on a case-by-case basis. All of a sudden, it had precedence, and the City had already decided to do five lanes.*

*Ms. Hill stated that in the future, she hoped the Policy Team would reconsider including annually recurring expenditures, which they started doing for projects in 2008. The primary criteria of the CIP Policy stated that, "A capital Improvement project is defined as a major nonrecurring expenditure that includes one or more of the following: Any nonrecurring rehabilitation of all or part of a building, its grounds, a facility or equipment, provided that the cost is \$25,000.00 or more and the improvement will have a useful life of three years or more." In 2008, they added several recurring projects. One was MR-03, Major Road Slab Replacement and another was LS-03, Local Road Slab Replacement. At that point in time, the Local Roads program was a \$55 million ongoing program. In 2009 they added traffic calming at \$25k a year and in 2010 they added asphalt rehab, which was an offshoot of concrete slab replacement. They also added enhancements for the SCADA system. She understood what was proposed and that the costs were recurring. However, she thought that they needed to be placed in a separate section of the CIP with a title such as "Annual Capital Enhancement Projects,"*

*because when each one came on line, they were being rated and if they fell at the top of the scale, millions of City dollars were used every year to fund them. They were not capital projects; they were more of an enhancement or maintenance-type project. She understood the reason they wanted them in the CIP, but she felt that they should be in a separate section. She had spoken with Mr. Rosen briefly about it (City Council member of the Policy Team), and he thought it had some merit. She thanked Staff again for the improvements.*

**Noelle O'Neill, 3640 Winter Creek, Rochester Hills, MI** Ms. O'Neill maintained that there was \$5.8 million set aside for M-59 road improvements as a City share/match for when the M-59 widening project came to fruition. She stated that the City should keep those dollars dedicated to improving the corridor along M-59. She lived right there and was hammered by noise on a daily basis. They had a legitimate concern, and an open offer to the Commissioners to come and check out the area and see what it truly was like to live or sell a home there. They had tried for the last three years. They have a lovely lot and lovely home, but everybody said it was too noisy, and that they knew M-59 would get widened some day. Once M-59 became six lanes with a concrete barrier across the street from where they resided, it would hammer them with more noise projecting off of it, and they would be "up a creek" as far as property values. The money was set aside for improvements to M-59 and regardless of any other project, they felt it should stay M-59 related. The City was fortunate not to have to use any money toward the expansion of M-59 because it was Federally funded, but they needed the sound wall to protect property values. She stated that the City needed to shelter the residents. There were a handful present, representing a very large and growing number of concerned citizens along a one-mile stretch. She reiterated that they must keep the money where it belonged - with M-59 improvements. They were not talking about just property values, but of tax revenues, future sustainability, cash flow and overall quality of life. She asked them to make the most of the Federal gift and put savings to increasing property values instead of deflating them. The noise barrier was extremely important, and it was needed. They currently had decibel levels reaching 69 - she asked them to come and see what that was like. She asked them to imagine someone turning that volume up. There were many reports on the damage caused by extensive noise, especially to young children. That area was full of families who cared about their children, and she asked for help to keep them safe and healthy. They wanted to be heard at the polls, and they wanted to smile and say they were very happy that their City government stood behind them, recognized their need and helped them get a barrier. That was their goal.

*She stated that it was not right to apply that money to anything else, and they were asking that it be kept for "their" wall.*

**Michael Blake, 3665 Winter Creek, Rochester Hills, MI** Mr. Blake thanked the Commission for a chance to speak. He said that he had lived in Rochester Hills since 1982, when M-59 was a four-lane highway. There was very little traffic, and Lakeside and the Chrysler World Headquarters had not been developed. Hundreds of businesses, office complexes, homes and condos had since been built, and traffic noise had increased over 100%. He tried to sell his home about ten years ago, in a strong market, and people said they loved the house and forest, but they did not like the loud traffic of M-59. That was ten years ago, and he did not sell his house. In the past five years, they lost over \$60,000.00 of the value of their home, not even considering today's bad economy. He talked with realtors who told him that with the increase in noise from M-59 being widened, his home could drop another 20-30%. He was almost 62 years old, and he would love to stay at his place and he also could not sell it. He had a house that no one wanted, that he loved, and he had to stay there. Their taxes had increased every year in the last three years, but the assessed value of his house had dropped every year. If there was a sound wall on M-59, it would help the value of his home. It would stop it from decreasing as rapidly as it had in value. Most importantly, the health, safety and sanity of the residents would be insured. He added that the children in the area needed the help, too. It was difficult to see children walking down Nawakwa where they did not even know there was a car until it was on top of them. They knew that there was money, and that the City had to set aside \$5.8 million in the CIP to help fund the new M-59 project as a percentage of the bill. President Obama had graciously given them all the money for the project, and the City did not have to pay anything. He asked why they could not use that \$5.8 million to put up a barrier. If they only put a barrier on one side and not the other, it would amplify the noise that bounced off the other side and kick it back to them. He lived approximately 500 feet from M-59, and there were only small shrubs in between. He could not invite people over for a picnic, because they could not hear each other talking. He reiterated that something had to be done. He asked them to please respect the taxpayers in the area, help them out and show them they cared.

**Mary Blake, 3665 Winter Creek, Rochester Hills, MI** Ms. Blake noted that she also lived at 3665 Winter Creek, about 500 feet from M-59. Her husband talked about a lot of the financial reasons why they needed a barrier, but she maintained that she could not even hear her phone ring on high when she was outside and it was in her hand. She remarked that

*it was very annoying. Last week she was on her deck, and all of a sudden a man appeared, and no one heard him coming, and he said he had been calling. It turned out that he was a solicitor, but he could have been a robber or even a murderer. She did not think a gunshot could have been heard by her neighbors - let alone a call for help. The traffic noise was loud enough now, but with new construction and no barrier wall on their side, it would be louder and potentially more dangerous. If MDOT was not made to realize the danger of the noise, she stated that the ball would be back in the City's court. She asked them to "amend your CIP tonight to include our wall."*

**Allen Hague, 3660 Old Creek Rd., Rochester Hills, MI** Mr. Hague noted that at recent City Council meetings, they had heard a number of residents who had to deal with the increasing sound from M-59 everyday. Issues regarding the safety of their children, declining property values, keeping a peaceful neighborhood and their ability to sell their homes were raised. He pointed out that they had a large number of deer in their area, and a wall would keep them off of M-59, where he saw deer carcasses all the time. Besides that, accidents would increase if the sound barrier was built on the south side of the freeway only. He asked what would happen when a deer made it across six lanes, only to be turned back. He encouraged them to limit the animals' access to M-59. He thought they would all agree that there would be a significant increase in noise due to the increased traffic, which would be compounded by the sound barrier wall already approved for the south side of the road. The M-59 corridor project would affect Wildflower Subdivision, Country Club Village, and the homes that were built off of Nawakwa. The increased sound would affect many more homes than the outdated MDOT analysis showed. If MDOT did not agree that the wall was feasible, he would like City Council to include the cost of building the sound barrier added to the CIP. He stated that the wall should be considered part of the corridor project and, therefore, should be paid by MDOT or with the \$5.8 million already budgeted for the project.

**Ron Lucas, 3635 Winter Creek Rd., Rochester Hills, MI** Mr. Lucas said that he had lived in his house since November 1979, and he had seen quite a few changes. The area he was in was one of the lowest points in the whole area. Rochester Road was 20 feet higher than the Country Club Village clubhouse, so the roadbed for M-59 was directly level or slightly above the terrain. He disputed that their sound readings were on par with other areas of M-59. Most of the neighborhoods west of Rochester Road were higher than the expressway and that cut down on some of the sound. He knew people who lived on the south side, and



they said that the sound on his side was a lot louder than it was on the south side. The homes were set back farther on the south side, but they were going to get a wall. He also disputed the numbers by MDOT. His next door neighbor was excluded, but he was in the count. If someone went in his neighbor's yard and could tell him the difference between the sound level there and at his house, he said he would pay that person \$500. There was an individual that lived on the street directly behind him who was not in the count. There was another house on Nawakwa that was also not in the count. The houses in Country Club Village, which were farther away, were counted. There were homes that were closer than those that were not counted. He thought the data was wrong, and he thought they were trying to get off cheap, because a wall on one side would be a lot less costly.

**Kelly Lawson, 607 Wade Ct., Rochester Hills, MI** Ms. Lawson said that she was also present to talk about the sound barrier. She moved from an area where her home backed up to I-75. She assured that property values would go down when they widened M-59. She saw it happen when they widened I-75 in Troy, and Rochester Hills would be no different. The extra noise that came from two added lanes was incredible, and it would make a big difference. It made the difference between whether or not her husband and her son could sleep at night, so they had to move. She declared that it was not a problem for her. She hoped that a City that had such high standards, by requiring the maintenance of the natural areas of Country Club Village, would want to preserve that natural beauty and maintain the property values by approving a sound barrier. She commented that it would be a shame to lose the natural beauty, and to not be able to hear birds chirping. It would also be a shame to lose the beauty that had grown in the neighborhood with everyone trying to move out, but she presumed that people would not even be able to sell their homes. She could not sell her house in Troy. Everyone loved it, but the noise was too loud. She was asking the Commissioners to seriously consider the issue in the CIP and to help get the sound barrier up for them.

Chairperson Boswell closed the Public Hearing at 8:14 p.m. Addressing a comment by Ms. Hill, he said he agreed that having a five-lane cross-section on Dequindre should perhaps be removed and the project described as being improved.

Mr. Anzek responded that the City had a case-by-case basis policy, and with the recent issues involving Tienken, they looked again at the Master Thoroughfare Plan. As adopted and approved by the Planning

*Commission, it called for various improvements throughout the City, including to Avon, Dequindre, Crooks and Livernois. The general phrase used was a five-lane cross section, so they were being consistent with the text of the MTP. The Plan worked as a total unit. There was a lot of discussion currently about the width of Tienken Road, and it had been validated in the MTP that Tienken worked as a three-lane only if Dequindre was improved by adding more lanes. The Team went through the modeling exercise numerous times to see how to get the best bang for the buck, and to safely move vehicles through the City, whether they were generated within or not. They learned through the process that if the Dequindre/Avon/23 Mile bottleneck was improved, that it would serve as a relief valve for traffic coming down 26 Mile and heading south to M-59. He appreciated the comments, but if the project were to go forward, it would be evaluated at that time to see whether it should be three, four or five lanes. He did not have a problem taking five lanes out, as long as the Planning Commission understood that the Thoroughfare Plan called for five-lane cross-section improvements. He could speculate that Livernois would be a four-lane boulevard to match the current one, yet the MTP called for a five-lane cross section. He explained that a five-lane cross section was four moving lanes with a center turn lane.*

*Chairperson Boswell asked the Commissioners if they wanted to leave the five-lane cross-section in for Dequindre. He concluded that five lanes would be fine, and he thought it would become a very important road for the people of the City.*

*Mr. Schroeder stated that a five-lane designation would not commit the City to anything; it was just a long-range plan that could be easily changed. He had been doing this type of planning for 30 years. He stressed that they should be consistent in all their documentation because when they got into the funding, especially with the Federal Government involved, inconsistencies could be a problem. He reiterated that in no way would they be committed to a five-lane road by approving it as it was.*

*Mr. Kaltsounis agreed. They had charged a committee with the task of putting together a Plan that they would be throwing away at the first crossroad, and he was concerned about that.*

*Mr. Hooper noted that at the previous night's City Council meeting, there were about six or seven people who objected to a five-lane road for Tienken Road. He asserted that it was not a secret Dequindre was going to be widened to five lanes up to Auburn Rd., which was in the planning*

*process now and had been in the last two MTPs. There had been a number of public meetings over the last 15 years regarding Dequindre, and about the City's intention, and it was part of the overall MTP.*

*Mr. Anzek thought it was important to understand that the City of Rochester Hills had about 20% of the responsibility for widening Dequindre. The City of Rochester's, the City of Shelby Township's, and Macomb County's Master Thoroughfare Plans also called for the widening of Dequindre. All four entities recognized the need to have the road fixed, and there would be a mutual plan to pursue funding and more government officials involved. The City's portion would be minimal compared with the benefits gained for overall transportation movement.*

*Mr. Klomp commented that he respected the Master Thoroughfare Plan process. The residents were involved and the roads were surveyed, and there was a purpose and reason for why they chose the Plan. He felt that the goal should be to remain consistent with results of the process. They should work from the MTP, and he was comfortable moving forward with what they had planned and talked about.*

*Chairperson Boswell brought up the recurring and non-recurring expenses mentioned by Ms. Hill. He felt she had a good point, and noted that she had brought it up for three years in a row. He asked the Commissioners about the idea of a separate section in the CIP.*

*Mr. Anzek thought it had merit worth exploring, and he recalled that the Policy Team discussed it. The Pending Projects section was where they put the "dream" projects. It used to be called the Compatibility section. The reason they had it was because they never wanted projects to drop off the radar screen. They did not want to censure or edit any project submitted because something cold today could come back hot tomorrow. They wanted those projects in as references so that if funding fell in place, they could be re-reviewed. He thought Ms. Hill's suggestion was a good one, and he felt they should defer it to the Policy Team when they met again in January 2010.*

*Chairperson Boswell asked Staff to go over the design of the M-59 corridor and explain why MDOT was saying that the wall could not be put in on the north side.*

*Mr. Anzek explained that the M-59 widening project had been fast-tracked. The CIP projects were due February 20, before the stimulus money was announced. They had no idea M-59 would be prioritized, and*

*they were lucky that it was positioned; MDOT had been working over the past three years on the design, hoping funding would become available. MDOT capped the monies at \$60 million for the widening. The sound walls were not included in that cost. MDOT conducted some sound studies, which were the crux of the debate. There were two segments that qualified for sound walls, but residents believed that additional areas should qualify as well. MDOT was holding a meeting about it in a few days. Mr. Anzek advised that when it first came to their attention at the Council meeting two weeks ago, Mr. Hooper came into his office the next morning and said it was important, and that it should be in the CIP. They put together the project quickly, and it was then rated. If the Planning Commission was satisfied with what was presented, the members had done their part. He reminded that the Commission members did not set policy on which funds to use; it was their job to evaluate projects, to look for coordination with other projects and to endorse what had been put forward as a technical document. Typically, the first year of the CIP was used for budget purposes, but just because it was in the CIP, there was no guarantee it would get funded. The Department Directors would submit numbers to Mr. Sawdon in the next three weeks, and he would then assemble a draft budget for the Mayor's scrutiny. Lastly, the Mayor would choose what to present to City Council. City Council can accept things in the budget or not. He reiterated that the Planning Commission's position was not to weigh in on what funds to use or how to prioritize; that was the job of the elected officials.*

*Mr. Hooper agreed with Mr. Anzek. He advised that there were 12 walls that MDOT evaluated, and two met the feasible and reasonable criteria and were in the CIP for \$357,000.00 - the City share. He thought they needed to modify the language so the potential existed for others. For instance, for the MB-09 wall the residents wished to be added, they could modify it to say there might be other segments added, but they would not know the cost. The way it was currently written was just for two segments.*

*Mr. Hooper emphasized that the Planning Commission had no funding responsibility. The CIP was a five-year plan for which projects and costs were evaluated. He noted that there were a few comments about the City having \$5.8 million sitting in a bank someplace, which he stated was simply not true, and he wanted everyone to understand that. There were \$98 million of total projects in the CIP, and the City would never be able to fund that entirely. The \$5.8 million resided in the \$98 million. Last year it was shown in the CIP for the year 2014, and it was very fortunate that the City would not incur that cost in 2014. They realized that there would be some funding responsibilities someday, but how the City paid would be*

determined at that time. He did not want anyone to walk out with the impression that the City had always had that money set aside designated for the M-59 project. City Council did stand ready, willing and able, and they were going to the MDOT meeting to try and get the study re-determined to add the walls. He felt there were a number of flaws with MDOT's study. He thought the house count was wrong and he questioned the cost, the reasonable criteria, the elevation difference, the sound bouncing off the wall on the other side and their value of the clubhouse. If they had a cohesive, strong, professional argument with a united front and reasonable criteria for the above, he felt there would be a strong possibility that they could convince MDOT to fund the project. The wall would be \$2.6 million, and the City's share would be another \$300,000.00. If it were not funded by MDOT, he wondered if the residents would be desirous of the City spending \$2.6 million. He wanted to make sure that everyone understood the roles of City Council and the Planning Commission.

**This matter was Discussed**

**2009-0222**

Mr. Kaltsounis thanked the residents who showed up for the Public Hearing, noting that he had worked on the CIP process for five or six years, and this was the first time he had seen anyone other than Ms. Hill. He clarified that the wall listed in the CIP was for the south side of M-59, but the residents wanted it on the north side. Mr. Anzek said it would be in combination. Mr. Kaltsounis said that he had lived in that area, on the south side of M-59. He heard the noise and the jig brakes all night long. He heard trucks getting off the road, and they heard noise when sitting on their back porch. When he purchased the house, the person who sold it paid a penalty, which he did pass along when he sold it. They needed to try to restrict the penalty from becoming even larger, and that was how the wall could help. It did not make sense to put the wall in where it was shown because of the trees. There were a lot of trees on the south side and on the north side it was cleared. He agreed that the sound would bounce off the south wall and go straight across towards Auburn Rd. and the trees would not get to work. He hoped the engineers would consider what they could do to make it as quiet as possible. He recommended that the north wall be added because the residents wanted it considered, and he believed that City Council would try hard to get the money.

Mr. Anzek advised that the projects were put together rather quickly two weeks ago so the information would be prepared for the Public Hearing. He suggested that if the Commission approved the CIP, that Staff could re-write the section to be more generic and expansive and not limiting in

*terms of dollars. It would incorporate all of the residential components of the M-59 widening project. They did not want to put in a number that was wrong, and it should be written so that proper sound studies were done.*

*Mr. Klomp thanked the residents for coming to the meeting and expressing their opinions. He had watched how the Council meetings transpired, and he understood how they felt. He lived near the area and ran through the neighborhoods. Even with an Ipod on, he could hear the traffic. He indicated that the Planning Commission's role was not to try to talk City Council into making a move or changing the outcome; it was to provide a tool for the decision making process. He hoped they would get positive news from MDOT, and he thought there was a good chance things would work in the City's favor. He appreciated the residents coming and being active, and he hoped the tool provided would allow the City to make good decisions.*

*The Commissioners discussed changes to the motion, including adding a category for the sound walls, and Mr. Kaltsounis moved the following motion:*

***MOTION*** by Kaltsounis, seconded by Klomp, that the Rochester Hills Planning Commission Approves the Capital Improvement Plan that has been proposed for the years 2010-2015. The Rochester Hills Planning Commission has determined the following:

***WHEREAS***, the Municipal Planning Act, Act 285 of Public Acts of 1931, as amended, requires the Rochester Hills Planning Commission to annually accept a Capital Improvement Plan for the benefit of the health, safety and welfare of the community as those criteria relate to the physical development of Rochester Hills; and

***WHEREAS***, the Rochester Hills Fiscal Office has consulted with the City's professional staff who carry on the business of planning for and providing for the present and future needs and desires of the citizens of Rochester Hills; and

***WHEREAS***, the Capital Improvement Plan is meant to consider the immediate and future needs and goals of Rochester Hills, as identified by the public, City Boards and Commissions, and the Mayor's staff, in light of existing projects and plans and anticipated resources; and

***WHEREAS***, the Capital Improvement Plan is a flexible document, necessarily meant to be reevaluated and amended each year, to project

*into the six (6) succeeding years, and further amended as needed to address practical realities as they relate to policies and philosophies of relevant Boards, the City Council and the Mayor's office.*

**WHEREAS**, *the Capital Improvement Plan is a guide and forum to aid the Rochester Hills Mayor's Office and the Rochester Hills City Council in making decisions regarding the physical development and infrastructure maintenance of the City and determining what, if any, resources can or should be available to carry out City Council's policies and budgetary decisions; and*

**WHEREAS**, *the components of the Capital Improvement Plan have been subject to public hearings, public review, and constant citizen committee reviews over the course of several years and a duly noticed full Public Hearing on May 19, 2009 and further previous invitation for public input on April 21, 2009; and*

**WHEREAS**, *the components of the Capital Improvement Plan were arrived at through a point system using variables that included, among other things, whether the project has begun, funds committed, sources of funds, prior City Council decisions, Planning Commission or administrative recommendations and decisions.*

**RESOLVED**, *that the Capital Improvement Plan presented for review on April 21, 2009, and presented with changes as referenced in the document from Keith Sawdon, the City's Fiscal Director dated May 15, 2009 (on file) and with changes including the addition of MR-42E, involving wall segments for M-59, and changes to the description share of the City amount of MR-O2F, as reviewed and determined on May 19, 2009, is adopted by the Rochester Hills Planning Commission; and*

**BE IT FURTHER RESOLVED**, *that this Plan should be published and attested to according to law.*

*Mr. Klomp recalled that at the Council meeting a few weeks ago there was some discussion about the Pending Projects section of the CIP and a park project that was taking place. He thought most understood why projects were put there, but he asked for clarification for members of the audience. Outside of the lack of funds, he noted that most projects under Pending Projects were very far from ever being commenced or from being a high priority to them as CIP planners.*

*Mr. Anzek explained that there were several reasons projects were put*

*there. Sometime they were so expensive that the City did not foresee funds being available in six or seven years. Rochester Hills had been preparing a CIP for 13 years, unlike many other communities. They had learned over time never to censure a project. There was no project so bad that it was not worth considering. The City was very unique in inviting residents and businesses in the community to submit projects for consideration and sometimes those in the Pending section were difficult, but they did not want to lose track of them in case situations changed.*

**A motion was made by Kaltsounis, seconded by Klomp, that this matter be Approved.**

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

**Aye** 8 - Boswell, Brnabic, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon

**Absent** 1 - Dettloff

*Chairperson Boswell stated for the record that the motion had passed unanimously. Mr. Anzek thanked the Commissioners for their diligence, noting that each year the CIP got better and more thorough, and Chairperson Boswell also thanked the residents who came out to the meeting.*

## **UNFINISHED BUSINESS**

**2009-0207** Meeting Start Time - Proposed time change to 7:00 p.m.

*(Memo by Ed Anzek, dated May 15, 2009 had been placed on file and by reference became part of the record thereof).*

*Chairperson Boswell advised of the proposed change to the meeting start time from 7:30 p.m. to 7:00 p.m., as discussed at the previous meeting. Mr. Schroeder moved the following motion:*

**MOTION** *by Schroeder, seconded by Yukon, the Rochester Hills Planning Commission hereby resolves that its Regular Meetings shall be held in the Rochester Hills City Auditorium at 7:00 p.m., unless the time and or place is changed by a vote of the Planning Commission, and notice of such change, as required by the Open Meetings Act, is given.*

**A motion was made by Schroeder, seconded by Yukon, that this matter be Approved.**

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

**Aye** 8 - Boswell, Brnabic, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon



**Absent** 1 - Dettloff

2009-0216

Approval of Planning Commission schedule for remaining of the year with meetings starting at 7:00 p.m.

**MOTION** by Kaltsounis, seconded by Yukon, the Rochester Hills Planning Commission hereby approves the meeting schedule for the remainder of 2009, as amended.

**A motion was made by Kaltsounis, seconded by Yukon, that this matter be Approved.**

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

**Aye** 8 - Boswell, Brnabic, Hooper, Kaltsounis, Klomp, Reece, Schroeder and Yukon

**Absent** 1 - Dettloff

*Chairperson Boswell stated for the record that the motions had passed unanimously.*

*Ms. Brnabic commented that she was glad the City's CIP process was unique, but she felt that it was somewhat adverse. She thought that everyone should have the opportunity afforded to the residents of Rochester Hills, so they could stay apprised of what was going on in their communities.*

**NEXT MEETING DATE**

The Chair reminded the Commissioners that the next Regular Meeting was scheduled for June 16, 2009 at 7:00 p.m.

**ADJOURNMENT**

Hearing no further business to come before the Commission, and upon motion by Kaltsounis, the Chair adjourned the Regular Meeting at 9:00 p.m., Michigan time.

\_\_\_\_\_  
William F. Boswell, Chairperson  
Rochester Hills Planning Commission

\_\_\_\_\_  
Maureen Gentry, Recording Secretary