



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
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(248) 656-4600
Home Page:
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*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdell,
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 6, 2013

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:00 p.m. Michigan Time.*

ROLL CALL

Present 6 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdell
and Michael Webber

Absent 1 - Ravi Yalamanchi

Others Present:

Bryan Barnett, Mayor

Tina Barton, City Clerk

Jim Breuckman, Manager of Planning

Alan Buckenmeyer, Parks Operations Manager

Scott Cope, Director of Building/Ordinance Compliance

Mike Hartner, Director of Parks and Forestry

Pam Lee, City Accountant

Pat McKay, Supervisor of Interpretive Services

Tara Presta, Chief Assistant

Keith Sawdon, Director of Finance

John Staran, City Attorney

Allan Schneck, Director of DPS/Engineering

Francesca Tiberio, Rochester Hills Government Youth Council Representative

Mr. Yalamanchi provided prior notice that he would be unable to attend.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell and Webber

Absent 1 - Yalamanchi

PUBLIC COMMENT

None.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Francesca Tiberio, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC is busy planning its annual 5K Run/Walk, slated for Saturday, June 15, 2013 at Bloomer Park. She mentioned that the group will host a parent's night out on May 17, 2013 at Adams High School and will help with the Community Garden construction on Saturday, June 11, 2013.

Mayor Barnett made the following announcements:

- The 2013 Asphalt Road Rehabilitation Program is beginning. A chart was distributed noting areas slated for rehabilitation work, including work on Major Roads. The repaving of Livernois Road has begun, from South Boulevard to the Clinton River Trail.
- The Tienken Road Corridor Project includes two components. Work from Rochester Road east to Sheldon Road will be done in 2013. Bids were opened May 3rd. The low bidder was Pamar Enterprises, who came in five percent under the engineer's estimate. Work will begin in June, with completion slated for November 15th.
- Several smaller road projects will be undertaken as well, with work continuing near the intersection of Livernois and Avon Road. Someone hit the fencing at that intersection, and the City is working with the insured to replace that section. Work at Veterans Memorial Pointe will be completed by Memorial Day.
- An informational meeting is set for Thursday, May 16th from 4:00 p.m. to 7:00 p.m. at City Hall regarding the Avon Road Resurfacing Project. Residents of eight adjoining subdivisions were notified of the meeting, which will provide information on the project to resurface Avon Road, adding turn lanes, pathway enhancements, and signal upgrades.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

PRESENTATIONS

2013-0180 Proclamation in Recognition of Building Safety Month, May 2013

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

Mayor Barnett announced that May is Building Safety Month, and recognized the Building Department team for their efforts during the month. He noted that the Department mans displays at Home Depot, Lowes, the Older Persons Commission, and upstairs at City Hall to better integrate the message of building safety into the community. He mentioned that first quarter construction values are up over 35 percent over 2012, and noted that Rochester Hills led all of Oakland County in 2011, was third in 2012, and the Building Department has been very busy thus far in 2013. Mayor Barnett read the proclamation.

Scott Cope, Director of Building/Ordinance Compliance, expressed his appreciation to his team for their efforts. He stated that it is a challenge to meet the expectations of customers to issue permits, ensure buildings are safe and have projects proceed smoothly. He stated that he is proud of the partnership mentality the City has in working with contractors, architects and owners. He encouraged residents to stop by one of the events and displays. He noted that Bolyard Lumber will host a "Coffee with the Inspectors" event, giving residential contractors an opportunity to informally meet with inspectors.

Presented.

Whereas, through our continuing attention to building safety, we enjoy the comfort and peace of mind of structures that are safe and sound; and

Whereas, the dedicated members of the International Code Council, including building safety and fire prevention officials, architects, engineers and others in the construction industry, develop and enforce codes to safeguard Americans in the buildings where we live, work, play and learn; and

Whereas, the International Codes, used by the City of Rochester Hills, include safeguards to protect the public from natural disasters that can occur, such as snowstorms, hurricanes, tornadoes, wild land fires and earthquakes; and

Whereas, Building Safety Month is an excellent opportunity to educate the public by increasing public awareness about building safety and the role fire prevention officials, local and state building departments and federal agencies have in protecting lives and property; and

Whereas, we ask all Americans to consider projects to improve building safety at home and in the community, and to recognize all building safety and fire prevention officials for the important part that they play in protecting the health, safety and welfare of our citizens.

Therefore, be it known, that May 2013 will be designated Building Safety Month in the City of Rochester Hills. Accordingly, our citizens are encouraged to join their fellow Americans in participating in Building Safety Month awareness by assisting in efforts to improve building safety.

2013-0169 Request for Acceptance of Fiscal Year 2012 Comprehensive Annual Financial Report (CAFR) presented by the audit firm of Plante & Moran, PLLC

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

Joe Heffernan and **Lisa Manetta** were in attendance from Plante Moran, PLLC to present the Audit Presentation for the year ended December 31, 2012.

Mr. Heffernan stated that Plante Moran reviews the City's controls over reporting, reviewing a sample of transactions throughout different departments to render an opinion on whether the City's financial statements are in compliance with General Accounting Office (GAO) principles.

Ms. Manetta reviewed the audit presentation:

Audit Presentation to the City Council for the Year Ended December 31, 2012

All Governmental Funds - Fund Balances, December 31

	2008	2009	2010	2011	2012
Restricted	\$45,970,926	\$45,404,810	\$47,181,091	\$47,441,091	\$49,898,164
Nonspendable	\$107,532	\$108,824	\$130,100	\$100,938	\$165,288
Committed	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Assigned	\$3,947,103	\$3,810,494	\$3,922,640	\$4,048,008	\$3,975,113
Unassigned	\$14,429,937	\$14,153,056	\$18,175,688	\$23,793,530	\$27,286,912

She noted that the City's five-year forecast predicted the downturn in the economy and decrease in revenues and has led to an overall increase in fund balance. She mentioned that approximately two-thirds of total fund balance is restricted and must be used for specific purposes. She pointed out that unassigned fund balance has nearly doubled from 2008, and is a sign that the City is well-positioned going forward.

Governmental Revenues, Expenditures and Fund Balance - Years Ended December 31 (in thousands)

	2009	2010	2011	2012
Total Revenues	\$54,952	\$53,499	\$50,458	\$47,812
Total Expenses	\$55,603	\$47,334	\$44,595	\$41,808
Total Fund Balance	\$64,477	\$70,410	\$76,384	\$82,325

A review of revenues and expenses demonstrates how total fund balance has increased even though total revenues decreased.

Mr. Heffernan noted that while there has been a 21 percent decline in property

taxes, expenses have decreased as well. He stated that this makes Rochester Hills different from many communities, pointing out that a three-year budget and five-year financial forecast allows City Council to look ahead.

Ms. Manetta continued:

Governmental Revenues - Years Ended December 31 (in thousands)

	Property Tax	State Sources	Charges for Licenses and Services	Fines	Other	Interest
2010	\$31,668	\$8,466	\$7,558	\$2,718	\$2,296	\$793
2011	\$28,181	\$9,217	\$7,382	\$2,894	\$2,407	\$375
2012	\$26,417	\$9,635	\$7,464	\$2,955	\$1,049	\$292
2013 (Budget)	\$26,024	\$9,497	\$7,873	\$2,623	\$590	\$296

She noted that total revenues have been declining over the past several years. Property tax is down 21 percent from 2009 to 2013 and expected to decline by another two percent in 2013.

Governmental Expenditures - Years Ended December 31 (in thousands)

	General Government	Public Works	Public Safety	Community and Economic Development	Recreation and Culture	Capital Outlay	Debt Service
2010	\$7,076	\$7,162	\$18,038	\$887	\$4,606	\$3,262	\$6,303
2011	\$6,740	\$6,727	\$17,364	\$751	\$4,219	\$4,308	\$4,485
2012	\$6,439	\$5,867	\$17,289	\$796	\$4,122	\$3,540	\$3,755
2013 (Budget)	\$7,089	\$8,044	\$18,584	\$865	\$4,232	\$6,980	\$3,704

She pointed out that there have been declines in governmental expenditures over a three-year history with the exception of capital outlays. He mentioned that the decline in debt service was due to both debt paid and debt refinancing.

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

	2009	2010	2011	2012
Total Operating Revenue	\$25,904	\$29,011	\$30,056	\$32,375
Total Operating Expenses	\$26,731	\$26,953	\$27,137	\$27,273
Unrestricted Net Assets	\$18,894	\$24,608	\$31,343	\$39,916

She noted that unrestricted equity in the Water and Sewer Fund increased over the four years shown and commented that usage is up while expense have held relatively flat. She commented that this is a very healthy position for the City.

***Mr. Heffernan** noted that the Report to City Council included in the CAFR reviews the audit process and includes editorial comments. He explained that the City's management is primarily responsible for internal controls and the auditors test those controls. He mentioned that the only internal control deficiency found affects the Older Persons Commission (OPC), and he stated that a separate meeting has been scheduled with the OPC to review those findings. Regarding the City's reporting, he noted that no new accounting policies were put into place. He explained that Government Accounting Standards Board (GASB) 63 was implemented this year, and noted that GASB 65 slated for implementation will affect how property tax revenues will be presented in next year's statements. He commented that no difficulties were encountered during the audit and only very minor misstatements were identified, requiring no adjustments.*

He pointed out that the financial outlook for the City is very positive as compared to what it was two years ago. He stated that the City is starting off in a financially healthy position because of its forecasting. He cautioned that impending personal property tax changes will have a \$500,000 to \$600,000 impact on the City. He noted that property tax will increase by the rate of inflation, or five percent, whichever is lower. He mentioned that the City does not receive the full benefit of the uncapping of property value after a sale, as Proposal A spreads the benefit to the rest of the taxpayers. He stated that new growth in tax revenues will come from increases in value due to building, as permits predict approximately a 1.4 percent increase for 2014.

He stated that from 2001 to 2011, the State moved away from the statutory portion of revenue sharing and noted that the bulk of the State Shared Revenue is made up of the constitutional portion. He mentioned that the State is moving to require more transparency, and suggested that information regarding individual salaries and severance packages could be required to be made public. He added that the State is broadening what types of things can be considered as consolidation and service-sharing. He commented that pending legislation could call for benefit plans that are focused on defined contributions and stated that this could affect contract renewals.

He discussed upcoming changes in health care reform slated to take effect January 1, 2014, which would require employers to provide health care to part-time employees working over 30 hours per week. He explained that the penalty for not providing health care could be \$2,000 to \$3,000 multiplied by the entire group of full-time employees.

He noted that any individual business within a City that has less than \$40,000 in property in total, in all locations, will not be subject to personal property tax after

2015. He explained that this will apply to qualified manufacturing property which is mainly industrial; however, it is thought that some commercial will be included as well, with the exemption being phased in over an eight-year period. He explained that should the City see more than a 2.3 percent loss in property tax revenue, it would qualify for a reimbursement of some of the losses through the new Metropolitan Authority Use Tax up for a vote in 2014, through an Essential Services Assessment.

He stated that the City's pension system is invested in accordance with the Pension Act, and commented that there will be an expansion of the types of investments available for the funds.

Council Discussion:

President Hooper questioned whether the misstatements in reporting should be addressed.

Mr. Heffernan responded that the misstatements were minor, and included the reporting for two different invoices. One invoice from the Oakland County Sheriff's Department for 2013 included overtime for 2012. An insurance invoice in 2012 included an amount for 2013.

President Hooper noted that the City's Dashboard is available for review online. He questioned what was included in the unfunded actuarial accrued liability.

Keith Sawdon, Director of Finance, explained that this amount is the Implicit Rate Subsidy, where retirees who are not yet eligible for Medicare can purchase health care through the City. The City therefore subsidizes the rate because the unit as a whole has a younger rate structure built into it. He noted that the processes are being reworked for the future to limit the subsidy.

President Hooper questioned why the liability is not being funded in total.

Mr. Sawdon responded that the Administration is looking into other methods to control the subsidy rather than pre-fund it.

Mr. Kochenderfer expressed his appreciation for the report, noting that it is a pat on the back to the City. He stated that the City should continue to be cautious as it is easy to increase expenses when revenues improve.

Mr. Rosen stated that the City was very smart to undertake a three-year budget and five-year financial outlook, as it was able to exercise fiscal restraint. He concurred that the City should be careful not to spend too much now that things are improving. He questioned how financial difficulties in Detroit and Wayne County could affect the City going forward.

Mr. Heffernan responded that damage would occur if Detroit's bond rating significantly declined. He suggested that Oakland County would not keep its AAA bond rating if Detroit went into default. He commented that while there is no direct financial tie, there is an indirect effect.

Mayor Barnett recognized the City's entire team, noting that other communities are not as prepared and ready as the City has been.

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell and Webber

Absent 1 - Yalamanchi

Enactment No: RES0092-2013

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 2012 Fiscal Year.

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.

2013-0155 Approval of Minutes - City Council Special Meeting - April 8, 2013

Attachments: [CC Special Mtg Min 040813.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0093-2013

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on April 8, 2013 be approved as presented.

2013-0156 Approval of Minutes - City Council Regular Meeting - April 8, 2013

Attachments: [CC Min 040813.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0094-2013

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 8, 2013 be approved as presented.

2013-0160 Request for Approval of Fireworks Display Permit Application for the Festival of the Hills event, to be held at Borden Park on Wednesday, June 26, 2013

Attachments: [Agenda Summary.pdf](#)
[Fire Dept Memo 041113.pdf](#)
[Wolverine Fireworks Application & Backup.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0095-2013

Whereas, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan has been selected through a competitive bid process for their safety record and the size of their show; and

Whereas, Wolverine Fireworks Display, Inc. has provided the necessary insurance with the City of Rochester Hills named as also insured; and

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

Therefore, Be It Resolved, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. to provide a fireworks display for the Festival of the Hills event at Borden Park on Wednesday, June 26, 2013.

2013-0173 Request for Purchase Authorization - PARKS: Purchase of replacement panels for the Bloomer Park Velodrome Surface Renovations in the amount of \$44,998.32; V-Worldwide, Inc., Rochester, MI

Attachments: [Agenda Summary.pdf](#)
[MDNR Approval Letter 04222013.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0096-2013

Resolved, that the Rochester Hills City Council hereby authorizes the award of a contract for the purchase of replacement panels for the Bloomer Park Velodrome Surface Renovations to V-Worldwide, Inc., Rochester, Michigan in the amount of \$44,998.32.

Passed the Consent Agenda

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell and Webber

Absent 1 - Yalamanchi

ORDINANCE FOR ADOPTION

2013-0152 Acceptance for Second Reading and Adoption - an Ordinance to Amend Division 3 of Article II, City Parks, of Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify regulations governing alcoholic beverages on Museum grounds, to repeal conflicting or inconsistent Ordinances, and to prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[Rules for Use of Alcohol at Museum.pdf](#)
[042213 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[042213 Resolution.pdf](#)
[Resolution.pdf](#)

Pat McKay, Supervisor of Interpretive Services, noted that this is a part of a two-year trial program to allow alcohol service on Museum property and provide a source for additional revenue.

President Hooper noted that the Ordinance was modified as was discussed in its First Reading.

Mr. Kochenderfer noted that the proposed Ordinance will have no impact on a wedding reception he has scheduled for the Museum property in August.

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdel and Webber

Absent 1 - Yalamanchi

Enactment No: RES0097-2013

Resolved, that an Ordinance to Amend Division 3 of Article II, City Parks, of Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify regulations governing alcoholic beverages on Museum grounds, to repeal conflicting or inconsistent Ordinances, and to prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Monday, May 13, 2013, following its publication in the Oakland Press on Sunday, May 12, 2013.

NEW BUSINESS

2013-0177 Request for Approval of an Amendment to the City's Pension Plan Document to incorporate changes made in the recently adopted Fire Fighters Contract

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

Keith Sawdon, Director of Finance, noted that the Fire Department Contract ratified in April of this year requires a change be made to the Pension Plan, adding a new section concerning vesting schedules.

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdel and Webber

Absent 1 - Yalamanchi

Enactment No: RES0098-2013

Resolved, that the Rochester Hills City Council hereby adopts the May 6, 2013 amendment to the City of Rochester Hills Group Pension Plan as presented, attached hereto and incorporated by reference.

2013-0175 Request for Purchase Authorization - PLAN & DEV: Contract for the construction of aesthetic improvements at the Hamlin Road Round-A-Bout to Northshore Landscaping, Inc., Armada, Michigan in the amount of \$43,899.20 with a 10% contingency of \$4,389.92 for a total not-to-exceed amount of \$48,289.12

Attachments: [Agenda Summary.pdf](#)
[Hamlin Roundabout Rendered Sketches.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution.pdf](#)

Bob Ford, Landscape Architects and Planners, was in attendance.

Jim Breuckman, Manager of Planning, noted that Parks, Forestry and DPS have been involved in the project for landscaping improvements to the Hamlin and Livernois Road roundabout. The temporary landscaping that was previously installed will be replaced with permanent landscaping, providing traffic calming and visual barriers for oncoming traffic. The three firms responding provided examples of their roundabout work. The work will be funded in part by an anonymous donation, with monies also being contributed from the Tree Fund and Metro Act funds. He mentioned that there would be no impact to the City's General Fund for the project.

Mr. Ford stated that his firm has done a number of roundabout projects before, and this roundabout was designed taking into account Rochester Hills' theme while being budget conscious. He displayed a rendering, noting that two trees will be located on either side, to draw the eye of westbound and eastbound traffic. Retaining walls will be installed in serpentine shapes and a series of grasses will be planted in the center. The trees will be River Birch, planted in clump form, with mottled bark to keep winter interest throughout the season and provide colorful display and emulated hills. Plantings will be salt tolerant.

Mr. Breuckman noted that five bids were received. The bids came in lower than projected, and Northshore Landscaping was the low bidder.

President Hooper questioned whether irrigation would be installed.

Mr. Ford responded that there currently is irrigation in the roundabout which will be reconfigured.

Public Comment:

Melinda Hill, 1481 Mill Race, stated that while she loves the design and is pleased to see any enhancement for the benefit of the public, she would question the almost \$50,000 required for the project. She noted the use of the Tree Fund and Metro Act Fund, and questioned what Metro Act funds were received each year. She commented that she would also like to see the roundabouts on Tienken Road enhanced, and mentioned that previous discussions of the Tienken Road roundabouts included concerns that plantings would attract deer. She questioned

the cost to maintain the roundabout plantings. She noted that both projects are coming out of Contractual Services in the Major Road Fund and questioned why the project was not in the Capital Improvement Plan or the Budget Book.

President Hooper questioned how Metro Act funds are tracked.

Mayor Barnett responded that the City receives approximately \$220,000 in Metro Act funds each year.

John Staran, City Attorney, stated that there is no question that this proposed use is an appropriate and permissible use for Metro Act funds, if Council so chooses.

President Hooper questioned what the cost is for the design firm.

Mr. Breuckman responded that the fee is \$8,000 for design, bidding and construction administration, and stated that this amount will come out of Major Roads.

President Hooper commented that since he has been on Council, the City has slowly been working on its boulevards. He questioned what the City's future plans are for boulevard landscaping.

Mayor Barnett responded that the City currently has approximately \$500,000 in Metro Act funds. He noted that the funds must be used for maintaining right-of-ways and cannot be used to repair roads. He stated that approximately \$200,000 is being spent on irrigation and mentioned that the Administration has plans for the roundabouts in the community.

Council Discussion:

Mr. Rosen requested information on the following:

- Who actually owns the roundabout, as Hamlin is a City Road and Livernois is a County Road.
- Whether the brick pattern noted on the rendering is to be installed.
- Where liability lies if someone hits the landscaping.

Allan Schneck, Director of DPS/Engineering, stated that the control of the roundabout goes to the highest jurisdiction; therefore, the County has oversight. He explained that ownership of each leg of an intersection comes into play when considering signalization. He added that the Road Commission for Oakland County (RCOC) had concerns over the sightlines in the roundabout.

Mr. Breuckman noted that the City applied for a permit to the RCOC for the work and a permit has been approved.

Mr. Ford responded that the brick patterned concrete is already installed in the area. The project concerns the planting area. He explained that the retaining wall is designed so that the curve is visible to the motorist. He commented that

a vehicle would hit the flowers and grasses before coming into contact with the wall.

Mr. Rosen stated that he would like to see landscape improvements made to the roundabouts in the Historic District.

President Hooper questioned who is responsible for the cost of repairing landscape after an accident and if the City could be liable for any damages.

Mr. Schneck responded that the person responsible for the accident is liable. He mentioned that the fence at the corner of Livernois and Avon was hit and the motorist is responsible for the cost.

Mr. Staran commented that lawsuits frequently include all parties.

Mr. Kochendefer commented that he was pleased with the design and stated that he would like to see more work done at the City's other roundabouts, especially in the Historic District.

Mr. Webber questioned what monies will fund maintenance costs, if maintenance can be paid by Metro Act funds, and if there is an estimation of the funds required. He noted that he, too, would like to see other roundabouts landscaped.

Mr. Ford responded that there is no cost estimate for maintenance; however, the landscape should be established in approximately two years. He explained that there is no grass to mow and the only maintenance cost would be manpower for leaf pickup and deadheading of perennials.

Jim Breuckman responded that the cost of maintenance would depend on whether additional manhours would be required. He stated that there is no current estimate.

Mr. Tisdell stated that this is exactly the kind of project needed to help the City create a sense of place and give it character. He questioned whether the landscape would encourage deer and if the landscape would have a traffic calming effect because it disrupts the vision through the roundabout. He commented that he would like to see landscape done in other roundabouts.

Mr. Ford responded that he cannot think of any plantings included that would be attractive to deer.

Mr. Schneck stated that he cannot say that he has seen any studies where certain types of plantings slow motorists; however, he noted that all sight lines are clear due to the current decorative concrete.

Mayor Barnett mentioned that staff traveled to Carmel, Indiana three years ago to view their 80 to 90 roundabouts. He stated that Carmel officials found that as they made the roundabouts attractive, they were place-creating. He noted that the Michigan Department of Transportation wants to see a visual breakup in roundabouts, so that traffic cannot see all the way across.

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell and Webber

Absent 1 - Yalamanchi

Enactment No: RES0099-2013

Resolved, that the Rochester Hills City Council hereby authorizes the contract for the construction of aesthetic improvements at the Hamlin Road Round-A-Bout to Northshore Landscaping, Inc., Armada, Michigan in the amount of \$43,899.20 with a 10% contingency of \$4,389.92 for a total not-to-exceed amount of \$48,289.12.

2013-0176 Request to Accept the award of a competitive Grant Assistance Program grant in the amount of up to \$51,625.00 for the Inter-local Shared Service Agreement for Fleet Services between the City of Rochester Hills and the Road Commission for Oakland County

Attachments: [Agenda Summary.pdf](#)
[Notice of Intent to Award.pdf](#)
[Interlocal Service Agreement.pdf](#)
[Resolution.pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the City completed a grant application under the Economic Vitality Incentive Program after it entered into an Interlocal Agreement last year with the Road Commission for Oakland County for Fleet Services. The City was notified on April 18th that it is one of eleven communities in the entire state of Michigan to receive such a grant.

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

Aye 6 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell and Webber

Absent 1 - Yalamanchi

Enactment No: RES0100-2013

Whereas, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$51,625.00 toward reimbursement of expenditures required to implement the Inter-Local Shared Services between the Road Commission for Oakland County and the City of Rochester Hills, and

Whereas, the State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

Whereas, the State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

Whereas, the Rochester Hills City Council acknowledges that it:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act

2. Has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act
3. Is not delinquent in making payment that are due on loans issued pursuant to the Emergency Municipal Loan Act
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a CGAP grant-funded project.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby authorize participation in the Inter-Local Shared Services between the Road Commission for Oakland and the City of Rochester Hills and on behalf of the City of Rochester Hills authorize the Mayor to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements.

COUNCIL COMMITTEE REPORTS

Older Persons' Commission (OPC):

Mr. Webber stated that the OPC meeting scheduled for May 2, 2013, was moved to May 21, 2013 due to board member absences. He noted that the OPC Board will be working on its Budget for 2014.

ANY OTHER BUSINESS

Mayor Barnett announced that the Community Garden plots will be installed this coming Saturday morning, May 11th. He noted that the Rochester Rotary Club and Rochester Hills Government Youth Council members will assist. He mentioned that 50 of the 72 plots have been sold for the year.

Mr. Rosen questioned what would be discussed at the Joint Meeting with the Rochester Community School Board scheduled for May 13, 2013.

President Hooper responded that items of interest in the community would be discussed, such as the Police School Liaison Program and the Fleet Services agreement.

NEXT MEETING DATE

Special Joint Meeting with the Rochester Community School Board - Monday, May 13, 2013 - 6:00 p.m.;
Regular Meeting - Monday, May 20, 2013 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 8:28 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*TINA BARTON, Clerk
City of Rochester Hills*

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

Approved as presented at the (insert date, or dates) Regular City Council Meeting.