



Rochester Hills Minutes City Council Regular Meeting

1000 Rochester Hills Drive
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*Erik Ambrozaitis, Bryan K. Barnett, Jim Duistermars, Barbara Holder,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, December 14, 2005

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

Vice President Holder called the Regular Rochester Hills City Council Meeting to order at 7:39 p.m. Michigan Time.

ROLL CALL

Present: Erik Ambrozaitis, Bryan Barnett, Jim Duistermars, Barbara Holder, Linda Raschke, James Rosen and Ravi Yalamanchi

Others Present:

*Ed Anzek, Director of Planning/Development
Alan Buckenmeyer, Parks Operations Manager
Scott Cope, Director of Building/Ordinance Enforcement
Paul Davis, City Engineer
Susan Galeczka, Deputy Clerk
Bob Grace, Director of MIS
Julie Jenuwine, Director of Finance
Pam Lee, Director of Human Resources
Roger Rousse, Director of DPS/Engineering
Bob Smith, Captain - Oakland County Sheriff's Department
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council approves the Agenda for the December 14, 2005 Regular Meeting with the following amendment:

Move NEW BUSINESS immediately following the CONSENT AGENDA.

A motion was made by Raschke, seconded by Yalamanchi, to Approve Agenda as Amended.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

PUBLIC COMMENT

Mr. Dan Jones, 1396 Christian Hills Drive, stated that he felt the scale of the proposed DPS Facility needed to be "downsized" and that all of the equipment to be housed in the facility did not need to be kept in doors.

Vice President Holder suggested that Mr. Jones contact the City's DPS Director to discuss his suggestions.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Yalamanchi thanked the Mayor and the DPS department for the quick response in plowing the roads following the recent snow fall. He noted he had received many positive emails and suggestions that he would share with the City administration.

Ms. Raschke announced that a health screening event would take place on Wednesday, January 4th at the Community House.

Mr. Barnett noted that Rochester-Avon Recreational Association (RARA) was celebrating its 60th year of recreation and encouraged everyone to participate in RARA-sponsored activities.

Vice President Holder asked **City Attorney John Staran** if it is possible for the City to pursue placing advisory questions on ballots. She noted that the city of Troy recently amended their charter.

Mr. Staran explained that, unless a city charter authorizes advisory questions, under state law, the practice is deemed illegal. He noted he would return to Council with more information after he has had the opportunity to research the matter further.

Vice President Holder noted that she had recently returned from the National League of Cities (NLC) conference with information to share with Council members. She also noted that, were the City to provide single waste hauler services to the residents, the cost savings that would result would likely have offset the increased cost of the recent road millage request.

ATTORNEY MATTERS

City Attorney John Staran noted that the False Alarm Ordinance and Steep Slope Ordinance are still being "massaged" but are likely to come forward to Council or committees in the near future.

PRESENTATION

2005-0867 Presentation - 2005/2006 Winter Maintenance Policy

Attachments: Agenda Summary.pdf; 2005/2006 Winter Main Policy.pdf

Mr. Roger Rousse, Director of DPS/Engineering, reviewed the City's Winter Maintenance Policy, noting the following:

- The policy is similar in funding to the Road Commission for Oakland County's policy.
- By coordinating the City's policy with those of the City of Rochester, Oakland Township and Orion Township, the policy covers an area of approximately 90 square miles.
- The plowing of roads is prioritized as follows and is based on traffic counts:
 - 1) Major roads are plowed first.
 - 2) School bus routes are plowed second.
 - 3) Primary residential roads are plowed third.
 - 4) Cul de sacs are plowed last.
- After plowing major roads and bus routes, primary residential streets are plowed

starting from the east and west and moving toward the center of the City.

- Plowing production is greatly increased if plowing begins at midnight when traffic is lightest.

- Spot treatments are done in the case of police or fire emergencies.

- There are three snowfall thresholds for plowing activities:

- 1) Zero to four inches*
- 2) Four to eight inches*
- 3) More than eight inches*

- Spot treatments are also available if problems occur but snowfall has not met the initial threshold.

- Many factors are taken into consideration in addition to the snowfall thresholds, including predicted weather conditions and the surface temperature of the roads.

- The staffing level has been reduced, therefore, it is necessary to divert workers from other areas, such as water and sewer, drains, etc., to assist with the plowing.

- Diverting workers from other functions can compromise those functions, thus beginning to plow at midnight allows those workers to return to their normal functions during normal business hours.

Mr. Rouse stressed that there is a need for some flexibility in the policy, as there is inherently an element of unpredictability when dealing with weather conditions.

PUBLIC COMMENT:

Mr. John Strzalka, 2777 Winter Park, congratulated Mr. Rouse on a good job thus far, but questioned what would happen if the plowing costs were to exceed the budgeted amount.

Mr. Rouse explained that they had used approximately 45% of the budget so far. He indicated that, if he were to exhaust all budgeted funds for the year, he would bring the matter before the City Council and seek their guidance and direction.

Presented

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.

2005-0653

Approval of Traffic Control Order SS-134 for Streets Within Meadow Creek Condominiums - Section #32

Sponsors: Advisory Traffic and Safety Board

Attachments: Agenda Summary.pdf; Map.pdf; Background Information.pdf; TCO SS-134.pdf; ATSB DRAFT MINUTES.pdf; 0653 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. SS-134 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of

Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

SS-134.1 Wren Ln. STOP for Gilsam Ave.
SS-134.2 Mildred Ave. STOP for Gilsam Ave.

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.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. SS-134 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0424-2005

2005-0856

Approval of Traffic Control Order YS-96 for Streets Within Meadow Creek Condominiums - Section #32

Attachments: YS 96 TCO.pdf; 0856 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. YS-96 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

YS-96.1 Cinnabar Dr. YIELD to Wren Ln.
YS-96.2 Cinnabar Dr. YIELD to Fantail Dr.
YS-96.3 Newstead Ln. YIELD to Fantail Dr.

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

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No YS-96 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0425-2005

2005-0654

Approval of Traffic Control Order SS-133 For Streets Within Butler Ridge Subdivision No. 2 - Section 19

Sponsors: Advisory Traffic and Safety Board

Attachments: Agenda Summary.pdf; Map.pdf; ATSB DRAFT MINUTES.pdf; Background Information.pdf; SS-133.pdf; 0654 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. SS-133 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

**SS-133.1 Thatcher Dr. STOP to Balmoral Blvd.
SS-133.2 Strathcona Dr. STOP to Piccadilly Dr.**

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.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. SS-133 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0426-2005

2005-0857

Approval of Traffic Control Order YS-95 For Streets Within Butler Ridge Subdivision No. 2 - Section 19

Attachments: YS 95 TCO.pdf; 0857 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. YS-95 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

**YS-95.1 Thatcher Dr. YIELD to Piccadilly Dr.
YS-95.2 Piccadilly Ct. YIELD to Piccadilly Dr.**

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.

Resolved that the Rochester Hills City Council approves the issuance of Traffic

Control Order No. YS-95 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0427-2005

2005-0659

Approval of Traffic Control Order PK-86 for Controlling Parking on Rochdale N. from Walton Blvd. to Oakstone Drive - Section 9

Attachments: Agenda Summary.pdf; Rochdale No Parking TCO map.pdf; PK-86 CC Memo.pdf; Parking Photos.pdf; Background Information.pdf; Rochdale NP Traffic Survey Request-07-08-2005.pdf; Rochdale TCO PK-86.pdf; DRAFT Rochdale Minutes.pdf; 0659 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. PK-86 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-86.1 No Parking within the right-of-way of both sides of Rochdale Drive N., from Walton Boulevard to Oakstone Drive.

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 approves the issuance of Traffic Control Order PK-86 to be in effect until rescinded or superseded by subsequent order; and

Now, Therefore, Be It Resolved that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0428-2005

2005-0784

Confirmation of Mayor's Reappointment of Art Saarela and Ralph Pisani to the Board of Review for three (3) year terms to expire December 31, 2008

Attachments: Agenda Summary.pdf; Pisani questionnaire.pdf; Saarela questionnaire 1105.pdf; 0784 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Art Saarela and Ralph Pisani to the Board of Review for three (3) year terms to expire December 31, 2008.

Enactment No: RES0429-2005

2005-0785

Confirmation of Mayor's Reappointment of Stan Paurazas to the Construction Board of Appeals and Fire Prevention Code Board of Appeals for one

three-year term to expire on December 31, 2008

Attachments: Agenda Summary.pdf; Paurazas questionnaire 1105.pdf; 0785 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Stan Paurazas to the Construction Board of Appeals and Fire Prevention Code Board of Appeals for one three-year term to expire on December 31, 2008.

Enactment No: RES0430-2005

2005-0768

Acceptance of the Pedestrian-Bicycle Pathway Easement granted by Singh Cider Mill Village, L.L.C., a Michigan limited liability company for Parcel No. 15-13-401-001

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0768 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 Pedestrian-Bicycle Pathway easement granted by Singh Cider Mill Village, LLC, a Michigan limited liability company, 7125 Orchard Lake Road, Suite 200, West Bloomfield, Michigan 48322, for the construction, operation, maintenance, repair and/or replacement of a Pedestrian-Bicycle Pathway Easement over, on, under, through and across land more particularly described as Parcel No. 15-13-401-001.

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

Enactment No: RES0431-2005

2005-0790

Acceptance of a Watermain Easement granted by Fifth Third Bank, for Parcel No. 15-23-152-015

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0790 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 Fifth Third Bank, a Michigan Banking Corporation, 2000 Towne Center, Suite 1600, JDJTNW3D, Southfield, Michigan 48075, 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. 15-23-152-015.

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

Enactment No: RES0432-2005

2005-0801

Acceptance of a sanitary sewer easement granted by Fifth Third Bank, a Michigan Banking Corporation, for Fifth Third Bank, for Parcel No. 15-23-152-015

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0801 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 sanitary sewer easement granted by Fifth Third Bank, a Michigan Banking Corporation, 2000 Towne Center, Suite 1600, JDJTN3D, Southfield, Michigan 48075, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer easement over, on, under, through and across land more particularly described as Parcel No. 15-23-152-015.

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

Enactment No: RES0433-2005

2005-0804

Adoption of the Michigan Department of Transportation (MDOT) Annual Permit Application entitled Performance and Indemnification Resolution for Governmental Bodies to perform various maintenance activities within the roads under MDOT jurisdiction during the year of 2006

Attachments: Agenda Summary.pdf; 121405 Agenda Summary.pdf; 2006 MDOT Annual Permit Form 2205B.pdf; Perfor Res for Govmt Body 2006 Form 2207B.pdf; 0804 Resolution.pdf; 0804 Amended Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, the City of Rochester Hills hereinafter referred to as the "GOVERNMENTAL BODY" periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT," to construct, operate, use and /or maintain utility or other facilities, or to conduct other activities, on, over, and under State trunkline right of way at various locations within and adjacent to its corporate limits.

Now, Therefore, Be It Resolved that in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation Commission, and the DEPARTMENT and all officers, agents, employees and those contracting governmental bodies performing permit activities for the DEPARTMENT according to a maintenance contract:
 - a. from any and all claims and losses occurring or resulting to any and all persons, firms, or corporations furnishing or supplying work, services, materials, or supplies to the GOVERNMENTAL BODY as the result of the GOVERNMENTAL BODY's installation, construction, operation, or maintenance activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way; and
 - b. from any and all claims of every kind of injuries to, or death of, any and all persons, and for loss of or damage to property, and environmental damage or degradation, and from attorney's fees and related costs arising out of, under, or by reason of the GOVERNMENTAL BODY's installation, construction, operation or maintenance activities which are being performed under the terms of the PERMIT on, over, and/or under the state trunkline right of way, except claims resulting from the direct negligence or willful acts of omissions of said DEPARTMENT performing permit activities.
 - c. from any and all claims made by any and all persons, firms, or corporations furnishing or supplying materials, supplies, work, or services on, over, and/or under the State trunkline right of way pursuant to an agreement with the State of Michigan, the DEPARTMENT and/or the Michigan Transportation

Commission, as a result of the GOVERNMENTAL BODY's failure to move or otherwise relocate its facilities in a timely manner after being requested to do so by the DEPARTMENT.

2. Any work performed for the GOVERNMENTAL BODY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL BODY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL BODY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. The GOVERNMENTAL BODY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL BODY's facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL BODY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
6. The incorporation by the DEPARTMENT of this indemnification resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
7. This indemnification resolution shall continue in force from this date until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

Be It Further Resolved that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within State trunkline right of way on behalf of the GOVERNMENTAL BODY.

Paul M. Davis, P.E. - City Engineer
Paul Shumejko, P.E. - City Transportation Engineer

Enactment No: RES0008-2006

2005-0810 Acceptance of the Possession and Use Agreement for the Adams Road Parcel 12, Adams Road right-of-way property to be acquired as part of Adams Road relocation

Attachments: Map.pdf; Agreement.pdf; Letter Staran 20051122.pdf; Agenda Summary 12.pdf; 0810 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, a Possession and Use Agreement is a legal instrument providing the City control of a parcel for the acquisition of the necessary right-of-way property and temporary construction easement; and

Whereas, the City has an Accepted Possession and Use Agreement for Parcel 15-30-302-016, entered into by and among the City of Rochester Hills and James and Beverley Barton, as shown on the attached map as Parcel 12; and

Whereas, the source of funds for this acquisition is budgeted in the LDFA on line 848-93000, Land - ROW.

Resolved that the Rochester Hills City Council hereby approves payment in the amount of \$24,498.36 for estimated just compensation and permanent possession of Parcel 12 (15-30-302-016) to James and Beverley Barton, owner(s).

Further Resolved that the Mayor is authorized to release a check for payment in accordance with the Possession and Use Agreement, thereby granting the City the right of use of this land.

Enactment No: RES0435-2005

2005-0813 Request for Purchase Authorization - DPS: Tienken Bridge at Kings Cove, Temporary Relocation of Overhead Utility Lines, Cost Agreement in the amount of \$65,139.00 between Detroit Edison and the City of Rochester Hills

Attachments: Agenda Summary.pdf; DTE cost estimate.pdf; Bid Specs.pdf; 0813 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council approves a cost agreement between Detroit Edison and the City of Rochester Hills for the temporary relocation of existing overhead utility lines for the Tienken Bridge Replacement at Kings Cove in the amount of \$65,139.00.

Enactment No: RES0436-2005

2005-0806 Request for Purchase Authorization - CITYWIDE: Natural Gas for various City-owned buildings, blanket purchase order in the amount not-to-exceed \$150,340.00 through December 31, 2006; Consumers Energy, Lansing, Michigan

Attachments: Agenda Summary.pdf; 0806 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Consumers Energy, Lansing, Michigan, for the purchase of natural gas for various City-owned buildings in the amount not-to-exceed \$150,340.00 through December 31, 2006.

Enactment No: RES0437-2005

2005-0807 Request for Purchase Authorization - CITYWIDE: Purchase and delivery of electric energy for City facilities, blanket purchase order in the amount not-to-exceed \$339,730.00 through December 31, 2006, DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan

Attachments: Agenda Summary.pdf; 0807 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to DTE Energy, Detroit, Michigan, and Michigan Municipal Risk Management Authority, Livonia, Michigan, for the purchase of electric energy for City facilities in the amount not-to-exceed \$339,730.00 through December 31, 2006.

Enactment No: RES0438-2005

Passed The Consent Agenda

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

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

The following Consent Agenda Items were discussed and adopted by separate Motions:

2005-0655 Approval of Traffic Control Order SS-132 for Streets Within Hunter's Creek Subdivision - Section 7

Sponsors: Advisory Traffic and Safety Board

Attachments: Agenda Summary.pdf; Map - Regulatory Signage.pdf; Corresp-Jill Laubach-Hunter's Creek Traffic Study-09-20-2005.pdf; Hunter's Creek Speed Study Summary.pdf; Speed Study Data.pdf; Crash Data Report.pdf; Traffic Study Request-04-04-2005.pdf; ITE Traffic Calm

Mr. Yalamanchi praised the City staff on behalf of the subdivision for their efforts in this matter.

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

Whereas, Traffic Control Order No. SS-132 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

**SS-132.1 Old Ridge Ct. STOP for Rose Brier Dr.
SS-132.2 Middlebury Ln. STOP for Plum Ridge Dr.
(south intersection)
SS-132.3 Pepper Tree Ln. STOP for Rose Brier Dr.**

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

Whereas, this order rescinds and supersedes the following Traffic Control Order adopted by the City of Rochester Hills: YS-5.10, 5.13 & 5.15.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. SS-132 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0439-2005

2005-0858

Approval of Traffic Control Order YS-94 for Streets Within Hunter's Creek Subdivision - Section 7

Attachments: YS-94 TCO.pdf; 0858 Resolution.pdf

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

Whereas, Traffic Control Order No. YS-94 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

YS-94.1 Old Tree Ct. YIELD to Antoinette Dr.

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

Whereas, this order rescinds and supersedes the following Traffic Control Order adopted by the City of Rochester Hills: YS-5.10, 5.13 & 5.15.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. YS-94 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0440-2005

NEW BUSINESS

2005-0853

Request for Purchase Authorization - MIS: Project Budget in the amount not-to-exceed \$175,000 to make required hardware and software upgrades necessary for upgrading to the current version of financial software on an SQL server platform. The purchase of equipment and software upgrades will utilize existing cooperative contracts

Attachments: Agenda Summary.pdf; Network Backup Cost dtd 3-15-06.pdf; Grace memo to AIS dtd 3-2-06.pdf; Agenda Summary dtd 12-02-05.pdf; JDEServerDiagram.pdf; CC Resolution dtd 12-6-05.pdf; AIS Resolution dtd 3-07-06.pdf; 0853 Resolution.pdf

Mr. Bob Grace, Director of MIS, explained that Council had approved the purchase of the necessary software for the systems upgrade in November while the MIS department was still gathering information on the needed hardware. He noted that the upgrades had been delayed from 2004 due to budget constraints and the fact that Oracle had extended their support coverage. He further noted that this hardware purchase was a budgeted item for 2005.

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

Resolved that the Rochester Hills City Council hereby approves a Project Budget in the amount not-to-exceed \$175,000 to make required hardware and software upgrades necessary for upgrading to the current version of financial software on an SQL server platform. The purchase of equipment and software upgrades will utilize existing cooperative contracts.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0112-2006

2005-0799

Request for Purchase Authorization - DPS: One (1) new Water Tap Crew Truck, purchase order not-to-exceed \$111,869.00; Wolverine Truck Sales, Dearborn, MI

Attachments: Agenda Summary.pdf; Tabulation.pdf; 0799 Resolution.pdf

Mr. Roger Rouse, Director of DPS/Engineering, explained that the vehicle to be replaced had reached 70,000 hours of service and the new vehicle would be larger with better emissions controls and diagnostic equipment.

Vice President Holder noted that the funds for this purchase are being provided from the 2005 Fleet Capital Equipment Fund but will be carried over as the vehicle will be delivered in 2006.

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

Resolved that the Rochester Hills City Council hereby approves a purchase order to Wolverine Truck Sales of Dearborn, Michigan, for one (1) new Water Tap Crew Truck in the amount of \$111,869.00 as the lowest, responsive, responsible bidder that met specifications.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0442-2005

2005-0809

Request for Purchase Authorization - HUMAN RESOURCES: Labor and Employment Legal Services, blanket purchase order in the amount not-to-exceed \$130,000.00; Kemp Klein Law Firm, Troy, MI

Attachments: Agenda Summary.pdf; 0809 Resolution.pdf

Ms. Pam Lee, Director of Human Resources, noted that Attorney Tom Boyer is currently assisting with the negotiations of two union contracts and expressed her hope that he would be able to continue in that capacity "so those negotiations can proceed seamlessly."

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

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Kemp, Klein Law Firm of Troy, Michigan, for the purchase of labor and employment legal services, in the amount not-to-exceed \$130,000.00 through December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0443-2005

2005-0811

Request for Purchase Authorization - MAYOR: 2006 City Attorney Fees, a blanket purchase order in the amount not-to-exceed \$385,000.00; Hafeli Staran Hallahan Christ & Dudek, P.C., Bloomfield Hills, MI

Attachments: Agenda Summary.pdf; 0811 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Hafeli Staran Hallahan Christ & Dudek, P.C. for city attorney fees for the year 2006 in the amount not-to-exceed \$385,000.00 through December 31, 2006.

Further Resolved that the Mayor is authorized to execute the contract on behalf of the City.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0444-2005

2005-0849

Adoption of the Restatement of the City of Rochester Hills Group Pension Plan

Attachments: Agenda Summary.pdf; Final Draft DC Plan Restatement Revised Redlined.pdf; 0849 Resolution.pdf

Ms. Julie Jenuwine, Director of Finance, explained that the restatement of the Pension Plan basically serves to "clean up" the language to bring the plan into compliance with IRS code and the City's processes. She stressed that these changes do not modify any

current benefits provided to the employees, City Council members or the Mayor.

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

Resolved that the Rochester Hills City Council adopts the Restatement of the City of Rochester Hills Group Pension Plan as presented, attached hereto and incorporated by reference, and as required by the Internal Revenue Code and related Internal Revenue Service regulations to maintain the status of the plan as a qualified plan and to modernize the language, correct clerical errors, improve descriptions, and incorporate resolutions and references to approved provisions of labor agreements, state law changes, and administrative policies.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0445-2005

2005-0855

Adoption of 2006 City Council Meeting Schedule

Attachments: Agenda Summary.pdf; 2006 Meeting Calendar.pdf; 0855 Resolution.pdf

Vice President Holder noted one change to the proposed schedule: the July 5th meeting would be changed to July 12th.

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

Resolved that the Rochester Hills City Council establishes the Year 2006 Regular Meeting Schedule for City Council as follows:

<u>Regular Meetings</u>	<u>Work Sessions</u>
January 4, 18	January 25
February 1, 15	February 22
March 1, 15	March 22
April 5, 19	April 26
May 3, 17	May 24
June 7, 21	June 28
July 12, 19	July 26
August 2, 16	August 23
September 6, 20	September 27
October 4, 18	October 25
November 1, 15	None
December 6, 13	None

Further Resolved that the Rochester Hills City Council Meetings will begin at 7:30 PM, Michigan Time and will be held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan.

Further Resolved that the City Clerk shall provide proper notice of the 2006 Meeting Schedule pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0446-2005

2005-0862

Adoption of Resolution to set Special Work Session for Wednesday, January 11, 2006 to discuss Local Road Issue

Attachments: Agenda Summary.pdf; 0862 Resolution.pdf

Mr. Barnett requested that the residents who served on the Residential Streets Ad Hoc Committee be notified of this Special Work Session.

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

Resolved that the Rochester Hills City Council hereby sets a Special Work Session on Wednesday, January 11, 2006 at 7:30 P.M. Michigan Time, at the Rochester Hills Municipal Offices located at 1000 Rochester Hills Drive, Rochester Hills, Michigan for the purpose of discussing the Local Road Issue.

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

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0447-2005

PUBLIC HEARINGS

2005-0848

Fourth Quarter Budget Amendments - Fiscal Year 2005

Attachments: Agenda Summary.pdf; 4th Qtr Public Hearing Notice -.pdf; 2005 - Budget Amendment Agenda Summ Detail.pdf; 0848 Resolution.pdf

Ms. Julie Jenuwine, Director of Finance, indicated that the budget amendments before Council had been identified, along with a brief description of each, in the Council packet. She then addressed specific questions posed by Council members as follows:

- *Changes in salary, pensions, and/or health care benefits can often result from changes in an employees status, such as marriage or the birth of a child, and not necessarily as the result of a new hire.*

- *There were more hours worked in Routine Maintenance under the Major Road Fund than was originally budgeted.*

- *Interest and dividends earnings increased nearly 200% due to the efforts of City*

Treasurer Kurt Dawson and the fact that interest rates have increased from a little above 1% a year ago to nearly 3%.

- The City offers a defined contribution benefit for retiree health care that is "pretty contained" and is not anticipated to result in a significant liability for the City.

- "Revenues are up" and there was approximately one million dollars in the General Fund.

PUBLIC HEARING:

Vice President Holder Opened the Public Hearing at 8:53 p.m.

There being no Public Comment, Vice President Holder Closed the Public Hearing at 8:54 p.m.

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

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, 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, the proposed 2005 4th Quarter Budget Amendment was available for public viewing starting December 5, 2005; and

Whereas, at its December 14, 2005 meeting City Council held a Public Hearing on the proposed 4th Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following 2005 fund totals as amended:

101 - General Fund	\$23,479,710
202 - Major Road Fund	\$5,469,100
203 - Local Road Fund	\$2,712,850
206 - Fire Fund	\$7,735,420
207 - Special Police Fund	\$7,572,030
211 - Perpetual Care Fund	\$208,400
213 - RARA Millage Fund	\$511,700
214 - Pathway Maintenance Fund	\$619,400
226 - Solid Waste Fund	\$54,180
232 - Tree Fund	\$133,160
244 - Drain Maintenance Fund	\$2,404,490
265 - OPC Millage Fund	\$854,220
313 - Debt Fund / 2001 Local Road	\$226,570
314 - Debt Fund / 2001 Local Road SAD	\$253,180
325 - Debt Fund / 2002 Local Road	\$406,640
331 - Debt Fund / Drain Improvement	\$5,477,800
337 - Debt Fund / 1994 Local Road	\$191,750
338 - Debt Fund / 1995 Local Road	\$180,400
368 - Debt Fund / OPC Building	\$758,840
391 - Debt Fund / 1998 Refunding	\$194,020
392 - Debt Fund / 2002 Refunding	\$1,425,420
402 - Fire Apparatus Fund	\$2,135,680
403 - Pathway Construction Fund	\$488,960
420 - Capital Improvement Fund	\$1,482,580
470 - Municipal Building Const. Fund	\$891,890

510 - Sewer Operating Fund	\$11,871,890
530 - Water Operating Fund	\$15,950,280
593 - W&S Improvement Fund	\$563,820
594 - W&S Replacement Fund	\$1,624,220
595 - W&S Debt Service Fund	\$55,300
631 - Facilities Fund	\$7,286,640
636 - MIS Fund	\$2,008,870
661 - Fleet Fund	\$2,262,590
677 - Insurance Fund	\$714,300
808 - RARA Operating Fund	\$1,813,810
820 - OPC Operating Fund	\$3,682,260
848 - LDFA Fund	\$1,186,380

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duisternars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0448-2005

ORDINANCE FOR INTRODUCTION

2005-0481

Acceptance for First Reading - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone two parcels of land totaling approximately 4.2 acres, located at the northeast corner of Hamlin and Livernois, from R-3, One Family Residential, to O-1, Office Business, known as Parcel Nos. 15-22-351-001 and -002, Talon Development Group, Inc., applicant

Attachments: Agenda Summary.pdf; Map aerial.pdf; Report Staff.pdf; Rezoning Application[1].pdf; Zoning Ord 138-752.pdf; Ordinance Amendment.pdf; 0481 Resolution.pdf

Mr. Paul L. Nine, Paul L. Nine Associates, PC, 100 West Long Lake Road, Bloomfield Hills and **Mr. Michael Polsinelli**, President and CEO of Talon Development Group, Inc., 550 Hulet Drive, Bloomfield Hills, described the parcels under consideration and the rationale for combining the two parcels and changing the zoning from R-3 Residential to O-1 Office Business, noting the following:

- The mixed-use approach of an office building to the south and a day care center to the north would unify this corner to be consistent with the surrounding churches, as well as blend with the neighborhoods to the south and west.
- The owner of the existing home on the north parcel has indicated that his "quality of life and the value of his property has been decreasing based on the proposed road widening of Livernois and Hamlin" and the industrial uses across the street.
- The anticipated increase in traffic due to the impending intersection changes will not be conducive to single family development.
- The dimension of the property would only allow two or three single-family homes based on the City's ordinance specifications for R-3 zoning.
- The proposed mixed-use development will result in "viability" and provide more tax dollars to the community than other uses.
- The orientation and location of the proposed day care center takes into consideration size requirements for the playground area as well as safety issues regarding parking.

- Positioning the office building at the corner "grabs the traffic off of the intersection, as opposed to bringing them up to the north end or through the day care through the north end."
- The option of conditional rezoning would allow control on the part of the City, as the City would be guaranteed that the developer adheres to the plan.
- Talon Development Group already has a lease for the day care center; it is not a speculative venture.
- The increase in traffic that is likely to occur due to the planned changes to the intersection as well as the developments along M-59 will make it highly unlikely that residential will ever be developed at this intersection.

Mr. Ed Anzek, Director of Planning/Development, explained that the Planning Commission's unanimous recommendation to deny the rezoning, as well as the staff's similar recommendation, was primarily based on the Master Land Use Plan supporting single family residential for this intersection. He further noted that, while conditional rezoning was discussed, no processes were in place for its implementation when this issue first came forward to staff and the Planning Commission.

Mr. Rosen noted that this matter had come before the Planning Commission on a least two occasions and that corner had always been intended for a day care center. He stressed that to change from residential zoning to office zoning is "significant."

Mr. Barnett explained that in the case of rezoning requests the burden is on the applicant to prove that the current zoning is not viable. He indicated that the applicant had not met that requirement to his satisfaction.

Mr. Duistermars indicated that he would be "more favorable" of granting the request if the day care center were to be developed on the south parcel as that made more sense with regard to the flow of traffic at the intersection.

Vice President Holder disagreed that residential developments are less viable on major roads.

Mr. Nine, while stressing that his remark is not intended as a threat, made it clear that the Talon Development Group would not purchase the northeast parcel if it is not rezoned.

PUBLIC COMMENT:

Mr. Shamil Halabu, 2084 Livernois, indicated that he lives just south of this intersection and voiced his desire that the City maintain the zoning as indicated in the Master Land Use Plan and deny the request for rezoning.

Mr. Dan Keifer, 719 Fieldstone Drive, noting that there is "a whole lot of residential development in this area," commended the Planning Commission and City staff for adhering to the Master Land Use Plan.

Mr. Dan Jones, 1396 Christian Hills Drive, noting that he does not oppose the day care center but does oppose the rezoning, indicated that approval of this rezoning would encourage others to seek similar rezonings and would make it difficult to develop more residential in that area.

Ms. Shirley Metzler, 1311 New Life Lane, encouraged the rezoning, noting that as these properties have not been developed for some years, a mixed-use development would benefit the City by providing higher revenue.

Mr. Paul Miller, 1021 Harding Avenue, expressed his opposition to the rezoning, noting that not all open space needs to be filled and that the potential revenues of a mixed-use development may not be sufficient to compensate for the additional strain on the City's resources.

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

Resolved that the request to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone two parcels of land totaling approximately 4.2 acres, located at the northeast corner of Hamlin and Livernois, from R-3, One Family Residential, to O-1, Office Business, known as Parcel Nos. 15-22-351-001 and -002, Talon Development Group, applicant, is hereby denied.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0449-2005

(RECESS 9:45 p.m. - 10:05 p.m.)

NOMINATIONS/APPOINTMENTS

2005-0732

Nomination/Appointment of two (2) Citizen Representatives to the Financial Services Communication Committee for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Don Atkinson CQ.pdf; Jon Rea CQ.pdf; Wayne Williams CQ.pdf; 113005 Agenda Summary.pdf; Notice of Vacancy.pdf; 0732 Resolution.pdf

Vice President Holder indicated that Mr. Donald Atkinson, Mr. Jonathan Rea and Mr. Wayne Williams had been nominated to serve on the Financial Services Committee at the City Council meeting held on November 30, 2005. City Council members voted for the nominees as follows:

Nominee Donald Atkinson: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen

Nominee Jonathan Rea: Barnett, Duistermars, Holder, Raschke, Yalamanchi

Nominee Wayne Williams: Ambrozaitis, Rosen, Yalamanchi

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

Resolved that the Rochester Hills City Council appoints Donald Atkinson and Jonathan Rea as Citizen Representatives to the Financial Services Communication Committee to serve (1) one-year terms ending December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0450-2005

2005-0735

Resolution to Waive City Council Rules of Procedure, Article VII, Section .02(a)(ii), requiring a two (2) week waiting period in order to proceed with voting to appoint two (2) candidates to the Public Safety Committee

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Don Atkinson CQ.pdf; Gary Elliott CQ.pdf; Sue White CQ.pdf; 0735 Agenda Summary.pdf; Questionnaires on file 092605 updated.pdf; Notice of Vacancy.pdf; 0735 Resolution.pdf

Vice President Holder indicated that Mr. Donald Atkinson, Mr. Gary Elliott and Ms. Suzanne White had been nominated to serve on the Public Safety Committee at the City Council meeting held on November 30, 2005.

Ms. Raschke announced that Ms. White had requested that her name be removed from consideration and that Mr. Gerald Robbins asked to be considered for appointment.

It was necessary for City Council to vote to waive their Rules of Procedure so that an appointment of the candidates to this committee could take place immediately.

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

Resolved that the Rochester Hills City Council hereby waives City Council Rules of Procedure, Article VII, Section.02(a)(ii), requiring a two (2) week waiting period in order to proceed with voting to appoint (2) candidates to the Public Safety Committee.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0457-2005

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Don Atkinson CQ.pdf; Gary Elliott CQ.pdf; Sue White CQ.pdf; 0735 Agenda Summary.pdf; Questionnaires on file 092605 updated.pdf; Notice of Vacancy.pdf; 0735 Resolution.pdf

City Council members voted for the nominees as follows:

Nominee Donald Atkinson: Ambrozaitis

Nominee Gary Elliott: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Nominee Gerald Robbins: Barnett, Duistermars, Holder, Raschke, Rosen Yalamanchi

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

Resolved that the Rochester Hills City Council appoints Gary Elliott and Gerald Robbins as Citizen Representatives to the Public Safety Communication Committee to serve (1) one-year terms ending December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0457-2005

2005-0731

Resolution to Waive City Council Rules of Procedure, Article VII, Section .02(a)

(ii), requiring a two (2) week waiting period in order to proceed with voting to appoint two (2) candidates to the Administration & Information Services Committee

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Gerard Verschueren CQ.pdf; Questionnaires on file 092605.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0731 Resolution.pdf

Vice President Holder indicated that Mr. Gerard Verschueren had been nominated to serve on the Administration & Information Services Committee at the City Council meeting held on November 30, 2005.

Mr. Yalamanchi nominated Mr. Brad Kinker.

Mr. Duistermars nominated Mr. Charles "Chip" Tischer.

It was necessary for City Council to vote to waive their Rules of Procedure so that an appointment of the candidates to this committee could take place immediately.

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

Resolved that the Rochester Hills City Council hereby waives City Council Rules of Procedure, Article VII, Section.02(a)(ii), requiring a two (2) week waiting period in order to proceed with voting to appoint (2) candidates to the Administration & Information Services Committee.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0458-2005

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Gerard Verschueren CQ.pdf; Questionnaires on file 092605.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0731 Resolution.pdf

City Council members voted for the nominees as follows:

Nominee Brad Kinker: Ambrozaitis, Barnett, Rosen, Yalamanchi

Nominee Charles "Chip" Tischer: Duistermars, Holder, Raschke

Nominee Gerard Verschueren: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

A motion was made by Rosen, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council appoints Gerard Verschueren and Brad Kinker as Citizen Representatives on the Administration & Information Services Committee to serve (1) one-year terms ending December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0458-2005

2005-0734

Nomination/Appointment of two (2) Citizen Representatives to the Leisure Activities Communication Committee for one-year terms to expire on December 31, 2006

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Sue White CQ.pdf; Questionnaires on file 092605 updated.pdf; 113005 Agenda Summary.pdf; 0734 Resolution.pdf

Vice President Holder indicated that Ms. Suzanne White had been nominated to serve on the Leisure Activities Committee at the City Council meeting held on November 30, 2005. ***Vice President Holder*** indicated that Ms. Deanna Hilbert had submitted a candidate questionnaire and requested to be considered for appointment.

Mr. Rosen nominated Ms. Deanna Hilbert.

As there was a sufficient number of nominees to fill the vacant positions, it was not necessary for City Council to vote to waive their Rules of Procedure, and appointment of the nominees could proceed immediately.

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

Resolved that the Rochester Hills City Council appoints Suzanne White and Deanna Hilbert as Citizen Representatives to the Leisure Activities Communication Committee to serve (1) one-year terms ending December 31, 2006.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0459-2005

2005-0693

Nomination/Appointment of one (1) Citizen Representative to the Building Authority Board for a six (6) year term to expire December 31, 2011

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Questionnaires on file 092605.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0693 Resolution.pdf

Vice President Holder **opened** the floor for nominations.

Mr. Yalamanchi nominated Mr. Tom Zelinski.

There being no further nominations, ***Vice President Holder*** **closed** the floor for nominations for the **Building Authority**.

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

Resolved that the Rochester Hills City Council appoints Tom Zelinski to serve as a Building Authority Representative for a six (6) year term expiring December 31, 2011.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0451-2005

2005-0694

Nomination/Appointment of two (2) Citizen Representatives to the Canvassing Board for four (4) year terms to expire December 31, 2009

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Sigrid Grace CQ.pdf; Paul Funk CQ.pdf; Vacancy Notice.pdf; 113005 Agenda Summary.pdf; 0694 Resolution.pdf

PUBLIC COMMENT:

Ms. Mary Cordes, 2452 Blockton Road, stated that she is the secretary of the Rochester Area Democratic Club and provided a copy of a "motion of support" from that organization endorsing the appointment of Ms. Sigrid Grace to serve as the City's Democratic appointee to the Canvassing Board.

Ms. Sigrid Grace, 1129 East Fairview, introduced herself to the Council, noting that she has served on the Canvassing Board for the past eight years and that she is "willing to serve."

Vice President Holder indicated that it was necessary for the Council to only vote for the Democratic appointee to the Canvassing Board as there was only one nominee, Mr. Paul Funk, for the Republican appointed position. City Council members voted for the Democratic nominees as follows:

Nominee Sigrid Grace: Ambrozaitis, Barnett, Duistermars, Raschke, Rosen, Yalamanchi

Nominee Gerald Robbins: Holder

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

Resolved that the Rochester Hills City Council appoints Paul Funk and Sigrid Grace to serve as Canvassing Board Representatives for four (4) year terms expiring December 31, 2009.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0452-2005

2005-0696

Nomination/Appointment of two (2) Citizen Representatives to the Elections Commission for three (3) year terms to expire December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Johannes Buiteweg CQ.pdf; Jason Thompson CQ.pdf; Peter Ponzetti CQ.pdf; Tischer, Charles CQ.pdf; Notice of Vacancy.pdf; 113005 Agenda Summary.pdf; 0696 Resolution.pdf

Vice President Holder indicated that Mr. Johannes Buiteweg, Mr. Gerald Robbins, Mr. Charles "Chip" Tischer and Mr. Jason Thompson had expressed interest in serving on the Elections Commission. City Council members voted for the nominees as follows:

Nominee Johannes Buiteweg: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Nominee Gerald Robbins: Holder, Raschke

Nominee Charles "Chip" Tischer: Ambrozaitis, Duistermars, Yalamanchi

Nominee Jason Thompson: Barnett, Rosen

City Attorney John Staran explained that Council would have to now vote among the

three nominees, Thompson, Tischer and Robbins, with each Council member voting for only one nominee. This will continue until one nominee has four votes of support.

Nominee Gerald Robbins: Holder, Raschke

Nominee Charles "Chip" Tischer: Ambrozaitis, Duistermars, Yalamanchi

Nominee Jason Thompson: Barnett, Rosen

Mr. Staran indicated that the vote would have to be taken again.

Nominee Gerald Robbins: Holder, Raschke

Nominee Charles "Chip" Tischer: Ambrozaitis, Barnett, Duistermars, Yalamanchi

Nominee Jason Thompson: Rosen

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

Resolved that the Rochester Hills City Council appoints Johannes Buiteweg and Charles Tischer to serve as Elections Commission Representatives for three (3) year terms ending December 31, 2008.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0453-2005

2005-0700

Nomination/Appointment of two (2) Citizen Representatives to the Historic Districts Study Commission for two (2) year terms to expire December 31, 2007

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Charles Tischer CQ.pdf; LaVere Webster CQ.pdf; Rev Pamela Whateley CQ.pdf; 113005 Agenda Summary.pdf; Notice of Vacancy.pdf; 0700 Resolution.pdf

Vice President Holder indicated that Mr. Charles "Chip" Tischer, Rev. Pamela Whateley and Mr. LaVere Webster were to be considered for appointment to the Historic Districts Study Commission. City Council members voted for the nominees as follows:

Nominee Mr. Charles "Chip" Tischer: Barnett, Duistermars, Holder

Nominee Rev. Pamela Whateley: Ambrozaitis, Raschke, Rosen Yalamanchi

Nominee Mr. LaVere Webster: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

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

Resolved that the Rochester Hills City Council appoints Pamela Whateley and LaVere Webster to serve as Historic Districts Study Commission Representatives for two (2) year terms expiring December 31, 2007.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0454-2005

2005-0729

Appointment of seven (7) Citizen Representatives to serve on the Green Space Advisory Board (GSAB) with four (4) Citizen Representatives appointed for two (2) year terms expiring December 31, 2007 and three (3) Citizen Representatives appointed for three (3) year terms expiring December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Vacancy Notice.pdf; Carvey, Gerald.pdf; Funk, Paul.pdf; Gauthier, Tim.pdf; Hunter, Scott.pdf; Krupp, Andrew.pdf; Loeb, Lynn.pdf; McGoldrick, Lorraine.pdf; Miller, B Paul.pdf; Peterson, Dahlvin.pdf; Robinson, Jack.

Mr. Gerald Carvey, 936 Ironstone, noted the importance of choosing appointees to create a board that "believes in what they're doing and will work as a unit to provide the best input to City Council" and asked that he be appointed to the Green Space Advisory Board (GSAB).

Mr. Dan Keifer, 719 Fieldstone Drive, noted his "several thousand hours" dedicated to the protection of green space and the development of natural resources. He expressed his concern that the nominees who received the most support at the previous Council meeting lack the qualifications he believes are needed to serve on this board. He then noted his support for Tim Gauthier, Paul Funk and Jack Robinson.

Mr. Andrew Krupp, 168 Cloverport Avenue, asked to have his name removed from consideration, indicating that he would like to give other individuals the opportunity to serve and noted that he would continue to serve in other capacities.

Mr. Jack Robinson, 1251 Avon Circle East, urged Council to appoint members who have the knowledge, dedication and maturity "to work well and quickly." He described the many responsibilities of the appointees and further suggested that the GSAB reach out to the community and forge alliances as did Save Open Space Rochester Hills in its successful campaign to pass the green space millage.

Mr. Tim Gauthier, 2593 South Christian Hills Drive, thanked the Council for considering him for GSAB and assured them that if were selected, "I will do my best to work to implement the millage in a way that strives to preserve our quality of life while getting the best value for taxpayer dollars."

Ms. Pamela Wallace, 168 Cloverport Avenue, indicated that all of the individuals under consideration were well qualified to serve. She noted her awareness that, if chosen to serve on the GSAB, she would need to work with individuals with differing viewpoints and a strong board will need a mixture of views and opinions.

Mr. Paul Funk, 2176 Rochelle Park, thanked Council for considering him for GSAB, as well as his peers who endorsed him. He noted his previous work on green space preservation, stating, "I've always made and tried to make professional integrity part of my efforts."

City Attorney John Staran explained the voting process, noting that each Council member would name seven candidates. Those candidates with four or more votes would be deemed appointed. If there were fewer than seven members who received a majority vote, those who received the fewest votes would be dropped from further consideration and Council would vote exclusively on the remaining candidates. This process would continue until seven members were chosen.

City Council members voted for the nominees as follows:

Nominee Gerald Carvey: Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Nominee Paul Funk: Barnett, Duistermars, Rosen Yalamanchi

Nominee Tim Gauthier: Ambrozaitis, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Nominee Scott Hunter: Ambrozaitis, Duistermars, Raschke

Nominee Lynn Loeb: Barnett, Holder, Raschke

Nominee Paul Miller: Ambrozaitis, Raschke

Nominee Dahlvin Peterson: Barnett, Duistermars

Nominee Jack Robinson: Barnett, Duistermars, Holder, Rosen, Yalamanchi

Nominee Pamela Wallace: Ambrozaitis, Barnett, Holder, Raschke, Rosen, Yalamanchi

Nominee Brahm Windeler: Ambrozaitis

Nominee Bill Windscheif: Ambrozaitis, Duistermars, Holder, Rosen, Yalamanchi

As there were seven candidates who received four or more votes each, it was determined that Council would vote among the four candidates with the highest votes to determine which three of those four appointees would serve three-year terms, with the remaining four appointees serving two-year terms.

City Council members voted for the appointees as follows:

Mr. Gerald Carvey: Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Mr. Tim Gauthier: Ambrozaitis, Barnett, Duistermars, Holder, Rosen, Yalamanchi

Ms. Lorraine McGoldrick: Ambrozaitis, Raschke

Ms. Pamela Wallace: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

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

Resolved that the Rochester Hills City Council appoints the following seven (7) members to serve on the Green Space Advisory Board, Paul Funk, Lorraine McGoldrick, Jack Robinson and William Windscheif to serve two (2) year terms expiring December 31, 2007 and Gerald Carvey, Tim Gauthier and Pamela Wallace to serve three (3) year terms expiring December 31, 2008.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0455-2005

2005-0814

Election of City Council President for a one-year term to expire December 6, 2006

Attachments: Agenda Summary.pdf; Charter Sec. 7.7 - Council Pres.pdf; CC Rules: Art IV Sec 1 - Election of Pres.pdf; Procedure for Elections - Roberts Rules.pdf; Nomination Form - Pres.pdf

Vice President Holder opened the floor for nominations:

Mr. Ambrozaitis nominated Mr. Rosen.

Mr. Duistermars nominated Mr. Barnett.

Vice President Holder nominated Ms. Holder.

Vice President Holder closed the floor for nominations for President of City Council.

The nominated Council members discussed their qualifications to serve as City Council President:

Mr. Barnett spoke of his years of experience as a member of Council as well as having served as Vice President. He specifically noted his understanding of and experience in going through the budget process. He pledged that he would respect all Council members' opinions and work to move the business of the City forward.

Vice President Holder noted that her personal life provides ample time for her to devote to the duties of Council President. She explained that her years as Council Vice President and her recent experience as Acting President of Council have prepared her to take on the added responsibilities of the position.

Mr. Rosen, acknowledging that "it may seem unusual" for a first-year Council member to seek the office of the President of Council, stressed his years of service on the Planning Commission, including leading meetings. He further noted that he has "the drive and professional experience", as well as the "time and dedication" to do the job well.

City Council members voted for the nominees as follows:

Mr. Barnett: Barnett, Duistermars

Vice President Holder: Holder, Raschke

Mr. Rosen: Ambrozaitis, Rosen, Yalamanchi

Mr. Staran indicated that, there having been no nominee who received a majority, or four votes, it was necessary to continue voting until a majority was reached.

Vice President Holder expressed her concern that the new members of Council were voting as a slate. She stressed that the Council President position is "very important" and requires experience in many aspects of the City.

Mr. Duistermars noted that there is a "huge learning curve" when you join Council, especially in terms of the budget process. He stated, "I feel that you really have to have the experience to be a Council President."

City Council members voted for a second time for the nominees as follows:

Mr. Barnett: Barnett, Duistermars

Ms. Holder: Holder

Mr. Rosen: Ambrozaitis, Raschke, Rosen, Yalamanchi

Mr. Rosen was appointed President of City Council.

Appointed

2005-0815

Election of City Council Vice President for a one-year term to expire December 6, 2006

Attachments: Agenda Summary.pdf; Nomination Form - VPres.pdf

Vice President Holder opened the floor for nominations:

Mr. Ambrozaitis nominated Ms. Raschke.

Mr. Duistermars nominated Mr. Duistermars.

Mr. Yalamanchi nominated Mr. Barnett.

Vice President Holder closed the floor for nominations for Vice President of City Council.

City Council members voted for the nominees as follows:

Mr. Barnett: Barnett, Yalamanchi

Mr. Duistermars: Duistermars, Holder

Ms. Raschke: Ambrozaitis, Raschke, Rosen

There having been no nominee who received a majority, or four votes, it was necessary to continue voting until a majority was reached.

City Council members voted for the nominees a second time as follows:

Mr. Barnett: Barnett, Yalamanchi

Mr. Duistermars: Duistermars, Holder

Ms. Raschke: Ambrozaitis, Raschke, Rosen

There having been no nominee who received a majority, or four votes, it was necessary to continue voting until a majority was reached.

Mr. Duistermars asked that his name be removed from consideration.

City Council members voted for the two remaining nominees:

Mr. Barnett: Barnett, Duistermars, Holder, Raschke, Rosen, Yalamanchi

Ms. Raschke: Ambrozaitis

Mr. Barnett was appointed Vice President of City Council.

Appointed

2005-0816

Appointment of three (3) City Council Members to Administration & Information Services Committee for a one-year term to expire December 31, 2006

Attachments: Agenda Summary - 5 Comm Cmtees.pdf; Art VII Sec 02, 03 Rules of Proc.pdf; CC Choices for 2006 Comm Cmtees.pdf; Nomination/Voting Form - AIS.pdf

Vice President Holder stated Council members Duistermars, Holder and Rosen had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Ambrozaitis nominated Mr. Duistermars, Ms. Holder and Mr. Rosen.

There being no further nominations, Vice President Holder **closed** the floor for nominations

for the **Administration & Information Services Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Duistermars, Ms. Holder and Mr. Rosen** were appointed immediately.

Appointed

2005-0817 Appointment of three (3) City Council Members to Community Development & Viability Committee for a one-year term to expire December 31, 2006

Attachments: Nomination/Voting Form - CDV.pdf

Vice President Holder stated Council members Barnett, Duistermars and Rosen had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Ambrozaitis nominated Mr. Barnett, Mr. Duistermars and Mr. Rosen.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Community Development & Viability Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Barnett, Mr. Duistermars and Mr. Rosen** were appointed immediately.

Appointed

2005-0818 Appointment of three (3) City Council Members to Financial Services Committee for a one-year term to expire December 31, 2006

Attachments: Nomination/Voting Form - FS.pdf

Vice President Holder stated Council members Ambrozaitis, Holder, Rosen and Yalamanchi had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Rosen removed his name from consideration.

Ms. Raschke nominated Mr. Ambrozaitis, Ms. Holder and Mr. Yalamanchi.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Financial Services Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Ambrozaitis, Ms. Holder and Mr. Yalamanchi** were appointed immediately.

Appointed

2005-0820 Appointment of three (3) City Council Members to Public Safety Committee for a one-year term to expire December 31, 2006

Attachments: Nomination/Voting Form - PS.pdf

Vice President Holder stated Council members Barnett, Duistermars, Holder and Raschke had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Ms. Holder removed her name from consideration.

Mr. Duistermars nominated Mr. Barnett, Mr. Duistermars and Ms. Raschke.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Public Safety Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Barnett, Mr. Duistermars and Ms. Raschke** were appointed immediately.

Appointed**2005-0821**

Appointment of two (2) or three (3) City Council Members to Strategic Planning Committee for a one-year term to expire December 6, 2006

Attachments: Agenda Summary.pdf; Art VII Sec 02 Rules of Proc. pdf.pdf; CC Choices for 2006 Council Cmtees.pdf; Nomination/Voting Form - Strategic Plng.pdf

*Vice President Holder stated Council members Holder and Yalamanchi had expressed interest in serving on this committee, and **opened** the floor for additional nominations.*

Mr. Barnett nominated Mr. Barnett.

Ms. Raschke nominated Ms. Holder and Mr. Yalamanchi.

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Strategic Planning Committee**.*

*As there was a sufficient number of nominees to fill the vacant positions, **Ms. Holder** and **Mr. Yalamanchi** were appointed immediately.*

Appointed**2005-0822**

Appointment of one (1) City Council Member to Advisory Traffic & Safety Board for a one-year term to expire December 6, 2006

Attachments: Agenda Summary - 17 Boards & Commissions.pdf; CC Choices for 2006 Brds & Comms.pdf; Nomination/Voting Form - ATSB.pdf

*Vice President Holder stated Council member Duistermars had expressed interest in serving on this board, and **opened** the floor for additional nominations.*

Mr. Barnett nominated Mr. Duistermars.

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Advisory Traffic & Safety Board**.*

*As there was a sufficient number of nominees to fill the vacant position, **Mr. Duistermars** was immediately appointed.*

Appointed**2005-0824**

Appointment of one (1) City Council Member to Brownfield Redevelopment Authority for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - Brownfield.pdf

*Vice President Holder stated Council member Duistermars had expressed interest in serving on this committee, and **opened** the floor for additional nominations.*

Mr. Yalamanchi nominated Mr. Duistermars.

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Brownfield Redevelopment Authority**.*

*As there was a sufficient number of nominees to fill the vacant position, **Mr. Duistermars** was immediately appointed.*

Appointed**2005-0828**

Appointment of one (1) City Council Member to Planning Commission for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - PC.pdf

Vice President Holder stated Council member Rosen had expressed interest in serving on this commission, and **opened** the floor for additional nominations.

Ms. Holder nominated Ms. Holder.

Mr. Ambrozaitis nominated Mr. Rosen.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Planning Commission**.

City Council members voted for the nominees as follows:

Ms. Holder: Barnett, Duistermars, Holder, Raschke, Yalamanchi

Mr. Rosen: Ambrozaitis, Rosen

Appointed

2005-0830

Appointment of one (1) City Council Member to Rochester Area Youth Assistance (RAYA) for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - RAYA.pdf

Vice President Holder stated Council member Ambrozaitis had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Barnett nominated Mr. Ambrozaitis.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Rochester Area Youth Assistance**.

As there was a sufficient number of nominees to fill the vacant position, **Mr. Ambrozaitis** was immediately appointed.

Appointed

2005-0831

Appointment of one (1) City Council Member to Rochester / Auburn Hills Community Coalition for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - RAHCC.pdf

Vice President Holder stated Council member Barnett had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Duistermars nominated Mr. Barnett.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Rochester / Auburn Hills Community Coalition**.

As there was a sufficient number of nominees to fill the vacant position, **Mr. Barnett** was immediately appointed.

Appointed

2005-0834

Appointment of three (3) City Council Members to Sister City / Auburn Hills Committee for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - SCAH.pdf

Vice President Holder stated Council members Holder, Raschke and Yalamanchi had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Duistermars nominated *Ms. Holder, Ms. Raschke* and *Mr. Yalamanchi*.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Sister City / Auburn Hills Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Ms. Holder, Ms. Raschke** and **Mr. Yalamanchi** were appointed immediately.

Appointed

2005-0833

Appointment of one (1) City Council Member to Southeast Michigan Council of Governments (SEMCOG) as Alternate for a two-year term to expire December 5, 2007

Attachments: Nomination/Voting Form - SEMCOG.pdf

Vice President Holder stated Council member Holder had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Ms. Raschke nominated *Ms. Holder*.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Southeast Michigan Council of Governments (SEMCOG)**.

As there was a sufficient number of nominees to fill the vacant position, **Ms. Holder** was immediately appointed.

Appointed

2005-0838

Appointment of one (1) City Council Member to Zoning / Sign Board of Appeals (ZBA) for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - ZBA.pdf

Vice President Holder stated Council member Duistermars had expressed interest in serving on this board, and **opened** the floor for additional nominations.

Mr. Barnett nominated *Mr. Duistermars*.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Zoning Board / Sign Board of Appeals (ZBA)**.

As there was a sufficient number of nominees to fill the vacant position, **Mr. Duistermars** was immediately appointed.

Appointed

2005-0826

Appointment of two (2) City Council Members to the Older Persons Commission (OPC) for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - OPC.pdf

Vice President Holder stated Council members Ambrozaitis, Barnett, Holder, Raschke and Yalamanchi had expressed interest in serving on this commission, and **opened** the floor for additional nominations.

Mr. Ambrozaitis, Ms. Holder and **Ms. Raschke** removed their names from consideration.

Mr. Duistermars nominated *Mr. Barnett* and *Mr. Yalamanchi*.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Older Persons Commission (OPC)**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Barnett** and **Mr. Yalamanchi** were appointed immediately.

Appointed

2005-0832

Appointment of one (1) City Council Member to Rochester-Avon Recreation Authority (RARA) for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - RARA.pdf

Vice President Holder stated Council members Ambrozaitis and Barnett had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Ambrozaitis removed their names from consideration.

Mr. Duistermars nominated Mr. Barnett.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Rochester-Avon Recreation Authority (RARA)**.

As there was a sufficient number of nominees to fill the vacant position, **Mr. Barnett** was immediately appointed.

Appointed

2005-0835

Appointment of three (3) City Council Members to Sister City / Rochester Committee for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - SCR.pdf

Vice President Holder stated Council members Ambrozaitis, Barnett, Holder, Raschke and Yalamanchi had expressed interest in serving on this committee, and **opened** the floor for additional nominations.

Mr. Barnett and **Mr. Yalamanchi** removed their names from consideration.

Mr. Duistermars nominated Mr. Ambrozaitis, Ms. Holder and Ms. Raschke.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Sister City / Rochester Committee**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Ambrozaitis**, **Ms. Holder** and **Ms. Raschke** were appointed immediately.

Appointed

2005-0825

Appointment of one (1) City Council Member to the Museum Board Advisory Committee for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - Mus.pdf

Vice President Holder **opened** the floor for nominations.

Ms. Raschke expressed interest in serving on this board.

Mr. Ambrozaitis nominated Ms. Raschke.

There being no further nominations, **Vice President** Holder **closed** the floor for nominations for the **Museum Advisory Board**.

As there was a sufficient number of nominees to fill the vacant position, **Ms. Raschke** was immediately appointed.

Appointed

2005-0827

Appointment of two (2) City Council Members to the Pine Trace Committee for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - PT.pdf

*Vice President Holder stated Council member Barnett expressed interest in serving on this committee, and **opened** the floor for additional nominations.*

***Ms. Holder** expressed interest in serving on this committee.*

***Mr. Yalamanchi** removed his name from consideration.*

***Mr. Duistermars** nominated Mr. Barnett and Ms. Holder.*

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Pine Trace Committee**.*

*As there was a sufficient number of nominees to fill the vacant positions, **Mr. Barnett** and **Ms. Holder** were appointed immediately.*

Appointed

2005-0829

Appointment of one (1) City Council Member to the Police School Liaison Steering Committee for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - Pol.pdf

*Vice President Holder **opened** the floor for nominations.*

***Mr. Ambrozaitis** expressed interest in serving on this committee.*

***Mr. Barnett** nominated Mr. Ambrozaitis.*

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Police School Liaison Steering Committee***

*As there was a sufficient number of nominees to fill the vacant position, **Mr. Ambrozaitis** was immediately appointed.*

Appointed

2005-0836

Appointment of two (2) City Council Members to Southeastern Oakland County Resource Recovery Authority (SOCRRA) for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - SOCRRA.pdf

PUBLIC COMMENT:

***Mr. Paul Miller**, 1021 Harding Road, suggested that the City encourage more citizen participation on these various committees and reduce the direct involvement of Council members. He noted that ultimately Council members have the final say on most matters and do not need to be involved at the "detail level." He further indicated that this would also be a cost savings measure, as Council members are paid for each meeting they attend.*

***Vice President** Holder stated Council member Holder expressed interest in serving on this committee, and **opened** the floor for additional nominations.*

***Mr. Ambrozaitis** offered to serve on this board.*

***Mr. Duistermars** nominated Mr. Ambrozaitis and Ms. Holder.*

*There being no further nominations, Vice President Holder **closed** the floor for nominations*

for the **Southeastern Oakland County Resource Recovery Authority (SOCRRA)**.

As there was a sufficient number of nominees to fill the vacant positions, **Mr. Ambrozaitis** and **Ms. Holder** were appointed immediately.

Appointed

2005-0837

Appointment of City Council Members as one (1) Delegate and one (1) Alternate to the Trailways Commission for a one-year term to expire December 6, 2006

Attachments: Nomination/Voting Form - Trail.pdf

Vice President Holder stated Council member Raschke expressed interest in serving as delegate on this commission, and **opened** the floor for additional nominations.

Mr. Yalamanchi offered to serve as alternate on this commission.

Mr. Duistermars nominated Ms. Raschke as Delegate and Mr. Yalamanchi as Alternate.

There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Trailways Commission**.

As there was a sufficient number of nominees to fill the vacant positions, **Ms. Raschke** was appointed Delegate and **Mr. Yalamanchi** was appointed Alternate.

Appointed

2005-0839

Reaffirm appointments of City Council Members to four (4) Administrative / Technical Committees for a one-year term to expire December 6, 2006:

1. DPS Facility Committee
2. Master Plan Review Committee
3. Technical Review Zoning Rewrite Committee
4. Capital Improvement Project Evaluating Team (CIP)

Attachments: Agenda Summary.pdf; CC Choices for 2006 Adm Tech Rev.pdf; 0839 Resolution.pdf

Vice President Holder stated that the following Council members had expressed interest in serving on the following committees:

- DPS Facility Committee - Holder and Raschke
- Master Plan Review Committee - Barnett, Raschke, Rosen and Yalamanchi
- Technical Review Zoning Rewrites - Barnett, Holder and Rosen

Vice President Holder noted that no members had expressed interest in serving on the Capital Improvement Project (CIP) Evaluation Team, as it had been erroneously omitted from Council's choices of committee appointments. She then **opened** the floor for additional nominations to these committees.

Mr. Barnett and **Mr. Yalamanchi** removed their names from consideration for the Master Plan Review Committee.

Ms. Holder removed her name from consideration for the Technical Review Zoning Rewrites.

Mr. Rosen expressed interest in serving on the Capital Improvement Project (CIP) Evaluation Team.

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

Resolved that the Rochester Hills City Council hereby reaffirms the appointment of City Council Members to the following Administrative/Technical Review Committees:

1. Members Barbara Holder and Linda Raschke to the DPS Facility Committee.
2. Members Linda Raschke and James Rosen to the Master Plan Review Committee.
3. Members Bryan Barnett and James Rosen to the Technical Review Zoning Rewrite Committee.
4. Member James Rosen to the Capital Improvement Project Evaluation Team.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0456-2005

2005-0819

Appointment of three (3) City Council Members to Leisure Activities Committee for a one-year term to expire December 31, 2006

Attachments: Nomination/Voting Form - LAC.pdf

*Vice President Holder **opened** the floor for nominations.*

***Ms. Ambrozaitis** expressed interest in serving on this committee.*

***Mr. Duistermars** nominated Mr. Ambrozaitis.*

***Ms. Raschke** and **Mr. Yalamanchi** expressed interest in serving on this committee.*

***Mr. Barnett** nominated Ms. Raschke and Mr. Yalamanchi.*

*There being no further nominations, Vice President Holder **closed** the floor for nominations for the **Leisure Activities Committee**.*

*As there was a sufficient number of nominees to fill the vacant positions, **Ms. Raschke** and **Mr. Yalamanchi** were appointed immediately.*

Appointed

2005-0823

Appointment of one (1) City Council Member to Avondale Youth Assistance for a one-year term to expire December 6, 2006

Attachments: Agenda Summary.pdf; 010406 Agenda Summary.pdf; 0823 Nomination Form - AYA.pdf

As no Council members expressed interest in serving on this committee, it was the consensus of Council that this matter be brought back for further consideration at the next Council meeting.

***Mr. Yalamanchi** questioned whether some committees could be combined into single committees or whether it was necessary that a Council member sit on this particular committee.*

***City Attorney John Staran** noted that various committees are established in different manners with different participation requirements.*

Discussed

UNFINISHED BUSINESS

2005-0846

Determination of Membership and Appointment of Members to the DPS Facility Re-evaluation Subcommittee

Attachments: Agenda Summary.pdf; 120505 Resolution.pdf; 0846 Resolution.pdf

Mr. Yalamanchi nominated himself to serve on this committee.

Mr. Rosen suggested that the three members of Council who serve on this committee consist of Mr. Barnett, a new member of Council and a member of the original DPS Facility Committee. He explained that with this mix of Council members, the results of the committee is more likely to receive support.

Ms. Holder and **Ms. Raschke**, the members of the original DPS Facility Committee, both stated they did not wish to serve on this new committee.

Mr. Barnett noted that he felt the administrative participants of the Committee should be determined by the DPS Director and his staff.

Mr. Barnett and **Mr. Duistermars** nominated themselves to serve on this committee.

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

Resolved that the membership of the DPS Facility Re-evaluation Subcommittee shall consist of three (3) Council Members and with the administrative participants to be determined by the DPS Director and his staff.

Further Resolved that the Rochester Hills City Council appoints **Mr. Bryan Barnett**, **Mr. Jim Duistermars** and **Mr. Ravi Yalamanchi** to the DPS Facility Re-evaluation Subcommittee.

The motion carried by the following vote:

Aye: Ambrozaitis, Barnett, Duistermars, Raschke, Rosen and Yalamanchi

Nay: Holder

Enactment No: RES0134-2006

COUNCIL COMMITTEE REPORTS

All committee meetings were cancelled.

ANY OTHER BUSINESS

Mr. Duistermars indicated that it had recently been brought to his attention that there were difficulties with the emergency dispatch process in the City and stated that the matter should be addressed by the Public Safety Committee.

Mr. Yalamanchi requested that the administration provide further information on this matter.

NEXT MEETING DATE

Regular Meeting - January 4, 2006 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, Vice President Holder adjourned the meeting at 12:12 a.m.

*BARBARA HOLDER, Vice President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

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

Approved as presented at the May 17, 2006 Regular City Council Meeting.