



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

*J. Martin Brennan, Greg Hooper, Nathan Klomp, Vern Pixley, James Rosen,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

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

Monday, May 17, 2010

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 6 - J. Martin Brennan, Greg Hooper, Nathan Klomp, James Rosen, Michael Webber and Ravi Yalamanchi
Absent 1 - Vern Pixley

Others Present:

*Bryan Barnett, Mayor
Tara Beatty, Chief Assistant to the Mayor
Paul Davis, City Engineer
Derek Delacourt, Deputy Director of Planning
Diane Keller, Accountant
Pam Lee, City Accountant
Jane Leslie, City Clerk
Patrick McKay, Supervisor Interpretive Services
Keith Sawdon, Director of Finance
John Staran, City Attorney
Celina Tomas, Account Clerk II*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

PUBLIC COMMENT

David Kibby, 558 Whitney, stated he supports proceeding with the water reservoir feasibility study in order to obtain the necessary information, such as cost, size, location and what the actual savings will be for the residents in order to determine whether or not he is in favor of proceeding with the project. He noted that he hopes the flyers that had been distributed in his neighborhood would encourage residents to also get involved and obtain the facts themselves.

Lee Zendel, 1575 Dutton, expressed his concern about the Oakland County Sheriffs Office (OCSO) employment of only two additional dispatchers to accommodate the additional volume of the City's emergency calls to OCSO's Communication Center's Dispatch responsibilities. He stated that while he understands the necessary budget cuts for 2011 and beyond, public safety should be the last item to consider for cuts.

Deanna Hilbert, 3234 Quail Ridge Circle, mentioned that she had questions and concerns regarding the proposed Medical Main Street Project. She stated that she hopes the Administration will be proactive in notifying and involving the community if this project moves forward.

Deborah Barno, 660 Bolinger Street, expressed her concern regarding the possible construction of a water reservoir on the property adjacent to her subdivision. On behalf of the Heatherwood Village Homeowners Association she thanked Mr. Klomp for taking the time to meet with them to discuss their concerns.

Bill Black, 2408 Jackson Drive, requested Council members contact Representative McMillin to encourage his support of House Bill 5962 which addresses the proper classification of workers under the Worker's Disability Compensation Act of 1969.

Alice Benbow, 1582 Northumberland Drive, requested City Council to reconsider its decision in regard to the City's Emergency Dispatch Center.

Martha Black, 2408 Jackson Drive, encourage the residents to attend the 12th District Senatorial Debate will be held on Monday, May 24, 2010 at 5:30 p.m. at the Rochester Hills Public Library, hosted by Legislative Initiative Strengthening the Environment (LISTEN).

Melinda Hill, 1481 Mill Race Road, expressed condolences regarding the passing of Judy Bialk, a City employee. She announced that May is State Preservation Month and announced the presentation of the Earl Borden Preservation Award on Wednesday, May 19, 2010, 6:30 p.m. at the Rochester Hills Museum at Van Hoosen Farm. She requested that the Mayor and Administrative staff provide a full status report of the Washington Road Project.

Craig Loebs, 2845 Portage Trail, credited the City's Environmental Education Center (EEC) and its staff for assistance in achieving his Eagle Scout status

and requested the retention of funding for the EEC be included in the City's upcoming budget discussions.

Lynn Loebs, 2845 Portage Trail, described the Environmental Education Center (EEC) Programs as being a golden nugget within this community. She requested Council consider reinstating the EEC budget for 2011 and maintaining it at its current location next to City Hall.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper, Mr. Rosen, Mr. Webber and Mr. Yalamanchi expressed their condolences to the family of Judy Bialk.

President Hooper responded to the public comments as follows:

- Included in the agreement to subcontract the City's dispatching services with Oakland County was the opportunity for some of the City dispatchers to be hired by Oakland County immediately, and others to be on a list for consideration should there be any vacancies in the future.

- There was a presentation made to Council on Medical Main Street and a concept plan was presented to the Brownfield Redevelopment Authority. He stated that the concept still has a long way to go before any decisions are made. However, should this matter come back before Council, individuals who have participated in discussion on behalf of this property in the past will be notified via mail.

Mr. Klomp thanked the Board Members from Heatherwood Village Homeowner's Association that came to meet with him to discuss their concerns regarding the proposed water reservoir. He reported that he had been in attendance at the 8th Annual Older Persons Commission Signature Event which benefitted benefit Meals on Wheels.

Mr. Webber stated that a concept plan was presented at the Brownfield Redevelopment Authority (BRA) meeting in April. He further stated that the BRA submitted an application for grant monies to be utilized for the necessary cleanup of the site, however, they have not yet heard whether or not it will be forthcoming.

Mayor Barnett made the following comments:

- The proposed Medical Main Street is years away from inception but the concept has the interest of Oakland University and Oakland County. State funding to begin to put together some of the remediation projects is currently being researched.

- The OCSO contract does specify the hiring of two additional dispatchers. However, in addition to those two, there is currently one vacancy which has not yet been filled, and pending the outcome of the testing, three of the City dispatchers may be hired.

- There will be a Ribbon Cutting at the new Meijer Store on Adams Road on Thursday, May 20, 2010, 6:30 a.m.

- The No Haz Collection at Oakland University on Saturday, May 22, 2010, 8:00 a.m. to 2:00 p.m. For City residents, there will be a \$10 fee per vehicle.
- The Memorial Day Parade Opening Ceremony begins at Avon Cemetery at 9:00 a.m. and ends with the Closing Ceremony at Veterans Memorial Pointe on Monday, May 31, 2010.

Mayor Barnett requested a few moments of silence to honor the memory of Judy Bialk, a ten-year employee of the City.

ATTORNEY MATTERS

City Attorney Staran had nothing to report.

PRESENTATIONS

2010-0214 Request for Acceptance of Fiscal Year 2009 Comprehensive Annual Financial Report (CAFR) by the audit firm of Plante & Moran, PLLC

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

Joseph Heffernan, Partner, Plante & Moran, PLLC, presented the Comprehensive Annual Financial Report (CAFR) to Council and stated that last year they had predicted the decrease in taxable values, however, the City remains in a healthy financial position in spite of the financial storm being worse than previously anticipated. He commented that the City will have to continue planning ahead to be prepared for the anticipated continued revenue decline. He stated that the City's Fund Balance will aide in the adjustments that will need to be made for the next two to four years to maintain a stable financial position.

All Governmental Funds - Fund Balances:

Lisa C. Manetta, CPA, Associate, Plante & Moran, PLLC, reviewed the following PowerPoint presentation for Year Ended December 31, 2009:

All Governmental Funds - Fund Balances:

	Restricted	Nonspendable	Committed	Assigned	Unassigned
2005	\$44,219,220	\$43,808	\$3,230,385	\$-0-	\$11,002,987
2006	\$49,850,613	\$60,563	\$6,267,969	\$-0-	\$10,136,148
2007	\$49,470,439	\$60,151	\$4,602,963	\$-0-	\$12,885,787
2008	\$45,970,926	\$107,532	\$4,947,103	\$-0-	\$14,429,937
2009	\$45,404,810	\$108,824	\$4,810,494	\$-0-	\$14,153,056

Ms. Manetta stated that the five-year comparison of the Fund Balance includes all governmental funds except the proprietary funds. She called attention to the new terminology being used, 'Unassigned Fund Balance' and explained that is how they are categorizing the Fund Balance at the end of the year that is available for general use; whereas, the remaining classifications have some form of restriction on what they can be used for. She noted that the Fund Balance is in a healthy position at \$64.5 million at the end of 2009.

Total Governmental Revenues, Expenditures and Fund Balance:
(in thousands)

	Total Revenues	Total Expenses	Total Fund Balance
2007	\$65,709	\$65,005	\$67,019
2008	\$69,609	\$71,173	\$65,455
2009	\$67,170	\$68,148	\$64,477

Ms. Manetta stated the above is a snapshot of how the Fund Balance got to where it is today. She explained that some one-time expenditures in 2008 and 2009 caused expenditures to exceed revenue, thereby causing the Fund Balance to decline in total for those years.

Governmental Revenues:
(in thousands)

	General Property Tax	State Sources	Charges for Services	Licenses and Fines	Other	Interest
2007	\$31,851	\$ 9,633	\$ 6,052	\$ 2,254	\$ 1,149	\$ 4,664
2008	\$32,792	\$ 9,448	\$ 6,771	\$ 2,284	\$ 3,399	\$ 3,176
2009	\$32,898	\$ 8,700	\$ 7,306	\$ 2,064	\$ 3,029	\$ 955

Ms. Manetta stated that property taxes are by far the largest source of revenue for the City, followed by State sources and charges for services. She commented that with the projection of significant decreases in property taxes it is important to note that the City has taken measures to update its five-year plan to see how that impacts the budgets going forward.

Timing of Property Tax Decreases:

Budget Year	Assessment Date*	Levy Date	Taxable Value	Percent Increase
12/31/2008	12/31/2006	12/1/2007	\$3,727,386,610	3.48%
12/31/2009	12/31/2007	12/1/2008	\$3,742,654,190	0.41%
12/31/2010	12/31/2008	12/1/2009	\$3,600,917,135	(3.75%)
12/31/2011	12/31/2009	12/1/2010	\$3,195,000,000**	(11.28%)
12/31/2012	12/31/2010	12/1/2011	\$2,811,000,000**	(12%) Estimated

*(based on sales from 12-24 months prior)
**Projected

Ms. Manetta stated that the graph demonstrates the two-year lag between when property is assessed and when revenue gets recognized in the City's financial statements. She noted this method does two things: (1) on the positive side, it gives the communities a chance to see what is coming in property tax revenues and react to it; (2) on the negative side, it can cause somewhat of a disconnect to what is happening today in real estate markets and the financial condition of communities.

Mr. Heffernan added that when the local newspapers state Michigan's 'economy is back', local governments will still need to exercise caution for about a year and-a-half period before they realize an improvement in the economy.

Ms. Manetta stated that the bottom two rows of the graph show what has happened and what is expected to continue to happen to taxable values in the City; a decrease in taxable values from \$3.7 billion at 12/31/06 to \$2.8 billion projected for the 12/31/10 taxable values which equates to a decrease of about 25%.

Property Tax Revenue Gap:

Ms. Manetta stated that governments have traditionally based their budgets on the assumption that property taxes would continue to increase by the rate of inflation each year. However, the new reality exhibits significant declines over a five-year period. She noted that once the economy reaches a 'bottoming out' point, increases will be limited to inflation or 5% due to Proposal A.

Revenue Sharing Payment History and Estimates:

Ms. Manetta explained the decline in State Revenue Sharing from its peak in 2001 at \$6.5 million to the projected amount of \$4.5 million in 2010.

Governmental Expenditures:

(in thousands)

	General Govt.	Public Works	Public Safety	Community/Economic Development	Recreation & Culture	Capital Outlay	Debt Service
2007	\$8,799	\$6,253	\$17,727	\$1,183	\$5,064	\$8,080	\$6,384
2008	\$7,367	\$6,821	\$18,419	\$1,199	\$5,147	\$1,763	\$6,386
2009	\$7,187	\$18,305	\$ 1,061	\$4,802	\$4,802	\$8,880	\$6,579

Ms. Manetta reported that public safety is the largest component followed by general government and public works. She noted that Capital Outlay could be a significant factor and can vary widely from year to year depending on the number of projects activated in each year. She pointed out the exclusion of the impact of the 2009 pre-funding contribution to Retiree Health Care Savings which was a one-time occurrence of \$1.9 million and would cause an unusual looking analysis.

Health Care Expenditure Trends:*Fiscal Year*

2000	\$1,148,492
2001	\$1,392,249
2002	\$1,724,868
2003	\$1,907,399
2004	\$2,057,482
2005	\$2,308,356
2006	\$2,416,479
2007	\$2,309,663
2008	\$2,650,068
2009	\$2,562,319
2010 (Budgeted)	\$3,051,750

Ms. Manetta reported that there has been significant increases in the City's health care expenses from \$1.1 million in 2000 to approximately \$3.1 million in 2010.

Steps the City Has Taken:

Ms. Manetta acknowledged the positive steps the City has taken by updating its five-year forecast and addressing the critical issues. She stated that the Fund Balance Reserve has accumulated over a number of years which will allow the City time for decision-making over the course of a few years.

Mr. Heffernan added that the City has met its obligation of the pre-funding of Retiree Health Care (other than the Implicit Rate Subsidy portion), which sets it apart from most communities which are not in a position to be able to do this.

Water and Sewer Fund Activity, Years Ended December 31 (in thousands)

	Total Operating Revenue	Total Operating Expenses	Unrestricted Net Assets
2007	\$24,458	\$23,983	\$15,378
2008	\$24,910	\$26,179	\$16,350
2009	\$24,904	\$26,731	\$18,894

Ms. Manetta stated that rates are being set appropriately in the Water and Sewer Fund. She explained that unrestricted net assets continued to increase because a portion of operating expenses is a depreciation of the assets.

Mr. Heffernan summarized the report to City Council and stated that only two items were found to be of concern. He stated that one item was related to the Older Persons Commission (OPC) quarterly progress reports which has been corrected. The second item was related to the accounting for the deferral of revenue recognition; when grants are given to the City or the OPC in advance and matching the grant when it has been earned. This has been corrected as well. He stated that an item of significance was that the City had adopted a new accounting policy on Fund Balance Reporting which is a little more complex but gives a more accurate picture. The only significant estimate was the OPEB liability based on a calculation by an actuarial evaluation which looks fine.

Mr. Heffernan explained that the Statutory Revenue Sharing is the part the State has been taking to balance its own budget. Since 2000 the State has taken most of the Statutory Revenue Sharing away, leaving \$160,000.00 for them to continue to take. He stated that if the State continues to take Revenue Sharing it will probably be two years or less and there will be nothing left for them to take from the City.

He reported that the Payment Card Industry (PCI Compliance Rules) has new rules the City needs to be aware of and to make sure they are complying with, specifically at Rochester Avon Recreation Authority (RARA) where they are using credit cards.

Mr. Heffernan addressed the City's compliance with Federal Grants referring to the Recovery Act money the City has received. He mentioned that the compliance requirements for this money are very strict and stressed the importance of accurate, quarterly reporting.

Council Discussion:

Mr. Yalamanchi referred to the Property Tax Revenue Gap chart and questioned what the estimated growth from 2016 would be.

Mr. Heffernan stated they used 2% to be conservative. He explained that taxable value cannot grow more than inflation or 5%.

Mr. Yalamanchi questioned if they are projecting a 7% cut in Revenue Sharing.

Mr. Heffernan stated that through September 30, 2010, the State is projecting a 12.1% reduction in revenue sharing. Of that amount, 6.5% is expected to be a real reduction in tax collections. Ten percent of whatever is collected must be shared with the local units of government on per capita basis. The actual sales tax collection is projected to decline 6.5% this year.

The Mayor introduced the new Financial Summary Report stating that it takes the CAFR and summarizes it into something easier to understand.

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

Aye 6 – Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 – Pixley

Enactment No: RES0119-2010

Resolved, that the Rochester Hills City Council hereby acknowledges receipt of the Comprehensive Annual Financial Report (CAFR) from the Administration and the auditing firm of Plante & Moran, PLLC, for the 2009 Fiscal Year.

2010-0215 Presentation of the Final Report and Recommendations by the Mayor's Stoney Creek Winkler Mill Historic Districts Advisory Committee

Attachments: [Agenda Summary.pdf](#)
[Stoney Creek Winkler Mill Poster.pdf](#)
[Stoney Creek Winkler Mill Report.pdf](#)

Mayor Barnett stated that this process began approximately one year ago as a result of much interest and discussion relative to the Historic District area in the City. He noted that residents living in this area were requested to be part of a visioning process to see what they would like the historic area to look like. He mentioned that the City partnered with Oakland County and the Road Commission of Oakland County to begin a process that has turned out to be extremely beneficial to everyone involved. The presentation tonight is a culmination of survey responses, visioning sessions, an awareness walk and correspondence with the residents in that area, and is intended to give recommendations and guidelines moving forward.

Mr. Delacourt introduced Bret C. Rasegan, RA, Supervisor, Planning from Oakland County, and David Evancoe, Planning and Development Director for Road Commission for Oakland County. He thanked Committee Members: Ron Campbell, Preservation Architect/Principal Planner for Oakland County and Kristen Wiltfang, Associate Planner for Oakland County Planning and Economic Development Services as well as City Employees: Patrick McKay, Museum Supervisor and Judy Bialk, Planning Assistant for their assistance in the preparation of the Report and Recommendations.

Mr. Rasegan stated that the assistance provided by the County is at no charge to the local government. He explained that the County has a Community Assistance Program (Program) with their Planning and Economic Development Department whose budget is supported by the Board of Commissions and the County Executive. He provided the following Advisory Committee timeline:

- Mayor requests County Assistance in December 2008;
- The Advisory Committee convened in March 2009;
- A Residents' Forum and survey was conducted in May 2009;
- An Awareness Walk took place at the end of May 2009;
- Present Draft Recommendations to the Residents in August 2009; and
- Present Recommendations to City Council May 2010.

He stated the project area was comprised of Tienken to Washington, from Dequindre to the Sheldon Road roundabout. He noted that the Committee's goals from the onset were to recognize the Road Commission's primary designation running through important historic districts, to strongly consider residents' concerns and ideas and to reinforce the City's desire to protect its Historic Districts.

He reviewed the progression of the development in this area from 1940 through 2008, pointing out that the significant amount of development began in 2000. He reported that the Committee believes the most detrimental impacts on both the Winkler Mill and Stoney Creek Districts are a result of vehicular speed and truck traffic.

Mr. Rasegan relayed the Committee's recommendations for lane width and number of lanes, speed enforcement, and school zone designations within this area.

Mr. Evancoe stated that it has been a privilege to work with the City's and Oakland County's Planning staff on this project. He noted that every time these three entities engage in a process like this, bridges are built between them and their respective staffs. He stressed not only the value of the final outcome of this project, but of the process itself.

Mr. Delacourt stated that although a lot of work went into the final report and recommendations, the Committee and City staff are fully aware that there currently is no available funding. He explained that this is meant to be a representation of design elements and input from the community and the Committee to set forth a shared vision as a starting point. He noted that as projects come forward, the hope is that these design elements can be incorporated where appropriate. He pointed out that it will also help in the process of seeking grants or public or private funding.

Public Comment:

Alan Sheidler, 1650 Washington Road, congratulated and thanked the Committee members and stated that it is his hope that many, if not all, of the recommendations could be implemented. He questioned where he could access specific plans for the paving of Washington Road. He expressed his desire that the Friends of Tienken Road organization stay active and involved until the completion of the construction on Washington Road in 2012.

Scott Beaton, 655 Bolinger Street, distributed a proposed resolution for endorsement of the Mayor's Report for City Council to consider and pass.

Cindy Young, 1740 Washington Road, stated she was both pleased and relieved to see that the project seems to be neighborhood friendly. She expressed her concern regarding the paving of Washington Road and the possibility of encroachment onto her property as her historical home is only 59 feet from the road. She mentioned that motorists speed entering Washington from 26 Mile and requested a stop sign or the reconfiguration of the intersection.

Council Discussion:

President Hooper stated he has not seen any plans for Washington Road and inquired if there was any information in that regard.

Mr. Evancoe responded that the RCOC is in the preliminary design stage right now and noted that they have been working very closely with the City's Engineering staff. He mentioned that he personally delivered the report that was presented this evening to the RCOC design engineers so that they are aware of the recommendations and are doing what they can to incorporate what is in that document into their design plans.

President Hooper requested that when a draft plan becomes available, it be presented to City Council and available for the public's review and input.

Mr. Brennan congratulated the three government entities for putting together an incredibly comprehensive report. He stated that he understands the lack of current funding and questioned how to avoid this report sitting somewhere collecting dust.

Mr. Delacourt responded that the responsibility falls on the City's Planning and Engineering Departments to implement the plans and suggestions at every opportunity. He gave an example of the revision to the Stoney Creek Bridge design elements as a result. He stated that a resolution was not prepared because the intent was only to give a presentation to City Council.

Mr. Yalamanchi inquired whether or not this report could be an appendix to the City's Master Plan so that when projects come up in future years under different Councils and Mayors, the recommendations made in this report will be considered. He questioned the feasibility of the RCOC transferring the responsibility of the portion of Tienken Road that goes through the Historic District to the City in order to ensure that truck traffic would not be an issue in the future. He further questioned what can be done to ensure that Safe Routes to School becomes the norm within the City.

Mr. Delacourt commented that making this report an appendix to the Master Plan was something he could certainly investigate. He mentioned that members of the Planning Commission will receive copies of this report and it is something that will be important to them as they review any projects that come forward in this District.

Mr. Evancoe commented that if the City were to take over the road, it would also take over the expense of maintaining it. He explained that if the City wanted to pursue doing so they would need to obtain approval from the State to change it from a County primary road to some sort of local designation under the City's jurisdiction.

Mr. Delacourt stated that the possibility of changing road jurisdiction was something the Committee discussed and ultimately determined would be the most extreme situation. The Committee's recommendation is to work with the RCOC to implement the recommendations contained within their report. He explained that the discussion around truck routes is important because whenever you change a truck route it impacts other portions of the City and possibly other communities.

Kristen Wiltfang, Associate Planner, Oakland County Planning & Economic Development Services, responded that safe routes encompass Kindergarten through Eighth grade and laws are currently underway to include high school age as well. She stated that a champion needs to be identified for each school and it requires a minimum of a one-year commitment. She pointed out that there are a number of training sessions that can be attended.

Mr. Rosen concurred with Mr. Yalamanchi stating that he would like to see the report made a part of the Master Land Use Plan and Master Transportation Plan. He stated another suggestion could be to make this an Area Specific Plan for the Historic District.

Mr. Webber inquired if the report recommendations had been broken down between the projects that could be implemented without funding and the projects that will require funding.

Mayor Barnett responded that the Committee evaluated the breakdown of project recommendations by what the City could implement on their own versus the projects that would impact other municipalities and the Rochester School District.

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

Aye 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

Enactment No: RES0128-2010

Resolved, that the Rochester Hills City Council hereby accepts the Final Report and Recommendations by the Mayor's Stoney Creek Winkler Mill Historic Districts Advisory Committee and recommends that the Administration forward it to the Planning Commission for consideration as the appropriate limited area specific for the Historic District.

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.

2010-0127 Approval of Minutes - City Council Regular Meeting - March 1, 2010

Attachments: [CC Min 030110 \(Revised\).pdf](#)
[CC Min 030110.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0120-2010

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on March 1, 2010 be approved as presented.

2010-0188 Approval of Minutes - City Council Regular Meeting - March 15, 2010

Attachments: [CC Minutes 031510.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0121-2010

Resolved, that the Minutes of a Rochester Hills City Council Meeting held on March 15, 2010 be approved as presented.

2010-0220 Request for Approval of a new Telecommunications Permit (Bilateral Form) for CenturyTel Fiber Company II, LLC dba Lightcore

Attachments: [Agenda Summary.pdf](#)
[METRO Act Permit Application.pdf](#)
[Right-of Way Telecommunications Permit.pdf](#)
[Certificate of Liability Insurance.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0122-2010

Whereas, the original Telecommunications Permit Agreement, dated November 5, 1999, between CenturyTel Michigan Network and the City of Rochester Hills has expired; and

Whereas, CenturyTel (dba LightCore) has applied for and requests City Council to issue a new permit utilizing the standard METRO Act Permit Bilateral form, with a 15-year initial term.

Therefore, It Is Resolved, the Rochester Hills City Council approves CenturyTel's application for a Telecommunications Right-of-Way Permit (Bilateral form).

It Is Further Resolved, the City Council authorizes the Mayor to sign the permit agreement and to undertake any and all other necessary and appropriate action in furtherance thereof.

2010-0222

Request for Approval of a new Telecommunications Permit (Unilateral Form) for McLeodUSA Telecommunications Services, Inc. dba PAETEC Business Services

Attachments: [Agenda Summary.pdf](#)
[Application for Access.pdf](#)
[Right-of-Way Telecommunications Permit.pdf](#)
[Certificate of Liability Insurance.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0123-2010

Whereas, the original Telecommunications Permit Agreement, dated November 5, 1999, between McLeodUSA and the City of Rochester Hills has expired; and

Whereas, McLeodUSA (dba PAETEC) has applied for and requests City Council to issue a new permit utilizing the standard METRO Act Permit Unilateral form, with a 5-year term.

Therefore, It Is Resolved, the Rochester Hills City Council approves McLeodUSA's application for a Telecommunications Right-of-Way Permit (Unilateral form).

It Is Further Resolved, the City Council authorizes the Mayor to sign the permit agreement and to undertake any and all other necessary and appropriate action in furtherance thereof.

Passed the Consent Agenda

A motion was made by Webber, 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 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

The following consent agenda item was discussed and adopted by separate motion.

2010-0219 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance and repairs or upgrades of existing traffic signals and SCATS costs in the amount not-to-exceed \$100,000.00; Road Commission for Oakland County, Waterford, MI

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

Public Comment:

Scot Beaton, 655 Bolinger Street, requested that Council postpone a decision until the Road Commission for Oakland County (RCOC) can come before City Council

to explain how this money will be spent and the portion that goes toward the maintenance of County versus City SCAT systems.

Paul Davis, City Engineer, responded that there is only one SCAT System which is maintained and operated by the County. He did not recommend postponement of the request and stated that the request is for the SCAT System and is inclusive of overall maintenance of the City's traffic signals.

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

Aye 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

Enactment No: RES0124-2010

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Road Commission for Oakland County, Waterford, Michigan, for the maintenance and repairs or upgrades of existing traffic signals and SCATS, School Flashers and LED Upgrade costs in the not-to-exceed amount of \$100,000.00 for one year.

ORDINANCE FOR ADOPTION

2009-0393 Acceptance for Second Reading - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to conditionally rezone two parcels of land totaling approximately 4.256 acres, known as parcels 15-22-351-001 and -002, located on the northeast corner of Hamlin and Livernois Roads, from R-3 One Family Residential, to O-1 Office Business, and to prescribe penalties for the violation thereof

Attachments: [Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[041210 Agenda Summary.pdf](#)
[Map.pdf](#)
[Staff Report 020210.pdf](#)
[Letter Chappell 012910.pdf](#)
[Conditional Rezoning Application.pdf](#)
[Minutes PC 030210 \(Draft\).pdf](#)
[Minutes PC 020210.pdf](#)
[Minutes PC 121509.pdf](#)
[Minutes PC 102009.pdf](#)
[PC Memo 121109.pdf](#)
[Letter Mulenga 110609.pdf](#)
[041210 Resolution.pdf](#)
[042610 Resolution.pdf](#)
[Resolution.pdf](#)

Public Comment:

Scot Beaton, 655 Bolinger Street, spoke against the rezoning of the parcel and discussed the availability of vacant commercial property located in the City for development.

Doris Karras, 789 W. Hamlin, expressed her disappointment with the ongoing construction projects in her neighborhood and reported that her research had

located a number of medical buildings for sale and lease within the City. She stated her concern that spot zoning this property would set a precedent for future spot zoning.

Paul Miller, 1021 Harding Avenue, expressed his concern in regard to the increased storm water drainage resulting from the paving of vacant parcels and the subsequent increased traffic congestion that a commercial property would generate. He urged City Council not to approve the rezoning of the property from residential to commercial.

Melinda Hill, 1481 Mill Race Road, stated that the property should remain zoned as R-4 (residential) with a flex zone overlay to protect the natural resources that exist there. She mentioned that the proposal goes against the Master Plan. She discussed the saturation of the commercial property market due to slow real estate development and stated that residents are against the proposal.

Richard Robinson, 875 W. Hamlin Road, expressed his concerns that the City is 'spot zoning' and requested City Council to take residents' wishes into consideration when making decisions.

Ed Wilkiemeyer introduced himself and Cathy Wilson, both with Signature Associates, as representing the property owners. He stated that they have agreed to all of the Planning Commission's recommendations. He noted that the proximity of this location to the medical technology at both Crittenton Hospital and Oakland University, the fact that it is complementary to the adjacent uses, and the impact a residential property will have on traffic with the roundabout as far as ingress and egress issues as favorable reasons to rezone this property.

President Hooper asked Derek Delacourt, Deputy Director of Planning, to address the residents' concerns, more specifically the reference to spot zoning.

Mr. Delacourt responded that the Planning Staff does not consider this to be spot zoning but rather transitional zoning. He stated that the Planning Commission has reviewed this and made recommendation to rezone the parcels with conditions identified in the resolution.

Mr. Yalamanchi stated he could not support this proposal because it deviates from the Master Plan and does not understand why the property cannot remain zoned as residential.

A motion was made by Webber, seconded by Brennan, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

Aye 4 - Brennan, Hooper, Klomp and Webber

Nay 2 - Rosen and Yalamanchi

Absent 1 - Pixley

Enactment No: RES0125-2010

Resolved, that an Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to conditionally rezone two parcels of land totaling approximately 4.256 acres, known as parcels 15-22-351-001 and -002, located on the northeast corner of Hamlin and Livernois Roads, from R-3 One Family Residential, to O-1 Office Business, and to prescribe penalties for the violation thereof, is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, May 28, 2010, the day following its publication in the Rochester Post on Thursday, May 27, 2010 with the following conditions:

1. That the proposed building will comply with all building elevation and design restrictions of the Planning Commission upon submission for site plan approval,
2. That any building proposed for the site will be limited to a maximum of two story and 32 feet,
3. That any proposed building will have a maximum first story floor plate of 28,000 square feet in size, and a maximum building square footage of 48,000 square feet,
4. That 30% of the existing regulated trees defined in the City's Tree Conservation Ordinance will be maintained on site,
5. That any regulated trees removed from the site will be replaced in conformance with the City's Tree Conservation Ordinance,
6. That the developer will comply with right-of-way requirements as determined by the City of Rochester Hills,
7. That the raising and keeping of animals will not be proposed or permitted on the site,
8. That roadside stands and markets and Christmas tree sales will not be permitted on or proposed on the site,
9. That wireless telecommunication facilities relating to monopole facilities will not be proposed or permitted on the site, and
10. That transit passenger stations will not be proposed or permitted on the site.

2010-0196 Acceptance for Second Reading - an Ordinance to amend Section 74-108 of Article II, Division 3, of Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the regulation of firearms in city parks, repeal inconsistent or conflicting Ordinances, and prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[050310 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Staran Ltr 041410.pdf](#)
[050310 Resolution.pdf](#)
[Resolution.pdf](#)

Public Comment:

Alex Sherman, 1220 Oakwood Court, spoke in support of this Ordinance revision and thanked City Council for its support.

A motion was made by Webber, seconded by Yalamanchi, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

Aye 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

Enactment No: RES0126-2010

Resolved, that an Ordinance to amend Section 74-108 of Article II, Division 3, of Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the regulation of firearms in city parks, repeal inconsistent or conflicting Ordinances, and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, May 28, 2010, the day following its publication in the Rochester Post on Thursday, May 27, 2010.

NEW BUSINESS

2010-0218 Discussion relative to the Strategic Planning Technical Review Committee's recommendation for City Council Goals and Objectives for Fiscal Year 2011

Attachments: [Agenda Summary.pdf](#)
[Suggested Goals & Objectives.pdf](#)

Mr. Rosen stated that the Committee reprioritized the order of City Council's previous goals and narrowing down the number of objectives under each goal. He pointed out that the major change was moving Infrastructure Management from fifth in priority to second.

Mr. Webber explained that while the document is shorter in length, none of the goals had been dropped from the prior list and that the main focus of the objectives had been limited to three or four items. He stated that the Committee had prioritized the goals to aide the Administration with the budget process and workshops for August.

A motion was made by Webber, seconded by Rosen, that this matter be Adopted by Resolution to accept the City Council's Goals and Objectives for Fiscal Year 2011 as presented by the Strategic Planning Technical Review Committee. The motion CARRIED by the following vote:

Aye 6 - Brennan, Hooper, Klomp, Rosen, Webber and Yalamanchi

Absent 1 - Pixley

Enactment No: RES0127-2010

Resolved that the City Council establishes the following as its Fiscal Year 2011 Goals and Objectives:

GOAL: PUBLIC SAFETY

To protect the residents, businesses, and visitors of Rochester Hills by providing high quality public safety.

Objective: Develop strategies to secure a long-term funding source for Police

Services.

Objective: Review any strategies possible for delivering the current level of service more effectively/efficiently.

GOAL: INFRASTRUCTURE MANAGEMENT

To provide reliable, safe and effective infrastructure (roadways, utilities, buildings, etc...) throughout the City.

Objective: Establish a comprehensive local street policy and develop a short and long term funding strategy.

Objective: Establish a neighborhood drain maintenance policy (including sump pump discharge) and study solutions for drain maintenance funding.

Objective: Study and establish a Special Assessment District (SAD) Policy for development and funding gravel roads to asphalt.

GOAL: ECONOMIC / TAX BASE

To retain investment, maintain the tax and employment base, support redevelopment, and uphold high property values in the City.

Objective: Continue to attract businesses that focus on R&D and "High-Tech".

Objective: Implement the Brownfield Redevelopment policy.

Objective: Continue development of Ordinances for maintenance of existing residential and commercial buildings.

GOAL: FISCAL MANAGEMENT

To establish policies for fiscal responsibility that ensures short and long-term prosperity through effective fiscal planning and efficient management of the taxpayers' assets.

Objective: Continue the policy of forecasting revenue and budgets for the next five years on a rolling basis.

Objective: Evaluate non-tax, tax, and structural issues in the City Charter for possible amendment.

GOAL: COMMUNITY / NEIGHBORHOODS

To protect the family-oriented community from adverse events and conditions by strategic planning and proactive management in all aspects of municipal governance.

Objective: Maintain strong relationships with homeowner associations to further neighborhood stability and to make the community a better place to live.

Objective: Implement code enforcement/blight ordinance effectively to preserve existing neighborhoods.

Objective: Continue to evaluate and make recommendation(s) to reduce the adverse impact of the deer population in the City.

GOAL: COMMUNITY TRUST & PARTICIPATION

To promote effective communication between City Council, administration, residents, businesses, and visitors so that decisions reflect the community's desires and expectations.

Objective: Maintain openness and transparency in conducting City business by way of cable broadcast and web cast of City Council meetings, and accessibility to City documents.

Objective: Utilize web and technology to further enhance communication with residents and allow for online delivery of certain services.

Objective: Develop a policy to obtain public input via a community survey.

Objective: Involve youth in leadership growth and in the development of City's future by way of encouraging their participation on the Rochester Hills Government Youth Council.

GOAL: EFFECTIVE GOVERNANCE

To provide clear policy direction to the administration for the execution of City programs and services.

Objective: Promote cooperative purchases with other communities, i.e. MITA

Objective: Explore opportunities for new public/private partnerships, and possibilities for consolidation of City services.

Objective: Explore privatization of certain city functions and develop a plan of action for implementation.

GOAL: RECREATION, PARKS, CULTURAL

To preserve Rochester Hills' natural resources and recreational character.

Objective: Develop and implement funding strategy for maintenance of acquired Green Space.

Objective: Review the need and feasibility of a Parks Millage.

GOAL: ENVIRONMENT

To promote conservation of water, electricity, etc.

Objective: To move towards a more green city - not only city hall and facilities but promotion within the community and businesses and which businesses we attract.

COUNCIL COMMITTEE REPORTS

Deer Management Advisory Committee:

Mr. Webber announced that DMAC would be meeting on Tuesday, May 18, 2010 at 7:00 p.m. at the City Hall Auditorium to review the data from 2009.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, May 24, 2010 - 7:00 PM

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:57 p.m.

*GREG HOOPER, 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 (insert date, or dates) Regular City Council Meeting.