



# Rochester Hills Minutes City Council Regular Meeting

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Rochester Hills, MI 48309  
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Home Page:  
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*Melinda Hill, Bryan K. Barnett, John L. Dalton, Jim Duistermars,  
Barbara L. Holder, Linda Raschke, Gerald Robbins*

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Wednesday, June 15, 2005

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hill called the Regular Rochester Hills City Council Meeting to order at 7:35 p.m. Michigan Time.*

## ROLL CALL

**Present:** Melinda Hill, Bryan Barnett, John Dalton, Jim Duistermars and Linda Raschke

**Absent:** Barbara Holder and Gerald Robbins

### Others Present:

*Pat Somerville, Mayor  
John Staran, City Attorney  
Jane Leslie, City Clerk  
Alan Buckenmeyer, Parks Operations Manager  
Dan Casey, Economic Development Manager  
Derek Delacourt, Planner III  
Julie Jenuwine, Director of Finance  
Pat McKay, Supervisor of Interpretive Services  
Roger Rousse, Director of DPS/Engineering*

*Vice President Holder provided previous notice she would be unable to attend and asked to be excused.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council approves the Regular City Council Meeting Agenda for June 15, 2005 with the following amendments:

### CONSENT AGENDA

Remove - Item 2005-0324 - Approval of Storm Water Detention System Agreement - The Pointe Group, Inc.

Remove - Item 2005-0325 - Acceptance of Water Main Easement - The Pointe Group, Inc.

### UNFINISHED BUSINESS

Remove - Item 2005-0200 - Confirmation of Mayor's Appointment to Planning Commission

**NEW BUSINESS**

**Add - Item 2005-0425 - Discussion regarding Application for Tax Abatement from E-Motive (BMD Group)**

**A motion was made by Duistermars, seconded by Barnett, to Approve Agenda as Amended.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars and Raschke

**Absent:** Holder and Robbins

**PUBLIC COMMENT**

*Ms. Suzanne White, 1598 Parke, warned fellow residents that coyotes are multiplying in the City and stressed that "they are getting very brazen." She stated that she had contacted the Department of Natural Resources and they were unable to provide assistance. She suggested that residents watch their children and their pets, although there have been no reports of children being attacked by coyotes.*

*President Hill read the following letters from residents into the record:*

*\* Mr. Bill Windscheif, 2872 River Trail, asked that the Planning Commission appointment be tabled and that Mr. James Rosen be reappointed, as his absence from the Commission would result in a lack of representation for District 1.*

*\* Mr. Henry Ware, 433 West Maryknoll Road, stated that Mayor Somerville's suggested appointee to the Planning Commission would result in a lack of representation on the Commission for District 1. He urged Council to table the appointment and expressed his belief that Mr. James Rosen should be reappointed to the position he currently holds.*

**(Mr. Robbins entered at 7:44 p.m.)**

**Present:** Melinda Hill, Bryan Barnett, John Dalton, Jim Duistermars, Linda Raschke and Gerald Robbins

**Absent:** Barbara Holder

**LEGISLATIVE & ADMINISTRATIVE COMMENTS**

*President Hill announced the following:*

*\* Annual Women's Farm and Garden Club and Rochester Hills Museum Garden Tour to be held on June 16th.*

*\* Roadwork will commence on Rochester Road from Orion Road north to Gunn Road on June 24th; Rochester Road will be closed between Orion Road and Mead.*

*\* An open house for the Sub-watersheds for Stoney and Paint Creek to be held on June 29th at Lake Orion High School.*

*\* The City's Fourth of July fireworks celebration, the Festival of the Hills, to be held on Thursday, June 30th at Borden Park.*

**ATTORNEY MATTERS**

*City Attorney John Staran informed Council that he had met with representatives of the Open Space Preservation Ad Hoc Committee and much progress had been made in*

*drafting ballot language for the millage proposal for the fall election. He indicated that the ballot language would be brought to Council for approval at their next meeting.*

## 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.

**2005-0414** Approval of Minutes - Regular City Council Meeting - February 16, 2005

**Attachments:** Min CC Reg 021605.pdf; 0414 Resolution.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

**Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on February 16, 2005 be approved as presented.**

**Enactment No:** RES0175-2005

**2005-0378** Conveyance of a Conservation Easement to the Michigan Department of Environmental Quality (MDEQ), for Hamlin Road Construction, for Parcel Nos. 15-29-101-020, 15-29-202-002, and 15-29-202-005

**Attachments:** Agenda Summary.pdf; 0378 easement.pdf; 0378 Resolution.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby conveys a conservation easement granted by the City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, to the Michigan Department of Environmental Quality (MDEQ), whose address is Constitution Hall, 1st Floor South, P.O. Box 30458, Lansing, Michigan 48909-7958; of 526 West Allegan Street, Lansing, Michigan 48933, more particularly described as Parcel Nos. 15-29-101-020, 15-29-202-002 and 15-29-202-005.**

**Further Resolved that the Mayor is authorized to sign the easement on behalf of the City and deliver the document to the Michigan Department of Environmental Quality (MDEQ).**

**Enactment No:** RES0176-2005

**2005-0391** Acceptance of a Watermain Easement granted by DPG-Rochester Hills LLC, a Michigan limited liability company, for the Hampton Business Park, for Parcel No. 15-26-351-002

**Attachments:** Agenda Summary.pdf; Easement.pdf; 0391 Resolution.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by DPG-Rochester Hills, LLC, a Michigan limited liability company, of 6024 West Maple, Suite 106, West Bloomfield, Michigan 48322, for the construction, operation, maintenance, repair and/or replacement of a Watermain Easement over, on, under, through and across land more particularly described as Parcel No. 15-26-351-002.**

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

**Enactment No:** RES0177-2005

**2005-0392**

Acceptance of Warranty Deed for Part of Rochester Road rights of way according to the master thoroughfare plan, granted by DPG-Rochester Hills LLC, a Michigan limited liability company, for the Hampton Business Park, for Parcel No. 15-26-351-002

**Attachments:** Agenda Summary.pdf; Warranty Deed.pdf; 0392 Resolution.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

**Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Warranty Deed granted by DPG-Rochester Hills LLC, a Michigan limited liability company, of 6024 West Maple, Suite 106, West Bloomfield, Michigan 48322, to the City of Rochester Hills, a Municipal Corporation, of 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309 for Parcel No. 15-26-351-002.**

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

**Enactment No:** RES0178-2005

**2005-0416**

Approval of Fireworks Display Permit Application for Festival of the Hills, to be held at Borden Park on Thursday, June 30, 2005, Melrose Pyrotechnics, Inc., Applicant

**Attachments:** Agenda Summary.pdf; Memo Gary 060205.pdf; 0416 Resolution.pdf

**This Matter was Adopted by Resolution on the Consent Agenda.**

**Whereas, Melrose Pyrotechnics, Inc., of Kingsbury, Indiana, has provided the fireworks display for the Festival of the Hills for the past six years; and**

**Whereas, Melrose Pyrotechnics, Inc., has provided the necessary insurance with the City of Rochester Hills named as also insured; and**

**Whereas, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit providing their safety procedures are followed.**

**Therefore, It Is Resolved that the Rochester Hills City Council does hereby approve a permit for Melrose Pyrotechnics, Inc., to provide a fireworks display for the Festival of the Hills at Borden Park on June 30, 2005.**

**Enactment No:** RES0179-2005

### **Passed The Consent Agenda**

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

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**The following Consent Agenda Item was discussed and adopted by separate Motion:**

2005-0263

Postponement of Approval of Traffic Control Order No. PK-84 for Nawakwa and Hickory Lawn located within Avon Croft Subdivision, Section #34: No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester and No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Hickory Lawn, from Rochester to a point four hundred thirty (430) feet westerly thereof

**Attachments:** Agenda Summary.pdf; Memo, Shumejko re TCO PK-84.1.pdf; Min ATSB 041205.pdf; Corrected TCO.pdf; Map, aerial.pdf; Traffic Summary.pdf; First Proposed Resolution.pdf; Original TCO.pdf; Resolution.pdf

*Mr. Barnett made a motion to postpone a decision on this matter, noting that the materials provided in Council's packet were confusing as to the decision made by the Advisory Traffic and Safety Board and the final Council resolution. He asked that City staff provide further clarification of the matter.*

**A motion was made by Barnett, seconded by Dalton, that this matter be Postponed by Resolution.**

**Whereas, Traffic Control Order No. PK-84 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and**

**Whereas, said Traffic Control Order covers:**

**PK-84.1 No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Nawakwa, from Shadywood to Rochester.**

**PK-84.2 No Parking between the hours of 5:00 p.m. and 2:00 a.m. within the right-of-way of both sides of Hickory Lawn, from Rochester to a point four hundred thirty (430) feet westerly thereof.**

**Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and**

**Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved.**

**Resolved that the Rochester Hills City Council postpones approval of the issuance of Traffic Control Order PK-84 to be in effect until rescinded or superseded by subsequent order until further clarification is provided by City Staff regarding time and day restrictions.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Raschke and Robbins

**Nay:** Duistermars

**Absent:** Holder

**Enactment No:** RES0215-2005

## ORDINANCE FOR INTRODUCTION

2004-1057

Acceptance for First Reading - An Ordinance to repeal Sections 138-1001

through 138-1008, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, adopt new Sections 138-1001 through 138-1008 governing Planned Unit Developments, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations

**Attachments:** Agenda Summary Second Reading.pdf; Revised PUD Ordinance Second Reading.pdf; Agenda Summary First Reading.pdf; PUD\_amend\_memo\_11-12-04.pdf; First Reading Resolution.pdf; PUD Ordinance 060905.pdf; 1057 Resolution Second Reading.pdf

*Mr. Derek Delacourt, Planner III, explained that City Council and the Planning Commission had worked together to revise the City's Planned Unit Development (PUD) Ordinance in an effort to provide more flexibility in the process. He stated that the Planning Commission had approved the revised ordinance unanimously. However, Mr. Delacourt recommended that an approval by City Council for first reading should require the removal of the "second sentence and everything that follows" on Page 2 of Section 138-1003b.*

**A motion was made by Dalton, seconded by Duistermars, that this matter be Accepted for First Reading by Resolution.**

**Resolved that An Ordinance to repeal Sections 138-1001 through 138-1008, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, adopt new Sections 138-1001 through 138-1008 governing Planned Unit Developments, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations is hereby accepted for first reading assuming removal of the "second sentence and everything that follows" on Page 2 of Section 138-1003b.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0195-2005

## **ORDINANCE FOR ADOPTION**

**2005-0185**

Acceptance for Second Reading and Adoption - An Ordinance to Amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Water and Sewer Rates and Fees, repeal conflicting ordinances, and prescribe a penalty for violations

**Attachments:** Agenda Summary Second Reading.pdf; 060105 Agenda Summary First Reading.pdf; Ordinance Water & Sewer Rates.pdf; FINAL Water Rates.pdf; FINAL Sewer Rates.pdf; FINAL Sample Billing.pdf; FINAL Customer Charge.pdf; Proposed Sewer Rates.pdf; Proposed Water Rate

**A motion was made by Barnett, seconded by Duistermars, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to Amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Modify Water and Sewer Rates and Fees, repeal conflicting ordinances, and prescribe a penalty for violations, is hereby accepted for Second Reading and Adoption and shall become effective on July 1, 2005 following its publication in the Rochester Eccentric on Thursday, June 23, 2005.**

**The motion carried by the following vote:**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0181-2005

**2005-0379**

Acceptance for Second Reading and Adoption - An Ordinance to Amend Chapter 102, Utilities, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Revise the Depository Fund and Surplus Fund Structure for Water and Sewage Disposal System Revenues, and to repeal conflicting ordinances

**Attachments:** Agenda Summary Second Reading.pdf; 060105 Agenda Summary First Reading.pdf; Ordinance - Utilities.pdf; W&S - Funding Picture.pdf; First Reading Resolution.pdf; 0379 Resolution.pdf

**A motion was made by Raschke, seconded by Dalton, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to Amend Chapter 102, Utilities, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Revise the Depository Fund and Surplus Fund Structure for Water and Sewage Disposal System Revenues, and to repeal conflicting ordinances, is hereby accepted for Second Reading and Adoption and shall become effective on Friday, June 24, 2005 following its publication in the Rochester Eccentric on Thursday, June 23, 2005**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0182-2005

## UNFINISHED BUSINESS

**2004-0283**

Adoption of Tax Abatement Policy dated June 15, 2005

**Attachments:** Agenda Summary pdf; RH 04 Abatement Policy Draft.pdf; 101104 Agenda Summary.pdf; Memo Casey 20040617.pdf; Policy Comparison.pdf; 0283 Master Report.pdf; Tax Exempt Chart 041505.pdf; Smart Invest Tax Chart 041505.pdf; 0283 Resolution.pdf

***Mr. Dan Casey, Economic Development Manager, explained that the City's existing tax abatement policy had not been modified since 1997, and changes made to Public Act 198 in the year 2000 are not reflected in the current policy. He stressed two key changes to the State law:***

- 1) The definition of an industrial property was broadened to include high-tech properties.*
- 2) The transfer of employment provision was eliminated, making it no longer necessary that companies looking to relocate to other Michigan communities seek a Council resolution permitting the transfer of employment.*

***Mr. Casey went on to stress the impact of the changing economy and globalization resulting in the loss of well over 20,000 manufacturing jobs in Michigan, as well as high-tech positions. He indicated that retaining employment is becoming a greater focus***

of communities and that, according to a survey in Site Selection Magazine, incentives now top the list of most important factors in choosing a site for location and development.

Mr. Casey outlined specific proposed changes to the existing policy:

- \* Permits tax abatements for leasing facilities.
- \* Does not prohibit companies wishing to relocate from other Michigan communities from applying for tax abatements.
- \* Promotes the retention of the skilled work force as an important goal of the community.
- \* Supports the reinvestment of Rochester Hills' companies and their equipment to remain competitive globally.
- \* Employs two charts that will be used administratively to qualify applications prior to coming before Council, as well as a consistent basis for evaluation of the length of a given abatement.

Mr. Casey demonstrated the purpose and use of the two charts, noting they are to be used as a guideline to determine the length of the tax abatement for real property, personal property or both. Each chart evaluates the value of the investment versus the number of new or retained jobs. He stressed that one of the benefits of this aspect of the new policy is that the charts provide a guideline for Council, but the final determination of the length of any tax abatement is left to the discretion of City Council.

Mr. Casey noted further benefits of the proposed policy:

- \* Provides a consistent method to evaluate applications.
- \* Will be used as a strategic tool in the development of the SmartZone.
- \* Places an emphasis on strengthening the City's companies and retaining jobs.

#### **COUNCIL DISCUSSION:**

Council members expressed their support for the policy changes.

**Mr. Dalton** specifically noted that the City needs to focus on the retention of businesses and jobs, while aggressively pursuing new business.

**Mr. Barnett** praised the new policy for its flexibility, but suggested that the terms "problem parcels" and "demonstrated need for financial assistance" may need clarification.

In response to a question posed by Mr. Barnett, **Mr. Casey** noted that, while the City has no mechanism to track all businesses in Rochester Hills, the City is required to file two reports per year that track the investment and employment numbers of companies that are identified as high-tech and advanced automotive, or any company that qualifies under the SmartZone program. In addition, he stressed that he contacts each of these companies twice a year to collect their employment numbers.

**A motion was made by Dalton, seconded by Robbins, that this matter be Adopted by Resolution.**

**Whereas, the City Council desires to increase the tax base of the community and encourage employment opportunities and reduce conditions of underemployment; and**



Whereas, PA 198 of 1974, as amended, provides for the abatement of 50% of the increased taxable value that results from a rehabilitation or new development for both real and personal property for a period not to exceed twelve (12) years within established Industrial Development Districts; and

Whereas, the City Council of Rochester Hills has developed and maintained a tax abatement policy from 1987 to present, and has modified it over time as economic conditions in the City have changed.

Resolved that the Rochester Hills City Council hereby adopts the Tax Abatement Policy dated June 15, 2005.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0183-2005

## NEW BUSINESS

2005-0425

Presentation - BMD Group Inc., Rochester Hills, MI, holding company for E-Motive application for industrial development district/tax exemption certification for 3098 Research Drive, Rochester Hills, MI 48309

**Attachments:** Agenda Summary V6.pdf; Financial Calc.pdf; 072005 Agenda Summary.pdf; Public Hearing Notice.pdf; 070605 Agenda Summary V3.pdf; 061505 Agenda Summary.pdf; Letter GDC-EMotive 20050606.pdf; application-EMotive.pdf; legal desc-EMotive.pdf; Project Costs EMoti

**Mr. Dan Casey**, Economic Development Manager, described E-Motive, a company with locations in both Rochester Hills and South Carolina, which recently approached the City with a request for a tax abatement. He explained that the company currently employees twelve employees, was in the process of hiring a thirteenth and anticipated hiring four more employees within the next two years. In addition, their projected investment of \$1.5 million dollars would qualify them according to the new tax abatement policy approved by Council earlier in the meeting, for a six-year abatement period.

Mr. Casey noted that because the applicant is not located in a qualifying industrial development district, a requirement of the process, the district would have to be created. However, if Council were not inclined to grant this request, there would be no obligation to review their application. He further noted that, while the Michigan Tax Commission prefers a two-step process in these matters, he recommended a three-step method as follows:

Step 1: Presentation by the applicant to City Council.

Step 2: City Council schedules a public hearing to consider the matter.

Step 3: Public Hearing is held at a Regular Council Meeting to consider the application and, when necessary, a separate Public Hearing to consider the creation of the industrial development district.

While this process typically takes six weeks, Mr. Casey did indicate that the application was received by the City too late to be included on the next Council Work Shop agenda. Therefore, were Council to follow the above process, a final decision would not be made

until mid August, thus creating a possible scheduling concern for the applicant in regards to their closing date in October.

While Council members expressed their support for the three-step process, they concluded that it would be preferable in this circumstance to schedule the applicant presentation and both public hearings for the July 20th Council meeting, with the final decision at the July 27th Council meeting.

#### Presented

2005-0292

Adoption of Rochester Hills Government Youth Council Bylaws (RHGYC)

**Attachments:** Agenda Summary.pdf; RHGYC Bylaws 051705.pdf; Strate Memo 041305.pdf; Bylaws Youth Draft.pdf; 0292 Resolution.pdf

*Mr. Dalton* noted that the Youth Representatives had spent a great deal of time creating these bylaws and urged Council to show their support by approving them unanimously.

**A motion was made by Dalton, seconded by Robbins, that this matter be Adopted by Resolution.**

**Resolved that the Rochester Hills City Council, upon recommendation of the Administration & Information Services Committee, hereby approves and adopts the Bylaws of the Rochester Hills Government Youth Council (RHGYC) as presented.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0184-2005

2005-0380

Request for Purchase Authorization - DPS/Engineering: Blanket Purchase Order not-to-exceed \$230,800.00 for Preliminary Engineering Services for John R Road Widening & East Ferry Drain Improvements; Hubbell, Roth & Clark, Inc., Pontiac, MI

**Attachments:** Agenda Summary.pdf; HRC Proposal dtd 051705.pdf; 0380 Resolution.pdf

*Mr. Roger Rouse*, Director of DPS/Engineering, indicated that the City has been seeking to advance this combination road and drain project for some time.

**A motion was made by Robbins, seconded by Raschke, that this matter be Adopted by Resolution.**

**Whereas, that a quality-based selection process was used to determine which Engineering Firm was best suited to provide Preliminary Engineering Services for the John R Road widening and East Ferry Drain improvements; and**

**Whereas, Hubbell, Roth & Clark, Inc., best meets the criteria used in the evaluation process including level of experience and qualifications, capacity, cost and a commitment of resources to maintain time lines.**

**Resolved that the Rochester Hills City Council hereby approves the Professional Engineering Service agreement between Hubbell, Roth & Clark, Inc., and the City of Rochester Hills for the John R. Road widening and East Ferry Drain improvements project in the amount not-to-exceed \$230,800.00 and authorizes the Mayor and City Clerk to execute a contract on behalf of the City.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0185-2005

**2005-0383**

Request for Purchase Authorization - DPS/Facilities: Contract/Purchase Order in the amount of \$8,203.00 for demolition services for 1100 S. Livernois; North American Dismantling Corporation, Lapeer, MI

**Attachments:** Agenda Summary.pdf; Tabulation.pdf; 061005 Memo Hartner.pdf; 0383 Resolution.pdf

*Mr. Roger Rousse, Director of DPS/Engineering, explained that the property in question has been deemed "surplus." While it was previously used for storage, it is now vacant and in need of repairs and maintenance. He noted that, as there is no immediate use for the building, it would be more cost effective to demolish it.*

*President Hill further noted that, once the building is demolished, the open space can provide for overflow parking and access to the Clinton River Trail.*

**A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.**

**Resolved that the Rochester Hills City Council hereby approves a purchase order to North American Dismantling Corporation, Lapeer, Michigan, for demolition services at 1100 South Livernois Road in the amount of \$8203.00 as the lowest, responsive, responsible proposer and best value for the City and further authorizes the Mayor to execute a contract on behalf of the City.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0186-2005

**2005-0384**

Request for Purchase Authorization - DPS/Facilities: Blanket Purchase Order not-to-exceed \$5,000.00 for architectural services and a Blanket Purchase Order not-to-exceed \$69,840.00 for construction services for the re-roofing project at Rochester Hills Museum at Van Hoosen Farm; THA Architects Engineers, Flint, MI (architectural services) and Butcher & Baecker Construction Company, Rochester Hills, MI (construction services)

**Attachments:** Agenda Summary.pdf; Tabulation.pdf; 0384 Resolution.pdf

*Mr. Pat McKay, Supervisor of Interpretive Services, noted that a 2001 evaluation of this building indicated problems with shingles resulting from ice and water damage. He noted that the current shingles are twenty years old and facing eventual replacement.*

**A motion was made by Robbins, seconded by Duistermars, that this matter be Adopted by Resolution.**

**Resolved that the Rochester Hills City Council hereby approves a re-roofing project at the Rochester Hills Museum at Van Hoosen Farm for construction services in the amount of \$58,200 with a 20% contingency (\$11,640) to Butcher & Baecker Construction Company, Rochester Hills, Michigan, and for architectural/engineering services in the amount of \$5,000 to THA Architects**

Engineers, Flint, Michigan, for a total project budget in the amount not-to-exceed \$74,840 and further authorizes the Mayor to execute a contract on behalf of the City.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0187-2005

**2005-0243**

Salary Recommendation for Directors' General Adjustment Recommendation - 2006

**Attachments:** Agenda Summary.pdf; Referral Notice.pdf; 060905 Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution options.pdf; Memo Galeczka re Directors General Adjustment.pdf; 060105 Revised Memo Lee.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Wage Adj

**Mr. Robbins** made a motion that all resolutions pertaining to salaries be enacted with one motion and one vote.

**City Attorney John Staran** confirmed that Council could proceed in this manner.

**Mr. Duistermars** asked that Item number 2005-0244 be excluded from this joint vote for separate discussion.

A motion was made by Robbins, seconded by Dalton, that this matter be Referred by Resolution to the Administration and Information Services Committee.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton; and

Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and

Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and

Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee (AIS) to waive Article III, Salaries for Department Directors, Sections 5, 6, and 7 of the City Council Policy for Salaries of Department Directors and Mayor and Per Diem Fees for City Council, Boards and Commissions and defer setting the Directors General Salary Adjustment for Fiscal Year 2006 until such time as a recommendation is received from the AIS Committee.

Be It Further Resolved that the AIS Committee shall make a recommendation to City Council prior to the final approval of the 2006 Budget.

The motion carried by the following vote:

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0294-2005

**Attachments:** Agenda Summary.pdf; Referral Notice.pdf; 060905 Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution options.pdf; Memo Galeczka re Directors General Adjustment.pdf; 060105 Revised Memo Lee.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Wage Adj

**A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.**

**Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and**

**Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.**

**Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.**

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0294-2005

**2005-0399**

**Salary Recommendation for Directors' Equity Adjustment Pool Recommendation - 2006**

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Directors Equity Adjustment.pdf; 0399 Resolution.pdf

**A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.**

**Whereas, the Administration & Information Services (AIS) Committee has reviewed, analyzed and discussed the information provided by the Administration regarding equity Directors pay; and**

**Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and**

**Whereas, Council Member Robbins' motion was seconded by Council Member Dalton; and**

**Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and**

Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and

Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.

Now, Therefore, Be It Resolved that the Rochester Hills City Council concurs with the recommendation of the AIS Committee to make no equity adjustments as a group to be budgeted for Fiscal Year 2006 to the Department Directors Equity Pool.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0314-2005

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Directors Equity Adjustment.pdf; 0399 Resolution.pdf

A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.

Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**2005-0252**

Salary Recommendation for Directors' Variable Performance (Discretionary) Pool - 2006

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Directors Performance Bonus.pdf; 0252 Resolution.pdf

A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member

Dalton; and

Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and

Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and

Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee (AIS) that a Variable Performance (Discretionary) Pool for Directors of \$20,000.00 be established to provide for flat bonus pay, separate from base pay, for the Fiscal Year 2006.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0191-2005

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Directors Performance Bonus.pdf; 0252 Resolution.pdf

A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.

Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**2005-0245**

Salary Recommendation for Mayor - 2006

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Mayor's Salary.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Mayor Council 2005 Market Survey.pdf; Mayor & CC Survey.pdf; Memo Lee HR 033105 .pdf; 0245 Resoluti

A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton; and

Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and

Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and

Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee (AIS) that the rate of compensation for the Mayor of Rochester Hills, in the form of a yearly salary for Fiscal Year 2006, shall remain the same as Fiscal Year 2005, for a total amount of:

~~\$97,332.00~~ \$97,804.93

Be It Further Resolved that fringe benefits continue to apply.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0192-2005

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Mayor's Salary.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Mayor Council 2005 Market Survey.pdf; Mayor & CC Survey.pdf; Memo Lee HR 033105 .pdf; 0245 Resoluti

A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.

Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.

The motion carried by the following vote:



**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**2005-0244****Salary Recommendation for City Council - 2006**

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; Memo Galeczka re CC Salary.pdf; AIS Resolution Options.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Mayor & CC 2005 Market Survey.pdf; Mayor & CC 2005 Market Survey.pdf; Memo Lee HR 033105 .pdf; 0244 Reso

**Mr. Duistermars** stated that he would like the City Council per diem compensation to commence following the attendance of 50 meetings, as opposed to the current 32-meeting threshold.

**President Hill** disagreed noting that she feels City Council members are underpaid and she had suggested that the per diem threshold be lowered to 25 meetings. She stressed that Rochester Hills City Council members attend a great deal more meetings than do council members in other communities that have city managers.

**Mayor Somerville** announced that bonuses had been given to several department directors and that, while she does not dispute Council's decision to maintain her salary at its current level, she wanted residents to know that she purchases her own health insurance.

**A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.**

**Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and**

**Whereas, Council Member Robbins' motion was seconded by Council Member Dalton; and**

**Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and**

**Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and**

**Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.**

**Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services (AIS) Committee that the compensation for the Rochester Hills City Council, in the form of a yearly salary for Fiscal Year 2006, remain the same as Fiscal Year 2005 in the amount as follows:**

**City Council President - \$7,850.48/year  
City Council Member - \$6,577.43/year**

**Further Resolved that the City Council Members shall receive per diem compensation in the amount of Sixty Dollars (\$60.00) for attendance at any**

meeting, for which they are appointed as a Council Representative, in excess of thirty-two (32) meetings per year.

**The motion carried by the following vote:**

**Aye:** Barnett, Dalton, Raschke and Robbins

**Nay:** Hill and Duistermars

**Absent:** Holder

**Enactment No:** RES0190-2005

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; Memo Galeczka re CC Salary.pdf; AIS Resolution Options.pdf; Revised Mayor\_CM\_Council Pay 6\_05.pdf; Revised Mayor & CC 2005 Market Survey.pdf; Mayor & CC 2005 Market Survey.pdf; Memo Lee HR 033105 .pdf; 0244 Reso

**A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.**

**Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and**

**Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.**

**Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.**

**The motion carried by the following vote:**

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**2005-0239**

**Salary Recommendation for Boards and Commissions - 2006**

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Bds & Com Per Diem.pdf; Memo Mertz re Bds & Com Survey.pdf; 0239 Resolution.pdf

**A motion was made by Robbins, seconded by Dalton, that this matter be Adopted by Resolution.**

**Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and**

**Whereas, Council Member Robbins' motion was seconded by Council Member Dalton; and**

**Whereas, Council Member Duistermars made a motion to amend Council Member Robbins' motion to omit the resolution regarding the Department Directors' salary for separate consideration; and**

Whereas, Council Member Duistermars' motion to amend was seconded by Council Member Barnett; and

Whereas, the motion to amend Council Member Robbins' original motion was passed unanimously by City Council.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee (AIS) that the rate of pay for the Boards and Commissions for Fiscal Year 2006 remain the same as Fiscal Year 2005 and be set at Seventy-Five Dollars (\$75.00) for the Chairperson, and Sixty-Five Dollars (\$65.00) for the Members per meeting.

Building Authority  
Construction/Fire Prevention Code Board of Appeals  
Economic Development Corporation  
Historic Districts Commission  
Planning Commission  
Zoning Board of Appeals/Sign Board of Appeals

Further Resolved that the per diem fee for Fiscal Year 2006 for the Members of the Board of Review remain the same as Fiscal Year 2005 and be set at One Hundred (\$100.00) Dollars per meeting attended.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

**Enactment No:** RES0193-2005

**Attachments:** Agenda Summary.pdf; AIS Agenda Summary.pdf; AIS Resolution Options.pdf; Memo Galeczka re Bds & Com Per Diem.pdf; Memo Mertz re Bds & Com Survey.pdf; 0239 Resolution.pdf

A motion was made by Duistermars, seconded by Barnett, that this matter be Adopted by Resolution.

Whereas, Council Member Robbins made a motion that all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions be approved with a single vote of Council; and

Whereas, Council Member Robbins' motion was seconded by Council Member Dalton.

Resolved that the Rochester Hills City Council hereby amends the motion approving all salary and wage resolutions concerning the Department Directors, the City Council, the Mayor, and the Boards and Commissions with a single vote of Council to omit the resolution regarding the Department Directors' salary for separate consideration.

The motion carried by the following vote:

**Aye:** Hill, Barnett, Dalton, Duistermars, Raschke and Robbins

**Absent:** Holder

## NOMINATIONS/APPOINTMENTS

2005-0388 Nomination/Appointment of Citizen Representative to Financial Services Committee

**Attachments:** Agenda Summary.pdf; FS Nomination Form.pdf; Rea Candidate Questionnaire.pdf; Williams Candidate Questionnaire.pdf; 062205 Agenda Summary.pdf; Notice of Vacancy.pdf; Resolution.pdf

**Mr. Dalton** nominated Mr. Jonathan Rea.

**Mr. Duistermars** nominated Mr. Wayne Williams.

*As there were two nominees for this position, Council procedure dictates that the final vote occur at the next Council meeting.*

**Discussed**

## COUNCIL COMMITTEE REPORTS

### **Administration & Information Services (AIS) Committee:**

**Mr. Dalton**, Vice Chairperson of the AIS Committee, noted that the primary focus of the Committee had been the recent salary discussions.

**President Hill** also noted that the AIS Committee is examining issues pertaining to the City's Internet usage policy.

### **Public Safety (PS) Committee:**

**Ms. Raschke**, Chairperson of the PS Committee, noted that the results of the fire and police surveys sent to neighboring communities were in the process of being correlated and she expected to bring that information to City Council in the near future. She then announced that the next meeting would be held on July 11th so as not to conflict with the Fourth of July holiday.

### **Planning Commission:**

**President Hill**, Council's representative on the Planning Commission, noted that the Commission provided direction to City staff with regard to a possible new conditional rezoning ordinance.

### **Leisure Activities Committee (LAC):**

**Mr. Duistermars**, Chairperson of the LAC, noted that the Committee would be discussing the Parks land use plan at their next meeting and announced that there would be a ribbon cutting ceremony on July 21st for the new bridge on the Clinton River Trail.

## ANY OTHER BUSINESS

**Mr. Duistermars** questioned which boards and commissions members receive compensation for their efforts. He requested that the matter be discussed at the Administration and Information Services (AIS) Committee and that the current system of compensation be evaluated.

**Mr. Dalton** stated, "We should have an appreciation dinner for them [boards and commissions members]."

## NEXT MEETING DATE

- Regular Meeting - June 22, 2005 at 7:30 p.m.
- Work Session - June 22, 2005 immediately following the Regular Meeting

## ADJOURNMENT

*There being no further business before Council, President Hill adjourned the meeting at 9:07 p.m.*

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*MELINDA HILL, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*MARGARET A. STRATE  
Administrative Secretary  
City Clerk's Office*

*Approved as presented at the October 5, 2005 Regular City Council Meeting.*