

MINUTES of the **Regular Rochester Hills City Council Meeting** held at 1700 W. Hamlin Road, Rochester Hills, Michigan, on Wednesday, March 12, 2003 at 7:35 PM.

1. CALL TO ORDER

President Dalton called the Regular Rochester Hills City Council Meeting to order at 7:35 PM Michigan Time.

2. ROLL CALL

Present: President John Dalton; Members Bryan Barnett, Jim Duistermars, Lois Golden, Melinda Hill, Barbara Holder, Gerald Robbins

Absent: None

QUORUM PRESENT

Others Present: Pat Somerville, Mayor
Beverly A. Jasinski, City Clerk
John Staran, City Attorney
Ed Anzek, Director, Planning Department
Scott Cope, Director, Building Department
Pam Lee, Director, Human Resources Department
Roger Rousse, Director, Public Service Department
Bob Spaman, Finance Director
Paul Davis, City Engineer

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA (A0001) (Members received a copy of a City Council Regular Meeting Action Summary Sheet dated March 6, 2003 from Susan Koliba-Galeczka, City Council Liaison).

President Dalton stated Agenda Item **11e** (Confirmation of Mayor's Reappointments) and Agenda Item **15a(i) and 15a(ii)** (Zoning Board of Appeals Nominations/Appointments) would be removed from the Agenda, and a new Agenda Item **15d** (Amend and Readopt Resolution A0494-2003-R0066) would be added to the Agenda. He noted the original Agenda Item 15d would be renumbered to Agenda Item **15e** (Amendments to Bylaws and Rules of Procedure of City Council Communication Committees).

Member Hill questioned why Agenda Item **11e** was being removed, noting no discussion was held at the March 5, 2003 Work Session indicating the item should be removed. Mayor Somerville stated she preferred to postpone the appointments until she had an opportunity to discuss some matters with the individuals she intended to reappoint.

Council Members clarified the Planning Commission and Zoning Board of Appeals appointments would be rescheduled allowing sufficient time for the appointments to be made in order to avoid an insufficient number of members prior to their first meetings in April. President Dalton indicated the appointments should be completed at the April 2, 2003 Council Meeting.

Resolution A0001-2003-R0068

MOTION by Robbins, seconded by Barnett,

Resolved that the Rochester Hills City Council hereby approves the Agenda of the Regular Rochester Hills City Council Meeting of March 12, 2003, amended as follows:

Remove: Agenda Item 11e (Confirmation of Mayor's Reappointments of William Boswell and Eric Kaiser to the Planning Commission).

Agenda Item 15a (Zoning Board of Appeals Nominations/Appointments)

(i) Nominations to fill three (3) three-year terms to expire March 31, 2006

(ii) Appointment of Planning Commission Representative

Add: Agenda Item 15d (Amend and Readopt Resolution A0494-2003-R0066 regarding adding Youth Representatives to the Council Communication Committees).

Renumber: Agenda Item 15d to 15e (Amendments to Bylaws and Rules of Procedure of City Council Communication Committees to add Youth Representatives).

The remainder of the Agenda remained the same

Ayes: Dalton, Barnett, Duistermars, Golden, Holder, Robbins

Nays: Hill

Absent: Absent

MOTION CARRIED

5. CHAIRPERSON'S REPORT

President Dalton stated Oakland County was preparing for the West Nile Virus, and requested the Administration work with the County regarding this matter. Mayor Somerville indicated the City was prepared to do so.

6. MAYOR'S REPORT

Mayor Somerville had nothing to report at this time.

7. COUNCIL COMMENTS

Member Robbins noted the Easter Bunny was present in the audience, and challenged the Council to match his contribution to the Holiday Helpers of Rochester Hills for the Easter programs.

Member Hill stated the Rochester Hills Museum at the Van Hoosen Farm was the 2003 recipient of the Dan L. Flaherty Park Excellence Award for the adaptive reuse project of the 1927 Van Hoosen Dairy Farm. She indicated the Flaherty Award was given by the Great Lakes Parks Training Institute to outstanding parks projects in the States of Michigan, Ohio, Indiana, Illinois, Wisconsin, Minnesota and Pennsylvania.

Member Golden noted County Commissioner Sue Ann Douglas was present in the audience and thanked her for her e-mail updates and her efforts in obtaining monies for environmental matters.

Member Holder stated tornado drills would begin in March, with the sirens being tested on the first (1st) Saturday of each month. She noted a special test would held on March 18, 2003 at 10:30 AM. She stated the Rochester Hills Professional Firefighters Union Vegas Night was a complete success, with Forty-five Hundred (\$4,500.00) Dollars raised for the Muscular Dystrophy Association.

8. ATTORNEY'S REPORT

Attorney Staran had nothing to report at this time.

9. ADOPTION OF RESOLUTION to set Closed Session at the conclusion of tonight's meeting (March 12, 2003) for the purpose of discussing pending litigation that could affect the financial interest of the City, namely, Grand/Sakwa Acquisitions, LLC v. City of Rochester Hills (A0613)

Resolution A0613-2003-R0069

MOTION by Duistermars, seconded by Robbins,

Resolved that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, at the conclusion of tonight's meeting, Wednesday, March 12, 2003, for the purpose of discussing pending litigation that could affect the financial interest of the City, namely **Grand/Sakwa Acquisitions, LLC v. City of Rochester Hills**. Council will not reconvene to open session at the conclusion of the Closed Session.

ROLL CALL VOTE:

Ayes: Dalton, Holder, Barnett, Duistermars, Golden, Hill, Robbins
Nays: None
Absent: None

MOTION CARRIED

President Dalton stated he would move to the Public Comments portion of the Agenda to allow the Holiday Helpers of Rochester Hills and the Easter Bunny to speak.

Suzanne White, 1598 Parke, stated she was the President of the Holiday Helpers of Rochester Hills, and introduced the Easter Bunny. She stated the Holiday Helpers would be holding an Easter Egg Hunt for all Rochester Hills children aged two (2) to eight (8) years at Bloomer Park on April 12, 2003. She indicated the Holiday Helpers was in need of donations to fill the eggs for the hunt, which amounted to over Nineteen Thousand (19,000) pieces of candy. She stated donations would be accepted at North Oakland Community Bank, Fire Station One, and at the Chateau Avon Clubhouse. She indicated registration forms were available at those locations, the City Hall Municipal Building, and at the organization's website (www.justlendahand.com). She indicated the Holiday Helpers would be providing baskets to area residents, and noted three (3) new families had requested assistance already this year.

Member Robbins thanked his colleagues and the audience for their contributions. Ms. White thanked those for their contributions and noted the Easter Bunny had received donations amounting to Eighty (\$80.00) Dollars.

10. PRESENTATION - Oakland County Budget Issues - Sue Ann Douglas, Oakland County Commissioner (A0002)

President Dalton stated he and Ms. Douglas had discussed the monetary problems being experienced by the municipalities, and stated Ms. Douglas had agreed to provide Council with an update regarding the County's budget.

Ms. Douglas stated the County's Fiscal Year begins on October 1st, and noted the General Fund Budget was down to Three Hundred Forty Million (\$340,000,000.00) Dollars as of Thursday, March 6, 2003. She explained General Funds were used to operate the Sheriff's Department and the entire criminal justice system, including the Prosecutor's Office and the Courts.

Ms. Douglas stated the County did not anticipate an increase in property taxes at this time. She noted the County wanted to maintain its AAA bond rating because it provided a benefit to the communities for use with building projects, which meant the reserves could not be depleted.

Ms. Douglas stated the County wanted to be supportive of local government, despite the fact the County would not have the funds for infrastructure improvements as had been done over the last five (5) years.

Ms. Douglas stated the County would continue with programs such as the GIS Program. She noted the cities were facing many similar problems as the County, such as decreases in property tax revenue; increases in health insurance costs and fringe benefits; decreases in interest earnings, and state cuts in revenue sharing. She indicated the County was reviewing state cuts in grants and cost sharing, noting the County provided many services the State cannot provide from a central point.

Ms. Douglas stated the County had implemented a freeze on personnel, and utilized an "early out" retirement, which would be effective as of the end of March. She indicated the Citizens Research Council's Analysis estimated it would take the State until 2009 to recover from the deficit.

Ms. Douglas stated one (1) growing expense for the County was a change in rules, which required the County to maintain certain classes of prisoners in the County Jail for eighteen (18) months, before sending them to the State Jail system. She indicated consideration was being given to increasing the County's time frame to twenty-four (24) months. She stated jail space was limited and costs would increase.

Ms. Douglas stated the Sheriff's contracts would end this year, and she had been appointed to work on the renegotiation. She indicated she would welcome input from Council regarding this matter.

Member Robbins questioned the impact of the budget on the contract with the Sheriff's Department. Ms. Douglas noted the County did not view the contracts as a revenue source because the contracts were costed out. She noted health care costs had increased, although it was too early for her to determine how the negotiations would proceed.

Member Robbins questioned whether the situation with the jail housing prisoners for longer periods of time would have an impact on the Sheriff's Department contracts. Ms. Douglas noted the court system was responsible for placing individuals in the jail system, and did not believe that would surface as an issue with the Sheriff's Department contracts. She indicated the County was required to provide a jail, regardless of whether the communities contracted with the Sheriff's Department or had their own police departments.

Member Barnett thanked Ms. Douglas for her presentation, and suggested Council might meet quarterly with all the Commissioners that represent the City to improve communication.

President Dalton thanked Ms. Douglas for attending the meeting. Ms. Douglas noted she could be reached by e-mail at Douglas@eesc.com.

11. CONSENT AGENDA (All matters listed 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 the Consent Agenda for separate discussion.)

Member Barnett requested Consent Agenda Item **11i** be removed for separate discussion. Consent Agenda Item **11e** was removed at the beginning of the meeting.

Consent Agenda Items **11a, 11b, 11c, 11d, 11f, 11g** and **11h** were approved by a single motion.

11a. Approval of Minutes - Regular Work Session, February 5, 2003 (A0005) (Members received a copy of the Minutes of a Regular Rochester Hills City Council Work Session held on Wednesday, February 5, 2003).

Resolution A0005-2003-R0070

MOTION by Barnett, seconded by Golden,

Resolved that the Minutes of a Regular Rochester Hills City Council Work Session held on Wednesday, February 5, 2003, be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- 11b. Approval of Minutes** - Regular Meeting, February 12, 2003 (A0005) (Members received a copy of the Minutes of a Regular Rochester Hills City Council Meeting held on Wednesday, February 12, 2003).

Resolution A0005-2003-R0071

MOTION by Barnett, seconded by Golden,

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on Wednesday, February 12, 2003, be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- 11c. Confirmation of Mayor's Reappointments** of William Benson, L. Bruce Kingery, C. Neall Schroeder and Samuel Seabright to the Economic Development Corporation (A0506) (Members received a copy of a Regular Meeting Action Summary Sheet dated February 24, 2003 from Pam Olson, Support Staff Aide, Mayor's Office, with attachments)

Resolution A0506-2003-R0072

MOTION by Barnett, seconded by Golden,

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of William Benson, L. Bruce Kingery, C. Neall Schroeder, and Samuel Seabright to the Economic Development Corporation, each for a six-year term, which will expire March 31, 2009.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- 11d. Confirmation of Mayor's Reappointment** of Michael Ellis to the Local Development Finance Authority (A0510) (Members received a copy of a Regular Meeting Action Summary Sheet dated February 24, 2003 from Pam Olson, Support Staff Aide, Mayor's Office, with attachments)

Resolution A0510-2003-R0073

MOTION by Barnett, seconded by Golden,

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Michael Ellis to the Local Development Finance Authority for a three-year term, which will expire March 31, 2006.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

Consent Agenda Item **11e** (Confirmation of Mayor's Reappointments of William Boswell and Eric Kaiser to the Planning Commission) was removed from the Agenda at the beginning of the meeting.

- 11f. Acceptance of Easements** for 52-3 District Court/Sheriff Substation from Oakland County, Parcel No. 15-26-377-001 (A0282) (Members received a copy of a Regular Meeting Action Summary Sheet dated January 14, 2003 from Josy Foisy, Clerk III, Department of Public Service, with attachments)

- (i) Watermain Easement

Resolution A0282-2003-R0074

MOTION by Barnett, seconded by Golden,

Resolved that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by the County of Oakland, a Michigan Constitutional Corporation, of 1200 N. Telegraph Road, Pontiac, Michigan 48341 (hereinafter referred to as "Grantor"), for a 20.00 foot wide easement in gross and the right to enter onto Grantor's land to construct, operate, maintain, repair and/or replace a water main and related appurtenances.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

(ii) Sanitary Sewer Easement

Resolution A0282-2003-R0075

MOTION by Barnett, seconded by Golden,

Resolved that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by the County of Oakland, a Michigan Constitutional Corporation, of 1200 N. Telegraph Road, Pontiac, Michigan 48341, (hereinafter referred to as "Grantor") for a 20.00 foot wide easement in gross and the right to enter onto Grantor's land to construct, operate, maintain, repair and/or replace a sanitary sewer and related appurtenances.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

-
- 11g. Request for Purchase Authorization** - Planning: Site Plan Review and Wetland/Environmental Review Services for Various Development Applications, blanket purchase order not-to-exceed \$80,000.00; McKenna Associates, Inc., Northville, MI (A0073) (Members received a Regular Meeting Action Summary Sheet dated March 6, 2003 from Ed Anzek, Director, Planning Department, with attachments)

Resolution A0073-2003-R0076

MOTION by Barnett, seconded by Golden,

Whereas, The Planning Department has contracted the services of outside consultants to provide support services for site plan and wetland and environmental review in response to applications for development approvals.

Whereas, McKenna Associates, Inc. of Northville, Michigan has served in this capacity since 1994 and was the selected consultant using of the City's Quality Based Selection process in the Fall of 2000.

Whereas, McKenna Associates, Inc. in addition to site plan review and planning support, provides wetland and environmental review services by sub-contracting this service to Applied Science & Technology (ASTI).

Whereas, The City of Rochester Hills 2003 Budget identifies \$80,000.00 for professional services in support of the Planning Department for site plan review, client meetings and wetland and environmental review; and

Now Therefore Be It Resolved that the Rochester Hills City Council authorizes a blanket purchase order to McKenna Associates, Inc., of Northville, Michigan, for 2003 planning and wetland and environmental services in the not-to-exceed \$80,000.00 through December 31, 2003.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

-
- 11h. Request for Purchase Authorization** - DPS/Facilities: Electrical Power for Various City Owned Facilities, blanket purchase order not-to-exceed \$375,000.00; DTE Energy, Detroit, MI (A0602) (Members received a copy of a Regular Meeting Action Summary Sheet dated February 2, 2003 from Jean Farris, Supervisor of Procurement, with attachments)

Resolution A0602-2003-R0077

MOTION by Barnett, seconded by Golden,

Resolved that the Rochester Hills City Council approves the issuance of a blanket purchase order in the amount not-to-exceed \$375,000.00 to DTE Energy, Detroit, Michigan, for the purchase of electricity used at various City-owned buildings.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

The following discussion was held regarding Consent Agenda Item **11i**:

- 11i. Request for Purchase Authorization** - Building: North Oakland County Household Hazardous Waste Inter-local Agreement between Oakland County and the City of Rochester Hills, blanket purchase order not-to-exceed \$54,612.00 (A0424) (Members received a copy of a Regular Meeting Action Summary Sheet dated February 24, 2003 from Scott Cope, Director, Building Department, with attachments)

Member Barnett stated he had suggested at the March 5, 2003 Work Session that it would be more fiscally responsible to use the budgeted amount of Forty-six Thousand, Sixty-six (\$46,066.00) Dollars for the program for 2003. He noted the City would be updated on a regular basis after each event, allowing an opportunity to adjust the allocated amount if necessary. He

suggested the proposed resolution be amended to the budgeted amount of Forty-six Thousand, Sixty-six (\$46,066.00) Dollars.

Member Robbins noted the difference was Eight Thousand (\$8,000.00) Dollars, and stated he did not feel the proposed amendment was necessary. He indicated if participation at the events was not high, the allocated amount would not be spent.

Member Golden noted there could be costs associated with scheduling a meeting to approve a budget amendment. She clarified there was no cost to the residents to drop off items at an event.

Member Hill clarified a budget amendment would not be proposed until the allocated funds were utilized. Mr. Spaman stated the program would be monitored, and a budget amendment would be prepared if it appeared the allocated funds would not be adequate for a scheduled event.

Member Hill noted if the budgeted amount of Forty-six Thousand, Sixty-six (\$46,066.00) Dollars were approved, a budget amendment could be made if it was determined to be necessary. She indicated the scheduled events could be well attended at the start of the program, with participation lessening later in the year.

Member Duistermars noted the educational aspect of the program had not begun, which could mean the participation at the beginning of the program would not be as high as currently anticipated. He stated the budgeted amount of Forty-six Thousand, Sixty-six (\$46,066.00) Dollars would accommodate Seven Hundred Thirteen (713) vehicles, and the program would be tracked to monitor participation.

Mr. Cope stated an educational committee had been formed and bulletins were ready for distribution. He explained a substantial educational program had been set up and would be put out to all the communities as soon as the agreement is completely executed.

Ms. Carol Lenchek, Environmental Program Coordinator for Oakland County, stated educational brochures would be distributed to the communities at the beginning of April. She explained the print materials would be distributed to the liaisons at the community level. She indicated the local newspapers would be utilized for education, as well as the local cable companies. Mr. Cope explained Channel 55, the Hills Herald, and the Rochester Eccentric would be utilized for educational purposes.

Member Barnett stated he believed it was a good program and would be successfully marketed. He explained his suggestion for using the budgeted amount was a matter of the current economic situation.

Member Hill suggested the resolution be amended to include a maximum allocation if participation in the program appeared to be higher than the budgeted amount would cover.

Member Holder stated she agreed with using the budgeted amount. She suggested the residents should be encouraged to group items together to avoid one (1) vehicle dropping off one (1) item.

Member Robbins stated if the funds were not allocated at this time, there might be problems with allocating additional funds later in the year. He noted the current economic conditions were unpredictable, as well as the fact the level of participation in the program was unknown at this time.

Member Hill clarified the program was not based just on cars, but rather the number of units dropped off. She felt that would allow some latitude with the program because it was the units that would be counted.

Ms. Lenchek explained the participants would be discouraged from bringing just one (1) item through the educational process. She stated a unit was approximately fifty (50) pounds or fifty (50) gallons.

President Dalton clarified the resolution would be amended to reflect the budgeted amount of Forty-six Thousand, Sixty-six (\$46,066.00) Dollars as the not-to-exceed amount.

Member Hill questioned whether a maximum not-to-exceed amount should be included in the amended resolution. Member Barnett stated as the motion maker, he would prefer to leave the amendment as stated, and address any additional allocation as a budget amendment later in the year.

Resolution A0424-2003-R0078

MOTION by Barnett, seconded by Duistermars,

Whereas, the Rochester Hills City Council is committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfills; and

Whereas, the Rochester Hills City Council recognizes the need to provide regular and accessible household hazardous waste collection services for its residents; and

Whereas, Oakland County has initiated the North Oakland County Household Hazardous Waste Consortium (No-Haz); and

Whereas, the No-Haz Consortium has developed a Household Hazardous Waste Collection Program; and

Whereas, a No-Haz Inter-local Agreement has been drafted, describing the responsibilities of the County and participating municipalities, including Rochester Hills, and identifies the County's and participating municipalities roles in administering and implementing the No-Haz program.

Now Therefore Be It Resolved that the Rochester Hills City Council hereby approves the attached Inter-local Agreement and authorizes the Mayor to execute it.

Be It Further Resolved that the Rochester Hills City Council authorizes a blanket purchase order to Oakland County in the amount not-to-exceed \$46,066.00 for administration and collection costs of participation in the household hazardous waste program.

Roll Call Vote:

Ayes: Holder, Barnett, Duistermars, Golden, Hill, Dalton
Nays: Robbins
Absent: None

MOTION CARRIED

12. PUBLIC COMMENTS

No public comments were received.

(Depart Member Barnett: 8:35 PM)

13. LEGISLATIVE / ADMINISTRATIVE RESPONSE

No legislative/administrative responses were given.

14. ORDINANCE ADOPTION

14a. Acceptance for Second Reading and Adoption - an Ordinance to amend Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for various City Services, and to repeal conflicting Ordinances (A0469) (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Susan Koliba-Galeczka, City Council Liaison, with attachments)

Resolution A0469-2003-R0079

MOTION by Golden, seconded by Duistermars,

Resolved that an Ordinance to amend Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify fees charged for various City services, and to repeal conflicting ordinances is hereby accepted for **Second Reading and Adoption** and shall become effective on Friday, March 21, 2003, the day following its publication on Thursday, March 20, 2003 in the *Rochester-Eccentric* Newspaper.

Ayes: Dalton, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: Barnett

MOTION CARRIED

(Re-enter Member Barnett: 8:36 PM)

- 14b. Acceptance for Second Reading and Adoption** - an Ordinance to amend Chapter 58-58 of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the fee charged for a retail sale of fireworks permit, and to repeal conflicting Ordinances (A0470) (Members received a copy of a Regular Action Summary Sheet dated March 6, 2003 from Susan Koliba-Galeczka, City Council Liaison, with attachments)

Resolution A0470-2003-R0080

MOTION by Duistermars, seconded by Robbins,

Resolved that an Ordinance to amend Section 58-58 of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify the fee charged for a retail sale of fireworks permit, and to repeal conflicting ordinances is hereby accepted for **Second Reading** and **Adoption** and shall become effective on Friday, March 21, 2003, the day following its publication on Thursday, March 20, 2003 in the *Rochester-Eccentric* Newspaper.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- 14c. Acceptance for Second Reading and Adoption** - an Ordinance to amend Sections 110-171 through 110-438 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged in connection with various land development reviews, and to repeal conflicting Ordinances (A0471) (Members received a copy of a Regular Action Summary Sheet dated March 6, 2003 from Susan Koliba-Galeczka, City Council Liaison, with attachments)

Resolution A0471-2003-R0081

MOTION by Golden, seconded by Hill,

Resolved that an Ordinance to amend Sections 110-117 through 110-438 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify the fees charged in connection with various land development reviews, and to repeal conflicting ordinances, is hereby accepted for **Second Reading** and **Adoption** and shall become effective on Friday, March 21, 2003, the day following its publication on Thursday, March 20, 2003 in the *Rochester-Eccentric* Newspaper.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

15. REPORTS AND COMMUNICATIONS

Agenda Item **15a** (Zoning Board of Appeals Nominations/Appointments) was removed from the Agenda at the beginning of the meeting.

- 15b. Administration & Information Services** - receive and file report on Assignment of Patents (A0375) (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Lisa K. DeLeary, Administrative Secretary, Clerk's Office, with attachments)

Resolution A0375-2003-R0082

MOTION by Barnett, seconded by Holder,

Resolved that the Rochester Hills City Council receive and file the final recommendation of the Administration & Information Services (AIS) Committee on Assignment of Patents as outlined in the AIS resolution adopted at its January 10, 2003 meeting.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

-
- 15c. Changes to City Council Meeting Schedule** (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Susan Galeczka, City Council Liaison, with attachments)

President Dalton stated Council would be holding two (2) Regular Meetings per month on the first (1st) and third (3rd) Wednesdays, and one (1) Work Session on the fourth (4th) Wednesday, beginning in April, 2003.

- (i) Adoption of Amendments to *City Council Rules of Procedure* (A0010)

Resolution A0010-2003-R0083

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the *City Council Rules of Procedure* as follows:

Article III Types of Meetings

Section .01 - Regular Meetings

- (a) Regular Meetings of the Council shall be held on the second first and fourth third Wednesdays of each month, except for the month of December where the Regular Meetings will be held on the first and third second Wednesday of the month. No meeting shall be held on the Wednesday immediately preceding Thanksgiving in November or on the fourth Wednesday in December, or on any legal holiday.

Section .03 - Work Sessions:

- (a) Work Sessions shall be held on the first and third fourth Wednesday of each month, except for the month of December when one Work Session will be held on the second Wednesday of the month no Work Session will be scheduled.. No meeting shall be held on the Wednesday immediately preceding Thanksgiving in November or on the fourth Wednesday in December, or on any legal holiday.
- (b) Work Sessions will be study meetings at which time Council will initially hear petitioner’s requests, citizen’s requests, administrative requests, review proposed ordinance changes, and such other items. No vote will be taken at Work Sessions, except if there is a need to adjourn to Closed Session at which time Council may consider a resolution at the beginning of the Work Session to adjourn to Closed Session at the conclusion of the Work Session..

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
 Nays: None
 Absent: None

MOTION CARRIED

- (ii) Adoption of Resolution to change the 2003 Meeting Schedule (A0529)

Resolution A0529–2003–R0084

MOTION by Duistermars, seconded by Robbins,

Resolved that the Rochester Hills City Council hereby amends its Year 2003 Meeting Schedule as follows:

<u>Regular Meetings</u>	<u>Work Sessions</u>
April 2, 2003	
April 16, 2003	April 23, 2003
May 7, 2003	
May 21, 2003	May 28,2003
June 4, 2003	

June 18, 2003	June 25, 2003
July 2, 2003	
July 16, 2003	July 23, 2003
August 6, 2003	
August 20, 2003	August 27, 2003
September 3, 2003	
September 17, 2003	September 24, 2003
October 1, 2003	
October 15, 2003	October 22, 2003
November 5, 2003	
November 19, 2003	
December 3, 2003	
December 10, 2003	

Further Resolved that the City Clerk shall provide proper notice of the Meeting Schedule change pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

15d. Amend and Readopt Resolution A0494-2003-R0066 (Members received a copy of a Memorandum dated March 12, 2003 from Susan Galeczka, City Council Liaison with attachments)

President Dalton suggested all applications received regarding the Youth Representatives positions be sent to the Community Development & Viability (CDV) Committee for review and to make recommendations to the other committees for placement.

Member Hill stated it was the intent of the CDV Committee to spread the representation from the various schools throughout the committees. She noted the Bylaws indicated each committee would select their youth representative, and questioned whether the Bylaws would be amended to reflect the fact the CDV Committee would review the applications. President Dalton explained this was an attempt to level out the number of applications received, noting a number of applications could be received for one (1) Committee, and none for the others. He indicated the CDV Committee would review the applications and make the recommendation to the Committee; however, the Committees would approve the appointment.

President Dalton stated a sample Youth Representative Application had been included with the packet information. Member Hill suggested the application include a comment or a recommendation from a teacher, principal, club or organization. President Dalton indicated an endorsement was a good suggestion.

Member Golden suggested in order to encourage participation, an official announcement of the representatives selected be made at a City Council Meeting. She noted this was a pilot program and the Council Committees were advisory committees, but suggested Council could consider adding two (2) Youth Representatives to each committee.

President Dalton noted the Committee Bylaws were being amended to reflect that the Youth Representatives would be appointed for one (1) year, concurrent with the school calendar year. Member Hill clarified the Youth Representatives would serve for one (1) complete year. President Dalton indicated the term would run from September through August, rather than January through December. He noted the first (1st) Youth Representatives appointed would serve a slightly longer term as it was anticipated the appointments would be made prior to the completion of the current school year.

Resolution A0494-2003-R0066
(As Amended and Readopted)

MOTION by Duistermars, seconded by Golden,

Resolved that the following Resolution (Number A0494-2003-R0066) adopted by the Rochester Hills City Council at its Regular Meeting held on February 26, 2003:

"Resolution A0494-2003-R0066

MOTION by Barnett, seconded by Golden,

Whereas at the May 22, 2002 Work Session, City Council directed the Community Development & Viability (CDV) Committee to meet with the members of the Rochester/Auburn Hills Community Coalition to discuss a variety of objectives on partnering with each other.

Whereas at their July 18, 2002 meeting, the CDV Committee met with Ms. Theresa Mungoli, President of the Rochester/Auburn Hills Community Coalition and discussed how the City might utilize area youth in current City processes and involvement on City Committees that are youth related.

Whereas as a first step, area youth recently participated with City Council at the Annual Michigan Municipal League Conference in Dearborn, Michigan. The youth delegates provided City Council with a brief report of their experience at the Convention at the September 25, 2002 Council Meeting.

Whereas it is the interest of the CDV Committee to strengthen the involvement between the local youth and the City, and to encourage youth participation in their Community.

Whereas it is the recommendation of the CDV Committee that Rochester Hills Youth Representatives be added to all five (5) of the City Council Communication Committees, Administration & Information Services (AIS), Community Development & Viability (CDV), Financial Services (FS), Leisure Activities (LA), and Public Safety (PS), as set forth in the following criteria:

1. Each year, the School Districts that have Rochester Hills residents attending would be notified of the opportunity for Rochester Hills youth to be involved with the City Council and serve as members on the Communication Committees.
2. Interested Rochester Hills youth must submit a letter of interest to serve on a Committee to the City Council Liaison.
3. Each Committee shall be responsible for the selection of one (1) Youth Member to serve on the Committee.
4. Youth Members must be a resident of the City of Rochester Hills.
5. Each Youth Member shall serve for a term of one (1) calendar year.
6. Youth Members shall be non-voting members of the Committees.
7. Youth Members shall provide reports and/or updates to the City Council, on a quarterly basis, on their school Student or Youth Council and their involvement on the Communication Committee.

Now Therefore Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Community Development & Viability Committee and approves the adding of one (1) Rochester Hills Youth Representative to each of the five (5) City Council Communication Committees and requesting that the Committee By-Laws be amended to reflect the change.

Further Resolved, that the City Council President would make the initial contact with the School Districts to advise them of the City's interest to involve the Rochester Hills youth on the Communication Committees.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED"

Be amended by adding the following:

Further Resolved that the Rochester Hills City Council changes the criteria set forth by the Community Development & Viability Committee, as follows:

2. Interested Rochester Hills youth must submit a ~~letter of interest~~ **City Council Communication Committee Youth Application** to serve on a Committee to the City Council Liaison.
3. ~~Each Committee~~ **The Community Development & Viability Committee** shall be responsible for **reviewing the applications and making recommendations to each Committee. Each Committee, based on the Community Development & Viability recommendations, shall be responsible for** the selection of one (1) Youth Member to serve on ~~the~~ **each respective** Committee.
5. Each Youth Member shall serve for a term of one (1) **school** calendar year **(September to August of the designated year)**.

Further Resolved that Resolution A0494-2003-R0066, as amended and readopted by City Council as of March 12, 2003, will read as follows:

Resolution A0494-2003-R0066
(As Amended And Readopted)

MOTION by Duistermars, seconded by Golden,

Whereas at the May 22, 2002 Work Session, City Council directed the Community Development & Viability (CDV) Committee to meet with the members of the Rochester/Auburn Hills Community Coalition to discuss a variety of objectives on partnering with each other.

Whereas at their July 18, 2002 meeting, the CDV Committee met with Ms. Theresa Mungioli, President of the Rochester/Auburn Hills Community Coalition and discussed how the City might utilize area youth in current City processes and involvement on City Committees that are youth related.

Whereas as a first step, area youth recently participated with City Council at the Annual Michigan Municipal League Conference in Dearborn, Michigan. The youth delegates provided City Council with a brief report of their experience at the Convention at the September 25, 2002 Council Meeting.

Whereas it is the interest of the CDV Committee to strengthen the involvement between the local youth and the City, and to encourage youth participation in their Community.

Whereas it is the recommendation of the CDV Committee that Rochester Hills Youth Representatives be added to all five (5) of the City Council Communication Committees, Administration & Information Services (AIS), Community Development & Viability

(CDV), Financial Services (FS), Leisure Activities (LA), and Public Safety (PS), as set forth in the following criteria:

1. Each year, the School Districts that have Rochester Hills residents attending would be notified of the opportunity for Rochester Hills youth to be involved with the City Council and serve as members on the Communication Committees.
2. Interested Rochester Hills youth must submit a ~~letter of interest~~ **City Council Communication Committee Youth Application** to serve on a Committee to the City Council Liaison.
3. ~~Each Committee~~ **The Community Development & Viability Committee** shall be responsible for **reviewing the applications and making recommendations to each Committee. Each Committee, based on the Community Development & Viability recommendations, shall be responsible for** the selection of one (1) Youth Member to serve on ~~the~~ **each respective** Committee.
4. Youth Members must be a resident of the City of Rochester Hills.
5. Each Youth Member shall serve for a term of one (1) **school** calendar year **(September to August of the designated year)**.
6. Youth Members shall be non-voting members of the Committees.
7. Youth Members shall provide reports and/or updates to the City Council, on a quarterly basis, on their school Student or Youth Council and their involvement on the Communication Committee.

Now Therefore Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Community Development & Viability Committee and approves the adding of one (1) Rochester Hills Youth Representative to each of the five (5) City Council Communication Committees and requests that the Committee By-Laws be amended to reflect the change.

Further Resolved, that the City Council President would make the initial contact with the School Districts to advise them of the City's interest to involve the Rochester Hills youth on the Communication Committees.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

(Recess: 8:48 PM to 8:56 PM)

15e. Amendments to Bylaws and Rules of Procedure of City Council Communication Committees to add Youth Representatives (A0494) (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Susan Galeczka, City Council Liaison, with attachments)

- (i) Administration & Information Services Committee

Resolution A0530-2003-R0085

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the Administration & Information Services Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council appointed by Council, two (2) Citizen Representatives appointed by Council, ***ONE (1) YOUTH REPRESENTATIVE APPOINTED BY THE ADMINISTRATION & INFORMATION SERVICES COMMITTEE***, and members of the City Administration to be appointed by the Mayor.

Add:

Section 2.

- C. THE YOUTH REPRESENTATIVE TO THE COMMITTEE SHALL BE APPOINTED BY THE COMMITTEE AND SHALL SERVE FOR A ONE (1) YEAR TERM COINCIDING WITH THE SCHOOL CALENDAR YEAR BEGINNING ON SEPTEMBER 1 AND EXPIRING ON AUGUST 31 OF THE APPROPRIATE YEAR.**
- I. THE YOUTH REPRESENTATIVE MUST BE A RESIDENT OF THE CITY OF ROCHESTER HILLS.**
- II. EACH YEAR, THE SCHOOL DISTRICTS THAT HAVE ROCHESTER HILLS RESIDENTS ATTENDING WILL BE NOTIFIED OF THE OPPORTUNITY FOR ROCHESTER HILLS YOUTH TO BE INVOLVED WITH THE CITY COUNCIL BY SERVING AS A REPRESENTATIVE ON THE COMMITTEE.**
- III. INTERESTED ROCHESTER HILLS YOUTH MUST SUBMIT A CITY COUNCIL COMMUNICATION COMMITTEE YOUTH REPRESENTATIVE APPLICATION TO SERVE ON THE**

COMMITTEE TO THE CITY COUNCIL LIAISON WHO WILL FORWARD THE INFORMATION ON TO THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE CHAIRPERSON.

- IV. THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE SHALL REVIEW ALL APPLICATIONS AND MAKE RECOMMENDATIONS TO EACH RESPECTIVE COMMITTEE. EACH COMMITTEE SHALL BE RESPONSIBLE FOR THE SELECTION OF ONE (1) YOUTH MEMBER TO SERVE ON EACH RESPECTIVE COMMITTEE.**

Renumber:

- e-D.** Beginning March 2002, any member who is absent without prior notice from three (3) regularly scheduled meetings, during the calendar year, which have not been otherwise cancelled, shall be considered by the Committee to have resigned from the Committee. The Chairperson will notify the individual of their absence and that individual will have a two (2) week period to inform the Chairperson of their resignation. Upon failure to do so, the Chairperson will notify City Council.

ARTICLE III: OBJECTIVES

Add:

SECTION 5.

THE YOUTH REPRESENTATIVE SHALL PROVIDE A REPORT AND/OR UPDATE TO CITY COUNCIL ON A QUARTERLY BASIS REGARDING HIS/HER INVOLVEMENT ON THE COMMITTEE.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

-
- (ii) Community Development & Viability Committee**

Resolution A0531-2003-R0086

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the Community Development & Viability Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council appointed by Council, two (2) Citizen Representatives appointed by Council, ***ONE (1) YOUTH REPRESENTATIVE APPOINTED BY THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE***, and members of the City Administration to be appointed by the Mayor.

Add:

Section 2.

- C. THE YOUTH REPRESENTATIVE TO THE COMMITTEE SHALL BE APPOINTED BY THE COMMITTEE AND SHALL SERVE FOR A ONE (1) YEAR TERM COINCIDING WITH THE SCHOOL CALENDAR YEAR BEGINNING ON SEPTEMBER 1 AND EXPIRING ON AUGUST 31 OF THE APPROPRIATE YEAR.**
- I. THE YOUTH REPRESENTATIVE MUST BE A RESIDENT OF THE CITY OF ROCHESTER HILLS.**
- II. EACH YEAR, THE SCHOOL DISTRICTS THAT HAVE ROCHESTER HILLS RESIDENTS ATTENDING WILL BE NOTIFIED OF THE OPPORTUNITY FOR ROCHESTER HILLS YOUTH TO BE INVOLVED WITH THE CITY COUNCIL BY SERVING ON THE COMMITTEE.**
- III. INTERESTED ROCHESTER HILLS YOUTH MUST SUBMIT A CITY COUNCIL COMMUNICATION COMMITTEE YOUTH REPRESENTATIVE APPLICATION TO SERVE ON THE COMMITTEE TO THE CITY COUNCIL LIAISON WHO WILL FORWARD THE INFORMATION ON TO THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE CHAIRPERSON.**
- IV. THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE SHALL REVIEW ALL APPLICATIONS AND MAKE RECOMMENDATIONS TO EACH RESPECTIVE COMMITTEE. EACH COMMITTEE SHALL BE RESPONSIBLE FOR THE SELECTION OF ONE (1) YOUTH MEMBER TO SERVE ON EACH RESPECTIVE COMMITTEE.**

Renumber:

- e-D.** Beginning March 2002, any member who is absent without prior notice from three (3) regularly scheduled meetings, during the calendar year, which have not been otherwise cancelled, shall be considered by the Committee to have resigned

from the Committee. The Chairperson will notify the individual of their absence and that individual will have a two (2) week period to inform the Chairperson of their resignation. Upon failure to do so, the Chairperson will notify City Council.

ARTICLE III: OBJECTIVES

Add:

SECTION 5.

THE YOUTH REPRESENTATIVE SHALL PROVIDE A REPORT AND/OR UPDATE TO CITY COUNCIL ON A QUARTERLY BASIS REGARDING HIS/HER INVOLVEMENT ON THE COMMITTEE.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

(iii) Financial Services Committee

Resolution A0532-2003-R0087

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the Financial Services Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council appointed by Council, two (2) Citizen Representatives appointed by Council, **ONE (1) YOUTH REPRESENTATIVE APPOINTED BY THE FINANCIAL SERVICES COMMITTEE**, and members of the City Administration to be appointed by the Mayor.

Add:

Section 2.

C. THE YOUTH REPRESENTATIVE TO THE COMMITTEE SHALL BE APPOINTED BY THE COMMITTEE AND SHALL SERVE FOR A ONE (1) YEAR TERM COINCIDING WITH THE SCHOOL CALENDAR

YEAR BEGINNING ON SEPTEMBER 1 AND EXPIRING ON AUGUST 31 OF THE APPROPRIATE YEAR.

- I. THE YOUTH REPRESENTATIVE MUST BE A RESIDENT OF THE CITY OF ROCHESTER HILLS.**
- II. EACH YEAR, THE SCHOOL DISTRICTS THAT HAVE ROCHESTER HILLS RESIDENTS ATTENDING WILL BE NOTIFIED OF THE OPPORTUNITY FOR ROCHESTER HILLS YOUTH TO BE INVOLVED WITH THE CITY COUNCIL BY SERVING ON THE COMMITTEE.**
- III. INTERESTED ROCHESTER HILLS YOUTH MUST SUBMIT A CITY COUNCIL COMMUNICATION COMMITTEE YOUTH REPRESENTATIVE APPLICATION TO SERVE ON THE COMMITTEE TO THE CITY COUNCIL LIAISON WHO WILL FORWARD THE INFORMATION ON TO THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE CHAIRPERSON.**
- IV. THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE SHALL REVIEW ALL APPLICATIONS AND MAKE RECOMMENDATIONS TO EACH RESPECTIVE COMMITTEE. EACH COMMITTEE SHALL BE RESPONSIBLE FOR THE SELECTION OF ONE (1) YOUTH MEMBER TO SERVE ON EACH RESPECTIVE COMMITTEE.**

Renumber:

- e-D.** Beginning March 2002, any member who is absent without prior notice from three (3) regularly scheduled meetings, during the calendar year, which have not been otherwise cancelled, shall be considered by the Committee to have resigned from the Committee. The Chairperson will notify the individual of their absence and that individual will have a two (2) week period to inform the Chairperson of their resignation. Upon failure to do so, the Chairperson will notify City Council.

ARTICLE III: OBJECTIVES

Add:

SECTION 5.

THE YOUTH REPRESENTATIVE SHALL PROVIDE A REPORT AND/OR UPDATE TO CITY COUNCIL ON A QUARTERLY BASIS REGARDING HIS/HER INVOLVEMENT ON THE COMMITTEE.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins

Nays: None
Absent: None

MOTION CARRIED

(iv) Leisure Activities Committee

Resolution A0533-2003-R0088

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the Leisure Activities Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council appointed by Council, two (2) Citizen Representatives appointed by Council, ***ONE (1) YOUTH REPRESENTATIVE APPOINTED BY THE LEISURE ACTIVITIES COMMITTEE***, and members of the City Administration to be appointed by the Mayor.

Add:

Section 2.

- C. THE YOUTH REPRESENTATIVE TO THE COMMITTEE SHALL BE APPOINTED BY THE COMMITTEE AND SHALL SERVE FOR A ONE (1) YEAR TERM COINCIDING WITH THE SCHOOL CALENDAR YEAR BEGINNING ON SEPTEMBER 1 AND EXPIRING ON AUGUST 31 OF THE APPROPRIATE YEAR.**
- I. THE YOUTH REPRESENTATIVE MUST BE A RESIDENT OF THE CITY OF ROCHESTER HILLS.**
- II. EACH YEAR, THE SCHOOL DISTRICTS THAT HAVE ROCHESTER HILLS RESIDENTS ATTENDING WILL BE NOTIFIED OF THE OPPORTUNITY FOR ROCHESTER HILLS YOUTH TO BE INVOLVED WITH THE CITY COUNCIL BY SERVING ON THE COMMITTEE.**
- III. INTERESTED ROCHESTER HILLS YOUTH MUST SUBMIT A CITY COUNCIL COMMUNICATION COMMITTEE YOUTH REPRESENTATIVE APPLICATION TO SERVE ON THE COMMITTEE TO THE CITY COUNCIL LIAISON WHO WILL**

FORWARD THE INFORMATION ON TO THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE CHAIRPERSON.

- IV. THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE SHALL REVIEW ALL APPLICATIONS AND MAKE RECOMMENDATIONS TO EACH RESPECTIVE COMMITTEE. EACH COMMITTEE SHALL BE RESPONSIBLE FOR THE SELECTION OF ONE (1) YOUTH MEMBER TO SERVE ON EACH RESPECTIVE COMMITTEE.**

Renumber:

- e-D.** Beginning March 2002, any member who is absent without prior notice from three (3) regularly scheduled meetings, during the calendar year, which have not been otherwise cancelled, shall be considered by the Committee to have resigned from the Committee. The Chairperson will notify the individual of their absence and that individual will have a two (2) week period to inform the Chairperson of their resignation. Upon failure to do so, the Chairperson will notify City Council.

ARTICLE III: OBJECTIVES

Add:

SECTION 5.

THE YOUTH REPRESENTATIVE SHALL PROVIDE A REPORT AND/OR UPDATE TO CITY COUNCIL ON A QUARTERLY BASIS REGARDING HIS/HER INVOLVEMENT ON THE COMMITTEE.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- (v) Public Safety Committee

Resolution A0530-2003-R0089

MOTION by Robbins, seconded by Holder,

Resolved that the Rochester Hills City Council hereby amends the Public Safety Committee Bylaws and Rules of Procedure as follows:

ARTICLE II: MEMBERSHIP

Section 1.

The Committee shall consist of three (3) members of City Council appointed by Council, two (2) Citizen Representatives appointed by Council, ***ONE (1) YOUTH REPRESENTATIVE APPOINTED BY THE PUBLIC SAFETY COMMITTEE***, and members of the City Administration to be appointed by the Mayor.

Add:

Section 2.

- C. THE YOUTH REPRESENTATIVE TO THE COMMITTEE SHALL BE APPOINTED BY THE COMMITTEE AND SHALL SERVE FOR A ONE (1) YEAR TERM COINCIDING WITH THE SCHOOL CALENDAR YEAR BEGINNING ON SEPTEMBER 1 AND EXPIRING ON AUGUST 31 OF THE APPROPRIATE YEAR.**
- I. THE YOUTH REPRESENTATIVE MUST BE A RESIDENT OF THE CITY OF ROCHESTER HILLS.**
- II. EACH YEAR, THE SCHOOL DISTRICTS THAT HAVE ROCHESTER HILLS RESIDENTS ATTENDING WILL BE NOTIFIED OF THE OPPORTUNITY FOR ROCHESTER HILLS YOUTH TO BE INVOLVED WITH THE CITY COUNCIL BY SERVING ON THE COMMITTEE.**
- III. INTERESTED ROCHESTER HILLS YOUTH MUST SUBMIT A CITY COUNCIL COMMUNICATION COMMITTEE YOUTH REPRESENTATIVE APPLICATION TO SERVE ON THE COMMITTEE TO THE CITY COUNCIL LIAISON WHO WILL IN TURN FORWARD THE INFORMATION ON TO THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE CHAIRPERSON.**
- IV. THE COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE SHALL REVIEW ALL APPLICATIONS AND MAKE RECOMMENDATIONS TO EACH RESPECTIVE COMMITTEE. EACH COMMITTEE SHALL BE RESPONSIBLE FOR THE SELECTION OF ONE (1) YOUTH MEMBER TO SERVE ON EACH RESPECTIVE COMMITTEE.**

Renumber:

- e-D.** Beginning March 2002, any member who is absent without prior notice from three (3) regularly scheduled meetings, during the calendar year, which have not

been otherwise cancelled, shall be considered by the Committee to have resigned from the Committee. The Chairperson will notify the individual of their absence and that individual will have a two (2) week period to inform the Chairperson of their resignation. Upon failure to do so, the Chairperson will notify City Council.

ARTICLE III: OBJECTIVES

Add:

SECTION 5.

THE YOUTH REPRESENTATIVE SHALL PROVIDE A REPORT AND/OR UPDATE TO CITY COUNCIL ON A QUARTERLY BASIS REGARDING HIS/HER INVOLVEMENT ON THE COMMITTEE.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

16. ADMINISTRATION

16a. Approval of Agreement between the City of Rochester Hills and AFSCME Local 2491 (A0601) (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Pamela M. Lee, Director, Human Resources Department, with attachments)

Resolution A0601-2003-R0090

MOTION by Robbins, seconded by Duistermars,

Whereas, negotiations between the City of Rochester Hills and the American Federation of State, County and Municipal Employees Local 2491 have resulted in a tentative four year agreement for the period from April 1, 2001 through March 31, 2005.

Now Therefore Be It Resolved that the Rochester Hills City Council approval of the agreement as presented on March 5, 2003 is hereby granted.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

16b. Adoption of Resolution approving new Engineering Design Standards and Specifications (A0495) (Members received a copy of a Regular Meeting Action Summary Sheet dated February 18, 2003 from Kim C. Murphey, Administrative Coordinator, Department of Public Service, with attachments)

Member Golden referred to the standards for private roads, and noted although there was the potential for some private roads to come under the City's jurisdiction, some private roads were actually long driveways. She indicated in those instances there did not appear to be the potential for connection, and questioned whether those private roads would be required to meet City standards. She suggested language be included with the standards to allow a waiver in those situations or under special circumstances.

Mr. Rouse stated there was flexibility included in the standards. He explained that particular provision was intended to address private roads that are constructed and later abandoned. He stated when a private is abandoned, the local municipality, by default, acquires the road and becomes responsible for maintenance and upkeep on the road. He indicated the provision in the standards is intended to prevent that type of situation. He explained a petition could be brought forward to modify the requirements in the event of extenuating circumstances.

Member Golden indicated she still had some general concerns regarding the requirements for coefficients and for retaining walls, and questioned whether Council would have an opportunity to review the standards at another time. Mr. Davis explained although the City intended to uphold the standards, there would be some flexibility under certain circumstances. He described the recent discussions held with Rochester College regarding their soccer field site plan and the fencing that would involve a significant grade differential.

Resolution A0495-2003-R0091

MOTION by Robbins, seconded by Duistermars,

Whereas, the Avon Township Board adopted the existing engineering design standards and specifications on August 13, 1975. Over the years the design standards became outdated making it necessary for a total re-write; and

Whereas, Hubbell Roth & Clark, Inc. was selected to update and develop engineering design standards for construction involving roads, pathways, sidewalks and underground utilities; and

Whereas, the Department of Public Service recommends that the Rochester Hills City Council adopt the Engineering Design Standards; and

Now Therefore Be It Resolved that the Rochester Hills City Council adopts the Engineering Design Standards to become effective immediately.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

- 16c. Approval of Reapportionment** of City Council Districts (A0603) (Members received a copy of a Regular Meeting Action Summary Sheet dated March 6, 2003 from Jane Leslie, Deputy Clerk, with attachments)

Resolution A0603-2003-R0092

MOTION by Robbins, seconded by Duistermars,

Resolved that the Rochester Hills City Council hereby approves the Council District Map redrawn in accordance with the City Charter, Chapter VII, Section 7.3, Council Districts, said map to be effective for City Council positions to be elected in the Primary and General City Election in 2003, and effective as to all Council positions on the second Monday next following the 2003 General City Election.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

17. COUNCIL COMMITTEE REPORTS

No Council Committee Reports were provided.

18. NEW BUSINESS

18a. Reschedule March 26, 2003 - Regular City Council Meeting (A0529)

President Dalton stated the March 26, 2003 Regular City Council Meeting had been rescheduled to Tuesday, March 25, 2003 at 7:30 PM. He reminded Council a special joint meeting with the Historic Districts Commission would be held on Thursday, March 13, 2003.

Member Hill noted the March 26, 2003 Regular Meeting had been cancelled by a Council resolution, and suggested the rescheduling of the March 26, 2003 Regular City Council Meeting should be done by resolution. Member Duistermars stated he would move the motion, seconded by Member Holder.

Resolution A0529-2003-R0093

MOTION by Duistermars, seconded by Holder,

Resolved that the Rochester Hills City Council hereby reschedules its cancelled March 26, 2003 Regular Meeting to Tuesday, March 25, 2003 at 7:30 PM Michigan Time.

Further Resolved that the City Clerk shall provide proper notice of the Meeting Schedule change pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder, Robbins
Nays: None
Absent: None

MOTION CARRIED

19. ANY OTHER BUSINESS

No other business was presented.

20. NEXT MEETING DATE

20a. Wednesday, March 19, 2003 - 7:30 PM - Regular Work Session

21. ADJOURNMENT

There being no further business to discuss before Council, President Dalton adjourned the meeting at 9:05 PM

JOHN L. DALTON, President
Rochester Hills City Council

JUDY A. BIALK,
Administrative Assistant to the City Clerk

BEVERLY A. JASINSKI, Clerk
City of Rochester Hills