



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel,  
Michael Webber and Ravi Yalamanchi*

*Vision Statement: The Community of Choice for Families and Business*

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

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Monday, January 23, 2012

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

**Present** 7 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark  
Tisdel, Michael Webber and Ravi Yalamanchi

## Others Present:

*Tracey Balint, Project Engineer  
Bryan Barnett, Mayor  
Tara Beatty, Chief Assistant  
Alan Brown, Park Ranger II  
Alan Buckenmeyer, Park Operations Manager  
Ron Crowell, Fire Chief/Emergency Management Director  
Jason Dale, Media Production Technician  
Pam Gordon, Director of Human Resources  
Bob Grace, Director of MIS  
Mike Hartner, Director of Parks and Forestry  
Karen Johnson, Office Coordinator C  
Diane Keller, Accountant  
Jane Leslie, City Clerk  
Nick Michetti, Rochester Hills Government Youth Council Representative  
Keith Sawdon, Director of Finance  
Allan Schneck, Director of DPS/Engineering  
Leanne Scott, City Council Coordinator  
John Staran, City Attorney  
Bob White, Supervisor of Ordinance Services*

## PLEDGE OF ALLEGIANCE

*Led by Girl Scout Troop #40530*

## APPROVAL OF AGENDA

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

## PUBLIC COMMENT

**Lee Zendel**, 1575 Dutton, stated that he attended the Police and Road Funding Technical Review Committee forum last Wednesday and commented that questions raised included whether Rochester Hills has an adequate number of officers to ensure public safety and how the City will pay for Police Services in the long run. He mentioned statistics gathered by the Federal Bureau of Investigation which reported that the average number of sworn officers for 439 similar cities with populations of 50,000 to 99,999 ranged from 1.2 to 2.4 officers per thousand residents. He noted that the City of Rochester Hills currently has 57 deputies, or 0.8 sworn officers per thousand residents. He pointed out that if Rochester Hills had 1.2 officers per thousand, it would have 85 deputies. He commented that while many factors influence police staffing, Rochester Hills underfunds its public safety.

**Tim Maurer**, 854 Ravine Terrace Drive, stated that the Elliott-Larsen Civil Rights Act of 1976 protects Michigan citizens from discrimination; however, it does not reference gay and lesbian citizens. He commented that House Bill 5039, proposed by State Representative Tom McMillin, would roll back civil rights ordinances passed by neighboring communities. He stated that this proposed legislation sends an egregious message to the gay and lesbian students of this community.

**Linda Davis-Kirksey**, 1337 N. Acre Drive, requested Council voice opposition to proposed House Bill 5039. She stated that individual municipalities should have local control of ordinances and legislation and commented that a draft resolution proposed by Mr. Maurer against this proposed legislation should be adopted by Council. She stated that Rochester Hills should continue to be a community that is welcome and diverse.

**Brian Kirksey**, 425 Sunlight, commented that as a 33-year resident of this community raising his family here, he is discouraged to see that his State Representative has authored legislation that infers that the door is closed to certain individuals. He expressed his opposition to House Bill 5039 and requested Council stand behind those individuals who were not given a voice under the Elliott-Larsen Civil Rights Act.

**Ryan Leclerc**, 1875 Jenny Lane, stated that as a gay individual who grew up in this community, he wishes to live in a place open and affirming to everyone. He commented that he opposes proposed House Bill 5039 and stated that more cities and private companies should speak up for the equal treatment of all individuals. He mentioned that legislation such as this will cause young talented people to want to leave the state to live elsewhere.

*Joanna VanRaaphorst, 441 South Livernois, stated that she and her husband have a thriving dental practice in Rochester Hills, with its success due in part to how they treat their patients with dignity and respect. She commented that she opposes House Bill 5039 and stated that the proposed legislation works as a detriment to Rochester Hills' image as being a progressive community. She requested Council voice its opposition to House Bill 5039.*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*President Hooper noted the following:*

- *A Public Information Meeting will be held tomorrow, January 24th from 4:00 p.m. to 7:00 p.m., to review plans and construction schedules for the Avon Road Bridge Reconstruction and Crooks Road Reconstruction projects. Avon Road will be completely closed at the bridge during construction.*
- *The Capital Improvement Plan Project Application Process for years 2013 to 2018 has begun. Any member of the public or City resident wishing to submit an item for consideration must do so by February 24, 2012. Applications should be submitted to Ed Anzek, Director of Planning and Economic Development.*
- *The Police and Roads Technical Review Committee held a public forum on January 18th. Attended by six Council members, excellent public comment and feedback was heard. The Committee's next step will be to review the results of the forum and present a report to the Homeowners' Association Forum scheduled for March 20, 2012. Recommendations will then be coming to Council for solutions to provide public safety services in Rochester Hills.*

*In response to public comment, President Hooper stated that the City does not practice or tolerate any discrimination of any sort. He commented that his limited knowledge of State Representative McMillin's proposed legislation is that the Bill applies to communities that have passed an ordinance that goes beyond the Elliott-Larsen Civil Rights Act. He stated that City Attorney John Staran was asked to look into the matter and he requested that Mr. Staran comment.*

*John Staran, City Attorney, stated that the country and this City rely and depend on the Federal and State Governments to recognize, uphold and provide for the protection of our Civil Rights. He commented that this is subject matter or field of law that this City Government has not, in his recollection, ever delved into. The proposed legislation, House Bill 5039, was introduced in October, and it appears to have been introduced in response to between ten and twenty communities in Michigan that have adopted various local human rights ordinances, the essence of those being to provide additional protections based on sexual orientation beyond what the current Federal and State Laws do. The Elliott-Larsen Act does not speak to sexual orientation, and the added ordinances tend to regulate private housing, employment practices, public accommodations, and so forth, basically prohibiting any discrimination based on sexual orientation. The City of Rochester*

*Hills does not have ordinances that either add that protection or detract, obstruct or in any way discriminate against any of those protected classes. He stated that he cannot remember this Council, other than to the extent that it regulates private businesses and housing through Zoning, Land Use and Building Codes, ever being asked to delve into those areas of regulation. This Council has basically deferred to the State and Federal Government in this area.*

**President Hooper** stated that he will study the matter more and determine whether Council should consider further action.

**Mr. Webber** commented that the Police and Road Funding forum was very constructive and noted that residents weighed in on several possible solutions. He stated that something must be done toward funding Police Services in 2013 and beyond. He mentioned that he will look into concerns regarding House Bill 5039.

**Mr. Klomp** stated that he also attended the Police and Road Funding forum and was very pleased with the public turnout and good ideas the forum yielded. He commented that he will look into House Bill 5039 and stated that it is a topic worthy of further discussion in order to understand Council's role in the matter.

**Mr. Kochenderfer** commented that he attended the Police and Road Funding forum and stated that the residents provided good feedback and ideas. He thanked those speaking tonight regarding House Bill 5039, and stated that he agrees with their comments that this is a welcoming community. He mentioned that he is heartened by the fact that the City does not discriminate in its employment practices, rules and regulations, and wishes to ensure that it stays that way.

**Mr. Rosen** mentioned that approximately 25 individuals attended the Police and Road Funding forum, including six current and three former Council Members, and four or five Committee members. He commented that he wished there were more members of the public in attendance, and stated that something should be done to get more people involved. He noted that there is not enough time in 2012 to get the level of public knowledge high enough to support a millage for Police Services.

**Mr. Tisdell** commented that the Police and Road Forum was an evening of ideas. He stated that he will look into House Bill 5039, and noted that the first two sentences of the Michigan State Constitution contain reference to the fact that all political powers are inherent in the people, and government is instituted for their equal security and protection. He stated that he does not know how rostering protected classes improves upon that.

**Mr. Yalamanchi** expressed his appreciation to those commenting on House Bill 5039 and requested that Mr. Maurer provide his draft resolution for Council's review. He stated that the message conveyed by the proposed legislation takes the nation back 60 years, and he would ask Council to stand up and protect a fundamental right to freedom. He requested Council consider a resolution to convey its opposition to the legislation, noting that under Home Rule, the City has many ordinances to comply with State Law. He stated that while the City

has a policy that clearly states that it does not discriminate, it should move to the next level. He requested the item be placed on the next Council agenda and that Mr. Staran look into drafting an Ordinance for consideration that strongly affirms Council's position against discrimination.

**Nick Michetti**, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC is busy planning its Youth Summit for March 10th, and noted that the registration deadline for attendees is February 22nd. He mentioned that RHGYC members have been visiting local schools to announce the Summit and are soliciting donations from local businesses to support the Summit. He stated that the RHGYC selected the Boys and Girls Club as the recipient of this year's 5K proceeds.

**Mayor Barnett** expressed his thanks to Girl Scout Troop #40530 for leading tonight's Pledge of Allegiance. Regarding public comment on House Bill 5039, he stated that he wants to make it exceptionally clear that Rochester Hills has no separate provisions in this regard. He mentioned that out of 540 communities in Michigan, the City is one of 520 that do not have special provisions, and operates under the general canopy of the State's provisions. He mentioned tomorrow's Informational Meeting regarding the Avon Road Bridge Reconstruction and Crooks Road Reconstruction projects, noting that Avon Road will be closed to traffic for bridge removal next Wednesday, February 1st. The road's expected reopening date will be June 15th. He reported that the Administration has been meeting with City of Rochester officials to coordinate closures with their Main Street Project, expected to begin in April.

## ATTORNEY MATTERS

*City Attorney John Staran had nothing to report.*

## PRESENTATIONS

2012-0024 Rochester Hills Government Youth Council's Bi-Annual Report to City Council

Attachments: [Agenda Summary.pdf](#)

**Susanna Jang**, Chairperson, and **Amith Diwakar**, Vice Chairperson, Rochester Hills Government Youth Council (RHGYC), gave the bi-annual report for the activities of the RHGYC, noting the following:

- The 2011-2012 RHGYC started its year off when it met in August for Orientation. It was a great chance to discuss local issues and to get to know the Mayor and the City's Directors.
- The RHGYC consists of 15 students from local high schools, who strive to find viable solutions for problems in the community and provide youth involvement in charitable causes.
- RHGYC members sit at Council meetings to report on the group's work in the community.
- Members sit on technical review committees, such as the Police and Road Funding Technical Review Committee, Human Resources Technical Review

Committee, Green Space Advisory Board and the Cemetery Citizens Advisory Committee.

- This year, the RHGYC has also taken on the responsibility of becoming the Youth Advisory Council for the Community Foundation of Greater Rochester. RHGYC members will gain experience by reviewing and approving grants.
- Council Member Mark Tisdale is now liaison to the RHGYC. He will be a vital part of everything that will happen in the future.
- The RHGYC provided volunteer manpower for the Brookside Way Half-Marathon, manning a water table along the route in front of City Hall.
- The group participated in the Oath of Office Ceremony for Mayor Barnett and incoming and returning Council Members.
- RHGYC members caroled at Mercy Bellbrook in December. Mr. Tisdale attended the event and sang with the group.
- Members participated in the City's Holiday Family Fun Night for employees and their families, working in the game room, helping out and having fun.
- The RHGYC marched in the Rochester Hometown Christmas Parade in December, dressed as toys from different generations.

**Mr. Diwakar** stated that in general, students do not usually get involved in local government. He commented that when teens turn 18 years of age, they are expected to become active and vote for elected officials. He reported that the RHGYC is once again holding a Youth Summit to generate interest in local government. The Summit will feature leadership seminars, keynote speakers, and a mock city council meeting. He noted that the group is working hard to raise money to finance the Summit, and members are visiting local businesses to help spread the word. The Summit will be held on Saturday, March 10th, from 9:00 a.m. to 4:00 p.m. at City Hall. Students are asked to register to attend the Summit by February 22nd.

**Ms. Jang** announced that the RHGYC has chosen the Boys and Girls Club as the recipient of this year's proceeds from their 5K in June. The Boys and Girls Club is an organization that helps build leadership, character and life skills for youth.

**Mr. Diwakar** stated that the RHGYC is happy to have this opportunity to give back to the community. He commented that sometimes the biggest accomplishments do not come by way of money or prizes; they come when one sees smiles on peoples' faces.

**Presented.**

**2012-0025** Presentation regarding the current service and building needs for Rochester Avon Recreation Authority (RARA); Ron Jewell, Executive Director, presenter

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

**Ron Jewell**, Executive Director for the Rochester Avon Recreation Authority (RARA), along with Brandy Boyd, RARA Staff Member, provided an overview of program offerings and an insight to RARA's future:

Rochester Avon Recreation Authority:

- Provides recreation services for:
  - \* Rochester
  - \* Rochester Hills
  - \* Surrounding communities

Services are provided for those 12 months of age to adults and include:

- Special Events
  - \* A Kids Day in the Park includes car seat checks and the opportunity to climb in and on emergency vehicles.
- Youth Programs
  - \* Dance programs
    - The largest community performing arts program in Oakland County
    - Students range from age 2-1/2 to adult
    - 150 participant classes include over 1,400 participants
    - Ten performances are scheduled for audiences
- Adult Programs
  - \* Including Adult Softball
- Adaptive Programs
  - \* Including SCAMP, an extensive program selection for the adaptive population
    - 89 people participated in SCAMP last year.

He noted that the current location at 100 to 112 East Second Street in Rochester houses offices, dance and preschool programs. He stated that the RARA Board concurs that the current facility limits the growth of current programs and does not allow for new programs and offerings. In addition, the facility only has 30 parking spots and participants often park across a busy street in public lots. RARA pays \$130,000 each year to its landlord in rent and taxes. This translates to nearly \$1 million every ten years.

Mr. Jewell explained that the RARA Board is investigating possible new locations for a facility within the City, to incorporate gymnasiums, multipurpose rooms, and classrooms. As a part of this process RARA has been allocating funds to a specific building fund. RARA feels that the time for a move is now.

**Council Discussion:**

**Mr. Klomp** stated that he serves as Council Representative to the RARA Board. He noted that the organization has not narrowed its search to any one space and has been looking to set money aside for possibly building on a piece of property. He commented that while the Legacy Project had a component that could have involved RARA, that project has not come to fruition. He mentioned that RARA has also approached a couple of other organizations to explore cooperative opportunities. He stated that RARA has outgrown its space significantly and has had to turn programs down. He noted that the Board views its lease costs on a yearly basis and commented that the lease agreement was signed in better economic times. The Board recognizes that commercial real estate is currently at bargain rates and continues to search for spaces and alternative locations for RARA.

**Mr. Yalamanchi** commented that it is a great idea for RARA to search for an independent building and instead apply rent monies toward capital. He questioned whether RARA explored working with other nonprofits to share services.

**President Hooper** questioned whether any other organizations have approached RARA.

**Mr. Jewell** responded that no organization has reached out to explore this option in the nine months that he has been Executive Director. He commented that RARA needs a facility that is at least 25,000 square feet for its own use.

**Mayor Barnett** stated that he fully understands the value RARA is to the community. He commented that the RARA Board is going about things the right way to look at the challenges it has and then review the wide range of opportunities it has to solve its problems. He stated that as RARA's search continues, the City will work together with RARA to help find a solution to move forward. He acknowledged that RARA's current location is no longer adequate and appropriate.

**Mr. Tisdell** questioned whether RARA's needs can be satisfied with assets the Rochester Community Schools currently has, such as play fields, gymnasiums and performing arts centers. He questioned whether RARA's services can be provided using assets that taxpayers are already paying for.

**Mr. Jewell** responded that RARA does utilize community facilities such as fields and gymnasiums. He commented that RARA's needs include classrooms, multipurpose rooms, and facilities for adaptive programs; and he stated that while community sports fields and facilities are available, they are already used by the schools and other organizations. RARA must compete for space every year.

**Presented.**

## RECOGNITIONS

2012-0012 In Recognition of Al Brown for being named the 2011 Employee of the Year

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

**Mayor Barnett** stated that each year, the Administration recognizes outstanding City employees. He noted that the employees nominated by their peers this year include: Tracey Balint, Al Brown, Jason Dale, Josy Foisy, Bruce Halliday, Diane Keller, Dick Lange, Calvin Leach, Shawn McColley, Jody Major, Mark Matich, Pam Olson, Wayne Rybak, Jeff Sellers, Paul Shumejko, Barb Smith, Leslie VanGieson and Bob White.

He began the recognitions with naming those employees selected as "Honorable Mentions" and highlighted their achievements:



**Diane Keller:**

**Mayor Barnett** read highlights from the nomination of Diane Keller, Accountant, noting that she supports her fellow team members to the highest degree, putting her co-worker's jobs and needs above her own. She is dependable, honest, has a great work ethic and positive attitude, and is a role model and a fine example for her fellow team members. He highlighted her extensive volunteer efforts and noted that she deserves recognition as an Outstanding Employee.

Council congratulated Ms. Keller.

**Tracey Balint:**

**Mayor Barnett** highlighted the nomination of Tracey Balint, Project Engineer, noting that she is a multi-talented Professional Engineer who leads by example in technical expertise, outstanding internal and external customer service, has a commitment to making it happen and exudes a positive authority within the workplace. He read a list of her accomplishments, and stated that her character, integrity, ethics and values are undisputed and she deserves recognition as an Outstanding Employee.

Council congratulated Ms. Balint.

**Jason Dale:**

**Mayor Barnett** recognized Jason Dale, Media Production Technician, stating that he gives his very best each day no matter what job he is called upon to do. He does an excellent job and makes himself available whenever possible. He is always very respectful to everyone who calls or visits the Mayor's office. Mayor Barnett stated that he has received many letters from students and teachers complimenting Mr. Dale's job performance as a tour guide. Last year Mr. Dale took on a leadership role for the City's Family Fun Night Event, ensuring that this event continues. Mr. Dale is an outstanding individual to work with and deserves recognition as an Outstanding Employee.

Council congratulated Mr. Dale.

**Al Brown:**

**Mayor Barnett** announced that Al Brown, Park Ranger II, has been named the City's 2011 Employee of the Year. He stated that Mr. Brown is a 21-year employee of the Parks Division, and noted that he has been nominated in particular for his involvement with the Rochester Hills Government Youth Council (RHGYC) and their 5K Run/Walk held each year at Bloomer Park, going "above and beyond" to ensure that the RHGYC's event is a success. He makes decorations for the City's Relay for Life tent and has donated various items he has made including brass sculptures to be auctioned off to raise money for this cause. He is a dedicated, caring employee who does so much for others, especially when no one is looking; and it is because of him that Bloomer Park is enjoyed by so many. The many wonderful parks contribute to how great the City is and Mr. Brown is a key part of that.

*Council congratulated Mr. Brown.*

**See also Legislative File 2012-0013, 2012-0014 and 2012-0015.**

**Presented.**

**Whereas**, Al Brown is a Park Ranger II in the Department of Parks and Forestry. He has been employed at the City of Rochester Hills since February 7, 1989; and

**Whereas**, Al is known as an employee who goes “above and beyond” to ensure that work and projects are completed thoroughly and in a timely manner; and

**Whereas**, for the past three years, the Youth Council has hosted 5k events at Bloomer Park to raise money for various charities. Al has consistently helped with marking and clearing the course and placing mile markers in appropriate locations. He transports all the volunteers to their various stations and assists in getting tables and supplies to where they need to be. This event requires a lot of time and effort, and it would not be such a great success without the assistance of Al Brown; and

**Whereas**, in addition to his numerous job duties, Al also finds time to volunteer for other events. He gives of his time and talent to the Relay for Life. He has personally made decorations for the city’s tent and donated brass sculptures that he created to be auctioned off to raise money; and

**Whereas**, Al is a caring, dedicated employee who does so much for others, especially when no one is looking. As a result of his efforts, Bloomer Park is thoroughly enjoyed by many visitors each year.

**Now, Therefore, Be It Resolved**, that I, Bryan K. Barnett, Mayor of Rochester Hills hereby congratulate Al Brown for being selected as the 2011 Employee of the Year, and express my thanks for his hard work and dedication to the City of Rochester Hills.

**2012-0013** In Recognition of Tracey Balint for being selected a 2011 Outstanding Employee

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

**See also Legislative File 2012-0012.**

**Presented.**

**Whereas**, Tracey Balint has worked in the DPS/Engineering Department since 2004 as a Project Engineer. She has consistently excelled in her position; and

**Whereas**, Tracey is a multi-talented professional who leads by example in technical expertise, outstanding internal and external customer service, and also exudes a positive attitude within the workplace; and

**Whereas**, Tracey makes sure projects and tasks are set up to succeed, and has exceptional vision to look ahead and anticipate potential concerns that could prevent the department from delivering the outstanding outcome she wants to achieve; and

**Whereas**, while achievements at work are greatly valued, Tracey recognizes that

community service strengthens the bonds between teammates, and she lends her time to city activities outside of work hours. This includes organizing and recruiting the city water station team for the Brooksie Way, and contributing time to the city's family fun night event; and

**Whereas**, Tracey has character, integrity, ethics and values which are undisputed, and she is an excellent representative for her department and the city.

**Now, Therefore, Be It Resolved**, that I, Bryan K. Barnett, Mayor of Rochester Hills hereby congratulate Tracey Balint on being selected as one of the 2011 Outstanding Employees, and express my thanks for her hard work and dedication to the City of Rochester Hills.

**2012-0014** In Recognition of Jason Dale for being selected a 2011 Outstanding Employee

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

**See also Legislative File 2012-0012.**

**Presented.**

**Whereas**, Jason Dale began working for the City of Rochester Hills in 2001 as a Media Production Technician. He is an outstanding employee and representative of the city; and

**Whereas**, Jason wears many hats in the performance of his job duties, and he always has a great attitude. In 2010, he was called upon to take on additional duties in the Mayor's Office. He does a fantastic job of providing excellent customer service, he's always helpful and goes out of his way to assist residents and his fellow employees; and

**Whereas**, Jason provides tours of city hall to hundreds of school children. Jason provides informative, interesting tours and has received numerous complimentary letters from students and teachers, including students who think he is the best part of the tour because he is so funny; and

**Whereas**, Jason also takes time to volunteer for the annual Holiday Family Fun Night. He puts a lot of time and effort into making sure the event is a success for employees and their families; and

**Whereas**, Jason's work is very valuable to every city department. As a result of the hard work and creativity of the RHTV team, the city and employees always look their best.

**Now, Therefore, Be It Resolved**, that I, Bryan K. Barnett, Mayor of Rochester Hills hereby congratulate Jason Dale for being selected as one of the 2011 Outstanding Employees, and express my thanks for his hard work and dedication to the City of Rochester Hills.

**2012-0015** In Recognition of Diane Keller for being selected a 2011 Outstanding Employee

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

**See also Legislative File 2012-0012.**

**Presented.**

**Whereas**, Diane Keller has been employed at the City of Rochester Hills since 1995. She began her employment in the Department of Public Services before moving to the Accounting Department. She was promoted to the position of Accountant on October 2, 2000; and

**Whereas**, Diane is considered a problem solver, and has a reputation for supporting her fellow team members to the highest degree. She has great insight when new processes are established and makes valuable recommendations; and

**Whereas**, in addition to her extensive job duties and responsibilities, Diane has volunteered throughout the years by building floats and walking in the Christmas parade, assisting with the employee Christmas luncheon and Holiday Family Fun Night; and

**Whereas**, Diane is a pleasure to work with, and she is a great example of a dedicated, hardworking employee, whose focus is always on serving the best interests of the residents of the city.

**Now, Therefore, Be It Resolved**, that I, Bryan K. Barnett, Mayor of Rochester Hills hereby congratulate Diane Keller for being selected as one of the 2011 Outstanding Employees, and express my thanks for her hard work and dedication to the City of Rochester Hills.

## 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.

**2012-0028** Approval of Minutes - City Council Regular Meeting - January 9, 2012

**Attachments:** [CC Min 010912.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0011-2012

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 9, 2012 be approved as presented.

**2012-0022** Request for Purchase Authorization - BLDG: Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance for unoccupied lots in the amount not-to-exceed \$40,000.00 and a Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance for occupied lots in the amount not-to-exceed \$15,000.00; Brantley Development LLC, Westland MI; Universal Lawn Care Inc., Shelby Township, MI

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

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

Enactment No: RES0012-2012

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for weed mowing and lawn maintenance for Ordinance compliance for unoccupied lots to Brantley Development LLC, Westland, Michigan, in the amount not-to-exceed \$40,000.00 through December 31, 2012 and a blanket purchase order for weed mowing and lawn maintenance for Ordinance compliance for occupied lots to Universal Lawn Care Inc., Shelby Township, Michigan in the amount not-to-exceed \$15,000.00 through December 31, 2012 and further authorizes the Mayor to execute contracts on behalf of the City.

- 2012-0029** Request for Purchase Authorization - CLERK: Blanket Purchase Order for Postage by Phone in the amount not-to-exceed \$40,000.00; Pitney Bowes, Inc., Louisville, KY

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

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

Enactment No: RES0013-2012

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Pitney Bowes, Inc. of Louisville, Kentucky for Postage by Phone in the amount not-to-exceed \$40,000.00 through December 31, 2012.

**Passed the Consent Agenda**

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**PUBLIC HEARINGS**

- 2012-0026** FY 2012 1st Quarter Budget Amendments

**Attachments:** [Agenda Summary.pdf](#)  
[2012 1st Qtr BA Overview.pdf](#)  
[2012 Budget Amendments \(Detail\).pdf](#)  
[1st Qtr Budget Adjustments.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution.pdf](#)

**Keith Sawdon**, Finance Director, explained that the majority of this First Quarter Amendment to the Fiscal Year 2012 Budget relates to project carry-overs amended out of the Fiscal Year 2011 Budget in December. He noted that roughly \$2.9 million in Capital Projects are being brought forward for completion in 2012. Additional items contained in the Budget Amendment include Inter-Fund transfers related to bond refunding done in 2011, along with recognition of revenues related to refunding. He pointed out that reductions in personnel costs are

related to health care changes made in the settlement of union contracts, resulting in a savings going forward of \$540,000. He mentioned that there is one Mayoral adjustment made which is included in the Amendment.

**President Hooper Opened the Public Hearing at 8:21 p.m.**

**Seeing No Public Comment, President Hooper Closed the Public Hearing at 8:22 p.m.**

**Council Discussion:**

**President Hooper** commented that the amount carried over appears to exceed what was anticipated initially. He pointed out that it was estimated that \$450,000 would be carried over and this amendment actually carries over \$680,000.

**Mr. Sawdon** responded that the Fourth Quarter 2011 Budget Amendment estimates the work that will be completed by year's end. More project activities are being carried over than were originally anticipated.

**President Hooper** requested Mr. Sawdon confirm that the carry-over represents projects not completed in 2011 and does not add any additional project costs.

**Mr. Sawdon** responded that no projects were added and all amounts were approved by Council.

**President Hooper** questioned whether the same applies to the Water and Sewer Capital Fund and Facilities Capital charges.

**Mr. Sawdon** confirmed that it does.

**Mr. Yalamanchi** questioned amounts included for the Tienken Road Project and the Grant Pump Station. He pointed out that the Grant Pump Station was approved by Council in November of 2011.

**Mr. Sawdon** responded that the Grant Pump Station Project had not yet moved forward for inclusion in a Budget Amendment. He mentioned that the Fourth Quarter Amendment numbers were actually prepared in October, in order to be ready for inclusion on a December agenda.

**Mr. Webber** commented that it is a job well done to see the health care changes actually translating to savings. He commented that the City is at the forefront of communities trying to decrease health care costs. He noted that it is also good to see the reductions in fleet vehicles being reflected in the Budget numbers. He questioned whether there is a timetable for the presentation of design plans for the Tienken Road Project.

**Mr. Sawdon** responded that while he deals with the financial aspect of projects, he is not familiar with project timetables.

**Mayor Barnett** noted that the Tienken Road project remains scheduled for 2013, and is not expected to move up because of the projects underway in 2012 in

downtown Rochester and on the Avon Road Bridge. He commented that while some activities will begin in advance of 2013, the Administration has not seen much movement on the project recently. He expressed thanks to City Council for its efforts in the process to adjust personnel and health care costs downward by \$500,000, and noted that this reduction is net of the one percent pay increase approved for this year.

**Mr. Klomp** questioned whether MIS amounts carried over included project costs for data storage.

**Bob Grace**, Director of MIS, responded that a couple of items have carried over. He mentioned that Pictometry costs were carried over, noting that while one of the flights was completed in June, the secondary flight was not completed until this month. He stated that the City will not be billed for that project until everything is complete, and an invoice is expected in March or April of this year. He pointed out that the network upgrade was not completed at the end of the year as scheduled, and amounts were carried over. He confirmed that there is no price increase and the project remains on budget.

**Mr. Klomp** questioned why \$22,000 is carried over for sound barrier walls as it appears that construction is complete.

**Mr. Sawdon** responded that the amount carried over represents the project's restoration activities.

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0014-2012

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

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

**Whereas**, the Public Hearing for the proposed 2012 1st Quarter Budget Amendments was noticed on January 12, 2012; and

**Whereas**, the proposed 2012 1st Quarter Budget Amendments were available for public viewing beginning on January 13, 2012; and

**Whereas**, at its January 23, 2012 meeting City Council held a Public Hearing on the proposed 1st Quarter Budget Amendments.

**Now, Therefore, Be It Resolved** that the Rochester Hills City Council hereby approves the following 2012 fund totals as amended:

|                              |                      |
|------------------------------|----------------------|
| <b>101 - General Fund</b>    | <b>\$ 23,314,060</b> |
| <b>202 - Major Road Fund</b> | <b>5,304,370</b>     |

|                                         |            |
|-----------------------------------------|------------|
| 203 - Local Street Fund                 | 6,561,730  |
| 206 - Fire Fund                         | 7,345,510  |
| 207 - Special Police                    | 9,110,550  |
| 214 - Pathway Maintenance               | 551,080    |
| 244 - Water Resources Fund              | 667,340    |
| 325 - Street Improvements (2002 Series) | 1,410,980  |
| 394 - 2011 Refunding Debt Fund          | 1,046,700  |
| 403 - Pathway Construction Fund         | 163,980    |
| 592 - W&S Operating Fund                | 31,111,150 |
| 593 - W&S Capital Fund                  | 6,370,570  |
| 595 - Water & Sewer Debt Service Fund   | 621,550    |
| 631 - Facilities Fund                   | 5,001,380  |
| 636 - MIS Fund                          | 1,895,150  |
| 661 - Fleet Equipment Fund              | 4,605,700  |
| 848 - LDFA Fund                         | 531,720    |

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

## NOMINATIONS/APPOINTMENTS

- 2012-0023** Request to Confirm the Mayor's appointment of Kathleen Fitzgerald to the Rochester Hills Board of Review to fill the unexpired term of Rosemary Donovan ending December 31, 2013

**Attachments:** [Agenda Summary.pdf](#)  
[Fitzgerald CQ.pdf](#)  
[Donovan Resignation.pdf](#)  
[Resolution.pdf](#)

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0015-2012

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Kathleen Fitzgerald to the Rochester Hills Board of Review to fill the unexpired term of Rosemary Donovan ending December 31, 2013.

- 2011-0461** Nomination/Appointment of four (4) Citizen Representatives to the Historic Districts Study Committee each for two-year terms to expire December 31, 2013 and one (1) Citizen Representative to the Historic Districts Study Committee to fill the unexpired term of Murray Woolf ending December 31, 2012



**Attachments:** [Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[HDSC Appt Memo.pdf](#)  
[HDC Member Interest.pdf](#)  
[Booth CQ.pdf](#)  
[Branstner CQ.pdf](#)  
[Cobb CQ.pdf](#)  
[Granthen CQ.pdf](#)  
[Hannick CQ.pdf](#)  
[Thomasson CQ.pdf](#)  
[Webster CQ.pdf](#)  
[Wylie CQ.pdf](#)  
[120511 Agenda Summary.pdf](#)  
[Cockey CQ.pdf](#)  
[Notice of Vacancy \(expiring terms\).pdf](#)  
[Notice of Vacancy \(Woolf\).pdf](#)  
[111411 Agenda Summary.pdf](#)  
[Resolution.pdf](#)

**President Hooper** stated that Council elected to defer making appointments to the Historic Districts Study Committee (HDSC) until the new members of the Historic Districts Commission (HDC) were seated and had the opportunity to discuss amongst themselves who wished to serve on the HDSC. Council has received notification from the HDC which of their members are interested in serving on the HDSC. He noted that should more than five individuals be nominated, this item would be set over to the next Council meeting for a vote.

**Mr. Webber** questioned how it will be determined who will receive a two-year term and who will fill the one-year vacancy.

**John Staran**, City Attorney, stated that should Council nominate five individuals, it can proceed tonight and select four of those individuals for two-year terms.

**President Hooper Opened the Floor for Nominations.**

**Mr. Webber** nominated Steven Branstner, Julie Granthen, James Hannick, Sue Thomasson and LaVere Webster.

**Mr. Yalamanchi** nominated Don Booth.

**President Hooper** noted that Mr. Branstner and Ms. Thomasson are current members of the HDC.

**Seeing no further nominations, President Hooper Closed the Floor for Nominations.** He noted that six individuals were nominated for five vacancies on the HDSC and stated that should Council wish to vote this evening, it must first waive its Rules of Procedure.

**Discussed.**

**2012-0030** Adoption of Resolution to Waive City Council Rules of Procedure to allow for Citizen Appointments to be made this evening

*Mr. Yalamanchi stated that he wished Council to consider waiving its Rules of Procedure to allow a vote to occur tonight to fill the vacancies on the Historic Districts Study Committee.*

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0016-2012

**Resolved**, that the Rochester Hills City Council hereby waives the *City Council Rules of Procedure, Article VII. Boards, Commissions and Committees, Section .01 (ii)* to allow for Citizen Appointments to be made this evening.

**2011-0461** Nomination/Appointment of four (4) Citizen Representatives to the Historic Districts Study Committee each for two-year terms to expire December 31, 2013 and one (1) Citizen Representative to the Historic Districts Study Committee to fill the unexpired term of Murray Woolf ending December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
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[Cobb CQ.pdf](#)  
[Grantham CQ.pdf](#)  
[Hannick CQ.pdf](#)  
[Thomasson CQ.pdf](#)  
[Webster CQ.pdf](#)  
[Wylie CQ.pdf](#)  
[120511 Agenda Summary.pdf](#)  
[Cockey CQ.pdf](#)  
[Notice of Vacancy \(expiring terms\).pdf](#)  
[Notice of Vacancy \(Woolf\).pdf](#)  
[111411 Agenda Summary.pdf](#)  
[Resolution.pdf](#)

**John Staran**, City Attorney, suggested that Council first vote for five individuals. Once the five appointees are determined, a second vote should be held between those five for four individuals, with the person having the fewest votes then receiving appointment to complete Mr. Woolf's term.

**President Hooper** instructed Council to vote for five individuals for appointment to the Historic Districts Study Committee (HDSC).

The nominees received the following votes:

**Don Booth:** Rosen, Tisdell and Yalamanchi

**Steven Branstner:** Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**Julie Grantham:** Hooper, Klomp, Kochenderfer, Tisdell, Webber and Yalamanchi

**James Hannick:** Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**Sue Thomasson:** Hooper, Klomp, Kochenderfer, Rosen and Webber

**LaVere Webster:** Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**President Hooper** noted that Mr. Branstner, Ms. Granthen, Mr. Hannick, Ms. Thomasson and Mr. Webster would be appointed to the HDSC. He then instructed Council to vote for four of these individuals and stated that the person receiving the lowest number of votes would be appointed to fill the one-year vacancy. The rest would be appointed for two-year terms.

These individuals received the following votes:

**Steven Branstner:** Hooper, Klomp, Rosen, Tisdell, Webber and Yalamanchi

**Julie Granthen:** Klomp, Kochenderfer, Tisdell and Yalamanchi

**James Hannick:** Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**Sue Thomasson:** Hooper, Klomp, Kochenderfer, Rosen and Webber

**LaVere Webster:** Hooper, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

**President Hooper** announced that Mr. Branstner, Mr. Hannick, Ms. Thomasson and Mr. Webster would be appointed to two-year terms; and Ms. Granthen would be appointed to fill the one-year vacancy.

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0017-2012

**Resolved**, that the Rochester Hills City Council appoints Steven Branstner, James Hannick, Sue Thomasson, and LaVere Webster to serve as Citizen Representatives to the Historic Districts Study Committee, each for two-year terms to expire December 31, 2013 and Julie Granthen to serve as Citizen Representative to the Historic Districts Study Committee to fill the unexpired term of Murray Woolf ending December 31, 2012.

## NEW BUSINESS

**2010-0511** Request for Purchase Authorization - FIRE: Increase to Blanket Purchase Order for EMS billing and reporting services in amount of \$1,974.25 for a new not-to-exceed amount of \$88,974.25; AccuMed Billing, Inc., Riverview, MI

**Attachments:** [Agenda Summary.pdf](#)  
[120610 Agenda Summary.pdf](#)  
[Amendment to Service Agreement.pdf](#)  
[120610 Resolution.pdf](#)  
[Resolution.pdf](#)

**Chief Crowell**, Fire Chief/Emergency Management Director, stated that this request will complete payment for EMS billing services for 2011.

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0018-2012

**Resolved**, that the Rochester Hills City Council hereby authorizes the increase to the Blanket Purchase Order for EMS billing and reporting services to AccuMed billing, Inc., Riverview, Michigan in the amount of \$1,974.25 for a new not-to-exceed amount of \$88,974.25.

- 2012-0009** Request for Purchase Authorization - DPS/ENG: Cost Participation Agreement for non-participating work items proposed for construction with the Avon Road Bridge Replacement in the estimated amount of \$32,071.00; Board of Road Commissioners for County of Oakland, Beverly Hills, MI

**Attachments:** [Agenda Summary.pdf](#)  
[RCOC Cost Agreement.pdf](#)  
[Resolution.pdf](#)

**Allan Schneck**, Director of DPS/Engineering, stated this request to approve the Cost Participation Agreement for non-participating items for the Avon Road Bridge Reconstruction Project represents approximately 1.5 percent of the total project cost and constitutes the City's share of a \$2.4 million project.

**President Hooper** commented that the request covers primarily pathway connections and aluminum handrail components.

**Mr. Yalamanchi** questioned whether the City is responsible for the entire \$32,000 of non-participating costs.

**Mr. Schneck** responded that it is and noted that a final accounting will be done at the project's completion.

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0019-2012

**Resolved**, that the Rochester Hills City Council hereby approves the Cost Participation Agreement between the City of Rochester Hills and the Board of Road Commissioners for the County of Oakland for the non-participating work items proposed for construction with the Avon Road Bridge Replacement in the estimated amount of \$32,071.00 and further authorizes the Mayor and City Clerk to execute a contract on behalf of the City.

- 2012-0021** Request for Purchase Authorization - DPS/GAR: Purchase of one (1) new John Deere 670G Grader in the amount of \$216,966.00; JDE Equipment Company, Grand Rapids, MI

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

**Allan Schneck**, Director of DPS/Engineering, stated that this request is for a new John Deere grader purchased through the State of Michigan's MiDeal extended purchase program. He explained that by participating in the program,

*the City will save 32 percent below retail cost. The grader will replace the current Champion model which was purchased by the City in 1997. He noted that the Administration does not solely rely on a depreciation schedule when deciding when to replace a vehicle, and pointed out that the original life-cycle of this piece of equipment has been extended five years beyond the full depreciation schedule. After a review of maintenance costs and out-of-service time, it was determined that it is more efficient to replace the grader now rather than investing to extend its service life further. He commented that the proposed unit for purchase incorporates a new design with advanced technologies, better fuel efficiencies and a reduced projected maintenance schedule. The grader also incorporates safety features that the current grader does not have, including a backup camera and additional operator protection.*

**Mr. Kochenderfer** questioned what the City expects to receive at auction for the current grader.

**Mr. Schneck** stated that while it is still speculation, he would expect the City to receive between \$50,000 to \$60,000 for the sale of the current grader.

**Mr. Tisdell** questioned whether the new grader will be stored indoors and if that will extend its life even further than the current unit.

**Mr. Schneck** responded that the City would hope to get at least as many years out of the new grader, and even up to twenty years.

*In response to previous Council questions raised during the Budget Amendment item, after the vote Mr. Schneck mentioned that the Tienken Road Project is on track for right-of-way acquisition activities during 2013. He noted concurrent activities will include extensive utility relocation in advance of construction. He stated that he will provide Council with additional updates as they are received.*

**Mr. Yalamanchi** suggested that the Road Commission for Oakland County be asked to present an update to Council on the project's status.

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

**Aye** 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0020-2012

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of one (1) new John Deere 670G Grader from JDE Equipment Company, Grand Rapids, Michigan, utilizing the State of Michigan MiDeal Extended Purchase Program in the amount of \$216,966.00.

## **COUNCIL COMMITTEE REPORTS**

*None.*

## **ANY OTHER BUSINESS**

*None.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, February 13, 2012 - 7:00 PM*

## **ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 8:50 p.m.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

*Approved as presented at the February 13, 2012 Regular City Council Meeting.*