



Rochester Hills Minutes City Council Regular Meeting

1000 Rochester Hills Dr.
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*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, August 10, 2009

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 7 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,
Michael Webber and Ravi Yalamanchi

Others Present:

*Bryan Barnett, Mayor
Tara Beatty, Chief Assistant
Paul Davis, City Engineer
Derek Delacourt, Deputy Director of Planning
Brian Dunphy, Historic Districts Commission
Jane Leslie, City Clerk
Leanne Scott, City Council Coordinator
Christine Wissbrun, Administrative Secretary*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

PUBLIC COMMENT

*Irene Waller, 6370 Orion Road, stated that she had not received a response as yet
from Kelly Winters, Deputy Director of Building/Ordinance Compliance*

Approved as presented at the September 28, 2009 Regular City Council Meeting.

regarding the status of the recently-installed sign at the First Baptist Church of Rochester Hills at 6377 Orion Road. She commented that the sign violated the following sections of the City's Sign Ordinance:

- Section 134-2, 1d: The sign does not ensure the continued attractiveness of the community and protection of property value.
- Section 134-2, 4: The six foot by 19 inch temperature display and digital clock is unrelated to the service provided.
- Section 134-112, Illumination: The sign shines into four windows of her home and is less than 200 feet from her residence.
- Section 134.111, Movement: The constant movement of the lettering on the sign violates this section of the City's Sign Ordinance.

Ms. Waller pointed out that no neighbor received notification of any public hearing regarding this sign.

Lee Zendel, 1575 Dutton, stated that residents of Quail Ridge Subdivision have commented at recent Council meetings that their subdivision has paid in excess of \$16,578,000 in property taxes over the past 28 years. He pointed out that the City has received only 31.7 percent of this total, and noted that this amount is further reduced by the portions allocated to the Older Persons Commission, Rochester Avon Recreation Authority, Library, Police and Fire Millages. He commented that the City General Fund has received just over \$1 million of this total over the past 28 years to use to repair streets, plow snow, and perform other road maintenance. He stated that other streets need repair as well and noted that with the defeat of prior road millages, the City does not have the funds to complete these repairs.

Alice Benbow, 1582 Northumberland, commented that elected Judges should be made to disclose those corporations that contributed to their campaigns.

David DiLaura, 6350 Cherry Tree Court, stated that the sign at the First Baptist Church on Orion Road is inappropriate. He stated that he visited 34 homes in the residential area surrounding the sign and noted that of those homes, nine residents were not available, eight had no objection or were neutral to the sign, and 17 felt that the sign was inappropriate to a residential area. He noted that one resident commented that churches are being encouraged to install this type of sign. He stated that if this sign is not in compliance with the City's Sign Ordinance, the Ordinance should be enforced; and if it is, an Ordinance Amendment should be adopted to prohibit this type of sign in a residential area. He commented that the sign detracts from character, encourages commercialization, and detracts from property values. He submitted comments he had collected while visiting his neighbors.

Wayne Waller, 6370 Orion Road, displayed an example representing the size of the six foot by 19 inch electronic display sign on Orion Road. He commented that he learned that the sign received approval this morning and noted that since approval, the vibrant, eye-catching three-dimensional sign is blinking every second, which is in violation of the Ordinance stating it should not change more often than ten seconds. He commented that ordinary residents do not put signs like this in their front yards and stated that Ordinances should protect the people.

Vincent Mungoli, 3435 Palm Aire Drive, stated that on behalf of Holiday Helpers he wished to thank everyone at Parisian for their efforts in holding a fund raiser to benefit the organization on August 1, 2009. He expressed thanks to the members of the Oakland County Sheriff's Office and the Fire Department who also participated. He noted that Parisian would be holding another fund raiser on Saturday, August 22, 2009 and will be collecting donations of school supplies and nonperishable foods. He stated that over \$4,000 in prizes will be given away in drawings that will be held every 15 minutes during the event and commented that the mall is also sponsoring another dunk tank and would have inflatable games and sidewalk chalk drawing activities for children. He requested that anyone who might be interested in volunteering for a two-hour shift at the fund raiser contact him at 248-375-0934 or by e-mail at burley31@yahoo.com.

Joe Luginski, 985 East Tienken, stated that the Friends of Tienken Road group wishes to thank Council for its unanimous vote in support of a preferred three-lane option for Tienken Road and commented that hopefully the Road Commission for Oakland County (RCOC) and the Federal Highway Administration (FHA) will listen. He stated that residents should keep lawn signs up and noted that the group will continue to monitor the process for the roadway and the Stony Creek Bridge and stands ready to assist the City and the RCOC in any way it can.

David Kleve, 6350 Orion Road, stated that he lives directly across from the sign recently erected at the First Baptist Church on Orion Road. He noted that his home is less than 200 yards away and commented that his home office, where he and his wife both work, faces the parking lot and entrance to the church. He stated that the red neon light is flashing constantly into his window. He commented that this sign should not have been approved.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper commented that Holiday Helpers is an important asset to the community and expressed his appreciation for everything Mr. Mungoli and the other members of that organization do. He requested that the Mayor and the Administration return to Council with a report regarding the sign at the First Baptist Church on Orion Road.

Mr. Brennan commented that the Administration needs to provide a report to Council whether the sign on Orion Road meets the requirements of the Ordinance.

Mr. Ambrozaitis stated that the Friends of Tienken Road have his support, and commented that residents should leave their signs up in support of a three-lane option. He commented that the bridge over Stony Creek should be designed as small as possible, especially now that the bridge on Avon Road over the Clinton River is in need of repair. He stated that although he did not personally know about or have anything to do with the sign at the church on Orion Road, he pledges to help in any way he can. He expressed congratulations to all of the parents of both the incoming and outgoing Rochester Hills Government Youth Council members, stating that you could not ask for a more wonderful group.

Mr. Pixley congratulated Mr. Mungoli and the Holiday Helpers on a successful fund raising event and expressed his thanks to Parisian for hosting the event.

Mr. Webber stated that he too wished to have a report presented to Council by the Administration on the Orion Road church's sign approval.

Mayor Barnett stated that he was forwarding information received regarding the approval of the First Baptist Church's sign to Council members. He stated that he wished to coordinate a meeting between all parties to discuss this issue. He commented that the sign appears to be in compliance with the Ordinance and noted that this may be the first time the City is realizing the ramifications of the Sign Ordinance. He commented that discussions held with the Pastor of First Baptist have been positive and indicate the Church's willingness to work with the City to resolve this issue. He made the following announcements:

- Holiday Helpers provides services to families in need in Rochester Hills, and the number of families receiving assistance has skyrocketed in last 24 months to well over 100-plus families. He commented that the organization has benefitted by generous donors in the past and encourages continued involvement. He pointed out that 100 percent of the money raised stays within Rochester Hills.
- This is a record year for the City's parks, with record attendance, concession sales and shelter rentals. He expressed appreciation for continued support of the City's parks.
- The City has reduced Workman's Compensation claims by 50 percent this year.
- The City will be celebrating another new company moving into Rochester Hills. In the past year, 14 new businesses have located in Rochester Hills, including two companies who have opened their first location in the United States and two others opening their first location in Michigan.
- The Purchasing Department has received its sixth consecutive Achievement in Excellence Award; only 59 communities in entire United States have been honored with this award more than six times.

ATTORNEY MATTERS

None.

PRESENTATIONS

2009-0310 2008/2009 Rochester Hills Government Youth Council (RHGYC) Final Report to City Council

Attachments: [Agenda Summary.pdf](#)

Pratyusha Yalamanchi, Chairperson, Rochester Hills Government Youth Council (RHGYC), and **Richard Yoon**, Vice Chairperson, RHGYC, presented a final report of the 2008-2009 RHGYC activities.

Mr. Yoon stated that it has been an honor to be a part of the RHGYC. He

commented that the group has grown as a collective body and has made a difference in the community. He listed the RHGYC's projects for the year:

- The group participated in the Two for Tuz program, collecting school supplies to be sent to Tuz, Montenegro.
- RHGYC members volunteered at the City's Holiday Family Fun Night, where they were Santa's helpers and ran games and activities.
- The group marched in outfits with flags of many countries of the world in the Rochester Hometown Christmas Parade.
- Members worked at the polls during the recent Presidential Election last November.
- RHGYC members made Christmas cards and sang Christmas carols for residents of the Mercy Bellbrook Senior Community.
- Students sat at the dais during Council meetings and participated in Technical Review Committee meetings.
- The RHGYC participated in the Michigan Municipal League's Legislative Day on March 4, 2009, and led a mock council session on the topic of installing surveillance cameras in schools.

Ms. Yalamanchi reported that the RHGYC held a very successful 5k Run/Walk to Benefit Veterans with Traumatic Brain Injury on Saturday, June 27, 2009 at Bloomer Park. She stated that after meeting with Major Rick Briggs of the Brain Injury Association of Michigan (BIAMI), the group broke into committees and spent several months planning and organizing the event. She noted that nearly 200 individuals registered to run in the 5k and over \$4,100 was raised for the BIAMI. She commented that the project was the highlight of the RHGYC's year. Finally, the RHGYC members ended their year with participating in the City's Festival of the Hills, where the group distributed over 10,000 cups of free ice cream to those attending.

She stated that the past three years as RHGYC members have been truly rewarding for herself and Mr. Yoon, and stated that she was blessed to serve as a voice for youth. She commented that members formed lasting friendships and developed mutual respect. On behalf of the group, she expressed thanks to Leanne Scott, Youth Advisor and City Council Coordinator, for being a friend, mentor and Mother to group members, and thanked the City for the opportunity to be a part of this group.

Presented.

2009-0311 Swearing In Ceremony - 2009/2010 Rochester Hills Government Youth Council (RHGYC)

Attachments: [Agenda Summary.pdf](#)

Mr. Pixley commented that after listening to the Rochester Hills Government Youth Council (RHGYC) final report, it is obvious of the value that the RHGYC brings to the community and the value they receive. He noted that parents of RHGYC members must be very proud to see what their kids have done and commented that the City is blessed to have such a fine group of young adults. He commented that it has been a pleasure to get to know each and every member and he looks forward to getting to know the new members.

Leanne Scott, Youth Advisor and City Council Coordinator, stated that the RHGYC members are phenomenal individuals and she thanked the parents for sharing their children with her.

A presentation was introduced to highlight the RHGYC's activities this year.

Mr. Pixley invited Council to the front of the dais to recognize the outgoing RHGYC members. He announced the colleges and universities that the graduating members would be attending:

Karan Ahluwalia, Stoney Creek High School, attending Swarthmore College
Jonathan Han, Rochester High School, attending Purdue University
Samuel Kilberg, Rochester High School, attending Michigan State University
Leo Oriet, Avondale High School, attending Oakland University
Regina Wong, Cranbrook School, attending the University of Michigan
Pratyusha Yalamanchi, International Academy, attending Harvard
Richard Yoon, Rochester High School, attending Massachusetts Institute of Technology

He recognized the other RHGYC members:

Aly Difilippo, Rochester High School
Sara Etienne, Rochester High School
Kaitlyn Forbes, Notre Dame Preparatory High School
Susanna Jang, Adams High School
Amith Diwakar, International Academy (not in attendance tonight)
Ishan Patel, Avondale High School
Rachel Schlagel, Rochester High School

Mr. Pixley announced the 2009-2010 Rochester Hills Government Youth Council members:

Trip Brennan, Rochester High School, representing District 2
Jenna Clarkson, Marian High School, representing District 4
Aly Difilippo, Rochester High School, representing District 1
Amith Diwakar, International Academy, representing District 4
Sara Etienne, Rochester High School, representing District 4
Kaitlyn Forbes, Notre Dame Preparatory High School, representing District 2
Sean Kosecki, Rochester High School, representing District 4
Susanna Jang, Adams High School, representing District 2
Harvey Li, International Academy, representing District 1
Ishan Patel, Avondale High School, representing District 3
Shresht Rengesh, Avondale High School, representing District 1
Jessica Ruiz, Stoney Creek High School, representing District 2 (not in attendance tonight)
Rachel Schlagel, Rochester High School, representing District 3
Michelle Thorpe, Adams High School, representing District 2
Alex Zelinski, Brother Rice High School, representing District 2

Jane Leslie, City Clerk, administered the Oath of Office and welcomed the new members. She thanked the outgoing members for a great year.

The meeting was recessed to allow for a reception for RHGYC members.

Appointed.

(RECESS 7:56 p.m. to 8:17 p.m.)

NEW BUSINESS

2009-0314 Discussion regarding the creation of a MR-42E Noise Barrier/Sound Wall Technical Review Committee

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

President Hooper stated that two noise barriers along M-59 have qualified to receive 87.5 percent funding by the Michigan Department of Transportation (MDOT) and 12.5 percent funding by the City. He noted that for the past several meetings, residents of Country Club Village Subdivision have been requesting that City Council fund and construct Noise Barrier 10 (NB-10), a barrier that MDOT has determined did not meet both feasible and reasonable criteria to receive funding. He commented that residents affected by NB-10 have questioned the criteria by which MDOT ranked the segments of noise barriers and have requested that the City create and charge a Committee to review and rank walls for inclusion in the City's Capital Improvement Plan (CIP). He stated if Council approves the creation of a Sound Wall Committee, advertisement will be made for the resident component of this committee, and nominations made at a future meeting.

Public Comment:

Larry Aubuchon, 3480 Primrose, stated that he is interested in participating on a Sound Wall Committee.

James Resovsky, 637 Nawakwa, commented that it would be wise to insulate the desirable Country Club Village Subdivision with a noise barrier to protect property values. He stated that a barrier would strategically place this tax base where people would flock to it. He noted that the impacts of the decrease in property values have resulted in a decrease of approximately \$500 per house per year and noted that if a sound wall could reverse this trend and increase values, it could lead to as much as a \$2,560,000 increase in taxable value to the City over ten years.

Mike McGlynn, 3741 Everett, stated that efforts toward a sound wall need to stay on track and continue to progress. He noted that MDOT has already determined that NB-10 is needed, and the City needs to make it happen. He questioned how committee members would be selected and requested further clarification of the purpose of the committee. He noted that supporters of NB-10 are continuing their efforts by displaying lawn signs and circulating petitions. He questioned why City planners did not address a noise barrier with CENTEX

developers when the subdivision was first developed.

Sreeni Rajarao, 3765 Everett Drive, stated that he urged City Council to approve building NB-10. He noted that as noise levels increase, property values decrease, and this results in decreased tax revenue for the City.

Olaf Nitsche, 3753 Everett, stated that a committee should focus its efforts on funding the sound barriers. He questioned why Country Club Village Subdivision was developed so close to M-59. He commented that the new homes will bring tax dollars for the City's long-term investment. He commented that the City knew about the coming expansion project for M-59, bringing with it increased traffic and noise levels, and noted that the homeowners did not know about the project. He stated that the City should have collected money up front from CENTEX for a noise barrier. He requested Council set a reasonably aggressive timeline for a sound wall committee, noting that construction has already begun.

John Gaber, 1024 Adele Court, stated that as President of Covington Place Subdivision No. 3, located just north of M-59 and west of Livernois, he wished to note that his subdivision was similar to Country Club Village in the number of homes that look out onto M-59. He expressed that his subdivision has experienced similar problems in marketing homes adjacent to the freeway and stated that there were obviously many areas of the city affected by M-59 noise. He commented that he did not wish to disparage or demean the problems experienced by Country Club Village residents, however, he wished to voice another opinion to review other neighborhoods as well. He requested that his subdivision be given the opportunity to have a member included on a Sound Wall Committee. He noted that his subdivision is coming forward now because it appears that the City is possibly considering funding the construction of sound walls.

Phil Andrews, 3418 Everett, stated that the City residents are not necessarily receiving the benefit from the M-59 widening project and questioned the need for expansion. He commented that his subdivision has been underrepresented as they have a lower density but higher property values. He stated that a noise barrier would preserve their quality of life.

Council Discussion:

Mr. Ambrozaitis stated that the residents of Country Club Village and Wildflower Subdivision have his support. He stated that a committee needs to be formed and NB-10 should be constructed first. He commented that he was not against reviewing other walls, but would ask Council not to engage this committee to bog down the process.

Mr. Brennan stated that he believes that the formation of a sound wall committee is a well-conceived idea; however, he believes that other neighborhoods should be included. He commented that sound walls throughout the entire community should be reviewed.

President Hooper explained the citizen application process, noting that

membership on the committee should not be restricted to only one segment of the community.

Mr. Yalamanchi concurred that a committee should be formed and commented that while NB-10 is critical, all walls should be reviewed.

Mr. Webber stated that he did not believe that the formation of a committee would affect the CIP process. He noted that the Planning Commission included all ten wall projects into the CIP, however, the City does not have the money to build them all.

Mr. Pixley questioned whether additional citizen members could be included at the point of nominations.

President Hooper stated that Council could change the committee composition at any time. He pointed out that a committee is a great way to determine an equitable and fair ranking system for all walls and noted that all areas should be included.

Mr. Ambrozaitis stated that he wished to serve on this committee.

Mr. Rosen requested a clarification of what the committee would be charged to do. He questioned whether the committee would develop a rating and ranking system for each wall. He commented that all 12 sound walls should be included, stating that it would be constructive to see how the two funded walls would rate in comparison.

President Hooper agreed that all 12 sound walls could be reviewed and ranked by the committee.

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

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0230-2009

In accordance with Article VII, Section .02 of the City Council Rules of Procedure, the City Council resolves to establish a MR-42E Noise Barrier/Sound Wall Technical Review Committee, as follows:

- 1) Purpose and Charge
 - a. Charge/responsibility of the Committee
 - 1) Recommend criteria, metrics and individual ratings for MR-42E to determine a fair review of the twelve (12) wall segments that are both funded and not funded by the Michigan Department of Transportation (MDOT)
 - b. Expected results including, but not limited to, time line
 - 1) The Committee is expected to make recommendation for the individual ratings of noise barriers/sound walls within the City that are not to be funded by MDOT

- 2) The Committee is to be formed no earlier than September 15, 2009
- 3) The Committee is to make recommendations by December 15, 2009
- 2) Membership and selection, including number of members, solicitation of members and qualifications of members
 - a. Committee shall include two (2) Council Members.
Two (2) Council Members
 - b. Committees shall include citizen members which shall be appointed by Council
Three (3) Citizen Members
 - c. Committees may include Administrative Staff Members which shall be appointed by the Mayor
Two (2) Administrative Members, as appropriate (i.e., City Engineer, Traffic Engineer)
 - d. Committees may include one (1) Rochester Hills Government Youth Council (RHGYC) Representative selected by the Youth Council
One (1) RHGYC Member
 - e. Term of appointment, where appropriate
The term shall be for one year, with the first to expire December 2009.

2009-0315

Request to Amend the *City Council Rules of Procedure* to include a time limitation of no more than five minutes for City Council members and the Mayor to speak under Legislative and Administrative Comments

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

Mr. Webber stated that Legislative and Administrative Comments made at the beginning of the meeting typically consist of announcements and providing feedback for public comments and should not be used for debate. He noted that comments should be kept short so that Council can get into the heart of the agenda.

Public Comment:

Alice Benbow, 1582 Northumberland, stated that she found it interesting that an agenda item to limit City Council input to five minutes comes before next week's Special Budget Meeting. She commented that this was not an appropriate time to limit City Council input.

Council Discussion:

Mr. Rosen commented that the Legislative and Administrative Comments section of the agenda was added approximately six or eight years ago during a period of time that Council was under a fair amount of public criticism and

wanted a time to answer Public Comment as a way to respond to false or misinformation. He stated that while this proposed change to the Rules of Procedure is not necessarily a bad idea, he is not sure there is a need for a time limitation. He noted that the Council President should be fairly liberal in permitting an additional five minutes of Legislative or Administrative Comments, otherwise this could be deemed to cut off opinions.

President Hooper noted that the Legislative and Administrative Comments section was added to the agenda by former Council Member Barb Holder.

Mr. Pixley commented that initially he thought this was a good idea, noting that Council has many citizens who wait for agenda items; and he explained that it seems at times there is almost a disrespect for the citizens because of the length of some Legislative Comments. He commented that it would be best if Council could self-police and stated that he would be in agreement with not putting a finite limit on these comments.

Mr. Yalamanchi stated that he strongly believes that all Council Members should be responsible in their comments. He stated that he understands Mr. Webber's concerns, noting that Council Members should not do anything that gives the impression of grandstanding or taking up time for a lot of other items not related to City issues and City business. He commented that Council Members should be respectful, cognizant, and mindful of the time without the need to put this into the Rules of Procedure.

Mr. Webber stated that respecting tonight's discussion, he would be willing to leave the Rules of Procedure unchanged and allow Council to police itself. He noted that the last two meetings have included very concise Legislative and Administrative comments. He commented that if all eight individuals at the dais used up an allotted five minutes of time, Legislative Comments could take 40 minutes and stated that he is certain that no one wishes for that to occur. He agreed with Council exercising self-control and reviewing this in the future if the need arises.

Mr. Rosen stated that he believed that having this discussion was very helpful.

Mr. Brennan agreed that Council should self-police its comments. He stated that Council Members should bring a business-like attitude to the meetings as the citizens want to see that business is taken care of and comments made should be relevant and meaningful to address the business at hand and show respect to the citizens.

Discussed.

2009-0316 Discussion regarding the proposed Historical Preservation Ordinance Amendment

Attachments: [Agenda Summary.pdf](#)
[Staran Letter.pdf](#)
[Ordinance.pdf](#)

President Hooper noted that this issue came up a few weeks ago during the discussion of the Tienken Road bridge and stated that concerns were raised

over Council's lack of involvement in the decision making process for Public Improvements within the Historic District. City Attorney John Staran was requested to provide options for Council consideration. He commented that new information had recently been received regarding the design of the replacement bridge over Stony Creek.

Mayor Barnett noted that new information regarding bridge design was received by the City two days ago, and requested Derek Delacourt summarize what had been received.

Derek Delacourt, Deputy Director of Planning, stated that subsequent to concerns expressed by the Historic Districts Commission (HDC) over the proposed 48 foot bridge replacement over Stony Creek, the City has received new plans showing a reduction of the proposed bridge shoulders to two feet and the pathway to 7.46 feet. He noted that the total bridge width is now proposed at 40 feet, an eight foot reduction from the original design. He explained that the Road Commission for Oakland County (RCOC) would review this new design before the HDC on Thursday, August 20, 2009; and further noted that the new bridge design includes a more aesthetically-pleasing railing, reduced barriers and less mass. He stated that it is his understanding that the RCOC will submit the design for formal HDC approval at their September 10, 2009 meeting.

Paul Davis, City Engineer, stated that the City received these preliminary new plans prior to a meeting scheduled for Wednesday, August 19 with utility companies, to provide input to the RCOC on impacts to their utilities noting that a 36-inch water main is in close proximity to the bridge.

President Hooper stated that these new developments are very positive. He noted that the proposed new design provides a critical pathway component.

Public Comment:

Dave Tripp, 960 E. Tienken, thanked Council for its thoughtful deliberation and support of the three-lane option for Tienken Road and commented that although far from resolved, the City has turned the corner and hopefully can work in partnership with the RCOC. He commented that a proposed amendment to the Historic Districts Ordinance, regardless of how well meaning it may be, is a bad idea. He noted that this Ordinance was developed over a period of time with input from a lot of individuals and will likely result in the City being approved for participation in the Certified Local Government (CLG) program. He stated that amending the current Ordinance will downgrade the HDC to a recommending body only, and could cut funding for historic resources. He cautioned Council to proceed slowly, noting possible unintended consequences.

Council Discussion:

Mr. Ambrozaitis expressed his concerns that this amendment is not warranted. He stated that he wished to see something in writing from the HDC as to how they view this potential change, noting that it potentially hurts the Historic District in the long run.

Mr. Rosen stated that commission-type bodies take much of the politics out of decisions. He noted that even if HDC can rule on the style of a bridge, the City has final approval as it controls the finances. He noted that having the HDC make decisions on public infrastructure within the Historic District is appropriate, commenting that oftentimes, to do the right thing, politics should not be a component. He expressed concerns with Mr. Staran's comments that amending the Ordinance could take the City out of sync with State Law. He stated that the Ordinance is the fundamental underpinning of the historic preservation process and noted that there are very clear rules for HDC to proceed. He commented that often, as with his Planning Commission experience, when a developer and a commission negotiate, they tend to merge to find a middle ground.

Mr. Yalamanchi stated that he has respect for the Planning Commission and the HDC, however, the governing body should be able to make the decisions on the infrastructure. He commented that after conversations with Mr. Staran, he does not wish to see the City lose CLG certification. He stated that if the process is going well and Council is kept apprised of what is going on, there is no need to amend the Ordinance.

Mr. Webber stated that he originally expressed concerns about the CLG program noting although the program is important, he has concerns over who makes final decisions. He questioned what the City will actually see at the State level from the program now that the State has had to tighten its budget. He commented that he is looking forward to working with the HDC.

Mayor Barnett stated that Council's message is loud and clear and will be transmitted to HDC members. He announced to Council that he recently learned that the City has received CLG status.

Mr. Pixley stated that in reviewing Mr. Staran's comments and concerns over compliance with State law, he concurs with not amending the Ordinance. He commented that Council is charged with expending the taxpayers' dollars and will control that process.

Mr. Delacourt commented that recent changes to the Ordinance did not bring about any of these additional concerns.

Discussed.

2009-0255 Discussion relative to the Police and Road Funding Technical Review Committee recommendations

Attachments: [Agenda Summary.pdf](#)
[Replacement Millage Ballot Question \(Rev 072809\).pdf](#)
[072709 Agenda Summary.pdf](#)
[Final Spreadsheet Strgly Rec 2009.pdf](#)
[Final Spreadsheet Strgly Rec 2009 In Process.pdf](#)
[Final Spreadsheet 2010+.pdf](#)
[Road Debt Schedule \\$1 6 million.pdf](#)
[Replacement Millage Ballot Question \(072209\).pdf](#)
[071309 Agenda Summary.pdf](#)
[062909 Agenda Summary.pdf](#)
[Final Report to Council.pdf](#)

President Hooper stated that tonight's discussion should render a decision whether to move ahead with one of the two ballot proposals which were favored during discussions held at the July 27, 2009 Council meeting, or continue discussions at a later date. He noted that following that meeting, he and Mr. Webber drafted additional language along those two favored proposal options.

Public Comment:

Lee Zendel, 1575 Dutton, commented that it was his opinion that Option A1 was the one to pick as it would not confuse the public. He noted that if Option A2 is selected, it should be for four years; and the reference to "contracted positions" should be changed to "Officers" for clarity. He expressed interest in Option E as it included possible Special Assessment Districts funding, which he commented is the only way the City would be able to fund street projects. He commented that if Council voted to put a millage request on this Fall's ballot, those opposing a millage would speak out immediately and Council would not have enough opportunity to explain the need for this millage to the constituents. He suggested it be brought to the voters in 2010.

Council Discussion:

Mr. Webber thanked President Hooper for his leadership in keeping this issue at the forefront. He stated that the Police and Road Funding Technical Review Committee (PRTRC) delivered over 20 recommendations and noted that many are already in motion or in place, referencing the Fund Balance Policy and the Green Space Stewardship recently approved and adopted. He commented that he would like to hold a workshop to discuss some of the higher-rated suggestions with the PRTRC and bring a report back to Council after the Budget hearings. He noted that the Debt Millage did not expire until next year and stated that his preference would be to defer a ballot proposal until then.

Mr. Pixley stated that the PRTRC spent a great deal of time and effort and came up with over 20 recommendations. He stated that he would concur with Mr. Webber to study the information more prior to proceeding with a ballot proposal.

Mr. Rosen stated that he received many calls about whether this proposed Millage would be a new tax or replacement tax. He noted that adequate communication to the electorate could not be accomplished in six or eight weeks and stated that it would need to be accomplished over time for next year. He also suggested that a grassroots effort to promote a proposal to the voters be undertaken and

suggested that a Political Action Committee (PAC) be formed to get the message out about the need for this millage. He commented that a PAC should be formed this fall for a 2010 proposal, and further noted that this would be critical for 2014 when Police Millage 1 and 2 expire. He concurred with deferring additional discussion on this proposal until after the Budget is completed.

Mr. Brennan stated that he would be in favor of option A1, commenting that it conveys to the citizens exactly what the City will do with the money and noting it will reduce the dependency on the General Fund for Police Services. He stated that he has no objection to deferring this item and going back to review other options.

Mr. Ambrozaitis stated that he was not in favor of any of the proposals submitted and commented that it was premature to put any Millage request on the ballot when the Budget has not yet been finalized. He stated that cuts should be made to the Budget first.

President Hooper stated that at this point there appears to be no consensus to move forward and noted that the item will be deferred to later in the year.

Discussed.

COUNCIL COMMITTEE REPORTS

None.

ANY OTHER BUSINESS

Mr. Ambrozaitis requested an update on the progress toward developing an Ordinance for planting grass. He questioned whether Building/Ordinance Compliance could look into the condition of a property on Gerald Street and noted that he would provide the location to Mayor Barnett after the meeting.

Public Comment:

Alice Benbow, 1582 Northumberland, stated that interested residents should attend the next County Commissioners' Meeting on Wednesday evening, August 12, 2009, and commented that people can bring up concerns of Tienken Road, M-59 and the Historic District. She provided phone numbers for State Representative Tom McMillin (517-373-1773 or 866-969-0450) and Congressman Gary Peters (248-273-4227).

Mayor Barnett reported that the Administration has been in contact with State Representative McMillin along with other agencies to actively try to locate a combined solution to fund repairs to the Avon Road Bridge.

Mr. Rosen questioned whether the Budget Sessions will be televised.

President Hooper stated that they would.

Mayor Barnett requested that Council comments and questions on the Budget be submitted to the Directors in advance of the meetings.

President Hooper stated that any specific proposals for additions or cuts to the Budget by Council Members should also be submitted in writing.

NEXT MEETING DATE

Special Budget Meeting - Monday, August 17, 2009 - 6:00 PM

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:40 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 September 28, 2009 Regular City Council Meeting.