



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

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

Vision Statement: The Community of Choice for Families and Business

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

Monday, February 11, 2013

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:02 p.m. Michigan Time.

ROLL CALL

Present 6 - Greg Hooper, Adam Kochenderfer, James Rosen, Mark Tisdel, Michael Webber and Ravi Yalamanchi

Absent 1 - Nathan Klomp

Others Present:

Ed Anzek, Director of Planning and Economic Development

Bryan Barnett, Mayor

Jim Breuckman, Manager of Planning

Susan Galeczka, Acting City Clerk

Pamela Gordon, Director of Human Resources

Mike Hartner, Director of Parks and Forestry

Tara Presta, Chief Assistant

Allan Schneck, Director of DPS/Engineering

Chris Tower, Rochester Hills Government Youth Council Representative

Mr. Klomp provided prior notice that he would be unable to attend.

PLEDGE OF ALLEGIANCE

Maureen McWalters, Leader Dogs for the Blind, was scheduled to lead the Pledge of Allegiance; however, she was unable to attend.

Mr. Tisdel noted that the Leader Dogs for the Blind is the only facility that works with both the deaf and blind. He stated that over 300 volunteers currently support the facility, and individuals are needed to serve as drivers, puppy raisers, and other volunteer positions. A link to information on the facility and its services is available on the City's website, or through Leader Dogs' website at www.leaderdogs.org.

APPROVAL OF AGENDA

A motion was made by Yalamanchi, seconded by Webber, that the Agenda be Approved as Amended to move Legislative File 2013-0054 Request for Support to submit a Grant Application to the Michigan Department of Natural Resources for the Clinton River Trail Look & Feel Project to immediately follow Legislative File 2013-0055 The Clinton River Trail Look & Feel Project; Friends of the Clinton River Trail, presenters; and to move Legislative File 2013-0065 Appointment of City Clerk to the end of New Business. The motion carried by the following vote:

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

Absent 1 - Klomp

PUBLIC COMMENT

None.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Webber announced that the Rochester Regional Chamber of Commerce's Community Outlook Luncheon is scheduled for Wednesday, February 20, 2013, at 11:30 a.m. at Oakland University.

Mr. Kochenderfer congratulated Mr. Webber for his addition to County Executive L. Brooks Patterson's "Elite 40 under 40" list.

Mr. Tisdell and **Mr. Yalamanchi** echoed congratulations to Mr. Webber for his inclusion on the list.

Chris Tower, Rochester Hills Government Youth Council (RHGYC) Representative, announced the following:

- The RHGYC's Green Team Action Committee has reusable grocery bags for sale, with proceeds to be used to purchase and plant trees in Borden Park. Bags will be available for \$3.00 from RHGYC members and at Busch's on Saturday and Sunday.
- RHGYC members are busy planning their annual 5K Run/Walk, to be held this year on June 15th at Borden Park. Interested runners and walkers can access online registration for the event at www.goracego.com.
- The RHGYC Education Action Committee is in the midst of a Strive 4 a Safer Drive program, with activities scheduled to promote text-free driving for teens. The RHGYC received a \$2,000 grant to fund their program activities, which include promoting the signing of cards by teens to pledge that they will not text and drive at the Crosstown Showdown at Oakland University; an upcoming game show at

Adams High School during a lunch hour to promote safer driving; and a creativity contest where students are encouraged to design a poster, write a song or rap, or submit a video or any medium that promotes safe driving. First, second and third place winners will be chosen from the submissions, with the winners receiving prizes.

Mayor Barnett commented that the RHGYC is considered a model group throughout the state. He announced the following:

- Winter Property Taxes are due on February 14, 2013.
- The City received notification that work will begin on February 7, 2013 on reconstruction of Auburn Road from Ryan Road to Dequindre in Macomb County. Work is expected to continue through late July, with Auburn Road closed to traffic during the process. Access will be given to businesses along that stretch. Information is available on the project at www.macombcountymichigan.gov/roads.
- Those wishing to attend the Community Outlook Luncheon on February 20th at Oakland University should purchase tickets as soon as possible; the luncheon is usually a sell-out.
- Congratulations go to Mr. Webber for his inclusion on L. Brooks Patterson's "Elite 40 under 40" list.
- There is still time to donate RecycleBank points to the Green Schools Program to benefit Long Meadow and University Hills Elementary Schools.

Mayor Barnett displayed photographs showing the progress of the Calf Barn Restoration Project at the Rochester Hills Museum at Van Hoosen Farm. The roof is being raised on the project, which is being privately funded. Donations are welcome, as the project is still in Phase I.

ATTORNEY MATTERS

None.

PRESENTATIONS

2013-0055 The Clinton River Trail Look & Feel Project; Friends of the Clinton River Trail, presenters

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

Fred Phillips, President, Friends of the Clinton River Trail (FCRT) and **Kristen Wiltfang**, Planner, Oakland County Planning Department, and FCRT member, were in attendance.

Mr. Phillips gave the following presentation:

IMPLEMENTING A UNIQUE LOOK AND FEEL FOR THE CLINTON RIVER TRAIL

About the Friends of the Clinton River Trail:

- An all volunteer group.
 - * Friends of the Clinton River Trail is committed to promoting the Clinton River Trail as a safe and enjoyable recreational destination.

Goals:

- FCRT Goals:
 - * Short-Term - Safe Crossings
 - * Mid-Term - One Trail/Five Cities
 - * Mid to Long-Term - Complete the remaining gap
 - * Long-Term - World-Class destination trail

Short-Term - Safe Crossings:

- Crooks Road (Rochester Hills)
- Orchard Lake Road (Sylvan Lake)
- Dequindre Road (Rochester)
- Pushing the Road Commission for Oakland County (RCOC) to improve crossings
- Islands or HAWK
- UPS Foundation Grant plus FCRT Funds for Orchard Lake
- Working with Oakland County Planning and Rochester on Dequindre Crossing

Mid-Term - Unify Clinton River Trail - One Trail/Five Cities:

- Growing state-wide interest in trails
- Our communities ideally positioned

A map of railroad lines as they existed in 1876 was displayed, along with a map noting proposed trails. Governor Rick Snyder wants to bolster the state's existing trails, connecting several stretches to create a single, 599-mile stretch from Belle Isle in Detroit to Wisconsin.

Connections - The Great Lake-to-Lake Trails:

- 260-plus Mile Route
- Links 15 existing trails
- Kellogg Foundation Funding
- Started in 2007
- Route 1 - South Haven to Port Huron

Crossroads:

- The Key Link in Southeast Michigan's Trail Network

Mid-Term - One Trail/Five Cities:

- Enormous potential return from trails
 - * Quality of Life
 - * Healthy Communities
 - * Lasting Legacy
 - * Economic Development

He noted that there are three types of users: local users, day-trippers, and overnigheters. He explained that local users spend no money as they use the trail strictly for recreation, day-trippers may visit and stop for lunch, and overnigheters travel on longer trails and may stop for lodging. He noted that the longer a trail is, the more economic value to the community it provides.

Look and Feel:

- Addresses Many Goals
 - * Short Term - Proper Crossing Signage
- Mid-Term
 - * Coherent Branding; Invites Economic Activity
- Long-Term
 - * Tie to State Trails; World-Class Identity
- Fully Funded by FCRT
 - * \$18,000 Investment

Specific Tasks:

- Develop design guidelines that establish a consistent look and feel along the trail and meet regulatory requirements
- Create a "signature" look yet allow flexibility for each community to customize
- Build consensus between all stakeholders and promote community interaction - "process" very important
- Leverage CRT benefits - Quality of Life, Healthy Communities, Town and Country Legacy, Economic Development - in a WORLD CLASS way

Partners:

- Funded by: Friends of the Clinton River Trail
- Consultants: Landscape Architects & Planners, Inc. (LAP); Michigan State University
- Project Support: Oakland County Michigan - Economic Development & Community Affairs
- Community Support and Participation: City of Sylvan Lake; Bloomfield Township; City of Pontiac; City of Auburn Hills; City of Rochester Hills; and City of Rochester

Timeline:

- Internal FCRT Brainstorming Session - Spring 2008
- Public Visioning Session - August 2008. Facilitated by Michigan Trails and Greenway Alliance

Results of a survey by the FCRT trail were presented, indicating the most desirable trail amenities for users.

Timeline - Public Visioning Session - August 2008:

- Issued Request for Proposals - December 2009
- Reviewed Proposals, Contracted LAP - February 2010
- Trail Walk and Talk - April 19, 2010
- Stakeholders Meeting - June 11, 2010
- Work Session Meeting - July 13, 2010
- Friends Group Review Meeting - September 30, 2010
- Stakeholders Review Meeting - November 4, 2010
- Final Report - December 7, 2010
- Incorporate "Look and Feel" in Parks Master Plans - 2011/2012

Meeting 1:

- What do you think is unique about your community?
- What do you like or admire about your adjacent communities?
- What do you consider to be "world class"?

Meeting 2:

- Based on the discussion from the first stakeholder meeting, the group reviewed 60 images and provided feedback:
 - * Which parts of the image do you like?
 - * Which parts of the image don't you like?
 - * Why?

Sample branding images were displayed, along with proposed trail amenity designs for markers, information kiosks, proposed trail gateways, proposed road crossing signs, monument signs and map boxes. Based on the sample images, an initial round of prototyping of signs was prepared.

Results:

- FCRT purchasing two full-scale prototypes
- Will install at Crooks Road Crossing
- Sample Wayfinding Map
- Amenity Location Recommendations
- Comprehensive Information Available
 - * LAP Guidelines Report
 - * Recommended Amenity Locations - Oakland County Planning Document
 - * Potential Vendor Cost Estimates

Summary:

- FCRT's Look and Feel Project Provides
 - * Unique Identification and Branding for CRT
 - * Complete Documentation of Regulatory Signage - Location, Size, Style
 - * Recommended Amenity Locations
 - City by City
 - Reviewed and Supported by City Staff
 - * Costing Information, Multiple Quotes
 - * Engineering and Fabrication Details
 - * Purchase of Two Full-Scale Prototypes
 - * Identification of Potential Grant Source

Bottom Line:

- FCRT has Invested \$33,000 for Design, Consensus Building, Engineering and Prototyping
- FCRT Believes the Look and Feel Project Reflects Community Desires, Has Support of Local Stakeholders and Takes a Leadership Role in State-Wide Trails
- FCRT Encourages Council to Support a Resolution for City Staff to Pursue Grant Funding to Implement Trail Amenities

More Information:

- Fred Phillips, President - Friends of the Clinton River Trail;
info@clintonrivertrail.org
- Kristen Wiltfang, Planner - Oakland County Planning; wiltfangk@oakgov.com;
248-975-4267

Council Discussion:

Mr. Yalamanchi noted that he has had an opportunity to hear the presentation at the Paint Creek Trailways Commission meeting. He thanked the FCRT members for their efforts.

Presented.

2013-0054 Request for Support to submit a Grant Application to the Michigan Department of Natural Resources for the Clinton River Trail Look & Feel Project

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

Tara Presta, Chief Assistant and **Mike Hartner**, Director of Parks and Forestry, were in attendance.

Mr. Hartner noted that the Friends of the Clinton River Trail (FCRT) is a group that has provided great financial support. He stated that the application deadline for the Michigan Land Trust Grant Program is April 1, 2013. He explained that each of the three individual communities must present its own project; however, the projects will be coordinated for continuity. He mentioned that Ms. Presta will coordinate the application process.

Ms. Presta noted that the grant program seeks groups that have a connection, collaboration and partnership. She commented that the proposed project should put the FCRT in a good position for consideration of a grant; and stated that should the program choose not to fund one portion of the project, another portion could still be chosen for funding.

Mr. Hartner recognized the efforts of Oakland County Planner Kristin Wiltfang.

Mr. Yalamanchi and **Mr. Kochenderfer** each expressed their congratulations to staff and the FCRT for their work, noting that the Grant Program provides a way for development with limited resources.

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

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

Absent 1 - Klomp

Enactment No: RES0028-2013

Whereas, one of the goals and objectives of the City of Rochester Hills Parks and Recreation Master Plan 2011-2015 includes the implementation of the Friends of the Clinton River Trail Look & Feel project; and

Whereas, this project is in the City's Capital Improvement Plan (CIP #PK-10D) and will improve the trail by providing information and way-finding signage and will also enhance the community identity associated with the trail.

Whereas, the Friends of the Clinton River Trail has developed a Look & Feel master plan to supplement the Clinton River Trail Master Plan. They have met many times going back to August 2008 when they held a public visioning session to receive input and in December 2012 produced their final report on the Look & Feel project; and

Whereas, the implementation of the Look & Feel project will provide the installation of signage, way-finding and trail amenities along the Clinton River Trail in Rochester Hills; and

Whereas, construction is planned to begin in 2014; and

Whereas, the grant application deadline is April 1, 2013.

Be It Resolved, that Rochester Hills City Council does hereby support the application for a grant to the Michigan Department of Natural Resources Trust Fund Program for a grant request totaling \$31,250 to provide funding for this development.

Be It Further Resolved, that the Mayor or his designee is authorized to execute the application on behalf of the City.

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.

2013-0048 Approval of Minutes - City Council Regular Meeting - January 14, 2013

Attachments: [CC Min 011413.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0029-2013

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 14, 2013 be approved as presented.

2013-0057 Approval of Minutes - City Council Regular Meeting - January 28, 2013

Attachments: [CC Min 012813.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0030-2013

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 28, 2013 be approved as presented.

2013-0056 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for water service repair parts in the amount not-to-exceed \$34,000.00 through December 31, 2013; ETNA Supply Company, Grand Rapids, MI (Primary); S.L.C. Meter Service, Davisburg, MI (Secondary)

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0031-2013

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to ETNA Supply Company, Grand Rapids, Michigan as primary vendor and S.L.C. Meter Service, Davisburg, Michigan as secondary vendor for water service repair parts in the amount not-to-exceed \$34,000.00 through December 31, 2013.

Passed the Consent Agenda

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

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

Absent 1 - Klomp

ORDINANCE FOR ADOPTION

2008-0663 Acceptance for Second Reading and Adoption - An Ordinance to amend Chapter 118, Historical Preservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to add a portion of the non-contiguous Historic District identified as 6841 and 6875 N. Rochester Rd. and to repeal conflicting Ordinances and prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Ordinance Exhibit A.pdf](#)
[012813 Agenda Summary.pdf](#)
[121012 Agenda Summary.pdf](#)
[Adopted Final Report National Twist Drill\[1\].pdf](#)
[Proposed Reduced District Map.pdf](#)
[Minutes HDC Public Hearing 111512.pdf](#)
[Letter G Obloy 111512.pdf](#)
[JFrench Ltr of Support.pdf](#)
[ESwanson Ltr of Support.pdf](#)
[DGrimes Ltr of Support.pdf](#)
[KGrimes Ltr of Support.pdf](#)
[Twist Drill staff report 110812.pdf](#)
[Draft FINAL REPORT National Twist Drill 110112.pdf](#)
[SHPO comments 103112.pdf](#)
[Minutes PC 091812.pdf](#)
[Memo Breuckman 091412.pdf](#)
[Minutes HDSC 091312.pdf](#)
[Draft PRELIMINARY REPORT 090612.pdf](#)
[Twist Drill Survey Sheets.pdf](#)
[Map Aerial.pdf](#)
[CC Agenda Summary 081312.pdf](#)
[Mozer Request 072612.pdf](#)
[2008 Draft Preliminary Report Twist Drill.pdf](#)
[Proposed District Map.pdf](#)
[Minutes HDSC 060911.pdf](#)
[Minutes HDSC 120910.pdf](#)
[Minutes HDSC 031110.pdf](#)
[MEMO 030310 HDSC Action Taken.pdf](#)
[Minutes HDSC 011410.pdf](#)
[MEMO 010410 Kidorf Opinion.pdf](#)
[Minutes HDSC 121009.pdf](#)
[Minutes HDSC 111209.pdf](#)
[Minutes HDSC 091009.pdf](#)
[Minutes PC 061609.pdf](#)
[Minutes HDC HDSC CC 032309.pdf](#)
[Minutes HDSC 031209.pdf](#)
[HDSC Update Mem 110409.pdf](#)
[HDSC Memo 030509.pdf](#)
[Mozer Letter 101507.pdf](#)
[121012 Resolution.pdf](#)
[012813 Resolution.pdf](#)
[Resolution.pdf](#)

Public Comment:

Brandon Noll, representing 6841 North Rochester Road, stated that Fred Ferber, owner of that portion of the property, remains in objection to the historic designation and wishes for the property to be removed from the list of potential historic sites.

Eric Mozer, 182 Bedlington, Trustee of the Reinhold J. Mozer Trust, requested Council not allow the designation to proceed. He commented that his father requested this property be removed from the potential list ten years ago. He

commented that his father has spent much money on this building, and has replaced all of the windows in the part being considered for historic status. He mentioned that the go cart track business has now closed.

Greg Obloy, 411 Andover Road, Bloomfield Hills, stated that on behalf of the Corporate Park of Rochester Hills, he opposes the designation. He commented that at each meeting he has attended, only one or two residents speak for the designation, and the two owners speak vehemently against it. He mentioned that when there is a grass roots support for an ordinance, customarily hundreds of residents will support it; and pointed out that there is no support here. He likened the designation to a taking without compensation and commented that preserving the two acre portion of the front of this property will not result in a development that will provide the best return for the residents of the area. He stated that the Planning Commission voted unanimously against the historic district.

President Hooper stated that the resolution of the Planning Commission was that they reviewed the Historic Districts Study Committee report regarding creation of a locally-designated historic district at the National Twist Drill site and determined that the listing will have an impact on the property with respect to the City's Master Land Use Plan and any other development-related issues. He noted that the Public Comment in regards to the Planning Commission meeting was not accurate. .

A motion was made by Tisdel, seconded by Kochenderfer, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

Aye 6 - Hooper, Kochenderfer, Rosen, Tisdel, Webber and Yalamanchi

Absent 1 - Klomp

Enactment No: RES0032-2013

Resolved, that an Ordinance to amend Chapter 118, Historical Preservation of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add a portion of the non-contiguous Historic District identified as 6841 and 6875 N. Rochester Rd. and to repeal conflicting Ordinances and prescribe a penalty for violations thereof is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, February 18, 2013, the day following its publication in the Oakland Press on Sunday, February 17, 2013.

2013-0045 Acceptance for Second Reading and Adoption - an Ordinance to amend Sections 54-34, 54-54, 54-56, 54-470, 54-587, 54-588, 54-589, 54-590, 54-591, 54-621, 54-711, 54-742, 54-748, 54-776 and delete Sections 54-35 and 54-622 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for certain copy costs, GIS data and maps, Museum use, and miscellaneous services, and to repeal conflicting or inconsistent Ordinances

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[012813 Agenda Summary.pdf](#)
[012813 Resolution.pdf](#)
[Resolution.pdf](#)

A motion was made by Yalamanchi, seconded by Rosen, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

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

Absent 1 - Klomp

Enactment No: RES0033-2013

Resolved, that an Ordinance to amend Sections 54-34, 54-54, 54-56, 54-470, 54-587, 54-588, 54-589, 54-590, 54-591, 54-621, 54-711, 54-742, 54-748, 54-776 and delete Sections 54-35 and 54-622 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for certain copy costs, GIS data and maps, Museum use, and miscellaneous services, and to repeal conflicting or inconsistent Ordinances, is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, February 18, 2013, following its publication in the Oakland Press on Sunday, February 17, 2013.

2013-0046 Acceptance for Second Reading and Adoption - an Ordinance to add Section 110-439 to Chapter 110 Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to charge a fee for Zoning verification and Zoning compliance review, repeal conflicting Ordinances and prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[012813 Agenda Summary.pdf](#)
[012813 Resolution.pdf](#)
[Resolution.pdf](#)

A motion was made by Yalamanchi, seconded by Webber, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

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

Absent 1 - Klomp

Enactment No: RES0034-2013

Resolved, that an Ordinance to add Section 110-439 to Chapter 110 Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to charge a fee for Zoning verification and Zoning compliance review, repeal conflicting Ordinances and prescribe a penalty for violations, is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, February 18, 2013, following its publication in the Oakland Press on Sunday, February 17, 2013.

NEW BUSINESS

2010-0346 Request for Final Preliminary Plat Approval - Vistas of Rochester Hills (formerly Rochester Meadows), a 47-lot subdivision located on 22 acres (Parcel Nos. 15-23-201-006, 15-23-201-010, 15-23-201-011 and 15-23-201-012) on the south side of Avon between Rochester and John R, zoned R-3, One-Family Residential, Rochester Meadows Real Estate LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[FPP Plans.pdf](#)
[Minutes PC 011513.pdf](#)
[PHN FPP 011512.pdf](#)
[101810 Agenda Summary.pdf](#)
[Staff Report FPP Re-approval.pdf](#)
[Staff Report 100510.pdf](#)
[Landscape Plans.pdf](#)
[Back up Documents.pdf](#)
[Minutes PC 100510.pdf](#)
[Minutes PC 102009.pdf](#)
[Minutes PC 032106.pdf](#)
[101810 Resolution.pdf](#)
[Resolution.pdf](#)

Ed Anzek, Director of Planning and Economic Development, stated that a reapproval is required for the plat, which was given its preliminary final approval in 2010. The previous plat went to the State to begin the final plat process, and was subsequently denied as it was a week or two beyond the two-year timeframe required. He explained that a reapproval is required to refresh the date in the process. He pointed out that in accordance with newly-passed Legislation, the Planning Commission was required to provide public notice; and subsequently heard resident input and recommended additional conditions including a green screening wall to mitigate the residents' views of the retention basin and surrounding wall. He explained how an arborvitae wall would be installed, and noted that in lieu of turf block, quality topsoil would be placed and leveled with seed and mulch. He noted that the conditions were modified to reflect this change.

Public Comment:

Warren Degrendel, 695 Tewksbury, stated that a meeting held on January 25th to discuss the retention basin yielded a solution that meets with his approval. He thanked Council for its efforts in facilitating a resolution.

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

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

Absent 1 - Klomp

Enactment No: RES0035-2013

Resolved, that the Rochester Hills City Council hereby approves the Final Preliminary Plat for Vistas of Rochester Hills, a 47-lot subdivision on 22 acres, Parcel Nos. 15-23-201-006, 15-23-201-010, 15-23-201-011 and 15-23-201-012, located on the south side of Avon, east of Rochester Rd., zoned R-3, One-Family Residential, Rochester Meadows Real Estate LLC, Applicant, based on plans dated received by the Planning and Economic Development Department on June 22, 2010, with the following findings and conditions:

Findings:

1. The Final Preliminary Plat is consistent with the street and lot layout of the previously approved Final Preliminary Plat.
2. The Final Preliminary Plat conforms to all applicable City ordinances, standards, regulations and requirements.

Conditions:

1. Provide a cash bond in the amount of \$11,058.00 for transplanting trees, prior to Final Plat Approval.
2. Provide a performance guarantee in the amount of \$116,856.00, as adjusted if necessary by Staff, to ensure the proper installation of replacement trees and other landscaping, prior to Final Plat Approval.
3. Payment by the applicant of \$9,400.00, as adjusted if necessary by Staff, for one street tree per lot. Such payment to be provided prior to issuance of a Land Improvement Permit.
4. Planting of arborvitaes along the north edge of the access drive to the retention basin, in accordance with the recommendations of the City's Forestry Manager, prior to Final Approval by Staff.
5. Install topsoil and seed on top of existing rip rap on the access drive, within conformance of the drawings.

The following four (4) Legislative Files are related to Clear Creek Subdivision No. 5

- 2013-0049** Acceptance of Seventh Amendment to the Declaration of Easements, Covenants, Conditions and Restrictions for Clear Creek Community, located north of Tienken and east of Sheldon; Kay Clear Creek, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Seventh Amendment to Declaration.pdf](#)
[Resolution.pdf](#)

Jim Breuckman, Manager of Planning, noted that after five years, this phase is coming for Final Plat approval. He noted that all documents were reviewed, covenants and restrictions, stormwater agreement, and Final Plat were all updated, and approval is recommended. He explained that Roger Moore, Professional Surveyor, reviewed the plats and has also recommended approval subject to the completion of a punch list. He mentioned that the number of lots has been reduced from 58 to 57 as Placid Court was reconfigured to accommodate some gas infrastructure in the area.

Mr. Kochenderfer mentioned that while he lives in Clear Creek Subdivision, he has no connection to the project.

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

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

Absent 1 - Klomp

Enactment No: RES0036-2013

Resolved, that the Rochester Hills City Council hereby accepts the Seventh Amendment to the Declaration of Easements, Covenants, Conditions and Restrictions for Clear Creek Community, City File No. 89-156.5, incorporating the final phase of the development in conformance with the Final Plat.

Be it Further Resolved, that the applicant shall forward an executed and recorded copy of the Declaration to the City.

2013-0050 Request for Approval of the Fourth Amended Agreement for Subdivision Open Space for Clear Creek Subdivision No. 5; Kay Clear Creek, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Fourth Amendment to Open Space Plan.pdf](#)
[Resolution.pdf](#)

See Legislative File 2013-0049.

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

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

Absent 1 - Klomp

Enactment No: RES0037-2013

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby approves the Clear Creek Subdivision Fourth Amended Agreement for the Subdivision Open Space Plan, to add land contained within Clear Creek Subdivision No. 5, City File No. 89-156.5, subject to insertion of the Liber and page numbers for the Third Amended Agreement prior to execution by the City.

Be It Further Resolved, that the Mayor and City Clerk are authorized to execute and deliver the Agreement on behalf of the City of Rochester Hills.

2013-0052 Request for Approval of the Fourth Amended Agreement for Storm Water Detention Ponds for Clear Creek Subdivision No. 5; Kay Clear Creek, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Fourth Amend to Storm Water Detention Pond.pdf](#)
[Resolution.pdf](#)

See Legislative File 2013-0049.

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

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

Absent 1 - Klomp

Enactment No: RES0038-2013

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby approves the Storm Water Detention Ponds Fourth Amended Agreement, an agreement relative to the use and maintenance of the detention facilities in Clear Creek Subdivision, City File No. 89-156.5, subject to insertion of the Liber and page numbers for the First, Second and Third Amended Agreements prior to execution by the City.

Be It Further Resolved, that the Mayor and City Clerk are authorized to execute and deliver the Agreement on behalf of the City of Rochester Hills.

- 2011-0495** Request for Approval of Final Plat - Clear Creek Subdivision No. 5, the fifth phase of a 264-lot subdivision totaling 58 lots on 56 acres, located north of Tienken and east of Sheldon, Parcel No. 15-02-200-015, zoned R-1, One Family Residential, Kay Clear Creek, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[Clear Creek 5 Final Plat.pdf](#)
[Letter Moore 012913.pdf](#)
[010912 Agenda Summary.pdf](#)
[Plat Plans.pdf](#)
[Staff Report 010312.pdf](#)
[Back Up Information.pdf](#)
[Minutes PC 010312.pdf](#)
[Suppl Engineering Memo.pdf](#)
[Public Hearing Notice.pdf](#)
[010912 Resolution.pdf](#)
[Resolution.pdf](#)

See Legislative File 2013-0049.

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

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

Absent 1 - Klomp

Enactment No: RES0039-2013

Resolved, that the Rochester Hills City Council hereby approves the Final Plat for Clear Creek Subdivision No. 5, the fifth phase of a 263-lot subdivision totaling 57 lots on 56 acres located north of Tienken, east of Sheldon, Parcel No. 15-02-200-015, zoned R-1, One-Family Residential, based on the Final Plat dated received by the Planning and Economic Development Department on January 18, 2013 and subject to submittal of all required performance guarantees, fees and other requirements that must be met prior to release of the Mylar, in accordance with the provisions in the attached letter from Roger Moore, DPS/Engineering dated January 29, 2013.

- 2013-0063** Request for Authorization to develop the first-ever Rochester Hills Community Garden at Wabash Park

Attachments: [Agenda Summary.pdf](#)
[Proposed Structure Memo.pdf](#)
[Community Garden Documents.pdf](#)
[Resolution.pdf](#)

Mayor Barnett stated that over the last two years, he began to investigate the possibilities of creating a community garden in Rochester Hills. He noted that during his visit to Germany in 2011, he saw many community gardens throughout Europe and commented that the gardens have been integrated into the European culture. He noted that two groups of individuals have been instrumental in

promoting the concept; the seniors from the Older Persons' Commission and Rochester Hills Government Youth Council members are passionate about pursuing a community garden. He stated that meetings were held with Dinosaur Hill Nature Preserve leadership, as they help coordinate the City of Rochester's garden, which is located in between their Department of Public Works Facility and Dinosaur Hill. He commented that Rochester is already talking about expanding their program.

He explained that the location selected is in Wabash Park, as the garden would be centrally located and near a high concentration of apartments and condominiums. He pointed out that the park is open, flat and accessible, and has been underutilized. The park property already has a developed parking lot and an underutilized playground. The Administration proposes a phased project, with a Phase 1 amount of \$30,000 needed. He stated that the Administration plans to engage partners in the community, including garden groups and associations, along with the RHGYC. A formal request will be submitted to the Rochester Rotary Club to encourage their engagement as well. Four-by-four foot plots will be leased to residents of the community, and the garden will be managed by Dinosaur Hill Nature Preserve. A list will be developed on plants that are permitted.

***Mike Hartner**, Director of Parks and Forestry, noted that research yielded a book, written by Mel Bartholomew, which provided information on the development of a garden consisting of four-by-four boxes filled with peat moss and vermiculite. He commented that this method can yield the same quantities of produce in approximately twenty percent of the space of a traditional garden. The garden will have several raised handicap-accessible beds, and pathways will have the same surface as is used on the Clinton River Trail. The pilot program will have room for expansion.*

***Mayor Barnett** noted that a final list of regulations for the garden have yet to be spelled out.*

***Tara Presta**, Chief Assistant, stated that her role is to identify funding sources for the garden and Council's support would bolster the grant application process. She commented that companies and businesses want to support the initiative, and commented that Home Depot, Scott's Miracle Grow, and the Brooksie Way Mini-Grant Program have been approached. She mentioned that RecycleBank has agreed to provide a \$2,500 grant to fund the start up phase.*

***Mayor Barnett** commented that the City is "Innovative by Nature" and is presenting something that it can deliver as a new recreational opportunity for its residents.*

Public Comment:

***Ruthann Bajorek**, 64 Cross Creek, stated that while she wants to support the project, she is not happy with plans for a four-by-four foot plot. She stated that she is a volunteer gardener at Meadow Brook Hall and is involved with Rochester's community garden and would recommend a larger plot. She noted that Rochester's garden features four-by-eight foot plots.*

Ella Steele, 230 Randolph, noted that she is an Advanced Master Gardener, and commented that gardens create a community where gardeners get together, exchange ideas and socialize. She stated that a proposed fee of \$30 is too much for a four-by-four foot square plot. She mentioned that the four-by-four foot square plot is an alternative style of gardening best suited to someone with no options for space and is not practical for sprawling vegetables. She noted that Mr. Bartholomew's book recommends that small plot gardens be placed by back doors where gardeners can attend to them every day. She commented that the First Congregational Church has installed four-by-twelve foot beds and finds it difficult to contain vining plants. She stated that recommendations are that the soil be replenished throughout the season and she hopes that it will be an organic garden.

Lee Zendel, 1575 Dutton Road, stated that the resulting cost will be approximately \$100,000 and questioned where the funding would come from. He commented that he supports the idea of a community garden; however, there should be conditions imposed on the users of plots. He noted that it should be a condition of plot rental that all materials used should be certified Organic by the Organic Materials Review Institute (OMRI), and no herbicides, commercial composts or manure composts should be permitted.

Michelle Thorpe, Rochester Hills Government Youth Council (RHGYC) Representative, stated, that the RHGYC fully supports the proposed project. She commented that RHGYC members are looking forward to having a plot.

Scot Beaton, 655 Bolinger, stated that he wholeheartedly supports the idea; however, he questions whether the residents of the neighborhood surrounding the park have been consulted. He suggested that 24-hour surveillance be included and commented that an online webcam could be incorporated.

President Hooper questioned whether the neighboring owners have been contacted.

Mayor Barnett responded that the neighborhood has no formal association; and noted that staff has discussed how to introduce the project to the neighborhood. He mentioned that the park is used now as a place for pick-up soccer games.

Mr. Hartner explained that the park property was originally a community well site. He noted that at one time, ice rinks were built and a Frisbee golf course was developed. He commented that the playground is getting some use and stated that developing the park for a good use is a good way to push out any undesirable use of the property.

President Hooper suggested that a community meeting be held. He questioned whether the garden will be deemed for organic materials only.

Mayor Barnett responded that the garden would be modeled after Rochester's garden, which is organic. He stated that a water source will be brought in to the site. He commented that while the cost is still a guess, the Administration believes that the garden can be developed for much less than the amount proposed.

President Hooper questioned whether once the City provides the land and the structural improvements, the garden will be run by Dinosaur Hill and the City will not be required to provide any additional support.

Mayor Barnett responded that a definitive operating agreement will be brought forward for Council's review. He stated that it is the Administration's goal to have a garden in by Memorial Day this year.

President Hooper questioned whether the proposed four-by-four foot plot size is too small.

Mr. Hartner responded that the plants will not be grown in topsoil, and commented that the existing ground is solid clay. He explained that the beds will be raised up off of the surface, built up with six inches of peat moss, vermiculite and blended compost, and can be hand-watered, avoiding the need for any irrigation system.

Mayor Barnett noted that while the City has done some research on optimum plot size, he is open to continued discussions with Dinosaur Hill.

President Hooper suggested that a combination of sizes be available.

Council Discussion:

Mr. Yalamanchi suggested that individuals could collaborate on larger size plots and mentioned that a well could be considered for a water source. He questioned how the garden would be fenced and how Dinosaur Hill would manage the garden.

Mr. Hartner responded that a 7-1/2 foot fence is planned. He stated that Dinosaur Hill has an advisory board to review and set policies.

Mr. Yalamanchi questioned whether any other City properties could be utilized, such as Van Hoosen Farm.

Mr. Hartner responded that there is a garden on the Farm site already. He added that they have bees there that could interfere with garden activities.

Mayor Barnett commented that there will also be a push to encourage businesses to add plots to their parking lots and entranceways.

President Hooper questioned whether leasing garden plots would violate the Parks Charter Amendment.

Mayor Barnett responded that the concept has been reviewed by City Attorney John Staran and he indicated that gardeners would not be allowed to sell the produce they grow, as it would change the underlying zoning to agricultural. He stated that gardeners can consume or donate their yield. He commented that the short-term rental of plots would not violate the Parks Charter Amendment.

Mr. Kochenderfer questioned whether there is an estimate of annual maintenance costs once the infrastructure is in place.

Mayor Barnett responded that maintenance costs should be relatively minor once set-up is complete and stated that estimates based on neighboring gardens range from \$5,000 to \$7,000 at the high end. He explained that Rochester's budget for their garden is approximately \$3,000 per year. He noted that the water bill should be similar to that for a park drinking fountain.

Mr. Hartner added that watering costs could be several hundred dollars a year.

Mr. Kochenderfer questioned whether other communities with community gardens have been consulted as to how feasible a four-by-four foot garden will be.

Mayor Barnett mentioned that Raising Rochester, a group supported by Kidz First Pediatrics and Dr. Jay Mitchell, has a goal to encourage the development of over a 1,000 gardening beds throughout the community. He stated that the Administration's research indicates that this style of gardening can be successfully done. He commented that while the concerns mentioned today during Public Comment are valid, the four-by-four foot type of garden has been recommended by other experts.

Ms. Presta responded that Dinosaur Hill would create an educational program with information provided on square foot gardening.

Mr. Tisdell suggested that Dinosaur Hill be asked to attend a Council meeting to answer any questions. He commented that Council is being asked to give a green light to the project to demonstrate its support to some of the business partners that are being asked for financial assistance.

Ms. Presta stated that approval is requested for \$30,000; and the Administration intends to bring the project in under budget securing sponsors and partners.

Mr. Webber commented that while he has concerns over the cost, and the details have yet to be worked out, he supports the garden concept as it can provide a great benefit to the community.

Mr. Yalamanchi stated that while there is nothing wrong with a four-by-four foot garden plot, he would suggest the Administration also consider an eight-by-eight foot plot to allow for collaboration.

Mayor Barnett responded that Rochester began with a 42-plot garden in 2011 which sold out. He noted that last year they had 97 plots; and this year, they will be adding 42 more.

Mr. Rosen commented that the garden should be kept in the context of recreation and should not be considered as a business. He requested costs be kept as low as possible.

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

Aye 6 - Hooper, Kochenderfer, Rosen, Tisdel, Webber and Yalamanchi

Absent 1 - Klomp

Enactment No: RES0040-2013

Whereas, community gardens are any piece of private or public land where plants are grown and maintained by a group of individuals in the community. Community gardens often produce food for individual consumption, but may produce food for donation to a local food pantry; and

Whereas, community gardens make a significant contribution to the civic and cultural life of communities and create gathering places that bring people together; and

Whereas, community gardens provide positive attributes as green spaces: they beautify areas, and build a sense of community among neighbors; and

Whereas, community gardens contribute to the preservation, access to, and use of open space, vacant lots, and public parks; and

Whereas, community gardens empower residents to become more active in their communities, cultivating volunteers and leaders who come together to preserve open space and create gardens for the benefit of present and future generations.

Whereas, community gardens educate residents about land stewardship, providing an informal classroom for children and adults to learn skills caring for the natural environment.

Now Therefore Be It Resolved, that the Rochester Hills City Council supports the development of the city's first-ever sustainable community gardens at Wabash Park and authorizes the initial funding of \$30,000 for the development of the Wabash Community Garden.

Be It Further Resolved, that upon approval, the Mayor and Administration will prepare an agreement with Dinosaur Hill on an operational plan to be approved by the City Council.

NOMINATIONS/APPOINTMENTS

2013-0065 Appointment of City Clerk

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

President Hooper noted that 24 applications were received for City Clerk subsequent to the announcement of Jane Leslie's retirement and the posting for the position. He explained that 14 applicants met the criteria for the position; and the City Clerk Search Committee consisting of himself, Mr. Webber, Mr. Tisdel, Mayor Barnett and Keith Sawdon, Finance Director, selected eight for initial interviews. The process was facilitated by Pamela Gordon, Director of Human Resources, and all meetings were held in compliance with the Open Meetings Act. Subsequently,

four finalists were chosen, including two internal and two external candidates. The finalists were interviewed at the Special City Council Meeting this afternoon.

Council Discussion:

Mr. Yalamanchi thanked the four candidates participating in today's interview process and stated that he was impressed with all four.

Mr. Webber expressed his appreciation to Ms. Gordon and the Human Resources team for their organization of the process.

Mr. Rosen thanked the candidates that were interviewed today and stated that he wished to make a nomination.

Mr. Tisdell expressed his appreciation to Ms. Gordon and stated that it was a very simple and efficient process. He commented that the quality of the applicants that responded to the posting was exceptional, and he spoke to the high regard that individuals in the clerking community hold for the City of Rochester Hills.

Mr. Kochenderfer stated that he has been a part of many hiring processes and commented that he has not seen one that has been more organized and professional than this one.

President Hooper commented that this is a difficult decision for him, as it is his opinion that any of the four candidates would serve the City well. He stated that any vote on his part is not a vote against anyone; it is a vote for the best qualified candidate.

President Hooper Opened the Floor For Nominations.

Mr. Rosen stated that his nomination is that of a candidate who recognizes the importance of maintaining the City's institutional memory long into the future. He noted that the candidate he wishes to nominate is one who has been, and who will likely continue to be innovative in performing and developing election and record keeping processes for their efficiency and effectiveness. He commented that the candidate he chooses to nominate has a high regard for the city's residents and businesses, and is one who has undertaken and completed difficult projects for the Clerk's office. He stated that this candidate has indicated that she will undertake the development of a strategic plan for the Clerk's office with a view for the future. He nominated **Susan Galeczka**.

Mr. Webber stated that the Clerk is responsible for some of the most important functions of a City government, including records retention, the election process, and customer service. He nominated **Tina Barton**.

Mr. Tisdell mentioned that the scoring and ranking process during the initial series of interviews yielded a first-place candidate and a three-way tie for second.

He commented that there was a great difference in scoring between the first place candidate and the rest. He concurred with the nomination of Tina Barton.

Seeing No Further Nominations, President Hooper Closed the Floor for Nominations.

Mr. Kochenderfer stated that any of the four interviewed candidates were qualified to serve, and commented that Council must select that unique candidate with broad and deep experience in all areas. He noted that Ms. Barton has both broadness and depth to her qualifications.

Mr. Yalamanchi noted that the interview process was a good exercise and yielded one candidate that he strongly wishes to support.

President Hooper mentioned that all four candidates showed great strength, and commented that his decision comes down to selecting the best possible candidate.

Council voted for the candidates as follows:

Tina Barton: President Hooper, Mr. Webber, Mr. Kochenderfer, Mr. Tisdell and Mr. Yalamanchi

Susan Galezka: Mr. Rosen

President Hooper noted that **Tina Barton** would be appointed to the position of City Clerk.

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

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

Absent 1 - Klomp

Enactment No: RES0041-2013

Resolved that the Rochester Hills City Council hereby appoints Tina Barton to fill the position of City Clerk.

COUNCIL COMMITTEE REPORTS

None.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, March 4, 2013 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:25 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*SUSAN GALECZKA, Acting City Clerk
City of Rochester Hills*

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

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