



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

*Kevin S. Brown, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark A. Tisdel,
Michael Webber and Thomas W. Wiggins*

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, December 9, 2013

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 6 - Kevin S. Brown, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark
A. Tisdel and Michael Webber

Absent 1 - Thomas W. Wiggins

Others Present:

*Tina Barton, City Clerk
Jim Breuckman, Manager of Planning
Kara Cendrowski, Rochester Hills Government Youth Council Representative
Deborah Hoyle, Financial Analyst
Keith Sawdon, Director of Finance
Allan Schneck, Director of DPS/Engineering
Joe Snyder, Senior Financial Analyst
Pamela Valentik, Manager of Economic Development*

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

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdel and Webber

Absent 1 - Wiggins

PUBLIC COMMENT

Lorraine McGoldrick, 709 Essex, stated that traffic safety should be a

consideration during any zoning process. She questioned the information gathered by the Michigan Department of Transportation regarding the need for a traffic light at M-150 and Meadowfield versus M-150 at a realigned Drexelgate/Eddington Boulevard, and commented that a four-way intersection with a traffic light does not promote safety. She stated that a staggered light would be best here, noting that it works well on Adams Road.

Scot Beaton, 655 Bolinger, expressed his appreciation for the work of citizen activists. He thanked the 7,282 voters who cast ballots in the most recent election and commented that an incentive should be provided to voters such as restaurant coupons or free passes to City parks.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper noted that it is the last Council meeting of the year, and wished everyone a Merry Christmas and a Happy New Year.

Mr. Webber wished everyone a happy holiday season and a safe New Year. In response to public comment, he noted that community activists to be thanked for their participation include those involved in Parent-Teacher Associations, sporting coaches, service club members such as Rotarians and Jaycees, and volunteers at the Older Persons' Commission. He encouraged residents to stay engaged in community activities.

Mr. Brown echoed Council Members' sentiments for a happy holiday season, a Merry Christmas and a safe New Year, and commented that everyone should enjoy watching Michigan sports teams participating in bowl games.

Mr. Kochenderfer commented that he is thankful for the community that residents enjoy.

Ms. Morita encouraged residents to check on neighbors, noting that many need help in keeping their walkways safely cleared.

Kara Cendrowski, Rochester Hills Government Youth Council Representative (RHGYC), reported that the RHGYC participated in the 62nd Annual Rochester Hometown Christmas Parade, decked out in Caribbean gear. She extended thanks on behalf of the RHGYC to Allan Schneck, Director of DPS/Engineering, for allowing the group to paint a plow. She reported that the Public Relations Committee will be using a grant received for the Strive 4 a Safer Drive program to encourage safe driving. She announced that the RHGYC has selected the charity Blessings in a Back as recipient of the proceeds for its 2014 5K. She noted that RHGYC members will participate in the Family Fun Night on December 12th and will help at the event which is held each year for employees and their families.

ATTORNEY MATTERS

None.

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.

- 2010-0495** Request to Consider Adoption of the Restated Resolution, to replace RES0201-2013 adopted at the September 30, 2013 Regular Meeting, regarding the request for approval of an Industrial Facilities Exemption Certificate for Otto Bock Polyurethane Technologies

Attachments: [Agenda Summary.pdf](#)
[Letter Tax Commission 120213.pdf](#)
[Treasury Sample Resolution.pdf](#)
[093013 Agenda Summary.pdf](#)
[Development Agreement 2013.pdf](#)
[Financial Analysis.pdf](#)
[Suppl Presentation.pdf](#)
[091613 Agenda Summary.pdf](#)
[Application.pdf](#)
[062413 Agenda Summary.pdf](#)
[Suppl Presentation 062413.pdf](#)
[022811 Agenda Summary.pdf](#)
[121310 Agenda Summary.pdf](#)
[112210 Agenda Summary.pdf](#)
[Development Agreement Draft.pdf](#)
[Suppl Development Agreement \(Revised\).pdf](#)
[Suppl Presentation 121310.pdf](#)
[Exhibit A 2008 Tax Exemption Chart.pdf](#)
[Application.pdf](#)
[Application Question 6a.pdf](#)
[Application Section 6b.pdf](#)
[Otto Bock Brief History.pdf](#)
[5 Year Analysis.pdf](#)
[112210 Resolution.pdf](#)
[121310 Resolution.pdf](#)
[022811 Resolution.pdf](#)
[091613 Resolution.pdf](#)
[093013 Resolution.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0275-2013

Whereas, an Industrial Development District was established on September 6, 2006 at 2923 Technology Drive, also known as Parcel Number 15-30-477-012, and further described as:

THE SOUTH 133 FEET OF LOT 33 AND THE NORTH 142 FEET OF LOT 34, "ROCHESTER HILLS EXECUTIVE PARK" AS RECORDED IN LIBER 199, PAGES 26-30, OAKLAND COUNTY PUBLIC RECORDS. LYING IN THE SOUTHWEST 1/4 OF SECTION 29, AND THE SOUTHEAST 1/4 OF SECTION 30, TOWN 3 NORTH, RANGE 11 EAST, CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN. CONTAINING 132,000

SQUARE FEET OR 3.03 ACRES; and

Whereas, in December 2010, City Council approved a real and personal property tax abatement for the investment Otto Bock made in the building located at 2923 Technology Drive, along with machinery and equipment;

Whereas, Otto Bock is currently in the third year of that five-year tax abatement and this newly presented investment was not calculated at the time of the first abatement and cannot be added to the existing tax abatement as the two-year window of time to make those investments has closed; and

Whereas, Otto Bock pledged to invest \$3,861,000 in the Rochester Hills operation and create 39 jobs, and as reported to City Council in June 2013, Otto Bock to date has invested \$6,396,000 in the Rochester Hills facility and created 45 jobs; and

Whereas, Otto Bock Polyurethane Technologies, Inc. filed a new application for an Industrial Facilities Exemption Certificate for personal property on September 9, 2013; and

Whereas, in its application, Otto Bock Polyurethane has indicated that it is experiencing tremendous sales growth, especially in non-automotive sectors and plans to purchase \$2,950,000 in additional machinery and equipment within the next two years, creating an additional 17 jobs; and

Whereas, a Public Hearing regarding this request was held at City Council's Regular Meeting of September 30, 2013, in which the taxing authorities, applicant and public were given an opportunity to be heard; and

Whereas, The Rochester Hills City Council has reviewed the application and made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force under Act. No. 198 of the Public Acts of 1974 and Act No. 2255 of the Public Acts of 1978, does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.
- b. Permanent jobs will be created and retained as a result of this project.
- c. There is a demonstrated need for financial assistance to encourage Otto Bock to retain its production and expansion in Rochester Hills.
- d. The prospects for long-term growth are present.
- e. The investment will increase the economic vitality of the industrial and high technology districts within the City of Rochester Hills.
- f. The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Rochester Hills, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and

Whereas, RES0201-2013 was adopted approving the request for an IFT for Otto Bock Polyurethane Technologies on September 30, 2013; and

Whereas, on December 2, 2013 the State Tax Commission informed the City that the above action (f) must be included in this Resolution.

Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the request of Otto Bock Polyurethane Technologies, Inc. for an Industrial Facilities Exemption Certificate for a period of six (6) years for personal property; and

Be It Further Resolved, that the City Council's prior Resolution RES0201-2013, adopted on September 30, 2013 is hereby rescinded, superseded and replaced by this Resolution.

Be It Further Resolved, that the accompanying agreement between Otto Bock Polyurethane Technologies, Inc. and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution no later than December 10, 2013; and

Be It Finally Resolved, that as the City Attorney has reviewed the agreement as to form, the Mayor is authorized to sign the agreement.

Passed the Consent Agenda

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

The Following Consent Agenda Item was Discussed and Adopted by Separate Motion

2013-0435 Request for Purchase Authorization - DPS/FLEET: Purchase of one (1) new four wheel drive Parks Platform Truck in the amount of \$30,381.40; Signature Ford Lincoln Mercury Jeep, Owosso, MI

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

Public Comment:

Lee Zendel, 1575 Dutton Road, questioned why the low bid for this item is not recommended. He mentioned that back in 1990, the lowest bidder missed receiving a sale because of one detail omitted. He questioned what specification the low bidder missed and why it was deemed significant.

Allan Schneck, Director of DPS/Engineering, responded that the truck is required to have an auxiliary battery for the lift gate. He explained that the Parks Department uses that lift gate periodically which drains the battery, requiring a jump

to start the truck. He stated that the low bidder does not offer the battery as a part of their proposal; and he pointed out that the additional cost for that option is \$670.40. He pointed out that with the addition of the battery option, the lowest bidder's price is within \$100 of the second bidder.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0276-2013

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) new four wheel drive Parks Platform Truck from Signature Ford Lincoln Mercury Jeep, Owosso, Michigan in the amount of \$30,381.40.

PUBLIC HEARINGS

2008-0294 Request for Approval of an Industrial Facilities Exemption Certificate for real and personal property at 2350 Austin Ave. (Rayconnect, Inc.)

Attachments: [Agenda Summary.pdf](#)
[2013 Development Agreement draft.pdf](#)
[Financial Analysis 2013 Sheet 1.pdf](#)
[Financial Analysis 2013.pdf](#)
[Application.pdf](#)
[Suppl Presentation.pdf](#)
[Public Hearing Notice.pdf](#)
[120213 Agenda Summary.pdf](#)
[092412 Agenda Summary.pdf](#)
[Suppl Presentation 092412.pdf](#)
[062308 Agenda Summary.pdf](#)
[Application.pdf](#)
[Captured Taxes Analysis.pdf](#)
[RayConnect Financial Analysis-Personal 1.pdf](#)
[RayConnect TB Analysis-Real.pdf](#)
[Personal Property Depreciation.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)
[Revised Resolution.pdf](#)
[061608 Agenda Summary.pdf](#)
[061608 Resolution.pdf](#)
[120213 Resolution.pdf](#)
[Resolution.pdf](#)

Pam Valentik, Manager of Economic Development, stated that Rochester Hills uses tax abatements as a tool to incentivize investment in the community, following the guidelines of Michigan Public Act 198. She introduced Ramesh Gaddam, President and CEO of Rayconnect, Inc.

Mr. Gaddam explained that Rayconnect is planning on a significant expansion.

He gave a presentation, which summarizes the company's progress to date, and outlined their proposed investment:

- A. Raymond Network:
 - * 5,000 people in 23 countries, across four continents.
 - * Wide range of products, fasteners, fluid handling and electrical applications.
 - * A long proud history in Rochester Hills, going back to 1989. Rayconnect was formed in 2005.
 - * Since then, the company built a new facility in 2009 and made other acquisitions under A. Raymond Corporate North America.
- The A. Raymond North American Network today:
 - * 900 employees, with production sites in Canada, Ohio, Kentucky, Indiana and two in Rochester Hills.
 - * 286 permanent employees in southeast Michigan.
- Rochester Hills Facility:
 - * 54,000 square feet of manufacturing space.
 - * 20,000 square feet of office space.
 - * Three shift operation, 97 employees, injection molding and high-speed automation.
 - * LEED Gold Certified manufacturing facility.
- Rayconnect Sales Growth:
 - * Sales growth continues to gain market share, outpacing the market.

He highlighted the planned investment:

- Investment - Real Property:
 - * Addition of 30,000 square feet of manufacturing and warehouse space.
 - * Investment of approximately \$2.6 million.
- Investment - Personal Property:
 - * Total investment of approximately \$9 million, including high speed automated assembly, injection molding, tools and auxiliary equipment.
- Job Creation:
 - * Addition of 60 jobs over two years, including:
 - * Highly skilled production technicians to operate molding and assembly machines.
 - * Maintenance Technicians, Engineers, Supply Chain and Logistics, Finance and Administrative.

He commented that thanks to the previous abatement, Rayconnect has been able to remain cost competitive while staying in Rochester Hills. He stated that the company has a history of exceeding its commitments and influencing sister divisions to remain in Rochester Hills. He mentioned that the company has strong growth potential moving into non-automotive applications. He noted that the company must remain cost competitive to maintain growth.

Ms. Valentik noted that based on the projected investment and plan to retain 97 jobs and create 60 jobs, according to Council's Abatement Policy, a 12-year abatement on real property and eight-year abatement on personal property is proposed. She commented that the company's application requests a 12-year abatement for both real and personal property. She explained the breakdown on revenues for the taxing jurisdiction following the policy versus Rayconnect's request.

President Hooper commented that Rayconnect is a huge success story for Rochester Hills.

President Hooper Opened the Public Hearing at 7:32 p.m.
Seeing No Public Comment, President Hooper Closed the Public Hearing at 7:33 p.m.

Mr. Kochenderfer questioned why the request is for the additional four years for personal property.

Mr. Gaddam responded that the longer abatement will help the company stay competitive. He noted that the firm continues to face stiff competition from companies in the south and in Mexico.

Mr. Kochenderfer stated that the City must be careful about setting a precedent. He questioned whether there are any special circumstances that warrant the longer abatement.

Ms. Valentik responded that the City's policy limits the abatement.

Mr. Brown requested a recap of the company's performance relative to the previous tax abatement.

Ms. Valentik noted that at the original abatement request as a part of the State's Michigan Economic Growth Authority (MEGA) Grant Program, the City did go to the full abatement allowed by Public Act 198 for 12 years for both real and personal property. The company pledged to invest \$14,534,600 and at completion of the project, they reported an investment of \$16,827,000. She added that they also created the 97 jobs pledged.

Mr. Brown thanked Mr. Gaddam for his firm's selection of Rochester Hills. He commented that as a part of his daytime job in the automotive industry, he can see how a few percentage points can make a difference in a company's success.

President Hooper commented that the tax abatement is money well-spent adding jobs in the community. He noted that the resolution in the meeting packet called for a 12-year abatement on real property and an eight-year abatement on personal property.

Mr. Tisdell stated that the company should be granted a 12-year abatement for both real and personal property.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0277-2013

Whereas, Rayconnect, Inc., as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan are located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended; and

Whereas, the Industrial Development District is that property located at 2350 Austin Ave., further identified as Parcel Number 15-29-452-036, further identified as:

T3N, R11E, SEC 29 SUPERVISOR'S PLAT NO. 9 LOTS 1 & 2 MORE PARTICULARLY DESC AS BEG AT SW COR OF 'SD' LOT 1, TH N 03-02-01 W 354.65 FT, TH N 23-06-22 W 193.48 FT, TH N 02-58-23 W 28.52 FT, TH N 83-01-04 E 801.63 FT, TH S 02-26-26 E 588.59 FT.; AND

Whereas, Rayconnect, Inc. has made application to the Rochester Hills City Council for an Industrial Facilities Exemption Certificate under the above noted legislation; and

Whereas, a Public Hearing regarding this request was held at City Council's Regular Meeting of December 9, 2013 in which the taxing authorities, applicant and public were given an opportunity to be heard; and

Whereas, the Rochester Hills City Council has reviewed the application and made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.
- b. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.
- c. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but is also for the purpose of providing an addition to the facility on industrial property.
- d. The addition to the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.
- e. The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Rochester Hills, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

Resolved, that pursuant to Section 9 (1) and (2) of Act 198 of Public Acts of 19974, as amended, the City Council of the City of Rochester Hills hereby approves the request of Rayconnect, Inc. for an Industrial Facilities Exemption Certificate for a period of up to twelve (12) years for real and twelve (12) years for personal property after completion of construction; and

Be it Further Resolved, that the accompanying agreement between Rayconnect and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution; and

Be It Finally Resolved, that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form.

Attachments: [Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)

Mr. Webber and **Mr. Brown** announced that they would recuse themselves from this item as they were both Council representatives to the Older Persons' Commission Board and should not participate in the discussion or vote.

Deborah Hoyle, Financial Analyst, explained that every Community Development Block Grant (CDBG) project must meet at least one of the national objectives, which include primarily benefitting low/moderate income persons or households, aiding in the elimination of slum or blight conditions, or meeting an urgent community need.

She listed how Program Year 2013-2014 funds are allocated:

- Minor Home Repair - \$118,083
- Public Services, including the following:
 - * Yard Services - \$10,000
 - * Haven - \$7,000
 - * Emergency Clothing - \$3,000
- Total - \$138,083.

She explained that last year funds were limited by Oakland County to only four projects. Youth Services, funded previously by CDBG funding, were allocated to the General Fund and no longer use CDBG project monies.

She noted that Council is being asked to consider two options. The first option is to keep allocations as they have been for 2013-2014, as funding is expected to remain the same. A second option is to fund a special request from Rochester Area Neighborhood House (RANH) for the purchase of a van through this program for their Transportation Program. They are asking for a one-time, one-year commitment of \$24,000. She noted that funding the purchase would significantly decrease the Minor Home Repair line item, changing it from \$118,083 to \$97,083.

A chart displayed noted the amount of funding spent in Minor Home Repair Services each year. She commented that the number of projects vary from year to year, as some are larger in scope and require more funds. She noted that there are always people that need help, but some projects are more money. The number of projects completed each year depends on the complexity and scope of the projects.

She highlighted the number of rides RANH provides each year, and commented that RANH reports that 70 to 80 percent of the individuals serviced are from Rochester Hills. She mentioned that should Council opt to fund a van for the transportation program, it would not necessarily be considered a sole source. The program would be bid out with a request for proposal (RFP) and other organizations could apply for the funding. She added that the City can only contribute up to \$24,000 as there is a cap of 30 percent of CDBG funds for public service uses. She noted that funds must be spent within nine months of the release of funding.

President Hooper questioned whether another organization such as the Older Persons' Commission could bid for the transportation program funding.

Ms. Hoyle responded that it is possible, and noted that RANH does not have an age limit for those using the transportation services. She commented that OPC could be eligible to bid if it considered opening up its transportation program to all ages.

President Hooper Opened the Public Hearing at 7:41 p.m.

Linda Riggs, Executive Director, Rochester Area Neighborhood House, stated that the organization is appreciative of past support of CDBG funds under Emergency Services for the Clothes Closet. She explained that their current van is increasing in age and has been providing services to low and moderate income individuals in their service area for many years. She mentioned that the van was originally purchased in 2004 using CDBG funds from Oakland Township, and is used to take clients to social service appointments, doctor visits and job interviews. RANH collaborates with the OPC and Auburn Hills Senior Services to ensure that services are not duplicated. She mentioned that clients may need to use their services to see doctors who are specialists and are not necessarily right in the area. She added that there are income limits set through the Department of Housing and Urban Development (HUD) and clients must fall in the "extremely low", "very low" or "low" income categories. She explained that most fall in the "extremely low" or "low" categories.

Ms. Riggs noted that over the last four years, the RANH Transportation Program has averaged around 500 rides each year. She commented that 75 percent of those using the service are from Rochester Hills, and 25 percent come from other local communities. She stated that the van is used for approximately 15,000 miles each year and is beginning to require maintenance that takes funds away from other areas of their programming. She added that two of RANH's board members were in attendance to show their support.

Seeing No Further Public Comment, President Hooper Closed the Public Hearing at 7:50 p.m.

Mr. Kochenderfer questioned what criteria would be used to select a bidder and if Council could place restrictions on a bidder should it choose Option B and provide the requested Transportation Program funding.

Ms. Hoyle responded that she would have to contact Oakland County to determine whether Council could place any restrictions on bidders.

President Hooper questioned what an RFP would look like.

Ms. Hoyle responded that the RFP would be for the transportation service program. Whoever would win the bid would receive the funding for the van purchase. She noted that it would not be awarded to an individual who wants to start a business. She commented that the County has offered their assistance as other communities have done similar programs.

Ms. Morita expressed concern that Council does not know what the RFP would look like and does not know who would ultimately run the program if RANH does not win the bid.

Ms. Hoyle concurred; stating, however, that Oakland Township offered that they have not had another organization make a bid for services in several years.

President Hooper questioned what CDBG figures were included in the 4th Quarter Budget Amendment for 2013 and if these funds were allocated.

Ms. Hoyle responded that there is a corresponding revenue for CDBG expenditures, explaining that the City does not receive the CDBG funds until September of the program year, and noting that some funds are carried over to the next fiscal year. She stated that the funds are allocated for this year.

Mr. Tisdell stated that leaving the funding for Minor Home Repair will allow those funds to stay 100 percent in Rochester Hills and will serve to improve the housing stock. He commented that considering the outstanding questions regarding an RFP, his choice would be to stay with the current programming distribution.

Ms. Morita questioned whether allocating more funding for Emergency Clothing services for RANH could serve to free up their own funding. She noted that CDBG funds go to pay the hours for their full-time manager.

Ms. Riggs stated that the \$3,000 in CDBG funding covers a portion of the manager's salary. She commented that RANH would be open to use that money differently.

Ms. Morita suggested increasing this line item to \$10,000.

Ms. Hoyle noted that an RFP must be issued for the Emergency Clothing services as well; however, she noted that no one else bid that item either this year or last year.

Mr. Tisdell made a motion to accept Option A, keeping funding as it is in the 2013 Program Year.

The motion died for lack of a second.

After discussion, it was determined to remove \$7,000 from the Minor Home Repair line item, making it \$111,083, and add it to the Emergency Clothing line item, making that item \$10,000.

President Hooper commented that there is obviously a need in the community for the Minor Home Repair program.

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

Aye 4 - Hooper, Kochenderfer, Morita and Tisdell

Abstain 2 - Brown and Webber

Absent 1 - Wiggins

Enactment No: RES0278-2013

Whereas, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

Whereas, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and

Whereas, the City of Rochester Hills has duly advertised and conducted a public hearing on December 9, 2013 for the purpose of receiving public comments regarding the proposed use of Program Year 2014 Community Development Block Grant funds (CDBG) in the approximate amount of \$138,083; and

Whereas, the City of Rochester Hills found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need.

Option A, with Allocations as follows:

Account Number	Project Name	Amount
731227	Minor Home Repair	\$ 111,083
732170	Yard Services	\$ 10,000
730137	Battered & Abused Spouses	\$ 7,000
730571	Emergency Services	\$ 10,000
		\$ 138,083

Therefore, Be It Resolved, that the City of Rochester Hills CDBG application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

2013-0477 FY 2013 4th Quarter Budget Amendments

- Attachments:** [Agenda Summary.pdf](#)
[2013 = 4th Qtr BA - Overview.pdf](#)
[2013 4th Qtr Budget Amendment - Detail.pdf](#)
[2013 = 4th Qtr Budget Adjustment - Detail.pdf](#)
[2013 - 4th Qtr Budget Amendments \(OPC\).pdf](#)
[2013 - 4th Qtr Budget Amendments \(RARA\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)

Joe Snyder, Senior Financial Analyst, explained that the 4th Quarter Budget Amendment is typically the largest of the quarterly amendments as it reviews the entire budget against actual numbers. He noted that total revenues increase by \$458,000, while total expenditures decrease by approximately \$4.2 million,

yielding a City-wide positive impact on fund balance of \$4.7 million. Recapping the decrease in expenditures, he noted that the vast majority of the reduction is in capital projects, which decrease by \$4 million to account for those projects not completed and carried forward to 2014. He mentioned that it is anticipated that \$3.8 million will be carried forward into the 1st Quarter 2014 Budget Amendment. He added that operating expenses and transfers out also decrease. He pointed out that the capital outlay of approximately \$10 million only draws down Fund Balance by \$3.5 million; and noted that this is a positive situation for a City to be in, showing \$6.5 million in operational spread.

He stated that 4th Quarter Budget Amendments for the Older Persons' Commission and the Rochester-Avon Recreation Authority were also included for information, and he noted that these Amendments were approved by their respective governing boards.

**President Hooper Opened the Public Hearing at 8:06 p.m.
Seeing No Public Comment, President Hooper Closed the Public Hearing at 8:07 p.m.**

Council Discussion:

President Hooper stated that it was interesting to see the increase in Cable Franchise Fees and State Shared Revenue.

Mr. Snyder responded that the 2013 budget was originally set in June of 2012, with numbers that are intended to be conservative. He commented that the economy was still improving at that point, and since then there has been strength at the State level, with sales tax revenues up.

President Hooper noted that the 4th Quarter Budget Amendment typically adds money to Fund Balance, while the 1st Quarter Budget Amendment decreases Fund Balance.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0279-2013

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, in accordance with Section 19 of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, the City Council may permit the Mayor to execute *adjustments* to the budget within limits;

Whereas, the Public Hearing for the proposed FY 2013 4th Quarter Budget Amendments was noticed on November 21, 2013; and

Whereas, the proposed FY 2013 4th Quarter Budget Amendments were available for public viewing beginning on November 27, 2013; and

Whereas, at its December 9, 2013 meeting City Council held a Public Hearing on the Proposed FY 2013 4th Quarter Budget Amendments.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby approves the following FY 2013 fund totals as amended:

101 - General Fund	\$23,654,190
202 - Major Road Fund	5,729,240
203 - Local Street Fund	6,586,470
206 - Fire Fund	7,335,640
207 - Special Police Fund	9,237,150
211 - Perpetual Care Fund	1,200,530
214 - Pathway Maintenance Fund	597,030
232 - Tree Fund*	53,780
244 - Water Resources Fund	707,510
299 - Green Space Fund	40,910
314 - 2001 Local Street SAD Debt Fund*	245,030
331 - Drain Debt Fund	3,475,520
369 - OPC Building Refunding Debt Fund	748,810
394 - 2012 Local Street Refunding Debt Fund*	449,020
402 - Fire Capital Fund	45,000
403 - Pathway Construction Fund	482,500
420 - Capital Improvement Fund	332,000
592 - W&S Operating Fund	31,990,040
593 - W&S Capital Fund	6,888,350
595 - W&S Debt Fund*	603,620
631 - Facilities Fund	5,513,050
636 - MIS Fund	1,702,400
661 - Fleet Equipment Fund	2,880,100
677 - Insurance Fund*	295,000
736 - Retiree Healthcare Trust Fund	118,880
752 - Perpetual Care Trust Fund*	0
848 - LDFA Fund	400,450
851 - SmartZone Fund*	123,000
893 - EDC Fund	290

*= No expenditure, revenue only

and, Therefore, Be It Further Resolved, the Mayor is authorized to administratively adjust the operating budget line-items up to \$25,000 per event, but in no case may total expenditures of a particular fund exceed that which is appropriated by the City Council without a budget amendment.

NOMINATIONS/APPOINTMENTS

- 2013-0402** Nomination/Appointment of one (1) Citizen Representative to the Building Authority for a six-year term to expire December 31, 2019

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Deel CQ.pdf](#)
[McGunn CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Foster CQ.pdf](#)
[Olson CQ.pdf](#)
[Paurazas CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Ryan Deel and Michael McGunn were nominated at the December 2, 2013 Regular City Council Meeting. He instructed Council to vote for one nominee.

The nominees received the following votes:

Ryan Deel: Tisdel

Michael McGunn: Brown, Hooper, Kochenderfer, Morita and Webber

President Hooper announced that **Michael McGunn** was appointed to the Building Authority for a six-year term ending December 31, 2019.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdel and Webber

Absent 1 - Wiggins

Enactment No: RES0280-2013

Resolved, that the Rochester Hills City Council appoints Michael McGunn to the Building Authority to serve a six-year term expiring December 31, 2019.

2013-0404 Nomination/Appointment of three (3) Citizen Representatives to the Green Space Advisory Board, each for a three-year term expiring December 31, 2016

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Austin CQ.pdf](#)
[Fleer CQ.pdf](#)
[Niks CQ.pdf](#)
[Peterson CQ.pdf](#)
[Shurkus CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Suppl Agenda Summary 120213 \(Revised\).pdf](#)
[Nomination Form.pdf](#)
[Suppl Nomination/Appointment Memorandum 120213.pdf](#)
[Gensman CQ.pdf](#)
[Hunter CQ.pdf](#)
[Hulbert CQ.pdf](#)
[Suppl Lyons CQ.pdf](#)
[Mazur-Abeare CQ.pdf](#)
[McGunn CQ.pdf](#)
[Moher CQ.pdf](#)
[Muenk CQ.pdf](#)
[Neveau CQ.pdf](#)
[Nielson CQ.pdf](#)
[Oriet CQ.pdf](#)
[Thompson CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

Public Comment:

Dahlvin Peterson, 1147 Grandview, stated that he was a six-year member of the Green Space Advisory Board (GSAB) and has served as Chairperson of the subcommittee for Stewardship and Advocacy. He noted that the committee has recently had the increased responsibility of working diligently with the GSAB members and City Staff to put together a plan for protection and preservation of green space in Rochester Hills. He asked for Council's reappointment, noting that he wished to continue with the implementation process for a plan.

Council Discussion:

President Hooper noted that Bruce Austin, Luke Fleer, Sandra Niks, Dahlvin Peterson and Danielle Shurkus were nominated at the December 2, 2013 Regular City Council Meeting. He instructed Council to vote for three of the nominees.

The nominees received the following votes:

Bruce Austin: Hooper and Morita

Luke Fleer: Kochenderfer, Tisdell and Webber

Sandra Niks: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Dahlvin Peterson: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Danielle Shurkus: Brown

President Hooper noted that Sandra Niks and Dahlvin Peterson received a majority vote. He instructed Council to vote again for one nominee from Bruce Austin, Luke Fleer and Danielle Shurkus. The remaining nominees received the following votes:

Bruce Austin: Brown, Hooper and Morita
Luke Fleer: Kochenderfer, Tisdell and Webber
Danielle Shurkus: Brown

President Hooper noted that no nominee received a majority vote. He requested Council vote again for the remaining nominees. The nominees received the following votes:

Bruce Austin: Hooper and Morita
Luke Fleer: Brown, Kochenderfer, Tisdell and Webber

President Hooper announced that Luke Fleer, Sandra Nicks and Dahlvin Peterson would be appointed to the Green Space Advisory Board, each for a three-year term ending December 31, 2016.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0281-2013

Resolved, that the Rochester Hills City Council appoints Luke Fleer, Sandra Nicks, and Dahlvin Peterson to the Green Space Advisory Board, each to serve a three-year term expiring December 31, 2016.

2013-0406 Nomination/Appointment of four (4) Citizen Representatives to the Historic Districts Study Committee, each for a two-year term to expire December 31, 2015

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Aubuchon CQ.pdf](#)
[Booth CQ.pdf](#)
[McGunn CQ.pdf](#)
[Suppl Thomasson CQ \(Revised\).pdf](#)
[Webster CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Suppl Agenda Summary 120213 \(Revised\).pdf](#)
[Suppl Nomination/Appointment Memorandum 120213.pdf](#)
[Nomination Form.pdf](#)
[HDSC Appt Memo.pdf](#)
[Butler CQ.pdf](#)
[Suppl Fleer CQ.pdf](#)
[Mazur-Abeare CQ.pdf](#)
[Neveau CQ.pdf](#)
[Thomasson CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper noted that John Aubuchon, Don Booth, Michael McGunn, Sue Thomasson and LaVere Webster were nominated at the December 2, 2013

Regular City Council Meeting. He instructed Council to vote for four of the nominees. The nominees received the following votes:

John Aubuchon: Brown, Hooper, Kochenderfer, Tisdell and Webber

Don Booth: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Michael McGunn: Morita

Sue Thomasson: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

LaVere Webster: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

President Hooper announced that John Aubuchon, Don Booth, Sue Thomasson and LaVere Webster were appointed to the Historic Districts Study Committee, each for two year terms ending December 31, 2015.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0282-2013

Resolved, that the Rochester Hills City Council appoints John Aubuchon, Don Booth, Sue Thomasson and LaVere Webster to the Historic Districts Study Committee, each to serve a two-year term to expire December 31, 2015

2013-0407 Nomination/Appointment of two (2) Citizen Representatives to the Human Resources Technical Review Committee, each for a one-year term to expire December 31, 2014

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Atkinson CQ.pdf](#)
[Butler CQ.pdf](#)
[McDonald CQ.pdf](#)
[Soisson CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Schodowski CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Donald Atkinson, Patrick Butler, Thomas McDonald and Nancy Soisson were nominated at the December 2, 2013 Regular City Council Meeting. He instructed Council to vote for two of the nominees. The nominees received the following votes:

Donald Atkinson: Brown, Morita and Tisdell

Patrick Butler: Hooper

Thomas McDonald: Brown, Hooper, Kochenderfer and Webber

Nancy Soisson: Kochenderfer, Morita, Tisdell and Webber

President Hooper announced that Thomas McDonald and Nancy Soisson would be appointed to the Human Resources Technical Review Committee, each for a one-year term to expire December 31, 2014.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0283-2013

Resolved, that the Rochester Hills City Council appoints Thomas McDonald and Nancy Soisson to the Human Resources Technical Review Committee, each to serve a one-year term expiring December 31, 2014.

2013-0409 Nomination/Appointment of seven (7) Citizen Representatives to the Police and Road Funding Technical Review Committee, each for a one-year term to expire December 31, 2014

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Blackstone CQ.pdf](#)
[Duda CQ.pdf](#)
[Gensman CQ.pdf](#)
[Hetrick CQ.pdf](#)
[Hokschi, Jr., CQ.pdf](#)
[Ipina CQ.pdf](#)
[Johnson CQ.pdf](#)
[Rogers CQ.pdf](#)
[Stephens CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Butler CQ.pdf](#)
[Carlock CQ.pdf](#)
[Graves CQ.pdf](#)
[McCracken CQ.pdf](#)
[Moher CQ.pdf](#)
[Moore CQ.pdf](#)
[Paurazas CQ.pdf](#)
[Schodowski CQ.pdf](#)
[Schroeder CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Thomas Blackstone, Gordon Duda, Sindy Gensman, Dale Hetrick, Orville Hokschi, Jr., Jorge Ipina, Walter Johnson, LeAnne Rogers and Tom Stephens were nominated at the December 2, 2013 Regular City Council Meeting. He instructed Council to vote for seven of the nominees. The nominees received the following votes:

Thomas Blackstone: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Gordon Duda: Morita

Sindy Gensman: Tisdell and Webber

Dale Hetrick: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Orville Hokschi, Jr.: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Jorge Ipina: Brown, Hooper, Kochenderfer, Morita and Tisdell

Walter Johnson: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

LeAnne Rogers: Brown, Hooper, Kochenderfer and Webber

Tom Stephens: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

President Hooper announced that Thomas Blackstone, Dale Hetrick, Orville Hokschi, Jr., Jorge Ipina, Walter Johnson, LeAnne Rogers and Tom Stephens were appointed to the Police and Road Funding Technical Review Committee, each for a one-year term to expire December 31, 2014.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0284-2013

Resolved, that the Rochester Hills City Council appoints Thomas Blackstone, Dale Hetrick, Orville Hokschi, Jr., Jorge Ipina, Walter Johnson, LeAnne Rogers and Tom Stephens to the Police and Road Funding Technical Review Committee, each to serve a one-year term expiring December 31, 2014.

2013-0410 Nomination/Appointment of seven (7) Citizen Representatives to the Water and Sewer Technical Review Committee, each for a one-year term to expire December 31, 2014

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Butler CQ.pdf](#)
[Graham CQ.pdf](#)
[Hurst CQ.pdf](#)
[McDonald CQ.pdf](#)
[Schodowski CQ.pdf](#)
[Schroeder CQ.pdf](#)
[Soisson CQ.pdf](#)
[Stephens CQ.pdf](#)
[120213 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Kulaga CQ.pdf](#)
[Paille CQ.pdf](#)
[Schmeisl CQ.pdf](#)
[Tischer CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Patrick Butler, Richard Graham, Philip Hurst, Thomas McDonald, Edward Schodowski, C. Neall Schroeder, Nancy Soisson and Tom Stephens were nominated at the December 2, 2013 City Council Regular Meeting. He instructed Council to vote for seven of the nominees. The nominees received the following votes:

Patrick Butler: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber
Richard Graham: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber
Philip Hurst: Brown, Hooper, Kochenderfer, Tisdell and Webber
Thomas McDonald: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber
Edward Schodowski: Brown and Morita
C. Neall Schroeder: Hooper, Kochenderfer, Morita, Tisdell and Webber
Nancy Soisson: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber
Tom Stephens: Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

President Hooper announced that Patrick Butler, Richard Graham, Philip Hurst, Thomas McDonald, C. Neall Schroeder, Nancy Soisson and Tom Stephens were appointed to the Water and Sewer Technical Review Committee, each to serve a one-year term expiring December 31, 2014.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0285-2013

Resolved, that the Rochester Hills City Council appoints Patrick Butler, Richard Graham, Philip Hurst, Thomas McDonald, C. Neall Schroeder, Nancy Soisson and Tom Stephens to the Water and Sewer Technical Review Committee, each to serve a one-year term expiring December 31, 2014.

NEW BUSINESS

2006-0425 Request for designation of the Frank Farm Historic District; 1290 E. Auburn; 1304 E. Auburn; 1344 and 1356 E. Auburn

Attachments: [Agenda Summary.pdf](#)
[Hyska Ltr 102813.pdf](#)
[Holtz Ltr 112513.pdf](#)
[Frank Farm Final Report.pdf](#)
[CC Minutes 060109.pdf](#)
[HDSC Update Memo 110409.pdf](#)
[Holtz Ltr 042409.pdf](#)
[SHPO 012908 Comments.pdf](#)
[Frank Farm Survey Sheets.pdf](#)
[Suppl Frank Farm Presentation.pdf](#)
[HDSC Minutes 060911.pdf](#)
[HDSC Minutes 120910.pdf](#)
[HDSC Minutes 111209.pdf](#)
[HDSC Minutes 051409.pdf](#)
[HDSC Minutes 031209.pdf](#)
[PC Minutes 102108.pdf](#)
[HDSC Minutes 091108.pdf](#)
[Public Hearing Minutes 043008.pdf](#)
[HDSC Minutes 031308.pdf](#)
[HDSC Minutes 110807.pdf](#)
[HDSC Minutes 021207.pdf](#)
[HDSC Minutes 060806.pdf](#)
[Agenda Summary 060109.pdf](#)
[Draft Resolution 060109.pdf](#)
[Resolution.pdf](#)

Jim Breuckman, Manager of Planning, explained that three parcels of land being considered for historic designation are located on the south side of Auburn Road between John R and Dequindre, consisting of 1290, 1304 and 1356/1344 East Auburn, encompassing approximately eight acres. He noted that the intensive property survey completed in 2002 by the City listed these parcels for possible designation. The Historic Districts Study Committee (HDSC) commenced a study to determine eligibility, held all Public Hearing and procedural steps, and approached Council in 2009 for consideration. Determination of the designation was tabled at that time, as there was some objection from the property owners.

He explained that a new party purchased 1304 East Auburn, which sits in the middle and encompasses approximately eight-tenths of an acre of land. The property consists of a home built in 1866, with a second home in the back. The new owner has submitted a letter requesting that his property be removed from the potential list. Anita Holtz, the property owner of 1290, is related to the Frank Family, and has submitted a letter in support of designation of the entire property.

Mr. Breuckman noted that Christine Kiddorf, the City's historical consultant, is in attendance if to answer any questions.

President Hooper noted that at the Council meeting in 2009 when the designation was last considered, the owner was not in attendance. He questioned what has changed on the property since that time.

Ms. Kiddorf responded that nothing has changed for the ten contributing buildings.

Anita Holtz, 1290 East Auburn, stated that it is important that this land be designated historical. She noted that she is the fifth generation living on the property, which goes back 190 years. She highlighted the history of the property, noting that Indian tribes occupied the land before her family purchased it, and explaining that she has found arrowheads and other tools and artifacts. She commented that her great grandfather started the property in 1823 and the family donated land for the first Frank School, which is now called Brooklands Elementary. She mentioned that her great grandfather spent 35 months fighting in the Civil War. She noted that the property is a Centennial Farm, although the marker depicting this designation was stolen. She stated that it would be a tribute to the family to have the historic designation.

President Hooper noted that the family wrote a letter to Council in 2009 stating that the designation would be a detriment to the family in its plans for a sale.

Ms. Holtz responded that since then, several things have changed. She stated that Ray Frank, her cousin, passed away two years ago. She commented that although he wanted it designated, he had financial need and was afraid that he would not be able to pay his obligations if it were designated. The family has now collectively decided that they want the designation.

President Hooper questioned who lives in which homes.

Ms. Holtz responded that she lives in 1290 East Auburn with her mother. She explained that 1304 East Auburn was a rental property. She noted that relatives live in 1344 and 1356 East Auburn. She noted 1304 is the oldest of the homes.

President Hooper questioned whether Janice Frank wishes to have the property designated.

Ms. Holtz responded that Janice Frank feels it would be a tribute and honor to her husband, Ray, who died on the property.

Discussion ensued regarding the various structures and homes on the parcels.

Mentor Hyska, of Sterling Heights, stated that he purchased 1304 East Auburn in July of 2013 and proposes to demolish the home. He noted that he has received conflicting dates as to when the home was built, and commented that to bring the home up to present day standards would require two to three times the cost of taking it down to build a new home. He pointed out that the home has been changed since it was built, and the siding was changed 20 years ago. He mentioned that 1344 East Auburn is a vacant home, which has mold intrusion due to water damage which occurred last year. He stated that the home he purchased is in poor condition inside and outside.

Ms. Holtz responded that Mr. Hyska hopefully had an inspection done before purchasing the home. She stated that she goes into 1344 East Auburn every day and while it will take money to fix the home up, it is still a grand home and is not going to fall down. She commented that Mr. Hyska visited Janice Frank and offered to purchase the home from her.

President Hooper commented that it is difficult to find someone with funds to step forward to renovate historic properties.

Mr. Brown questioned where the archaeological finds on the property were located.

Ms. Kiddorf responded that she was not sure, noting that HDSC member Dr. Richard Stamps would have that information.

Ms. Holtz stated that they were found at the back of the property.

Mr. Brown noted that it has been 12 years since the original study and questioned what the typical timeframe is from study to designation.

Mr. Breuckman responded that the purpose of the 2002 survey was to identify all properties in the city that may be historical and may warrant further study. He explained that the HDSC has slowly and surely began a review of the properties. He noted that the typical timeframe for a study is between 18 months to two years. He mentioned that a good portion of this time is spent satisfying procedural requirements.

Mr. Brown questioned whether another public forum is required.

Mr. Breuckman responded that no additional public forum is required as the study does not have an expiration date. He noted that should Council choose to move forward with a designation, an Ordinance would be drafted.

Mr. Brown questioned whether it is possible to designate a portion of the property, exempting 1290 and 1304 East Auburn.

Mr. Breuckman responded that Council could choose to designate a portion.

President Hooper noted that it would be similar to the designation of the Twist Drill site.

Mr. Brown noted that during his due diligence in reviewing the history of the request, he sees that the family originally said no to the designation.

President Hooper questioned how a potential buyer is alerted that a property might be on a historic list.

Mr. Breuckman responded that once designated, the historic status would be named on the title. He added that the potential properties are flagged on the Building Department's list as such, and the Department would not issue a building or demolition permit. He commented that other than this, a potential purchaser would not know.

Mr. Tisdell pointed out that while this property was identified in 2002 as a potential designation site, there is nothing on any of the property detail sheets or seller's disclosure for the sale. He commented that he thinks it is unfortunate that the property was not designated; however, he would suggest that 1304 be taken out of designation.

President Hooper noted that this has occurred a number of different times with other historic properties. He stated that he has a tough time telling a resident that Council is going to place a historic designation on their property which affects the owner's ability to change the exterior. He noted that if no one chooses to invest money to keep the property in good condition, the property will deteriorate whether it is deemed historic or not.

Mr. Brown questioned whether an Ordinance Amendment would be triggered if Council opted to designate the property today.

Mr. Breuckman stated that it would.

Mr. Brown moved to designate 1290, 1344 and 1356 East Auburn Road and remove 1304 East Auburn Road from designation.

Mr. Kochenderfer supported the motion.

Mr. Webber stated that it is a struggle to consider the designation as the owner of 1304 East Auburn sees a designation as a burden, while the remainder of the owners want the designation. He commented that the difficulty arises because the new owners were not made aware. He noted that deeming only a portion of the parcels as historic could be a solution.

Mr. Tisdell stated that the other potential properties on the list must be somehow flagged in the public records today so Council is not faced with this same situation. He likened the designation after the fact to a retroactive tax, stating that it is unfair to the current owner.

Ms. Morita commented that the deterioration is demolition by neglect. She expressed concern because the City has not had a recent review of the properties, and does not know what condition these properties are in. She stated that the City may have to institute Circuit Court action if the properties are not being kept up. She noted that she would not be interested in putting any of these properties into designation without having a current condition report.

President Hooper stated that he would not support including all the land associated with the properties and is not in support of the motion as presented. He commented that he favored a smaller district.

Mr. Brown questioned the timing moving forward to Ordinance review should Council opt to designate.

Mr. Breuckman stated that the timing would depend on information still to be determined. He stated that an Ordinance would not be brought forward until they have an estimate of what would be included.

President Hooper suggested that the motion could be removed from the table.

Ms. Morita stated that she would like to see this item postponed. She noted that she wants to see current photos of the condition of the property.

Mr. Brown suggested this item be tabled into the January calendar in order to acquire photographs and potentially redraft boundaries.

President Hooper suggested staff be directed to prepare designations for alternative areas for discussion.

Mr. Brown added that information should be included as to the archaeological areas in the back of the property. He then withdrew his motion.

Mr. Kochenderfer concurred.

Mr. Breuckman questioned whether Council wishes it be brought forward to eliminate the review rights for 1304 East Auburn, and if it wishes to see walk-through information on 1304 and 1344 East Auburn.

President Hooper directed that a review be completed encompassing the inside and outside of all of the properties, with the permission of the property owners. He directed that ancillary buildings be excluded. He stated that once the information is gathered by staff, this item would be put back onto Council's agenda.

Discussed.

2013-0171 Request for Approval of the First Amendment to the Planned Unit Development (PUD) Agreement for City Walk, to allow various amendments, including residential uses, parking and signage at the site located at the southeast corner of Rochester Rd. and Tienken, zoned Flexible Business, FB-2, with a PUD Overlay, overall Parcel No. 15-11-103-011, Tienken Partners, LLC, Applicant

Attachments: [Agenda Summary.pdf](#)
[First Amendment PUD 102213.pdf](#)
[Map aerial.pdf](#)
[Exhibit E Addendum.pdf](#)
[PUD Approved in 2004.pdf](#)
[Minutes PC 111913.pdf](#)
[Minutes PC 043013.pdf](#)
[Staff Report 111913.pdf](#)
[Minutes CC 030304.pdf](#)
[Plans.pdf](#)
[Memo Breuckman 042513.pdf](#)
[Resolution.pdf](#)

Jim Breuckman, Manager of Planning, introduced Francis and Paul Aragona, owners of the City Walk Property. He explained that they are requesting approval of the revised Planned Unit Development (PUD) for City Walk. He explained that the PUD was originally formed in 2004, before the incorporation of Flexible Business (FB) Overlays, and he noted that the property falls into a FB-2 District. He detailed the proposed changes:

- To allow residential units in the development.
- Changes to signage and parking requirements.
- To allow a higher building.
- Standards to accommodate different setbacks for the inclusion of a taller building, or any building exceeding 30 feet in height.

Paul Aragona stated that the major change requested to the PUD is to add

residential to the development. He commented that there is concern over adding more retail and services added would be the kinds that residents would favor. He explained that the site has a high walkability factor, noting a walking score of 72.

Public Comment:

Scot Beaton, 655 Bolinger, noted that the property was originally zoned Light Industrial. The property was then was zoned Office-Research-Technology, which is difficult to do in that particular area as it is not near freeways. He commented that the City Walk proposal is a popular trend in the country, yielding multi-use buildings. He stated that he supported the change, and suggested a two-story configuration with rooftop gardens and spaces to accommodate bicycles.

Council Discussion:

Mr. Kochenderfer stated that this proposal is the best thing for this area of the city, and he supports the idea.

Mr. Tisdell thanked the Aragonas for the presentation, and mentioned that there is a benefit of building up for mixed use.

Ms. Morita suggested that language be incorporated into the PUD which pertains to Exhibit E, included in the meeting packet, to note that the City is not locked into approving that exact configuration. She questioned why the amendment requests a change in the restaurant percentage from 25 to 35 percent.

Paul Aragona responded that it is a trend in mixed use developments to include more spaces such as coffee shops.

Discussion ensued to draft wording to include Exhibit E for illustration purposes only, with any and all plans going before the Planning Commission and City Council for approval.

Ms. Morita stressed that it should be noted that the inclusion of the drawing as an exhibit will not stop the City from restricting the height of the building or the stories of the building as it sees fit.

Mr. Webber welcomed the Aragonas, and stated that he favored the walkability of the project. He questioned whether enough parking is included for the residential units.

Mr. Breuckman responded that staff believes that there is plenty of space on site for parking. He noted that when the development first began in 2004, the requirement was for double the parking that is required now. He added that the building will be set up with a good portion of the first floor area as covered parking for the residents.

President Hooper commented that it is an excellent idea, and stressed that the architecture must be well-designed.

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

Aye 6 - Brown, Hooper, Kochenderfer, Morita, Tisdell and Webber

Absent 1 - Wiggins

Enactment No: RES0286-2013

Resolved, that the Rochester Hills City Council hereby approves the First Amendment to the Planned Unit Development Agreement for City Walk PUD, located at the southeast corner of Rochester and Tienken Roads, zoned Flexible Business, FB-2 with a PUD Overlay, overall Parcel No. 15-11-103-011, dated received October 22, 2013, Tienken Partners, LLC, Applicant with the following five findings and one condition:

Findings:

1. The proposed amended PUD agreement is consistent with the proposed intent and criteria of the PUD option.
2. The proposed amended PUD agreement is consistent with the approved Final PUD Plan.
3. The amended PUD agreement will not create an unacceptable impact on public utility and circulation systems, surrounding properties or the environment.
4. The proposed amended PUD agreement promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.
5. The proposed agreement provides for an appropriate transition between the subject site and existing land uses to the east of the property.

Condition:

1. Exhibit E as shown is for illustrative purposes only. Any and all plans to be submitted for recommendation by Planning Commission and approval by City Council will be subject to Conditional Land Use approval as to height. No approval is construed as being granted by the inclusion of Exhibit E and will not stop the City from limiting the height of the building in any respect.

COUNCIL COMMITTEE REPORTS

Older Persons' Commission (OPC):

Mr. Webber reported that the OPC Governing Board met this past week and is moving ahead with the process of engaging a search firm with regard to the Executive Director's position. He noted that the firm is the same one that is working with Oakland Twp in their search for a new superintendent. He stated that the parking addition is progressing as scheduled, and the OPC will be working with the City of Rochester during winter months to undertake the second phase by the spring of next year. He commented that the project will add 70 spaces plus covered parking for some of the OPC's vans, and will cost less than the parking deck project that was previously proposed.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, January 13, 2014 - 7:00 p.m.

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*

*TINA BARTON, Clerk
City of Rochester Hills*

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

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