



Rochester Hills Minutes

1000 Rochester Hills Dr.
Rochester Hills, MI 48309
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Home Page:
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City Council Regular Meeting

*Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, September 26, 2007

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:32 p.m. Michigan Time.

ROLL CALL

Present 5 - Erik Ambrozaitis, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent 2 - Jim Duistermars and Barbara Holder

Others Present:

*Ed Anzek, Director of Planning and Development
Bryan Barnett, Mayor
James Bradford, Deputy Fire Chief
Dan Casey, Manager of Economic Development
Scott Cope, Director of Building/Ordinance Compliance
Ron Crowell, Chief, Fire Department
Derek Delacourt, Deputy Director of Planning
Bob Grace, Director of MIS
Mike Hartner, Director of Parks & Forestry
Leo Oriet, Youth Council Representative
Julie Jenuwine, Director of Finance
Jane Leslie, City Clerk
Leo Oriet, Youth Council Representative
Linda Osiecki, Deputy Treasurer
Roger Rousse, Director of D.P.S.
Leanne Scott, Council Coordinator
Robert Smith, Captain, O.C.S.O.
John Staran, City Attorney
Doug Walther, Deputy Director of Assessing
Robert White, Supervisor of Ordinance Services
Kelly Winters, Deputy Director of Building*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Ambrozaitis, seconded by Yalamanchi, to Approve the Agenda as Presented. The motion carried by the following vote:

Aye 5 - Ambrozaitis, Hooper, Raschke, Rosen and Yalamanchi

Absent 2 - Duistermars and Holder

PUBLIC COMMENT

None

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Ambrozaitis thanked Mrs. Miller and everyone at the OPC, noting he had a terrific time at the 5th Annual Senior Lifestyle Expo today.

Mr. Leo Oriet, Youth Council Representative, greeted everyone and explained that it was his first year on the Rochester Hills Government Youth Council. He reported the Youth Council has not started any projects as of this date.

Mayor Barnett announced the Senior Flu Clinic will be held on October 11 and 12 at City Hall in the Auditorium and at the OPC on October 15.

ATTORNEY MATTERS

City Attorney Staran reported he had sent a confidential memorandum to City Council regarding a court matter this morning.

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.

2007-0672 Approval of Minutes - Regular City Council Meeting - July 25, 2007

Attachments: [CC Min 072507.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0320-2007

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on July 25, 2007 be approved as presented.

2007-0572 Approval of Minutes - City Council Work Session Meeting - August 1, 2007

Attachments: [CC Min 080107.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0321-2007

Resolved that the Minutes of a Rochester Hills City Council Work Session Meeting held on August 1, 2007 be approved as presented.

- 2007-0038** Request for Purchase Authorization - DPS/ENG: Calcium Chloride, increase to blanket purchase order in the amount of \$25,000 for a new not-to-exceed amount of \$85,000; South Huron Industrial, Inc., Flat Rock, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0020-2007

Resolved that the Rochester Hills City Council hereby authorizes the increase to the Blanket Purchase Order to South Huron Industrial, Inc., of Flat Rock, Michigan, for the purchase of calcium chloride, in the amount of \$25,000 for a new amount not-to-exceed \$85,000 through December 31, 2007.

- 2007-0088** Request for Purchase Authorization-DPS/ENG: Increase the existing Kleen Kut blanket purchase order for the shoulder right-of-way, detention basin and pathway mowing in the amount of \$15,800.00 for a new not-to-exceed total of \$55,000.00.

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0051-2007

Resolved that the Rochester Hills City Council hereby authorizes the amendment of an existing Blanket Purchase Order to Kleen Kut, Washington, Michigan for shoulder right-of-way, detention basin and pathway mowing by the increase amount of \$15,800.00 for a new not-to-exceed amount of \$55,000.00 through December 31, 2007.

- 2007-0463** Request for Approval of Traffic Control Order TM-25.1 "NO LEFT TURN" from eastbound Valley Stream Drive onto Livernois Road at their intersection between the hours of 4:00 p.m. and 7:00 p.m.

Attachments: [Agenda Summary.pdf](#)
[TCO TM-25.pdf](#)
[Traffic Study & Signage Map.pdf](#)
[No Left Turn Map.pdf](#)
[Smith Ltr 060407.pdf](#)
[Valley Stream Resident Flyer 060507.pdf](#)
[Traffic Study Summary 080107.pdf](#)
[ATSB Draft Minutes 081407.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0319-2007

Whereas, Traffic Control Order No. TM-25 has been issued by the Acting City Traffic Engineer under provisions of the Rochester Hills Code of Ordinances, Chapter 7-09; and

Whereas, said Traffic Control Order covers:

TM-25.1 "NO LEFT TURN: from eastbound Valley Stream Drive onto Livernois Road at their intersection between the hours of 4:00 p.m. to 7:00 p.m.

Whereas, said Traffic Control Order shall not be effective after the expiration of 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 No. TM-25 to be in effect until rescinded or superseded by subsequent order; and

Be It Further 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.

Passed the Consent Agenda

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

Aye 5 - Ambrozaitis, Hooper, Raschke, Rosen and Yalamanchi

Absent 2 - Duistermars and Holder

(Ms. Holder entered at 7:42 p.m.)

Present 6 - Erik Ambrozaitis, Barbara Holder, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent 1 - Jim Duistermars

ORDINANCE FOR INTRODUCTION

2007-0623 Acceptance for First Reading an Ordinance to Amend Sections 134-7 and 134-180 of Chapter 134, Signs, of the Code of Ordinances of the City of

Rochester Hills, Oakland County, Michigan, to provide that help wanted signs having a sign area of not more than six (6) square feet do not require a sign permit, to permit hospitals to have two (2) changeable letter or light-emitting diode message signs, to repeal conflicting Ordinances and to prescribe a penalty for violations.

Attachments: [Agenda Summary.pdf](#)
[Revised Sign Ordinance.pdf](#)
[Proposed Sign Ordinance.pdf](#)
[Resolution.pdf](#)

A motion was made by Ambrozaitis, seconded by Raschke, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0343-2007

Resolved that an Ordinance to Amend Sections 134-7 and 134-180 of Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to provide that help wanted signs having a sign area of not more than six (6) square feet do not require a sign permit, to permit hospitals to have two (2) changeable letter or light-emitting diode message signs, to repeal conflicting Ordinances and to prescribe a penalty for violations, is hereby accepted for First Reading.

UNFINISHED BUSINESS

2007-0616 Request for Adoption of 2007 Millage Rates (for FY2008)

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

President Rosen verified that none of the numbers have changed from the Public Hearing held at the September 19th Council Work Session.

Mr. Yalamanchi referencing the Agenda Summary Sheet, requested clarification regarding the asterisk following the Special Police II Millage Rate.

Ms. Jenuwine replied that there is a note on the top of the second page after Agenda Summary Sheet that indicates if the millage request passed on September 11, the rate would be 9.7060; if it did not pass, the proposed millage rate would be 9.2800.

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

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0308-2007

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act, and Section III of the Charter for the City of Rochester Hills, the Mayor as the Chief Executive Officer prepared the budget proposal for the ensuing year and submitted it to the Council at its first meeting in August; and

Whereas, at its August 1, 2007 meeting City Council acknowledged receipt from the Mayor of the Proposed 2008 Budget Plan and set a Public Hearing to be held September 19, 2007 at 7:30 p.m. to hear comments on the proposed budget plan; and

Whereas, at its September 19, 2007 meeting City Council held said Public Hearing on the proposed millage rates.

Now, Therefore, Be It Resolved, the City Council hereby adopts the following tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2007 to provide the tax revenues included in the 2008 Proposed Budget:

General	3.8226 Mills
Fire	1.8000 Mills
Special Police I	0.7823 Mill
Special Police II	.4260 Mill
R.A.R.A.	0.1950 Mill
Green Space	0.2972 Mill
Pathway	0.1858 Mill
Library	0.7823 Mill
Older Persons Operating Millage	0.2403 Mill
Older Persons Transportation	0.0891 Mill
Older Persons Building Bond	0.2001 Mill
Drain Debt Fund	0.5612 Mill
General Obligation Refunding Bond - (GORB) series 1998	0.0997 Mill
General Obligation 2002 Refunding Bond - (GORB) series 2002	0.2244 Mill
Total City Millage	9.7060 Mills

per Thousand Dollars (\$1,000) of taxable valuation, as equalized; and further, Special

Lighting (Christian Hills Subdivision) be levied at the rate of \$12.41 per lot or description; Special Lighting (Denison Acres Subdivision) be levied at the rate of \$3.91 per lot or description and

Be It Further Resolved that the Assessor of the City of Rochester Hills be and hereby is authorized to have said amounts spread on the 2007 Tax Rolls.

Be It Further Resolved that the City Council hereby adopts the following proposed tax rate in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millages Limitation, to be levied in December 2007 to provide the tax revenues included in the 2008 Proposed Budget

2007-0422 Request for Approval of Conditional Land Use - Faith Evangelical Presbyterian Church, a proposed 24,640 square-foot church on approximately seven acres, located on the north side of Hamlin, west of Rochester Road, zoned R-3, One Family Residential, Scott Barnes, Merritt, McPherson, Cieslak, P.C., applicant.

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[Site Plans.pdf](#)
[Staff Report 080707.pdf](#)
[PC Minutes 080707.pdf](#)
[PC Minutes 032007.pdf](#)
[Resolution.pdf](#)

A motion was made by Hooper, seconded by Raschke, that this matter be Adopted by Resolution with 5 Findings. The motion carried by the following vote:

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0309-2007

Resolved, that the Rochester Hills City Council hereby approves a Conditional Land Use for Faith Evangelical Presbyterian Church, City File No. 05-039, for a 24,640 square-foot church facility on 7.3 acres on Hamlin Road, east of Livernois, zoned R-3, One Family Residential, Parcel No. 15-22-451-034, based on plans dated received by the Planning Department on July 13, 2007 with the following five (5) findings:

Findings:

1. Places of Worship are permitted in any zoning district; the addition is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular.
2. The proposed church building is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing character of the general vicinity, the capacity of public services and existing facility affected by the use, and the community as a whole.
3. The proposed development will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.

4. The proposed church has been designed so as to not be detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.
5. The proposed church will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2007-0471 Request for Approval of Wetland Use Permit - Faith Evangelical Presbyterian Church, located on Hamlin Road between Livernois and Rochester Roads, to construct a detention pond in front of the proposed church building.

Attachments: [Agenda Summary.pdf](#)
[WUP Notice.pdf](#)
[062107 Letter ASTI.pdf](#)
[Resolution.pdf](#)

Mayor Barnett stated that this particular organization has worked extremely well with City staff and he has received compliments regarding their work with the neighbors. He wished them well as the project moves forward.

President Rosen also added that one of the most important things any applicant that comes before the City of Rochester Hills with a site plan can do is contact, and talk with, their neighbors; when they do this first and do it well, it tends to be a very smooth process. He congratulated the applicants on a job well done.

A motion was made by Hooper, seconded by Raschke, that this matter be Adopted by Resolution with 2 Findings and 1 Condition. The motion carried by the following vote:

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0310-2007

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for Faith Evangelical Presbyterian Church, City File No. 05-039, based on plans dated received by the Planning Department on July 13, 2007 with the following two (2) findings and subject to the following one (1) condition.

Findings:

1. The Wetland and Watercourse Protection Ordinance is applicable to the subject site because it is not included within a site plan which has received final approval prior to January 17, 1990.
2. Approximately 1,006 square feet of permanent wetland impacts will result from the utilization of the water feature for storm water management.

Condition:

1. Implementation of site appropriate structural and non-structural best management practices, to prevent or minimize the impact on water quality

2007-0585 Request for Purchase Authorization - FIRE: Purchase of self-contained breathing apparatus (SCBA) and associated equipment in the amount of \$291,173.08; Argus-Hazco, Chesterfield, MI

Attachments: [Agenda Summary.pdf](#)
[SCBA Proposal Summary.pdf](#)
[SCBA Supplemental Proposals.pdf](#)
[Proposals Tabulation.pdf](#)
[Resolution.pdf](#)

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

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0311-2007

Resolved, that the Rochester Hills City Council hereby approves a purchase order to Argus-Hazco, Chesterfield, Michigan for self-contained breathing apparatus (SCBA) and associated equipment in the amount of \$291,173.08.

The following three (3) Legislative Files are related to Fire Dept Ambulance Billing

2007-0582 Request for Purchase Authorization - FIRE: Waiver of Section 2-273(b) of the Purchasing Ordinance; 5-Year Contract for Ambulance Billing; Blanket purchase order for ambulance billing services through December 31, 2008 in amount of \$90,000; AccuMed Billing, Inc., Riverview, MI

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

Chief Crowell reported the City collects 67 percent of what is billed. Noting the National Standard is 55 percent; he indicated the City is above the National Standard. Chief Crowell further reported that Oakland County may be looking at using AccuMed or may go out for a Request For Proposal (RFP). He explained that in response to this information, he has negotiated an agreement with AccuMed that if Oakland County negotiates a better rate with AccuMed, the City would be charged that rate.

In response to additional questions from Council regarding in-house billing, Chief Crowell reported AccuMed agreed to a termination clause in the agreement; therefore, the only reason the City would ever be unable to terminate the contract would be if the City wanted to go with another competitor and request an RFP.

President Rosen inquired if Mr. Staran was aware of the contract discussions.

Mr. Staran answered that he was aware that the Chief was going to have those discussions but was not aware of the outcome. He indicated that this was good news for the City.

President Rosen inquired if these items would be incorporated into the contract prior to executing it. Both City Attorney Staran and Chief Crowell responded yes.

Mr. Yalamanchi expressed concern with a five year contract and suggested a three year contract, noting the continuous decline in the medical billing rates.

Chief Crowell responded that the City would not be able to get the 7.25 percent rate with a three year contract. He cited an example of one of the other companies that submitted a proposal that included 11 percent for one year, and 8 percent for three years. Chief Crowell stated AccuMed has a superior program; the City has worked with them for the last five years, and AccuMed has proven to be an exceptional company. Chief Crowell stated he is convinced that there is not any reason for the City to hesitate signing a five year contract at that rate; he feels the City will get exceptional service for the entire five years.

Chief Crowell, responding to Mr. Yalamanchi's question, stated that the 7.25 percent is on the actual collection rate.

President Rosen concurred that the City could benefit from a larger bargaining power entity. He further noted Rochester Hills was probably at the top tier of the purchasing power communities. Therefore, it probably receives the best rate for a City its size and only a larger entity like Oakland County could negotiate a better price. President Rosen stated that if AccuMed is agreeing to allow the City to ride along with the County's contract and the City is committed to continue with this vendor, the amount does not matter because it varies according to what is actually billed.

Mr. Yalamanchi concurred with President Rosen, stated his hesitation is due to two factors: (1) that the rates are decreasing; and (2) there may be better opportunities available. He further stated he wished the City could get a better rate for a shorter term.

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

Aye 4 - Holder, Hooper, Raschke and Rosen

Nay 2 - Ambrozaitis and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0312-2007

Resolved that the Rochester Hills City Council waives Section 2-273(b) the 3-year requirement for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Resolved that the Rochester Hills City Council authorizes a 5-year contract with AccuMed Billing, Inc. and authorizes the Mayor to execute the contract on behalf of the City.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase

Order to AccuMed Billing, Inc. of Riverview, Michigan, for the purchase of ambulance billing services in the amount not-to-exceed \$90,000.00 through December 31, 2008.

- 2007-0584** Request for Purchase Authorization - FIRE: Purchase Order for field data capture software, web-hosting services and first year annual support in the amount not-to-exceed \$47,536.65; AccuMedWeb, Riverview, MI

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

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

Aye 5 - Holder, Hooper, Raschke, Rosen and Yalamanchi

Nay 1 - Ambrozaitis

Absent 1 - Duistermars

Enactment No: RES0313-2007

Resolved, that the Rochester Hills City Council hereby approves a purchase order to AccuMedWeb LLC, Riverview, Michigan for field data capture software, web-hosting services and first year annual support in the amount of \$47,536.65.

- 2007-0583** Request for Purchase Authorization-FIRE: Purchase Order for two Toughbook 30, nine Toughbook 19, one External DVD-ROM/CD-RW and eleven DC Adaptors in the amount of \$35,406.22; CDW-G, Vernon Hills, IL

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

Ms. Holder asked, for Council's benefit, for Mr. Ambrozaitis to clarify why he voted "no" on the last three Fire Department matters.

Mr. Ambrozaitis responded that he is concerned with the budget.

Ms. Holder further requested if Ms. Jenuwine would determine if the EMS Service is creating a shortfall in the Fire Budget.

Mayor Barnett responded he would provide that information to Council. However, Council needs to be mindful, that as mentioned in the budget discussions, the ambulance service is not a profit/revenue generating service and the City is not in it to make money; it is a service that is provided for the residents.

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

Aye 5 - Holder, Hooper, Raschke, Rosen and Yalamanchi

Nay 1 - Ambrozaitis

Absent 1 - Duistermars

Enactment No: RES0314-2007

Resolved, that the Rochester Hills City Council hereby approves a purchase order to CDW-G, Vernon Hills, Illinois for two Toughbook 30, nine Toughbook 19, one External DVD-ROM/CD-RW and eleven DC Adaptors in the amount of \$35,406.22.

NEW BUSINESS

2006-0897 Request for Purchase Authorization - DPS/ENG: Approval on Amendatory Agreement No. 3 to the Preliminary Engineering Agreement for the design change for the Hamlin Road widening project between Crooks and Livernois in the amount of \$239,074.00, for a new not-to-exceed amount of \$991,356.95; Orchard, Hiltz & McCliment, Inc., Livonia, MI

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

Mr. Rousse, Director of DPS/Engineering, referenced the presentation made to Council in December 2006 and stated at that time Council agreed to a revised design for the intersection of Livernois and Hamlin, which included a roundabout as an alternative to a signalized intersection. As a result of the design change, there are a number of cost saving measures. Mr. Rousse explained this design requires the acquisition of twenty less parcels because the transition from the boulevard to the roundabout requires a much shorter carry out in three directions. In addition, the signals themselves are expensive. Mr. Rousse stated that in addition to the roundabout design being less expensive from an initial construction and an operating view point, the Department believes it is a safer, better method of transporting traffic through the intersection.

Discussion commenced amongst Council Members and Mr. Rousse, and the following was noted:

- * The cost increase is due to the two-lane roundabout.*
- * Initially the intersection was designed as a boulevard that transitioned into a three-lane road. The design has been changed to a roundabout and the increase in costs is for the conversion of the initial design to the current design.*
- * The initial presentation showed a 10-4 intersection rather than the modern one.*
- * With the increase in cost, approximately 80 percent will be covered by the*

Federal Grant.

- * If the design had not been changed, the cost to design would have been less but the cost to construct would have been more.*
- * This is not Orchard Hiltz and McCliments' ("OHM") first roundabout design.*
- * The biggest change is the geotechnical; all information previously compiled will need to be changed to reflect the design change.*
- * The initial proposal for this project is five years old requiring new design requirements and the updated costs are a reflection of the design changes.*
- * Costs for the design changes will be recovered in the construction and ongoing maintenance of the intersection.*
- * Acquisition of right-of-ways is reduced by twenty parcels. The original boulevard design required a 1,500 foot carry out on eastbound Hamlin; the new design is much shorter and narrower, which requires less property near the intersection and on both sides of the road.*
- * One of the biggest advantages with the new design is that there is very little time spent stopped. At a signalized intersection, a motorist can spend up to 45 seconds stopped. With the roundabout, as soon as the traffic is clear, the motorist can move through. This results in moving a greater volume of traffic and reduces collisions. When collisions do occur they tend to be less severe.*
- * There is also a right turn lane so whomever is going straight or turning left can continue through the roundabout and there is a lane to assist them in exiting the roundabout.*

PUBLIC COMMENT

Mr. Paul Miller, 1021 Harding Avenue, questioned if there was less work and less engineering why has the project cost increased four times from \$239,000 to \$999,000. He further inquired if the funds spent on the original plan were expended and if the City did the preliminary design work for a standard intersection. Noting the support of the roundabout because of its safety features, Mr. Miller inquired if the City had any information on how much safer the intersection could be. He concluded by inquiring if the City would be able to continue with safety improvements on other roads or streets within the City that would be appropriate.

Mr. Rouse provided the following responses to Mr. Miller's questions.

- * The request is for a complete redesign of the intersection so the City is starting from the beginning.*
- * The cost increase is \$239,000.00; increasing the original cost of \$750,000.00 to \$990,000.00.*

* *There has been some preliminary design on the intersection. This plan is for a final design which converts it from a four-lane road to the roundabout intersection.*

* *The project was initially conceived in 1997 and 1998 and has gone through a number of changes since that time, including a change from a five-lane road to a four-lane boulevard which was approved by City Council in May 2002; City Council voted in favor of constructing Hamlin Road as a narrow boulevard road with the transition to the existing taperback to a three-lane road design east of Livernois. The Administration asked for City Council's approval to redesign the intersection and the proposal at hand is the additional cost to redesign the intersection.*

* *Boulevards are much safer than five-lane roads because of the changes in the turning movements, and because they move traffic better. In addition, boulevards reduce turning movement accidents and the severity of the accidents seem to be much less than a head-on collision or a t-bone collision that are typical of a five-lane road section.*

Ms. Melinda Hill, 1481 Mill Race, expressed her support of this roundabout project. She stated the project was submitted in the early 1990s to receive Federal funds. She further explained this project was to be a four-lane boulevard, to match the boulevard west of Crooks Road. Ms. Hill noted that at the time of submission, roundabouts did not exist as they do today; and there was no way of receiving funds for safety improvements. Therefore it was designed as a traditional intersection with a boulevard. Ms. Hill stated it is unfortunate the City has to expend additional funds for redesign but in the long run the redesign will save money and create a safer intersection.

Mayor Barnett reiterated the basic three reasons this is an improvement and a viable option for this particular intersection: (1) safety, (2) the efficiency of traffic projections out through 2020 and still having a "C" rating, as opposed to 2015 for a boulevarded intersection having an "F" rating, and (3) cost savings.

Mr. Rouse reviewed the cost savings as follows: (a) the right-of-way acquisition, (b) construction and maintenance costs of a signalized intersection which includes: the SCAT system, poles, lights and electricity to run both in the construction and the ongoing maintenance of the roundabout intersection.

COUNCIL DISCUSSION

President Rosen inquired about a lawsuit that was filed pertaining to a roundabout and a possible violation of the Americans with Disabilities Act.

Mr. Staran responded that the lawsuit was brought by a group or organization of people with sight disability who were concerned that the roundabout would present a violation of the Americans with Disabilities Act, noting that they believed the roundabout made it more difficult and dangerous for people who are visually impaired to cross the street without the signalized intersection. Initially they were seeking an injunction to prevent the intersection from opening. He noted the intersection did open. He explained that he did not know if the lawsuit

was settled; however, he indicated he would investigate further to see if something was still pending.

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

Aye 4 - Hooper, Raschke, Rosen and Yalamanchi

Nay 2 - Ambrozaitis and Holder

Absent 1 - Duistermars

Enactment No: RES0315-2007

Whereas, the Hamlin Road design project between Crooks and Livernois was previously approved for a full boulevard intersection at Hamlin and Livernois; and

Whereas, the Rochester Hills City Council approved the modification to accommodate a roundabout design; and

Whereas, savings from the right-of-way acquisition and construction phases will easily offset the additional expense of a roundabout design; and

Resolved that City Council approves Amendatory Agreement No. 3 between the City of Rochester Hills and Orchard, Hiltz & McCliment, Inc. for the design change for the Hamlin Road widening project between Crooks and Livernois in the amount of \$239,074.00 with a new not to exceed amount of \$991,356.95 and authorizes the Mayor and City Clerk to execute the agreement on behalf of the City.

2007-0541 Request for Approval of a Revised Conditional Land Use - Covenant Christian Church Parking Lot Addition, located on Hamlin, east of Livernois, zoned R-3, One Family Residential, Covenant Christian Church, applicant.

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[Site Plan.pdf](#)
[Staff Report.pdf](#)
[Letter Odoerfre 090707.pdf](#)
[Memo Dinkins 091207.pdf](#)
[Public Hearing Notice.pdf](#)
[Dev. App.pdf](#)
[Resolution.pdf](#)

Mr. Anzek, Director of Planning, gave a brief overview of the project noting that it is the City's policy that any increased intensity of a conditional land use come back before the Planning Commission. He reported the project was supported unanimously by the Planning Commission.

President Rosen asked the representatives from the Covenant Christian Church to identify themselves for the record.

Mrs. Ann Morris and Mr. Don Morris, members of Covenant Christian Church, were in attendance.

A motion was made by Hooper, seconded by Raschke, that this matter be Adopted by Resolution with 8 Findings. The motion carried by the following vote:

Aye 6 - Ambrozaitis, Holder, Hooper, Raschke, Rosen and Yalamanchi

Absent 1 - Duistermars

Enactment No: RES0316-2007

Resolved, that the Rochester Hills City Council hereby approves a Revised Conditional Land Use for the Covenant Christian Church Parking Lot, City File No. 79-949.3, located on Hamlin east of Livernois, zoned R-3, One Family Residential, Parcel No. 15-22-351-003, based on plans dated received by the Planning Department on September 11, 2007, with the following findings.

Findings

1. The proposed gravel parking lot space is currently used for parking and paving it will improve the area.
2. The proposed parking lot addition will be accessed by using existing ingress to and egress from Hamlin Road.
3. The proposed parking spaces will be added to an existing parking lot.
4. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular. Further, the proposed parking lot addition will improve access for the church attendees.
5. The proposed parking lot addition is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity and the Covenant Christian Church.
6. The proposed parking lot addition is part of the larger church development, which is served adequately by essential public facilities and services.
7. The proposed parking lot addition will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
8. The proposed parking lot addition will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community

(Mr. Duistermars entered at 8:31 p.m.)

Present 7 - Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

2007-0673 Request to Accept Dance-Entertainment Permit Agreement between the City of Rochester Hills and Papa Joe's, LLC, 6900 N. Rochester Road

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

Mr. Hooper asked if the language that made up the dance/entertainment permit

contained in the packet was standard.

In response to Council Member Hooper's question, **Mr. Staran** stated the Agreement is a standard form that has been used for a number of years by the City.

Eric Eggan, Esq. from Honigman, Miller, Schwartz and Cohen representing on behalf of Papa Joe's LLC, clarified the location is at 6900 Rochester Road which is within the Papa Joe's complex. He further explained that there is a banquet facility attached right to Papa Joe's.

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

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0317-2007

Resolved, that the Rochester Hills City Council accepts the Dance Entertainment Permit Agreement between the City of Rochester Hills and Papa Joe's, LLC, 6900 N. Rochester Road, Rochester Hills, 48306, Oakland County, Michigan,

Further Be It Resolved, that the Mayor and the City Clerk are hereby authorized to execute and deliver the agreement on behalf of the City.

2007-0674 Request from Papa Joe's, LLC, 6900 N. Rochester Road to add a Dance-Entertainment Permit

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

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

Aye 7 - Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0318-2007

Resolved that the request from Papa Joe's, LLC to add a Dance-Entertainment Permit to be held in conjunction with the Class C license, located at 6900 N. Rochester Road, Rochester Hills, 48306, Oakland County, Michigan be considered for approval.

COUNCIL COMMITTEE REPORTS

None

ANY OTHER BUSINESS

President Rosen discussed a copy of a letter dated May 30, 2006 from Mr. Staran regarding City Tax Millages wherein he explains the difference between a Charter Amendment and a Charter Revision. While he would like to see a committee

formed, he would prefer it wait until the new Council is in place.

Mr. Yalamanchi stated he would like to see the formation of a committee to begin very soon.

President Rosen asked Mr. Yalamanchi if he is asking him to sit down with the Clerk's Office, put together a charge of what he would like the committee to do and come back with a time frame.

Mr. Yalamanchi said yes, whatever we can do to move forward.

Mr. Ambrozaitis reiterated his support of a Public Safety Millage and stressed his concern that this discussion not be about raising the residents taxes.

Ms. Holder responded that any raise in the Charter Millage would have to be voted on by the people, the Charter would have to be opened and the Charter Commission formed to open that Charter.

City Attorney Staran added that if looking at a Charter Amendment, they would not need a Charter Commission but it would require an election.

Ms. Holder asked if the City would need an amendment to raise the millage.

City Attorney Staran responded that it would require a Charter amendment and that would require an election, but not a Charter Commission.

Mr. Ambrozaitis stated he had received a note from a homeowner on North Grant Road and directed it to Mr. Staran to ask the City's Building Department to analyze the matter of 2920 North Grant Road from an ordinance standpoint.

ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 8:45 p.m.

JAMES ROSEN, President
Rochester Hills City Council

JANE LESLIE, Clerk
City of Rochester Hills

CHRISTINE A. WISSBRUN
Administrative Secretary
City Clerk's Office

Approved as presented at the April 28, 2008 Regular City Council Meeting.