



Rochester Hills

Minutes

City Council Regular Meeting

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

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

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

Monday, April 20, 2009

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:05 p.m. Michigan Time.*

ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor
Ron Crowell, Fire Chief/Emergency Management Director
Paul Davis, City Engineer
Kurt Dawson, Director of Assessing/Treasury
Sara Etienne, Rochester Hills Government Youth Council Representative
Calvin Leach, Sexton
Jane Leslie, City Clerk
Roger Rousse, Director of DPS/Engineering
Keith Sawdon, Director of Finance
Paul Shumejko, Transportation Engineer
John Staran, City Attorney*

*Councilman James Rosen provided prior notice that he would not be in attendance
at this meeting.*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Yalamanchi, seconded by Brennan, that the Agenda be Approved as Amended to Remove Legislative File 2009-0163, Update on the City's Five-Year Financial Forecast and Legislative File 2009-0164 Adoption of the Fiscal Year 2010 City Council Goals and Objectives; and to Add Legislative File 2009-0168 Receive and File Information Regarding Emergency Purchase Relative to Sanitary Sewer Repair on Fair Oak Drive under New Business. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

PUBLIC COMMENT

Leonard Raffler, 921 West Auburn Road, stated that concerns he had regarding the assessment of a garage on his property were not yet resolved. He indicated that City assessing records did not reflect the garage's actual construction.

Mayor Barnett requested that Kurt Dawson, City Assessor, meet with Mr. Raffler in the conference room during the meeting to discuss his concerns.

Noelle O'Neill, 3640 Winter Creek, expressed concern that road noise in her neighborhood would increase as a result of the M-59 Widening Project and asked for Council's support in requesting a sound barrier for the location between John R and Joshua. She stated that sound ratings tests conducted by the Michigan Department of Transportation (MDOT) in 2006 did not take into account additional homes built since that time. She commented that she had spoken with Mark Sweeney, MDOT Representative, and he advised her to appeal to City Council to request an updated sound ratings test.

David Tripp, 960 East Tienken Road, expressed an apology for comments he made at a prior Council meeting accusing the Mayor and City Staff of withholding information from residents regarding proposed Tienken Road widening, noting that his statements were made based on information he received that was not entirely factual. He announced that the Friends of the Tienken Road Corridor is holding a public meeting regarding the proposed Tienken Road Widening Project on Wednesday, April 22, 2009, at 7:00 p.m. at Rochester Adams High School.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Brennan expressed his disappointment about the announcement that the Rochester Eccentric will cease publication with its last edition on May 31, 2009. He commented that while he did not always agree with the Eccentric's editorials regarding specific issues, the paper always reported local news and community issues thoroughly and successfully.

Mr. Ambrozaitis commented that all interested residents should attend the upcoming meeting regarding Tienken Road scheduled for April 22, 2009. He

thanked Mayor Barnett for directing Kurt Dawson to assist Mr. Raffler with his assessment concerns; and expressed his support for Ms. O'Neill's request that City Council ask the Michigan Department of Transportation (MDOT) for a revised sound ratings tests for M-59.

Sara Etienne, Rochester Hills Government Youth Council (RHGYC) Representative, announced that the RHGYC is hosting a 5k Run/Walk to Benefit Veterans with Traumatic Brain Injuries on Saturday, June 27, 2009, at Bloomer Park. She also reported that the RHGYC was organizing voter registration drives at high schools in the City.

Mayor Barnett thanked Mr. Tripp for his comments this evening and stated that the City would continue to work with residents, and the Friends of the Tienken Road Corridor group, regarding the future of Tienken Road. He requested that Paul Davis, City Engineer, provide information regarding M-59 sound barriers.

Paul Davis, City Engineer, stated he had requested that the Sound Barrier item be removed from the agenda after discussions with Mark Sweeney, MDOT Engineer, as the City will be receiving additional information. He commented that he would be contacting Ms. O'Neill to provide a status update to her regarding the sound barriers.

Mr. Ambrozaitis questioned whether there had been any consideration given to appropriate monies originally slated for M-59 construction to fund the third sound barrier, noting that the M-59 Widening Project was slated to receive Federal Stimulus funding.

Mr. Davis responded that MDOT originally estimated the M-59 Widening Project cost at \$67,000,000. In order to trim the project to \$60,000,000, the amount of the Federal Stimulus funding available, the two qualifying sound walls were eliminated from the Widening portion of the project, at an approximate cost per wall of \$4,500,000. He further noted that projects receiving Federal Stimulus monies were required to be "shovel-ready" and stated that the public participatory process required for sound wall projects would not allow MDOT to meet the July deadline for bid opening. He stated, therefore, that the sound walls would be treated as a separate project to allow MDOT to meet the deadlines for the Widening Project. He commented that the current estimate by MDOT for the Widening Portion of the project is below \$60,000,000. He noted that the City could request that the Sound Study be revised, with City funding of the revised Study; and subsequently, if an additional wall was deemed appropriate, request that MDOT add the additional sound wall location. He commented that the sound wall portion of the project could be funded through Federal Highway funds and Act 51, with the City contributing a 12.5 percent share. He cautioned, however, that the City could be required to pay the entire cost for a third sound wall. He further commented that MDOT stated that a revised study could change the criteria for the two areas currently qualifying for sound walls and could result in those two sound walls being deemed unnecessary, and consequently, not funded. He noted that once additional information was received, this item would be brought back to Council.

Mayor Barnett thanked Mr. Davis for his update and stated that he would keep Council informed of any new information the City receives regarding the M-59 Widening Project and the sound walls. He made the following announcements:

- The Clerk's Department will hold its Second Annual Passport Fair on Saturday, April 25, 2009, from 9:00 a.m. to 12:00 noon. He noted that new requirements for travel go into place on June 1, 2009 and residents were encouraged to use this time to apply for their passports.
- The Bowl-a-Thon sponsored by the City's Relay-for-Life team held on April 9, 2009 raised \$2,000.00.
- A Beach Party to benefit Relay-for-Life is scheduled for Friday, April 24, 2009, at the VFW Hall on Dequindre Road. Tickets are available at \$15 per person with all proceeds going to Relay for Life.
- A Benefit for the National Fallen Fire Fighter's Foundation will be held on Friday, May 1, 2009, at the Baskin Robbins located in Hampton Plaza on Rochester Road. The Fire Department will be serving scoops of ice cream for 31 cents each with proceeds going to the Foundation.
- City residents recycled 130 tons of materials in the first week of the City's Single Trash Hauler Program and 135 tons of materials in the Program's second week. He stated that residents should contact the City with any concerns about the program.
- He commented that City Staff will continue to work with Mr. Raffler to resolve his assessment concerns.
- He expressed his thanks and congratulations to the staff at the Rochester Eccentric for providing excellent community news coverage for many years.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

PRESENTATIONS

2009-0128 Proclamation in Recognition of the Rochester High School Competitive Cheerleading Team, Michigan High School Athletic Association 2009 State Champions

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

Mayor Barnett introduced Susan Wood, Coach of the Rochester High School (RHS) Falcon Cheer Team; and congratulated the Team for their win as Michigan High School Athletic Association Division One State Champions for 2009. He noted that the RHS Falcon Cheer Team has won State titles for 17 of the past 20 years.

Susan Wood, Coach of the RHS Falcon Cheer Team, stated that the team focuses each winter on training for the State Championships. She stated that the team, consisting in total of over 80 girls, has a great work ethic, builds team unity, serves as role models and has good sportsmanship in the community. She acknowledged Assistant Coaches Ginny Ames and Liz Gibson and thanked them for their assistance.

Presented.

Whereas, The Rochester Falcons captured the 2009 Michigan High School Athletic Association (MHSAA) Division One State Championship; and

Whereas, The varsity team consists of 30 members and three coaches, including head coach Susan Wood who has completed 28 years as the head coach.

Now, Therefore, Be It Resolved, that the Mayor and City Council of the City of Rochester Hills hereby express our admiration for the teamwork, commitment, cooperation and talent of the Rochester Falcons 2009 Division One Competitive Cheer State Champions, and express our thanks for the dedication of their coaching staff; and

Be It Further Resolved, that on behalf of the citizens of Rochester Hills, we express our pride in the accomplishments of the following athletes and coaches:

Allison Acciaioli	Sarah Mattingly
Keli Adamkiewicz	Alex McFee
Lindsay Allen	Katie Murri
Kaileigh Bianchini	Julia Musialowski
Amanda Brubaker	Christie Nelson
Aislinn Candido	Katelynn Niester
Zoe Eickholdt	Alex Papadelis
Allison Hawes	Megan Ross
Emily Hawes	Sam Sobie
Katie Jackson	Tierney St. Aubin
Katelyn Kapanka	Carly Szurek
Emily Kmiec	Holly Vizzaccero
Lindsay Konal	Heidi Weber
Jennifer Lee	Jessica Williams
Stephanie Marek	Sam Wright
Varsity Coach	Assistant Coaches
Susan Wood	Ginny Ames, Liz Gibson

2009-0162 Presentation of 2009 Community Heart Awards; Suzanne White, presenter

Attachments: [Agenda Summary.pdf](#)

Suzanne White, 1598 Parke, Executive Director, Holiday Helpers of Rochester Hills, echoed the sentiments expressed earlier that the Rochester Eccentric newspaper had been a lifeline to the community and would be sorely missed. She thanked Eccentric personnel Gary Winkleman, Annette Kingsbury and Jay Grossman for their professional, honest and accurate reporting. She expressed thanks to A Raymond Company for contributing a huge Easter basket which Holiday Helpers delivered to five of their lowest income seniors; and Meijer Corporation, for coordinating a Simply Give Pantry Program, where donation cards purchased at their registers for \$10 generated \$1,240.00 in donations to the Holiday Helpers. She noted that the Simply Give Pantry Program was continuing again this year at Meijer's.

With the assistance of **Theresa Munglioli**, she presented the Community Heart

Award to four organizations in Rochester Hills:

- *Providence Avon (Hometown America), represented by Anna Janette and Noreen Popkey*
- *Parisian Department Store of the Village of Rochester Hills, represented by Lynn McCabe and Lara Smolinski*
- *YMCA-Now Swim Team, represented by Christine Westgate and Priti Singh; and thanked Laurie Freed who could not be present this evening.*
- *Shop With a Hero Program/Oakland County Sheriff's Office, represented by Lieutenant Steve Jacobs and Lieutenant Ray White*

President Hooper expressed thanks to Suzanne White and the Administrative Board of Holiday Helpers for being a valuable asset to the community.

Presented.

2009-0159 Status update on the Asset Management Project; Roger Rouse, Director of DPS/Engineering, presenter

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

Roger Rouse, Director of DPS/Engineering, stated that a number of asset management activities have been performed over the years in Rochester Hills. The City's Asset Management software program brings information together into one single repository, making it more readily available than it was in the past. Information can be compiled, including costs to maintain or replace an asset; and significant information can be tracked along an asset's life cycle. He provided the following update:

Computerized Maintenance Management Systems (CMMS) - A Major Component of Asset Management

CMMS Components:

1. *Asset Management - inventory, mapping condition assessment*
2. *Maintenance Management - customer service, resource allocation, preventative maintenance*
3. *Analysis - GIS, Modeling, Improvements Planning*

Asset Management Strategy:

Focuses not only on the maintenance practices associated with components, but also on the function of that Asset.

Mr. Rouse stated that over time, an analysis program can be developed that looks at the history of an asset and predict future repairs or failure.

Asset Inventory:

1. *What do we own?*
2. *Where is it located?*
3. *What is its condition?*

4. *What is the remaining service life?*
5. *What is the maintenance strategy?*
6. *What is the existing and future performance demands?*

He stated that the City has 8,000 signs in place, 46 buildings, 8,000 manholes, 6,000 catch basins, 4,200 isolation valves, 343 miles of sewer, 425 miles of water pipe and 31,000 water meters. Mapping of these assets are compiled through the GIS system and include condition assessment.

Maintenance Management:

1. *Recording and responding to customer service requests*
2. *Selectively applying labor, materials and equipment*
3. *Maintaining and repairing to extend lifecycle*

Maintenance strategies provide benefits for policy makers, managers and operators including reduced liability, prioritization of efforts and less emergency and unplanned down-time. Asset analysis accelerates the learning, deciding and implementing phases of infrastructure management. Recording of day-to-day expenses is instrumental for developing user rates, operational and capital costs, and renewal strategies to develop service levels.

Analysis:

1. *Geographic Information System (GIS)*
2. *Predictive failure based on age and condition*
3. *Budgeting for repairs and replacement*

Features:

Recording of expenses:

1. *Invoices attached to asset records*
2. *Daily worksheets attaching labor costs to activities*
3. *Capital improvements assigned to asset categories*

Competencies Needed to Satisfy Management Strategy:

1. *Engineering Skills to provide design parameters and monitor performance*
2. *Financial Skills to evaluate economic return and value analysis*
3. *Management Skills to ask the right questions and allocate the right skills in the right places*
4. *Operational Skills to understand how assets really work and evaluate whether design matches operational needs*
5. *Information Management Skills to develop the various data systems and maintain data integrity*

Essential to the creation of a cohesive management strategy is the integration of customer, financial, operational and design input sources. The competencies necessary to develop, evaluate and apply knowledge need to be part of the overall strategy.

Conclusion:

1. Clear Strategic Drivers
2. Asset Knowledge
3. Integration of Data
4. Subject-matter Expertise/Competencies

Council Discussion:

Mr. Yalamanchi inquired whether the City has begun to use the asset management software for decision-making for fleet and facilities maintenance.

Mr. Rousse responded that the Department has software specific to fleet management, separate from the asset management software. He reported that facilities maintenance is included in the asset management module and the database is currently being populated and data compiled. He noted that once the database is populated from the basic asset inventory, the City will move into analysis of asset condition, measurement of performance, failure mode analysis, optimum solution identification and risk assessment. He noted that the Department will use the asset management system for the 2010 Budget.

Presented.

(Mr. Ambrozaitis exited at 8:03 p.m. and re-entered at 8:06 p.m.)

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.

2009-0051 Approval of Minutes - City Council Regular Meeting - January 12, 2009

Attachments: [CC Min 011209.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0102-2009

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 12, 2009 be approved as presented.

2009-0142 Approval of Minutes - City Council Special Meeting - January 26, 2009

Attachments: [CC Special Meeting Min 012609.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0103-2009

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on January 26, 2009 be approved as presented.

2009-0143 Approval of Minutes - City Council Regular Meeting - January 26, 2009

Attachments: [CC Min 012609.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0104-2009

Resolved, that the Minutes of Rochester Hills City Council Regular Meeting held on January 26, 2009 be approved as presented.

2009-0112 Approval of Minutes - City Council Regular Meeting - February 9, 2009

Attachments: [CC Min 020909.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0105-2009

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 9, 2009 be approved as presented.

2009-0149 Approval of Minutes - City Council Special Meeting - February 23, 2009

Attachments: [CC Special Meeting Min 022309.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0106-2009

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on February 23, 2009 be approved as presented.

2009-0150 Approval of Minutes - City Council Regular Meeting - February 23, 2009

Attachments: [CC Min 022309.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0107-2009

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 23, 2009 be approved as presented.

- 2009-0141** Request for Purchase Authorization - DPS: Blanket Purchase Order for uniform rental services in the amount not-to-exceed \$48,000.00 through May 1, 2011; Unifirst Corporation, Pontiac, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0108-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for uniform rental services to Unifirst Corporation, Pontiac, Michigan in the amount not-to-exceed \$48,000.00 through May 1, 2011.

- 2009-0151** Request for Purchase Authorization - DPS/FAC: Blanket Purchase Order for 2009 Landscaping Services-Lawn Mowing in the amount not-to-exceed \$64,850.00 through April 11, 2010; Precision Landscaping, LLC, Shelby Twp., MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0109-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for 2009 Landscaping Services-Lawn Mowing to Precision Landscaping, LLC, Shelby Township, Michigan in the amount not-to-exceed \$64,850.00 through April 11, 2010.

Passed the Consent Agenda

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

The following Consent Agenda items were discussed and adopted by separate Motions:

- 2009-0156** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for Early Preliminary Engineering Design for the Technology Drive Extension to Adams Road Project in the amount not-to-exceed \$30,295.00;

Hubbell, Roth & Clark, Inc., Pontiac, MI

Attachments: [Agenda Summary.pdf](#)
[Tech Dr Ext Map.pdf](#)
[MDOT Approval.pdf](#)
[Tech Dr Ext Limited Access MDOT.pdf](#)
[Tech Dr Ext Update Memo.pdf](#)
[HRC Proposal EPE.pdf](#)
[Resolution.pdf](#)

Mr. Yalamanchi questioned why the design of the intersection limited turns to a "right-in" and "right-out" of Technology Drive, and whether there would be any right-of-way acquisition costs to the City.

Mr. Davis responded that a boulevard opening farther to the north on Adams Road allows motorists to make a turns to proceed south on Adams. He stated that the Michigan Department of Transportation (MDOT) did not want motorists to be able to traverse across Adams Road to turn left from Technology Drive. He further noted that typically MDOT does not allow a breach of a limited-access right-of-way. He commented that the interchange property was purchased with Federal funding and originally had the understanding that there would be no additional connections to it; however, they were more receptive to a connection to Technology Drive if designed with a limited access. He stated that although MDOT has not invoiced the City for any acquisition costs to date, it is his experience that there may be an expectation of payment by the City for the right-of-way access. He noted that the Local Development Finance Authority (L DFA) District desires to have this connection in addition to the connection on Leach Road for access to the industrial park.

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 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0110-2009

Whereas, a request has been made by Rochester Hills engineering to the Michigan Department of Transportation (MDOT) and the Federal Highway Administration (FHWA) to reach the Adams Road and M-59 interchange limited access road right-of-way to connect Technology Drive to Adams Road and

Whereas, MDOT and FHWA have given a conditioned approval for the City's request that requires detailed engineering drawings be prepared and submitted for further review and

Whereas, a proposal has been provided by Hubbell, Roth & Clark, Inc. to commence necessary engineering design work per their March 6, 2009 scope of services

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for the Early Preliminary Engineering Design Proposal dated March 6, 2009 for the Technology Drive Extension to Adams Road Project to Hubbell, Roth & Clark, Inc., Pontiac, Michigan in the amount not-to-exceed \$30,295.00 and authorizes the Mayor to execute a contract on behalf of the City.

2009-0165 Request for Adoption of the Identity Theft Prevention Program Policy (Red Flag

Rule)

Attachments: [Agenda Summary.pdf](#)
[Identity Theft Prev Prog Policy.pdf](#)
[Resolution.pdf](#)

Mr. Yalamanchi inquired whether the City drafted the policy language or whether the language was Federally-mandated.

Keith Sawdon, Finance Director, responded that the policy was drafted by the City Attorney. He commented that because the Identify Theft Program is being adopted as a City-wide policy, it had to be expanded beyond standard policy language.

Mr. Yalamanchi questioned whether the policy language regarding Suspicious Personal Identifying Information was too far-reaching.

John Staran, City Attorney, responded that the purpose of the language is to create a heightened level of awareness for fraudulent activity at the City; and stated that the language and criteria was derived from Federal guidelines. He noted that there will be training of City employees to coordinate with the policy.

Mr. Yalamanchi questioned who would conduct the training.

Mr. Sawdon responded that the City will develop an individual operating policy, and a training program will be developed.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0111-2009

Resolved, the Rochester Hills City Council hereby adopts the Identity Theft Prevention Program Policy (Red Flag Rule) for the City of Rochester Hills, effective immediately.

ORDINANCE FOR ADOPTION

2008-0581 Acceptance for Second Reading and Adoption - an Ordinance to repeal the existing Zoning Map and Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and replace them with a new Zoning Map and new Chapter 138 as the City's Zoning Ordinance, repeal conflicting provisions, and prescribe a penalty for violations.

Attachments: [Agenda Summary.pdf](#)
[Zoning Ordinance \(Revised\).pdf](#)
[031609 Agenda Summary.pdf](#)
[030209 Agenda Summary.pdf](#)
[Memo Breuckman 022009.pdf](#)
[Zoning Ordinance.pdf](#)
[Map Amendments.pdf](#)
[New Zoning Map.pdf](#)
[Proposed Zoning Chgs Map.pdf](#)
[Existing Zoning Map.pdf](#)
[Sample Letters.pdf](#)
[Minutes PC 111808.pdf](#)
[Minutes PC 121608.pdf](#)
[Minutes PC 012009.pdf](#)
[Minutes PC 012709.pdf](#)
[Minutes PC 021709.pdf](#)
[Suppl Presentation.pdf](#)
[031609 Resolution.pdf](#)
[Resolution.pdf](#)
[Suppl Info - Delacourt Memo 042009.pdf](#)
[Suppl Info - McKenna Memo 032509.pdf](#)
[Suppl Info - Zoning Ordinance \(Rev. 032509\).pdf](#)
[Suppl Info - Resolution \(Revised\).pdf](#)

Derek Delacourt, Deputy Director of Planning, stated that a draft Zoning Ordinance dated March 25, 2009 was provided to Council today along with a memorandum from both Mr. Delacourt and Mr. James Breuckman, AICP, Principal Planner at McKenna Associates, outlining the revisions made to the Ordinance after the First Reading. He stated that the revisions dealt with site plan extensions and addressed comments submitted by both President Hooper and Scott Cope, Director of Building/Ordinance Compliance.

President Hooper requested that Mr. Delacourt briefly list the changes made in the March 25, 2009 draft.

Mr. Delacourt outlined the following changes to the Draft Zoning Ordinance:

- Section 138-2.207A(4) - Site Plan Extensions - Clarified language that the Director of the Planning Department may now grant an initial one year extension to site plans, and the Planning Commission may grant an additional one year extension.
- Section 138.4.425 - Outdoor Sales and Display of Goods - This section was initially added at the request of the Building Department to clarify the process the City utilizes dealing with sidewalk sales and outdoor sales of goods. The Building Department has subsequently devised a special events permit to address outdoor sales and meet the requirements of the Fire Department in the City. The Zoning Ordinance reflects current practice.
- Section 138.5.101 - Footnotes B and C to the Schedule of Regulations - The footnote language was revised to clarify language regarding the measurement of building setbacks; no changes to the setbacks or the process of granting approvals was made.
- Section 138-11.102.G(2) - Parking Lot Maintenance Permit - A requirement was added for a parking lot resurfacing/restriping permit. This was requested by the Building Department to ensure that parking lot resurfacing and restriping

projects are done in compliance with Ordinance and accessibility requirements.

Mr. Delacourt explained that the Planning Department would continue to review and proofread the Ordinance for any typographical errors, formatting issues, or incorrect references to Section numbers and explained that any errors of this type would be corrected before publication and codification.

A motion was made by Yalamanchi, seconded by Brennan, that the proposed new Zoning Ordinance and Zoning Map (excluding Map Amendment 9) be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0112-2009

Resolved, that an Ordinance to repeal the existing Zoning Map and Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and replace them with a new Zoning Map and new Chapter 138, as the City's Zoning Ordinance (excluding Map Amendment 9), repeal conflicting provisions, and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, April 27, 2009, the day following its publication in the Rochester Eccentric on Sunday, April 26, 2009.

2008-0581

Acceptance for Second Reading and Adoption - an Ordinance to repeal the existing Zoning Map and Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and replace them with a new Zoning Map and new Chapter 138 as the City's Zoning Ordinance, repeal conflicting provisions, and prescribe a penalty for violations.

Attachments: [Agenda Summary.pdf](#)
[Zoning Ordinance \(Revised\).pdf](#)
[031609 Agenda Summary.pdf](#)
[030209 Agenda Summary.pdf](#)
[Memo Breuckman 022009.pdf](#)
[Zoning Ordinance.pdf](#)
[Map Amendments.pdf](#)
[New Zoning Map.pdf](#)
[Proposed Zoning Chgs Map.pdf](#)
[Existing Zoning Map.pdf](#)
[Sample Letters.pdf](#)
[Minutes PC 111808.pdf](#)
[Minutes PC 121608.pdf](#)
[Minutes PC 012009.pdf](#)
[Minutes PC 012709.pdf](#)
[Minutes PC 021709.pdf](#)
[Suppl Presentation.pdf](#)
[031609 Resolution.pdf](#)
[Resolution.pdf](#)
[Suppl Info - Delacourt Memo 042009.pdf](#)
[Suppl Info - McKenna Memo 032509.pdf](#)
[Suppl Info - Zoning Ordinance \(Rev. 032509\).pdf](#)
[Suppl Info - Resolution \(Revised\).pdf](#)

President Hooper indicated that as his employer has a minor interest in property listed in Map Amendment 9, he would recuse himself from a vote on that Map Amendment.

A motion was made by Brennan, seconded by Webber, that Zoning Map Amendment 9 be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

Aye 5 - Ambrozaitis, Brennan, Pixley, Webber and Yalamanchi

Abstain 1 - Hooper

Absent 1 - Rosen

Enactment No: RES0113-2009

Resolved, that an Ordinance to adopt a new Zoning Map Amendment 9 as part of Chapter 138, as the City's Zoning Ordinance, repeal conflicting provisions, and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, April 27, 2009, the day following its publication in the Rochester Eccentric on Sunday, April 26, 2009.

NOMINATIONS/APPOINTMENTS

2009-0113 Nomination/Appointment of Jim Duistermars to the Zoning/Sign Board of Appeals to fill the unexpired term of Jason Long for a three-year term to expire March 31, 2012

Attachments: [Agenda Summary.pdf](#)
[033009 Agenda Summary.pdf](#)
[031609 Agenda Summary.pdf](#)
[J Long Resignation.pdf](#)
[Appointment Form.pdf](#)
[Notice of Vacancies.pdf](#)
[Nomination Grid.pdf](#)
[Jim Duistermars CQ.pdf](#)
[Philip Hurst CQ.pdf](#)
[Jason Long CQ.pdf](#)
[Michael McGunn CQ.pdf](#)
[Joe Pullukat CQ.pdf](#)
[Gerard Verschueren CQ.pdf](#)
[Murray Woolf CQ.pdf](#)
[033009 Resolution.pdf](#)
[Resolution.pdf](#)

President Hooper indicated that Jason Long, appointed to the Zoning Board of Appeals at the March 30, 2009 City Council Meeting, could not accept the appointment and submitted a resignation letter. As Mr. Duistermars was previously nominated to the Zoning Board of Appeals at the March 16, 2009 meeting, he would be appointed to the vacancy.

A motion was made by Webber, seconded by Pixley, that Jim Duistermars be Appointed. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0114-2009

Resolved, that the Rochester Hills City Council appoints Jim Duistermars to fill the unexpired term of Jason Long as Zoning/Sign Board of Appeals Representative for a three-year term to expire March 31, 2012.

NEW BUSINESS

2008-0448 Request for Purchase Authorization - DPS/ENG: Increase to existing contract for Walton Boulevard Pathway Rehabilitation in the amount of \$16,000.00 for a new not-to-exceed total of \$50,578.50; Asphalt Specialists, Inc., Pontiac, MI

Attachments: [Agenda Summary.pdf](#)
[Rousse Memo.pdf](#)
[090808 Agenda Summary.pdf](#)
[Maps.pdf](#)
[Bid Tabulation.pdf](#)
[090808 Resolution.pdf](#)
[Resolution.pdf](#)

Paul Shumejko, Transportation Engineer, explained that as a result of a field audit performed by City Staff of the pathways used as staging areas during last fall's Brooksie Way Half Marathon, it was determined that two portions of pathway needed attention and repairs. One portion, including Adams Road from Walton Boulevard to north of Hamlin, was paved in the fall through a Tri-Party agreement by Oakland County. During the audit, the other segment, along Walton Boulevard including the stretch of pathway from Adams west to the Oakland University entrance, was found to exceed the maximum allowable cross-slope of two percent (2%) per the American with Disabilities Act (ADA), and required additional embankment filling along the south side of the pathway. As a result, an additional \$9,000.00 in project costs were incurred. In addition, an additional pathway ramp at the intersection of the southwest corner of Walton and Adams is scheduled for completion this spring, for an additional \$7,000.00, bringing this total request to \$16,000.00.

Public Comment:

Lee Zendel, 1575 Dutton, expressed his concern regarding the City's need to meet ADA cross-slope requirements on pathways, citing several areas on Adams where the slope appears to exceed five percent (5%). He stated that Dutton Road, with its twelve percent (12%) slope, is not required by City Ordinance to have a pathway. He questioned whether State requirements of a maximum slope of five percent (5%) had changed.

Council Discussion:

President Hooper requested further explanation of the ADA maximum slope requirements. He questioned whether the contractor had been paid for the work completed to date.

Mr. Shumejko responded that currently a maximum longitudinal slope of eight

percent (8%) is allowed. If the slope exceeds five percent (5%), a level landing area is required every one hundred feet for pedestrian/wheelchair resting. He explained that these requirements were originally devised for buildings and facility-type uses such as entranceways. A revision to these requirements, proposed but not yet adopted by the ADA Access Board, will address public right-of-ways and allow more flexibility to follow the existing contour of the roadway and exceed these slopes as long as level landing areas are provided. He noted that the ADA Access Board has been working on these revisions since 2004. He stated that this work was created as a separate project and contract; therefore, the ten percent (10%) contingency amount from the original pathways project could not be utilized to fund this work. The City has not paid the contractor for the work that has been completed, nor has it issued a change order for the additional work to be done.

Mr. Ambrozaitis questioned whether the City's Pathway Millage would provide enough funding to meet these ADA requirements.

Mr. Rousse explained that the City's Pathway Millage funds will not meet all of the costs for rehabilitating the City's current pathways to ADA requirements; however, the consequences of not meeting the ADA requirements would be very steep. He recommended that any new pathways conform to the ADA requirements, and existing pathways, as rehabilitated, be brought into compliance. He noted that this could include the installation of large walls or elevated platforms.

Mr. Yalamanchi questioned whether the southeast corner of Walton and Adams was included in this project.

Mr. Shumejko stated that this project focused only on the southwest corner and commented that the ramps on the southeast corner would be addressed in a future project. He further explained that last year's pathway rehabilitation program included crack sealing to extend pathway life and noted that crack sealing is considered routine maintenance and does not trigger the requirement for ADA upgrades. He explained that the Department will coordinate the necessary ramp upgrades with future road projects where possible to utilize the requirement that one percent (1%) cost of the Act 51 dollars for the City's roads which are to be utilized for pathway or pedestrian facilities, and preserve the Pathway Funds for other areas.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0115-2009

Resolved, that the Rochester Hills City Council approves the increase to the existing contract for Walton Boulevard Pathway Rehabilitation to Asphalt Specialists, Inc., Pontiac, Michigan in the amount of \$16,000.00 for a new not-to-exceed total of \$50,578.50.

2009-0168 Receive and File information regarding emergency purchase relative to sanitary

sewer repair on Fair Oak Drive

Attachments: [Agenda Summary.pdf](#)
[UpstreamSanitaryMap.pdf](#)
[SanitaryMap.pdf](#)
[Mayors Approval.pdf](#)
[Revised Estimate WS.pdf](#)
[Resolution.pdf](#)

Mr. Roger Rouse, Director of DPS/Engineering, reported that two residences on Fair Oak Drive experienced sanitary sewer back-ups in their basements. Further investigation revealed that a portion of the sewer had collapsed and this necessitated the installation of bypass pumps in order to prevent additional back-ups. He noted that the ground is very wet in that area, and a dewatering system was installed to drain the area and enable dry access to perform repairs. He explained that this cost estimate includes the repair work, including the pipe replacement as well as restoration of the road and affected yards.

President Hooper questioned the amount of the request.

Mr. Rouse responded that the City has budgeted \$40,000.00 for emergency repairs of this nature; however, this request for \$48,000.00 will also include repair work to be performed at the corner of Hamlin and Livernois. He stated that the total amount would most likely be included in a future budget amendment to expense the repair out of the Capital Funds, and allow the \$40,000.00 to remain in the Operating Fund.

President Hooper inquired whether the City could recover this expenditure.

Mr. Rouse responded that the City would seek to recover clean-up costs from the contractor performing the sanitary sewer lining rehabilitation work adjacent to the area that collapsed, if it was determined that the contractor's work was the cause of the collapse.

A motion was made by Webber, seconded by Pixley, that this matter be Received and Filed by Resolution. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0116-2009

Resolved, that the Rochester Hills City Council Receives and Files the agenda summary and supporting documents dated April 20, 2009 from Roger Rouse, Director of DPS/Engineering regarding an emergency sanitary sewer repair on Fair Oak Drive.

2008-0628 Request for Purchase Authorization - DPS/ENG: Amendment to contract for the 2006 Local Street Concrete Slab Replacement Program in the amount of \$54,012.16 for a new not-to-exceed amount of \$1,224,427.78; DiLisio Contracting, Clinton Township

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

Mr. Rousse, Director of DPS/Engineering, explained that during the 2006 Concrete Slab Replacement Program, approximately 1,200 lineal feet of roadway failed on Whitney Drive necessitating an emergency repair. After repairs were completed, it was determined that the contract's ten percent (10%) contingency was not sufficient to cover the emergency work. He explained that if the City performs extensive engineering and survey work at the beginning of each project to predict this type of failure, it would present a much greater expense to the City. The risks of any road project include encountering unforeseen circumstances that are discovered after the roadway is opened. He explained that the City's use of a log-job process in a situations such as this saves the City approximately five percent (5%) on average over the cost of an engineered replacement program, and offers the City flexibility in job planning. He stated that his preference is to cease work on a project and notify City Council when unforeseen situations arise; however, on occasion this is not always feasible.

Mr. Yalamanchi requested further explanation of the original project cost and amendments to the project, and asked how this related to the fourth quarter budget amendment. He also questioned what engineering analysis is performed before a project.

Mr. Rousse replied that a prior agenda summary stated that the Department would seek a budget amendment to include this amount.

Paul Shumejko stated that this amount is being carried over into the 2009 Budget. He explained that the Pavement Asset Management System is used to analyze which roads are deteriorating the most, collect an actual inventory of multiple areas, prioritize work to be done and prepare an inspection report from the data. He further stated that while soil saturation and subsoil surface can result in the undercutting experienced during some projects, it is not cost-effective to have the geotechnical consultant perform pavement borings in advance.

Mr. Yalamanchi inquired whether the City plans to proceed differently after this experience.

Mr. Shumejko stated as this emergency work was a large scale addition to the project, the repair should have been treated as a separate project. He stated that in the future, the Department will track the materials and work to be performed and will bring additional work to City Council for approval prior to completing the work.

Mr. Webber requested clarification of the Fire Department coordination of these projects.

Mr. Shumejko explained the phases of intersection rehabilitation, and noted how through coordination with the Fire Department for assessing alternate routes available could allow the intersection work to be completed in a shorter time frame by opening up multiple work points at one time.

Mr. Rousse stated that the Department is also looking to shorten the duration of

the projects and complete the work earlier in the year to prevent unforeseen problems carrying over into the next year.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0117-2009

Resolved, that the Rochester Hills City Council hereby authorizes the amendment to the contract for the 2006 Local Street Concrete Slab Replacement Program to DiLisio Contracting, Clinton Township, Michigan in the amount of \$54,012.16 for a new not-to-exceed amount of \$1,224,427.78.

2008-0636 Request for Purchase Authorization - DPS/ENG: Amendment to Professional Construction Engineering Services Agreement for the Shadow Woods Subdivision Road Rehabilitation Project in the amount of \$6,666.53 for a new not-to-exceed amount of \$107,316.53; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

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

Roger Rousse, Director of DPS/Engineering, explained that the ten percent (10%) contingency amount for the Shadow Woods Subdivision Road Rehabilitation Project could not be used for the construction engineering portion of the project. He noted that due to a severe illness of a City staff inspector, Hubbell, Roth and Clark (HRC) was hired to perform inspection work. He stated that the inspection costs were then applied to the construction engineering portion of the project rather than the Department's Operating Fund.

Council Discussion:

In response to Council questions, Mr. Shumejko stated that HRC was originally contracted to perform field survey stakeout of a proposed boulevard to achieve more green area. Minimal hours for inspection were included, but the inspection portion of the contract was increased upon the City Staff member becoming ill, and Council approved this increase. Upon transferring inspection duties back to City Staff, a week overlap in inspection service was coordinated to avoid any loss of project information; and the actual inspection services amount exceeded what was approved by Council. He noted that the invoice for this overage was received in April of 2008 but payment has been delayed.

Mayor Barnett stated that systems were being put in place to prevent future delays in presenting project overages to Council.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0118-2009

Resolved, that the Rochester Hills City Council hereby authorizes the amendment to the Professional Construction Engineering Services Agreement for the Shadow Woods Subdivision Road Rehabilitation Project to Hubbell, Roth & Clark, Inc., Bloomfield Hills, Michigan in the amount of \$6,666.53 for a new not-to-exceed amount of \$107,316.53 and authorizes the Mayor to execute the amended proposal on behalf of the City.

2008-0449 Request for Purchase Authorization - DPS/ENG: Approval for an increase to the existing contract for the 2008 Local Street Concrete Slab Replacement Program for Meadowfield Drive in the amount of \$7,800.00 for a new not-to-exceed total of \$651,804.35; Six-S, Inc., Waterford, MI

Attachments: [Agenda Summary.pdf](#)
[090808 Agenda Summary.pdf](#)
[Map.pdf](#)
[Meadowfield Six-S Quote.pdf](#)
[090808 Resolution.pdf](#)
[Resolution.pdf](#)

President Hooper inquired whether this work had been completed.

Mr. Shumejko responded that this work had not yet been completed. He explained that the original concrete program included primarily residential subdivision work. He noted that several projects were added, including Meadowfield, Drexelgate, and Hamlin Road rehabilitation, performed in conjunction with Oakland County as a part of the Tri-Party program. He commented that the City oversaw the project, but will be reimbursed by Oakland County with Tri-Party funds. He stated that although Meadowfield was included as an amendment to the Six-S contract, the project had a separate purchase order with an individual project limit and contingency amount. He noted that due to the existing contingency amount being expended due to a substantial amount of undercutting encountered along Meadowfield, the increase is required to complete the restoration, sodding and final striping.

Mr. Yalamanchi questioned how the funding for this project was allocated.

Mr. Shumejko responded that the funds leftover from the original concrete program would go back into Fund Balance and this requested increase would complete Meadowfield. He noted that the Drexelgate and Hamlin Road portions of the project were complete.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0119-2009

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the existing contract for the 2008 Local Street Concrete Slab Replacement Program for Meadowfield Drive to Six-S, Inc., Waterford, Michigan in the amount of \$7,800.00 for a new not-to-exceed total of \$651,804.35.

2009-0153 Request for Purchase Authorization - DPS/ENG: Contract for 2009 Local Street Concrete Slab Replacement Program and acceptance of extended unit prices from 2008 in the amount not-to-exceed \$1,900,000.00; Six-S, Inc., Waterford, MI

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

President Hooper disclosed that although he works in the construction industry and has knowledge of this company, he was not involved in this bid process and does not see a need to recuse himself from this item.

Paul Shumejko, Traffic Engineer, explained that this item would extend the 2008 contract costs for the Local Street Concrete Slab Replacement Program into 2009. He exhibited a map inventory of local streets and indicated areas proposed for rehabilitation in 2009; and pointed out areas already completed or determined to be in good condition. He stated that a combination of Local and Major Road funding will be utilized for the necessary work. He noted that this year Local Development Finance Authority (LDFA) funds will be utilized to repair roads within the LDFA districts, identifying such work on Technology, near Auburn Road and at the intersection of Research and Bond Street.

President Hooper requested that the Department's rating system and criteria for qualification be explained further.

Mr. Shumejko responded that the City's Pavement Management System identifies areas rated at four (4) and below. A rating of two (2) is the lowest and considered a failed road. He explained further that the software rating scale will change to a scale of 20 to 100, with a rating of 20 being the lowest and considered a failed road. He commented that the Department's inventory process includes an inspection of the road, and an identification of proposed work, including estimated quantities for tracking. He noted locations proposed for rehabilitation this year and those locations inventoried but having no funding available for the work. He commented that some locations may be targeted to be handled in-house by Department of Public Service (DPS) resources during the summer months. He noted that this year work on Springwood Lane and Valley Stream will be accomplished to make these areas more "green" and more aesthetically pleasing. He commented that the Department has also initiated discussions with the homeowners' association at the entrance of Lake Ridge regarding coordinating work with the M-59 overpass widening, as a temporary signal will be in place during that project to relieve construction traffic congestion.

President Hooper commented that given the City's budget constraints, the City may not have funding for these projects in the future. He also cautioned that the Department should keep a close tab on ongoing project costs to prevent overages.

Mr. Yalamanchi asked whether Meadowbrook was inventoried for rehabilitation.

Mr. Shumejko responded that Meadowbrook was not inventoried at this time, and explained that the focus is on areas where there are storm structures as these areas are a starting point for failure and pavement collapse.

Mr. Rousse noted that there is an advantage to perform as much repair and rehabilitation work as possible and pointed out that the City has had unexpected road repairs each of the past three years. He noted that as emergency repairs are encountered, these areas will be reprioritized to maintain costs.

Mr. Shumejko commented that as these roads are rehabilitated, necessary pathway upgrades are addressed as well.

Mr. Ambrozaitis stressed the need to re-evaluate future expenditures on this program due to decreasing revenues.

Mr. Brennan stated that Council needed to be kept informed of project overages in a timely manner.

Mr. Rousse commented that a consequence of eliminating the concrete slab replacement program would be an increase in operating costs resulting from the City's obligation to provide a safe roadway. He noted that if the concrete cannot be replaced, then crews must expend materials and time cold patching to fill in those voids.

Mr. Webber stated that discussions of these issues have been held during meetings of the Police and Road Funding Technical Review Committee. He announced the Committee would meet again on Wednesday, April 29, 2009.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0120-2009

Resolved, that the Rochester Hills City Council hereby authorizes a contract for the 2009 Local Street Concrete Slab Replacement Program and acceptance of the extended unit prices from 2008 to Six-S, Inc., Waterford, Michigan in the amount not-to-exceed \$1,900,000.00 and authorizes the Mayor and Clerk to execute a contract on behalf of the City.

2009-0158 Request for Purchase Authorization - DPS/ENG: Contract for construction engineering services for the reconstruction and widening work along Hamlin Road from Crooks Road to Livernois Road in the amount not-to-exceed \$999,781.17; Orchard, Hiltz & McCliment, Inc., Livonia, MI

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

Mr. Paul Davis, City Engineer, stated that the Administration recommends that the contract for construction engineering on the Hamlin Road Project be awarded to Orchard, Hiltz, & McCliment, Inc. (OHM). He explained that as this is a Michigan Department of Transportation (MDOT) project, MDOT requires the construction engineering to be documented utilizing the Field Manager software program. He noted that OHM has personnel trained to utilize this program; and their services

will include survey layout, contractor pay estimate creation, change order negotiations, shop drawing reviews, and complaint resolution. He noted that a Request For Proposal (RFP) was issued and several proposals were received. After review and ranking, it was determined that OHM, the design engineer for this project, met all of the construction engineering contractor requirements of MDOT for this Federally funded project.

Mr. Yalamanchi questioned how the City would be reimbursed by MDOT for costs.

Mr. Davis responded that for the design and right-of-way phase of this project, funding would be an eighty percent (80%) Federal share and a twenty percent (20%) City's share. He stated that the City has invoiced MDOT for the design and right-of-way phase costs. During the construction phase, MDOT will invoice the City for its twenty percent (20%) share of the construction contractor's costs and construction engineering services. He noted that reimbursement to the City to date has been fairly prompt.

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

Aye 5 - Brennan, Hooper, Pixley, Webber and Yalamanchi

Nay 1 - Ambrozaitis

Absent 1 - Rosen

Enactment No: RES0121-2009

Resolved, that the Rochester Hills City Council authorizes the contract between the City of Rochester Hills and Orchard, Hiltz & McCliment, Inc., Livonia, Michigan for construction engineering services for the reconstruction and widening work along Hamlin Road from Crooks Road to Livernois Road in the amount not-to-exceed \$999,781.17 and authorizes the Mayor and Clerk to execute an agreement on behalf of the City.

2009-0166 Request for Purchase Authorization - CLERK: Contract for design and construction of a chapel building at the Van Hoosen Jones-Stoney Creek Cemetery in the amount of \$181,000.00 and a 10% contingency in the amount of \$18,100.00 for a total not-to-exceed amount of \$199,100.00; The Garrison Company, Farmington Hills, MI

Attachments: [Agenda Summary.pdf](#)
[Proposed Design.pdf](#)
[Site Plans.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution.pdf](#)

Jane Leslie, City Clerk, stated that a study conducted in 1998 recommended that a Chapel be constructed at the Van Hoosen Jones-Stoney Creek Cemetery. She stated that a Request For Proposal was issued and upon review, the Cemetery Citizens Advisory Committee recommends that The Garrison Company be selected for the design and building of a Cemetery Chapel. She noted that upon completion of the Chapel, it will become a facility of the City and be maintained by the City's Facilities Department. She explained that budgeting and payment for the Chapel will be made through the Perpetual Care Fund. Donations have been solicited and approximately \$14,000.00 has been received to date through the Greater

Rochester Area Community Foundation, and these donations would be utilized to replenish the Perpetual Care Fund.

Beverly Jasinski, Chairperson of the Cemetery Citizens Advisory Committee, stated that the land that is now the Van Hoosen Jones-Stoney Creek Cemetery was bequeathed to Avon Township in the latter part of the 1950s from the late Sarah Van Hoosen. The Cemetery is actually located within the boundaries of the City of Rochester, as a result of annexation. The first burial took place in 1978, and the Cemetery has serviced many families over the past thirty (30) years. While the Cemetery location is beautiful, weather elements can be harsh. It was determined that building a Chapel would fulfill many purposes, including making the Cemetery more profitable. An analysis was performed by the Cemetery Committee to determine a location, type and physical aesthetics of a Chapel building, and the resources necessary to fund a Chapel project and keep it cost-effective. An RFP was solicited in the fall of 2008, and letters were sent to current Cemetery property owners to solicit donations to a Chapel Project. If the Chapel Project is approved by Council, the Cemetery Committee plans to send additional solicitation letters throughout the community. She stated that the Cemetery is known for providing exceptional customer service and helping clients during a sensitive time of need; and she commended the City's Sexton, Calvin Leach and those Sextons serving before him, for fulfilling these services.

Clerk Leslie noted that Cemetery's staff are continually challenged to shelter and protect clients during funeral services. She explained that the erection of a tent promotes hazardous conditions in wind, ice and snow. She noted that the Cemetery was originally plotted for 11,200 burial spaces; and the last plotting performed in 2005 yielded 12,406 possible plots. She further explained that the inclusion of a columbarium would provide additional burial space. She commented that current estimates are that Cemetery spaces would continue to be sold for forty (40) years, and burial needs will extend beyond that time. She commented that the proposed Chapel Project design will lead to a building that is as low maintenance as possible.

President Hooper stated that the Chapel Project has been in the City's budget in various forms over the last several years. He confirmed that preliminary discussions regarding approvals have been held with the City of Rochester's Planning Commission and Building Department.

Mr. Pixley requested that Peggy Hamilton of the Greater Rochester Area Community Foundation join him at the speaker's podium. He announced a donation to be added to the Chapel Fund of \$10,000.00 by Diane Jaye, a former Rochester Hills resident who had buried her daughter, Katie Cassidy, at the Cemetery several years ago. He noted that a Cemetery Chapel would minimize possible City liabilities for safety hazards, protect during inclement weather, and provide an additional source of revenue to the City with the addition of a columbarium, to further add to the Perpetual Care Fund.

Mr. Ambrozaitis expressed concern for the cost of building a Cemetery Chapel and noted prior estimates of \$70,000.00 for a Chapel Building.

Clerk Leslie responded that the estimate given three years ago of \$70,000.00 consisted only of materials. She noted that the RFP evaluation committee consisted of Jean Farris, Procurement Supervisor, Roger Rousse, Facilities Director, Ed Anzek, Director of Planning and Development, and Scott Cope, Director of Building/Ordinance Compliance, to utilize their construction experience in the review of Chapel Project plans. She reported that the Perpetual Care Fund currently has a balance just over \$1,000,000.00. She noted that approximately \$40,000.00 per year is added from lot sales, foundation sales, and interest earned. She reported that in 2008, an additional \$37,400.00 was added as interest earnings to the Perpetual Care Fund. She stated that the Cemetery Committee is performing a financial analysis to determine whether an adjustment should be made to grave opening and closing fees, with a portion of those fees going back to the Perpetual Care Fund. She stated that it is the Cemetery Committee's goal to continue to develop and implement a business plan to increase the Perpetual Care Fund to enable the improvement of the City's Cemetery without impacting General Fund Operations.

Mayor Barnett stated that the City's Cemetery and Chapel Project is a good business model and the time is right for this Chapel Project to proceed.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Absent 1 - Rosen

Enactment No: RES0122-2009

Resolved, that the Rochester Hills City Council authorizes a contract for design and construction of a chapel building at the Van Hoosen Jones-Stoney Creek Cemetery to The Garrison Company, Farmington Hills, Michigan in the amount of \$181,000.00 and a 10% contingency in the amount of \$18,100.00 for a total not-to-exceed amount of \$199,100.00.

2009-0163 Update on the City's five-year Financial Forecast

Attachments: [Agenda Summary.pdf](#)
[Financial Forecast 2010-2014.pdf](#)
[Financial Forecast 2010-2014 \(Revised\).pdf](#)

This matter was Set Over to a Future Meeting.

2009-0164 Adoption of the Fiscal Year 2010 City Council Goals and Objectives

Attachments: [Agenda Summary.pdf](#)
[Strategic Plng Committee Spreadsheet.pdf](#)
[Strategic Plng Cmte Sprdsht w/ Pg #s.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

COUNCIL COMMITTEE REPORTS

Brownfield Redevelopment Authority:

Mr. Webber reported that the Brownfield Redevelopment Authority (BRA) is moving forward with development of a Brownfield Policy; a draft Policy should be presented to Council within the next month.

Police and Road Funding Technical Review Committee:

Mr. Webber reported that the Police and Road Funding Technical Review Committee has met several times to review long-term and short-term solutions to the Police and Road Funding challenges.

Deer Management Advisory Committee:

Mr. Webber reported that Jim Kubicina has been elected Committee Chair, and Linda Raschke has been elected Vice-Chair. He noted that the next meeting would be held on Tuesday, April 21, 2009, at the Environmental Education Center at 7:00 p.m.

ANY OTHER BUSINESS

Mr. Ambrozaitis raised several items of concern:

- *He reported receipt of an e-mail and a telephone call from a resident at 1190 East Avon Road relating difficulties in dealing with Allied Waste.*
- *He stated that a resident inquired how large snowfall would affect trash pick-up during winter months.*
- *He inquired how Allied Waste would use an automated arm to pick up waste from both sides of the Eastern Street, as it is one-way.*
- *He requested that the City's cable channel be utilized to inform residents with medical conditions that they could request Allied provide home/side door waste pick-up.*
- *He requested the Building Department respond to concerns over property condition at 760 Kentucky.*
- *He inquired whether a provision could be added to the Property Maintenance Ordinance to prohibit solicitors from dropping off newspapers in driveways, noting that these papers pile up at vacant homes.*

Mayor Barnett replied that the topic of one-way streets was discussed in the City's recent meeting with Allied Waste and noted that the City is working with Allied on this issue. He confirmed that the City's contract with Allied Waste includes a provision for servicing residents with special needs. He suggested that Mr. Ambrozaitis could e-mail any Ordinance concerns to the Building Department prior to Monday meetings to provide a quicker response for residents. He reported that concerns regarding newspaper clutter in driveways have been discussed with City Attorney Staran.

Mr. Staran responded that consideration of the First Amendment must be balanced against the need to prevent an accumulation of printed material occurring at vacant or abandoned homes. He stated that the Administration would continue to proactively address this issue.

Mr. Yalamanchi questioned the status of a commercial building renovation at Barclay and Rochester Roads and questioned whether solar-powered lights could be installed during the roundabout construction at Hamlin and Livernois Roads.

Mayor Barnett reported a group of doctors had purchased the building on Barclay for renovation and will be leasing the property out. He stated that the Administration has held discussions regarding the roundabout with the Oakland County Road Commission, however solar lighting was not a topic discussed, as solar-powered street lights are still in an emerging market. He stated that the Green Space Advisory Board would be coming to Council in May to present a proposal for establishing a Green Space Stewardship, and commented that City Attorney Staran has been asked to provide a legal opinion on stewardship in advance.

NEXT MEETING DATE

- Regular Meeting - Monday, April 27, 2009 - CANCELLED
- Regular Meeting - Monday, May 4, 2009 - 7:00 PM

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 10:20 p.m.

GREG HOOPER, President
Rochester Hills City Council

JANE LESLIE, Clerk
City of Rochester Hills

MARY JO WHITBEY
Administrative Secretary
City Clerk's Office

Approved as presented at the July 13, 2009 Regular City Council Meeting.