



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, 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."*

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Monday, May 4, 2009

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

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

## Others Present:

*Bryan Barnett, Mayor  
Ron Crowell, Fire Chief/Emergency Management Director  
Paul Davis, City Engineer  
Jane Leslie, City Clerk  
Roger Moore, Professional Surveyor  
Amith Nagesh, Rochester Hills Government Youth Council Representative  
Leo Oriet, Rochester Hills Government Youth Council Representative  
Roger Rousse, Director of DPS/Engineering  
Keith Sawdon, Finance Director  
Paul Shumejko, Transportation Engineer  
John Staran, City Attorney*

*Mr. Pixley provided prior notice that he would not be in attendance.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

## **PUBLIC COMMENT**

**President Hooper** provided a brief recap on the history of the Tienken Road widening issue. He noted that when the Environmental Assessment is completed, it will be presented to Council and the individuals commenting tonight will be notified.

**Mayor Barnett** stated that he had received e-mails on the Tienken Road issue and requested that Paul Davis, City Engineer, Paul Shumejko, Transportation Engineer, and Roger Rouse, Director of DPS/Engineering, provide an update to Council.

**Paul Davis**, City Engineer, provided the following information:

- The City is awaiting the completion of the Environmental Assessment by the Road Commission for Oakland County (RCOC) for the Tienken Road corridor.
- The City has not received base plans for the bridge proposed for Stony Creek in the Historic District. He noted that once the City receives this information, it would be made public and updates would be provided to Council.
- HRC's recommendation of a Kings Cove bridge design of five lanes was based on traffic counts, proximity of the traffic signal at Kings Cove, need for a center turn-lane at that light, and a potential 50 to 70 year lifespan of that bridge. He noted that the current bridge at Stony Creek was constructed in 1940. He commented that at the time the bridge at Kings Cove was constructed, HRC reviewed traffic data and noted that economic trends gave the expectation that traffic counts would continue to increase. A five-lane bridge at this point also provides extra room for emergency vehicles, vehicle breakdowns, and allows for better snow handling.
- The Rochester/Tienken Road intersection was improved by the developers of the surrounding commercial properties, and the design that resulted replaced the original plans for a boulevard intersection at that corner. The improvements to the Tienken/Rochester Road intersection did not commit the City to anything on Tienken Road, west or east of Rochester Road.
- The Tienken Corridor was submitted by RCOC as a high-priority unfunded project to Congressman Knollenberg. RCOC received funding as part of the State SAFETEA-LU Earmark. Funding was originally estimated at \$14 million, then reduced to \$10 million, included roadway between Livernois and Sheldon, and cannot be used outside of these limits. As part of the Environmental Assessment, survey crews have gone out and identified points of concern to be addressed in the design. At a public meeting held on January 21, 2009, two options were presented by RCOC, including a five-lane road and a four-lane boulevard. On February 13, 2009, the City requested that RCOC include a three-lane design consideration. On February 14, 2009, RCOC responded they would give a three-lane option equal consideration. Mr. Davis noted that in addition to these three options being

considered, a fourth option of "doing nothing" exists. Upon completion of the Environmental Assessment, expected sometime this month, a Public Hearing will be held to receive public comments.

- RCOC informed the City in October of 2008 that the Stony Creek Bridge, submitted each year for funding since 1994, qualified for Critical Bridge Funding. The design will be in accordance with current standards of the American Association of State Highway Transportation Officials, and is projected to be designed as a two-lane bridge with two 12-foot lanes, two eight-foot shoulders and a pedestrian walk on the south side. Spalding deDecker is creating the base plans for the bridge, which have not yet been submitted to the City. The City has requested that the design include a reduced paved width.

**Mayor Barnett** emphasized that no road widening was planned in the Historic District. He stated that the City would encourage that the final bridge design include narrower shoulders; and noted that the resulting design would be reviewed with the Historic Districts Commission (HDC). He also noted that much erroneous information was being circulated regarding Tienken Road widening plans, and there was no information on Google Earth to suggest that this roadway would be widened. He stressed that staff members were available for public inquiries and stated that he wanted to ensure that the residents of Tienken Road had factual information to thwart rumors. He stated that a visioning session for the Historic Districts was planned for May 7, 2009 at the Van Hoosen Museum.

**Public Comment:**

**David Tripp**, 960 East Tienken, recapped a public meeting held on April 22, 2009, by the Friends of the Tienken Road Corridor group, noting that Tienken Road was viewed as a residential corridor and residents wanted it to remain as such. He stated that early public input was critical to the process and announced a panel discussion on the subject would be held on June 2, 2009 at the Rochester High School Auditorium. He requested that the City Administration and City Council issue a public statement that Tienken Road would not be widened beyond three lanes.

**Joe Luginski**, 985 East Tienken, requested additional public meetings on the Tienken Road widening project. He stated that four-lane and five-lane options for Tienken Road were inconsistent with the City's Master Thoroughfare Plan. He suggested that City Council could dictate a decision on the widening by a vote.

**Alan Sheidler**, 1650 Washington Road, stated that Tienken is a connector road between Squirrel and 26 Mile. He noted that Washington Road was scheduled to be paved and questioned whether the final plans would be approved with the same configuration as proposed. He commented that the final configuration of the Dequindre/Washington intersection differs from what was originally presented.

**Melinda Hill**, 1481 Mill Race, expressed concern that various City Council meetings have been cancelled, stating that these meeting dates should be used for budget discussions.

**Rod Wilson**, 403 Red Oak Lane, requested that a traffic light be considered at the intersection of Tienken and Courtland, and expressed concern that a wider intersection could make it more difficult to make a left-hand turn onto Tienken. He commented that as President of the Rochester-Avon Historical Society, he is pleased to learn that there are no plans to widen Tienken through the Historic District.

**Giuliana Deaconu**, 3190 Fallen Oaks, stated that car-deer accidents decreased in Rochester Hills in 2008 and commented that the City should work on prevention and awareness. She noted several world-wide ecological concerns, and thought focus should be given more to these items.

**Martha Black**, 2408 Jackson Drive, stated she was not happy with the direction that the City was going, and commented that she supported change.

**Andrew Groen**, 1090 Hackberry Court, stated that his property backs up to Tienken Road and requested that City Council not allow the consideration of a five-lane road. He commented on the five-lane bridge at Crooks Road, north of M-59, and noted that the bridge at Stony Creek leads to residential homes.

**Tracy Mancour**, 204 East Tienken, requested that City Council support a three-lane road. She stated that the aesthetics of the area included walkability to schools, upscale shopping, recreational and historic features, and noted that home values should be retained. She pointed out that roads in Franklin Village, Lone Pine and Cranbrook areas do not include five-lane roads. She commented that the Michigan Department of Environmental Quality has a restoration plan for the Twist Drill property.

**Don Hughes**, 3744 Bald Mountain, Auburn Hills, stated that some members of the Deer Management Advisory Committee (DMAC) did not have an open mind to the different options. He commented that it was not the duty of the City or the taxpayers to control wildlife, and stated that the priority of the DMAC should be to emphasize safety first.

**Joseph Podvin**, 825 Dunedin, requested that City Council members set aside any political agendas and move forward with honesty and integrity.

**Monique Balaban**, 1487 North Livernois, expressed concern that the DMAC is not an impartial committee working toward solutions to limit car/deer accidents. She commented that the deer population in Rochester Hills has been reduced, accidents are down, and drivers should practice patience and courtesy.

**Carol Donovan**, 1394 Springwood, stated that the DMAC should focus on safety and focus on the worst areas for crashes. She suggested an eight-foot fence be installed for three-quarters of a mile along Adams north of Avon, reflectors be installed along Avon Road, signs be installed similar to those in school-zones reducing speed limits during dusk and dawn, foliage be cut back at roadways and contraception be used in high-pocket population areas such as Christian Hills. She commented that the Michigan Department of Natural Resources' main intent is to sell more permits.

**Kim Barno**, 891 River Bend, commented that Lyme Disease does not originate from deer. She stated that Oakland County reports only two cases of Lyme Disease per year and these cases were most likely contracted outside of the County. She stated that an experimental garden should be developed at the Environmental Education Center for the purpose of testing deer-proof plants. She commented that the DMAC should focus on reducing the deer/vehicle accidents.

**James Johnson**, 1172 Sparkle Court, stated he was opposed to widening Tienken Road to more than three lanes, and commented that City Council should be proactive and not reactive regarding this project.

**Cindy Young**, 1740 Washington, stated that Washington Road is lightly traveled and, if paved, should have a soft-shoulder and not be widened. She stated that the City should preserve its historic homes.

**Scot Beaton**, 655 Bolinger, noted that during his time on City Council, Council passed a resolution that the City would not contribute funding to any five-lane highway unless it was a last resort. He asked that no widening of Dequindre Road be considered.

**(Mr. Ambrozaitis exited at 8:12 p.m. and returned at 8:13 p.m.)**

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Brennan** congratulated Rochester Hills native and NASCAR driver Brad Kezelowski for his recent win at Talladega.

**Mr. Ambrozaitis** reiterated his congratulations to Mr. Kezelowski. He stated that he would make a motion later in the meeting to stop any widening of Tienken Road beyond three lanes. He also stated that he had not forwarded any e-mail regarding this issue.

**Mr. Rosen** commented that 40 years ago, Avon Township decided to become a bedroom community with limited development and stated that this should not change. He stated that in the 1990s, City Council passed a resolution to have four-lane residential boulevards instead of five-lane highways. He mentioned that discussion during that time noted that the topography of many City roads precluded safely widening to multiple lanes. He questioned whether City Council ever rescinded any resolutions to that effect. He further questioned the shoulder width proposed for the Stony Creek Bridge.

**Amith Nagesh**, Rochester Hills Government Youth Council (RHGYC) Representative, announced that the RHGYC is coordinating upcoming voter registration drives in the local high schools, plans a garden beautification project for City Hall, and will help at the Festival of the Hills planned for July 1. He announced that the 5k Run/Walk to benefit Veterans with Traumatic Brain Injury is set for June 27, 2009 at Bloomer Park. He encouraged residents to visit the City's website to download a registration packet for the 5k fund raiser.

**Mayor Barnett** made the following announcements:

- May 3-9 is Building Safety Week. He congratulated the Rochester Hills Building and Ordinance Compliance Department, announcing that the department is the number one building department in the State.
- He congratulated Bordine's Nursery on its 70th anniversary in the community and thanked the Nursery for donating 70 trees to the City which will be planted this fall on City property.
- The City's Single Waste Hauler and Recycling Program, in its second month, is going very well. He noted that recycling is up 250 percent in Rochester Hills over last April. He asked residents experiencing difficulties with the program to be patient as the City is working out any remaining bugs in the program.
- The Spring No-Haz collection date is Saturday, May 30, 2009, at Oakland University from 8:00 a.m. until 2:00 p.m. Residents should call 248-858-5656 to reserve a time to bring their hazardous materials, including batteries, stains, oil filters, and lawn chemicals.

Mayor Barnett stated that in the early 2000s, City Council voted to change its policy on road widening to review all projects on a case-by-case basis.

No factual information regarding plans for proposed Tienken Road widening has been given to the City as yet, however, when the City does receive information from Oakland County, a public hearing will be held before any decisions are made by Council. He stated that any vote by Council tonight regarding a Tienken Road widening project would be an emotional vote, and not be based on facts. He encouraged residents and Historic District Commission members to attend the information session at the Museum on May 7, 2009. He noted that the City owns the portion of Tienken Road from Adams High School to the City Limit.

## ATTORNEY MATTERS

City Attorney Staran had nothing to report.

## RECOGNITIONS

**2009-0175** Proclamation in Honor of Building Safety Week, May 3 - May 9, 2009

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

**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**, building safety and fire prevention officials are at work year round to guide the safe construction of buildings; 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 Week is an excellent opportunity to educate the public. It is a perfect time to increase public awareness of the role building safety and fire prevention officials, local and state building departments and federal agencies play in protecting lives and property; and

**Whereas**, this year, as we observe Building Safety Week, we ask all Americans to consider projects to improve building safety at home and in the community, and to recognize the local building safety and fire prevention officials and the important role that they play in public safety.

**Therefore**, be it known, that May 3 through May 9, 2009, will be designated Building Safety Week in the City of Rochester Hills. Accordingly, our citizens are encouraged to join their fellow Americans in participating in Building Safety Week activities and assisting efforts to improve building safety.

**2009-0176** Certificate of Appreciation from the Clinton River Watershed Council

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

**Randy Young**, Treasurer of the Clinton River Watershed Council (CRWC), presented a certificate to the City in recognition of its partnership with the Clinton River Watershed Council and the City's continued support and membership in the CRWC. He stated that the watershed covers 760 square miles in four counties, noting that the City of Rochester Hills lies in the heart of the watershed.

**Presented.**

In Recognition of the City of Rochester Hills' partnership with the Clinton River Watershed Council to further protect, enhance and celebrate the Clinton River and its Watershed and for enhancing the quality of life in the community.

## 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.

**2009-0122** Approval of Minutes - City Council Regular Meeting - March 2, 2009

**Attachments:** [CC Min 030209.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0124-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on March 2, 2009 be approved as presented.

**2009-0154** Approval of Minutes - City Council Regular Meeting - March 16, 2009

**Attachments:** [CC Min 031609.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0125-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on March 16, 2009 be approved as presented.

**2009-0177** Approval of Minutes - City County Special Joint Meeting with Historic Districts Commission and the Historic Districts Study Committee - March 23, 2009

**Attachments:** [CC Min Special Meeting 032309.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0126-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Joint Meeting with Historic Districts Commission and the Historic Districts Study Committee - March 23, 2009 be approved as presented.

**2009-0155** Approval of Minutes - City Council Regular Meeting - March 30, 2009

**Attachments:** [CC Min 033009.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0127-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on March 30, 2009 be approved as presented.

**2009-0169** Request for Adoption of the National Incident Management System as the City Standard for Incident Management

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

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

Enactment No: RES0128-2009

**Whereas**, the City Council of the City of Rochester Hills, Michigan, does hereby find as follows:

**Whereas**, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

**Whereas**, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

**Whereas**, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

**Whereas**, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

**Whereas**, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the City's/County's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

**Whereas**, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

**Whereas**, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

**Now, Therefore, Be It Resolved**, the City Council of the City of Rochester Hills, Oakland County, Michigan, adopt the National Incident Management System (NIMS) as the City standard for incident management.

**2009-0171** Request for Purchase Authorization - DPS/FACILITIES: Purchase of six (6) digital printer/copier/scanner/fax machines in the amount of \$41,148.00; Konica Minolta, Wixom, Michigan

**Attachments:** [Agenda Summary.pdf](#)  
[2009 Copier Replacements.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0129-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of six (6) digital printer/copier/scanner/fax machines from Konica Minolta, Wixom, Michigan in the amount of \$41,148.00.

- 2009-0172** Request for Approval of the Highway and Drainage Easements, and the Subordination of Lien from SS MITX, LLC for the Austin Avenue extension and authorization for payment to the landowner in the amount of \$7,245.00

**Attachments:** [Agenda Summary.pdf](#)  
[Drainage Easement.pdf](#)  
[Highway Easement.pdf](#)  
[Subordination of Lien.pdf](#)  
[121508 Highway Easement Agenda Summary.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0130-2009

**Resolved**, that the Rochester Hills City Council approves the Highway and Drainage Easements, and the Subordination of Lien from SS MITX, LLC for the Austin Drive Extension and authorizes payment to the landowner in the amount of \$7,245.00.

- 2009-0174** Request for Adoption of Resolution Authorizing the Parks and Forestry Director to be the Agent for the City of Rochester Hills for Oakland County's West Nile Virus Fund Program

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

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

Enactment No: RES0131-2009

**Whereas**, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

**Whereas**, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding, or focused adult mosquito insecticide spraying in designated community green areas; and

**Whereas**, the City of Rochester Hills, Oakland County, Michigan, has or will incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program;

**Now, Therefore, Be It Resolved**, that the City Council of Rochester Hills authorizes and directs its Parks and Forestry Director, as agent for the City of Rochester Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

## 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 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

## NOMINATIONS/APPOINTMENTS

**2009-0161** Request to Confirm the re-appointment of Oakland County Emergency Management Coordinator as the City Emergency Management Coordinator

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

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

Enactment No: RES0132-2009

**Whereas**, the Emergency Management Act 390, 1976, MCL 30.409 (3), as amended, provides for planning, response, recovery, and mitigation for natural and man made disasters within the State of Michigan; and

**Whereas**, the Emergency Management Act 390, 1976, MCL 30.409 (3), as amended, allows a municipality to either appoint a Municipal Emergency Management Coordinator or appoint the Coordinator of the County as the Municipal Emergency Management Coordinator; and

**Whereas**, the City of Rochester Hills desires to confirm its appointment of the Oakland County Emergency Management Coordinator as its Emergency Management Coordinator and to designate a liaison person to work with the County Coordinator on all matters pertaining to emergency management disaster preparedness and recovery assistance.

**Now, Therefore, Be It Resolved**, that the City Council of Rochester Hills hereby appoint the Oakland County Emergency Management Coordinator as the City of Rochester Hills' Emergency Management Coordinator, effective Monday, May 4, 2009.

**Be It Further Resolved**, that the City of Rochester Hills' Fire Chief is hereby designated as the liaison to the Oakland County Emergency Management Coordinator.

## NEW BUSINESS

**2009-0119** Request for Approval of a Green Space Stewardship Program for the City of Rochester Hills

**Attachments:** [Agenda Summary.pdf](#)  
[042009 Memo Mayor.pdf](#)  
[041409 Memo Staran.pdf](#)  
[Presentation.pdf](#)  
[Appendix A.pdf](#)  
[Appendix B.pdf](#)  
[Resolution.pdf](#)

**Jerry Carvey**, Green Space Advisory Board (GSAB) member, introduced Lynn Loeb, GSAB member, and gave the following presentation on Green Space Stewardship:

**Green Space Advisory Board:**

- 2009 Citizen Representatives: Jerry Carvey, Laura Douglas, Paul Funk, Tim Gauthier, Lynn Loeb, Lorraine McGoldrick, Dahlvin Peterson, Linda Raschke and Bill Windscheif.
- Youth Representatives: Aly DiFilippo, Amith Nagesh and Leo Oriet.
- City Council Representative: Ravi Yalamanchi.
- City Staff Members: Kurt Dawson, Mike Hartner, Roger Moore.

**Protecting Our Investment in Green Space:**

- Approval of the Green Space Millage in 2005 was a smart investment that will yield dividends for many generations.
- But like other responsible investments, purchases of Green Space should be carefully maintained and protected.
- GSAB Charter - 2005, City Council Resolution:
  - \* "Be it resolved that upon passage of the Millage Proposal to Provide Funding to Permanently Preserve Green Spaces and Natural Features within the City of Rochester Hills, the Rochester Hills City Council will establish an Open Space Advisory Board for the purposes of planning and developing strategies, recommending acquisitions and maintaining the green space funded through this millage."
- Without active protection programs, sensitive Green Spaces are vulnerable to a variety of threats:
  - \* "Property line creep" which, though often unintentional, exploits public property for a private purpose
  - \* Vandalism
  - \* Invasion of non-native plant species
  - \* Floods and erosion

**What are the Elements of a Good Stewardship Program?**

1. A good Baseline Assessment.
2. A Management Plan.
3. Recruiting and training a volunteer staff to implement the Stewardship Program.
4. A continual education and communication program with surrounding property owners and the community.

**River Crest - A Stewardship Case Study:**

- The GSAB wanted to do an actual case study, choosing the River Crest property.
- Six Rivers Regional Land Conservancy (formerly Oakland Land Conservancy) was contacted to bring in the expert help the GSAB felt was needed; and an assessment model was provided by Six Rivers at no cost to the GSAB or the City.
- A group consisting of Six Rivers and GSAB did a field investigation of the approximately two-acre parcel.
- The assessment found:
  - \* A degraded floodplain forest, with remnants of the mixed hardwood swamp still visible in the northwest portions that border the Ravines Subdivision open space
  - \* A small area of dry uplands, a perfect opportunity for prairie or grassland plantings
- The following stewardship and restoration goals were recommended:
  - \* Community involvement in caring for open space, encourage volunteerism on the property
  - \* Increase the functionality of the wetlands and forest along the Clinton River
  - \* Maintain the health and quality of the Clinton River
  - \* Eliminate invasive plant populations on the site (buckthorn and autumn olive)
  - \* Restore native plantings (tamaracks, black ash, etc.)

Mr. Carvey commented that he lunches at the River Crest Banquet Facility every Tuesday with the Rochester Rotary and overlooks the donated land across the Clinton River. With the management plan provided by Six Rivers, and the recruitment and training of volunteers, it could be transformed into a pre-settlement flood plain forest and small upland prairie grassland, which the community would be very proud of and be an excellent example of how green space can enhance a city. The GSAB believes that this can be implemented at a very reasonable cost.

Implementing a Stewardship Program:

- Key Components
  - \* People
  - \* Data
  - \* Commitment and Education
- What steps are required to implement a viable Stewardship Program for Green Spaces in Rochester Hills?
  - \* Step 1 - Perform Baseline Data Acquisition
  - \* Step 2 - Create a Management Plan for the property
  - \* Step 3 - Perform site visits to benchmark Baseline Data and implement the Management Plan
  - \* Step 4 - Recruit and train volunteers
  - \* Step 5 - Provide education outreach that enhances the community knowledge and commitment for the care of Green Space in Rochester Hills

He commented that the Harding Road property shows a huge potential for a gorgeous piece of green space, but it is not without a cost. The GSAB

contacted Six Rivers to inquire what it might cost to produce a management plan for this approximate 24-acre site. Six Rivers responded that it would be approximately \$1,000 to produce the plan, based on how much detail would be required. Training volunteers would be an additional \$200 per day. He commented that this was a reasonable and necessary cost for owning green space. He noted his personal experience in habitat restoration at a hunting camp up north where approximately 700 trees were planted at a cost of \$145, and also noted that years ago the City planted trees at Thelma Spencer Park which are now over 20 feet tall.

Paying the Cost of Stewardship:

- Stewardship is not free but the cost of neglecting our investment in Green Space is far higher.
- What funding sources are possible?
  - \* Grants and donations
  - \* Recycle Bank donations (Single Trash Hauler Program)
  - \* A small portion of the Green Space Millage
  - \* City funds

Mr. Carvey noted that current economic conditions could preclude the availability of any City funds, but Council could consider this option for future budgets. He also noted that an Oakland County Stewardship Division study noted that businesses locate and are attracted to communities that have and care for a green infrastructure. This study also noted that 40 percent of Oakland County residents utilize the County's outdoor recreation resources at least once a week. He commented that Rochester Hills includes one of the primary green corridors in southeastern Michigan; and noted that the GSAB property acquisitions all fall within this green corridor.

Green Infrastructure:

- Grey infrastructure assets are the interconnected network of roads, sidewalks, utilities, bridges, tunnels, drainage systems, lighting systems, sewer systems.
- Green infrastructure assets are the interconnected network of parks, trails, forests, natural areas, wetlands and waterways.
- Green infrastructure is a public asset and it has value.

Getting the Most for Our Stewardship Dollars:

- Utilize expertise from a nationally-recognized organization such as the Six Rivers Regional Land Conservancy.
- Integrate volunteers (schools, scouts, garden clubs and other community groups) into the stewardship program to encourage community participation and learning while lowering overall cost.

Benefits of Good Stewardship:

- Protection of our Green Space "investment".
- Higher property values.

- Attract businesses and quality employees into our community.
- Enhanced recreational opportunities, a more scenic city.
- Effective, low-cost flood control and storm water management.
- Widespread education of students and adults through volunteer outreach programs - Green Space as "Nature's Classroom".

**Council Discussion:**

**Mr. Rosen** commented that he agreed with the recommendations for a Stewardship Program. He stated that Green Space Millage funds could be used for professional services, data acquisition and the development of a management plan; however, the remainder of the program should be administered through volunteers, grants and other funding sources.

Council discussion ensued as to what the limitations were for the use of Green Space Funds.

**Mr. Staran** commented that by approving the development of a Stewardship Program, Council did not specifically commit the funding for the program. He suggested that Council's approval of a Stewardship Program could include language restricting the use of Green Space Millage funds to items noted in his memo to Council of April 14, 2009, specifically:

- Outlining corners of property.
- Remove rubbish.
- Make a baseline assessment of physical features of the property.
- Perform an annual visitation and inspection of the property.

**Mayor Barnett** indicated that the City could work with Recycle Bank to set up a way for residents to donate monies to a Green Space Stewardship Program. He further noted that City funds utilized for property cleanup would be only expended in the event of a brutal or major storm leading to hazardous conditions, and commented that most site cleanup could be accomplished by volunteer groups.

**Mr. Yalamanchi** asked attending GSAB members to stand and be recognized, and he thanked them for their efforts and commitment to preserve the community. He requested that Mr. Staran explore the option of utilizing the interest earned on Green Space Millage Funds.

**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 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

Enactment No: RES0133-2009

**Whereas**, the Green Space Advisory Board (GSAB) has been diligently working to acquire open space per the Green Space and Natural Features Millage approved in 2005; and

**Whereas**, GSAB has undertaken a steady effort to research and present the elements of a good stewardship program to protect the City residents' investment in green space; and

**Whereas**, the four (4) main elements of a good stewardship program are as follows:

1. A good Baseline Assessment of properties purchased with Green Space Millage funds,
2. A Management Plan that meets the requirements of the community's stewardship goals,
3. Recruit and train volunteers to implement a stewardship program,
4. A continual education and communication program with surrounding property owners and the community;

**Whereas**, GSAB recommends that a good start to a Stewardship Program would be, at a minimum, to conduct a baseline assessment of all properties that are acquired under this program or purchased with Green Space Millage funds;

Whereas, that expenditure of GSAB millage funds outside of purchases will be limited to:

1. Outline corners of property,
2. Remove rubbish,
3. Make a baseline assessment of physical features of the property; and
4. Perform an annual visitation and inspection of the property.

**Resolved**, that the City Council concurs with the recommendation of GSAB and requests the Mayor to implement the elements of a good Stewardship Program for the City of Rochester Hills for Green Space acquired under this program as funds are identified and become available.

**2009-0170** Request for Purchase Authorization - FIRE: Purchase of four (4) Additional Duty Ambulances in the amount not-to-exceed \$618,891.00; Emergency Vehicles Plus, Holland, Michigan

**Attachments:** [Agenda Summary.pdf](#)  
[Proposals Tabulation.pdf](#)  
[Specs and Cost.pdf](#)  
[Resolution.pdf](#)

**Ron Crowell**, Fire Chief/Emergency Management Director, stated that the larger vehicles and options selected would provide additional safety features and would lessen the possibilities for Workman's Compensation claims due to back strain injuries. He also noted that much of the warranty work could be done in Rochester Hills, rather than transporting these vehicles outside of the City. He noted that with revenues from the sale of three administrative vehicles recently replaced, and these proposals coming in under their projected cost, the Fire Department was maintaining the bottom line for its budget with this purchase.

**President Hooper** questioned what options were being included and where the vehicles would be manufactured.

**Chief Crowell** responded that options included additional cots, sirens, extended

warranties, additional front and rear tires, Chevron striping on compartment doors and equipment mounting at the factory. He noted that these ambulances were built in Florida, and were purchased through a dealership in Holland, Michigan.

**Mr. Yalamanchi** questioned whether these were additional or replacement units and inquired what the projected vehicle life-cycles would be.

**Chief Crowell** responded that these were considered replacement units for the 2001 ambulances that the City originally purchased when it began providing transport services. He stated that the City would retain two of those four ambulances to use as reserve units and would sell two of them. He noted that the current ambulances were originally scheduled for replacement at five years, were extended to seven years, and are now currently eight years old. He noted that these new units are larger-duty, with more room for paramedics; and it was expected that they could be in use for seven to nine years.

**President Hooper** questioned what the extended warranty period would be on these new units.

**Chief Crowell** responded that with extended warranties, these units should be warranted for the entire time that the City will have them. He noted specific warranty periods as three years - 36,000 miles for the chassis itself; limited lifetime warranty on modular body paint; and an extended warranty on the chassis to 15 years.

**Mr. Ambrozaitis** stated that this would be a tough vote for him. He noted that while he understands that the City needs the equipment, he was concerned that the budget for ambulance services had a \$1 million discrepancy.

**Mr. Rosen** questioned why these units required block heaters if they would be stored inside.

**Chief Crowell** noted that these units spend a significant amount of time outside and having block heaters would maintain the unit temperatures.

**Mr. Rosen** noted that these truck-based units would be much more durable vehicles and would last significantly longer than the current van-based units; and commented that this purchase would be a good investment for the City.

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

**Aye** 5 - Brennan, Hooper, Rosen, Webber and Yalamanchi

**Nay** 1 - Ambrozaitis

**Absent** 1 - Pixley

Enactment No: RES0134-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of four (4) Additional Duty Ambulances to Emergency Vehicles Plus, Holland, Michigan in the amount not-to-exceed \$618,891.00.

- 2008-0578** Request for Purchase Authorization - DPS/FAC: Blanket Purchase Order for natural gas for various City owned buildings in the amount not-to-exceed \$115,995.04; Consumers Energy, Lansing, Michigan

**Attachments:** [Agenda Summary.pdf](#)  
[111708 Agenda Summary.pdf](#)  
[111708 Resolution.pdf](#)  
[Resolution.pdf](#)

**Roger Rouse**, Director of DPS/Engineering, stated that by opting for this program, the City will save \$2.98 per cubic foot, providing a savings of \$8,100 per month. He noted that this would return to City Council in ten months, and the City hoped to lock in a price on an annual basis for next year.

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

Enactment No: RES0135-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the purchase of natural gas for City owned buildings to Consumers Energy, Lansing, Michigan in the amount not-to-exceed \$115,995.04 through December 31, 2009 and further authorizes the Mayor to execute a contract with Constellation Energy, Port Huron, Michigan to supply the natural gas commodity for the City.

**(Recess - 9:30 p.m. - 9:41 p.m.)**

- 2009-0145** Review of information supplied by Michigan Department of Transportation related to the M-59 Noise Barriers

**Attachments:** [Agenda Summary.pdf](#)  
[Final Noise Technical Report Pgs 1to31.pdf](#)  
[Final Noise Technical Report Appx A.pdf](#)  
[Final Noise Technical Report Appx B.pdf](#)  
[Final Noise Technical Report Appx C.pdf](#)  
[O'Neill Email.pdf](#)

**Paul Davis**, City Engineer, reviewed the Noise Analysis Report, M-59, Crooks Road to Ryan Road, received from the Michigan Department of Transportation (MDOT), and noted that twelve locations within Rochester Hills boundaries were studied. He stated that adding a third lane on M-59 between Crooks and Ryan Roads will generate additional noise and explained that MDOT considered noise abatement for locations where the study deemed it "feasible and reasonable". He noted that all sites studied within Rochester Hills were deemed "feasible", defined by MDOT as having a significant enough noise increase due to the road expansion that nearby residences or developments will be affected.

He noted that MDOT made a determination whether noise abatement was "reasonable" by assessing a cost factor for the sound wall per structure which would benefit from a sound wall. He noted that the Agenda Summary included

an error in the per-unit cost threshold and stated that this figure should have been noted at \$38,060 per structure. He noted that if the cost of the sound wall would be less than \$38,060 for each structure having at least a five decibel increase in noise, then MDOT would fund the sound wall. He noted that only two sites out of the 12 sites studied within the City were deemed both feasible and reasonable. He also noted that Mark Sweeney, Project Manager for MDOT on the M-59 project, stated that MDOT will only contribute funding if the sound wall is deemed both feasible and reasonable. Therefore, in the event that a portion of the wall is determined feasible but not reasonable during the final design, MDOT will not contribute any funds toward a sound wall and the City will have to increase its cost participation to build the wall or have the noise abatement dropped from the project. He indicated that in the ten locations that are deemed not reasonable, the City will have to fund the entire cost. He directed Council's attention to Table Seven in the MDOT Noise Report as to potential costs for wall construction.

Mr. Davis reported that Mr. Sweeney indicated that in a recent review of the areas in question, it was MDOT's opinion that these areas have not changed significantly to warrant a new noise study. Mr. Sweeney further indicated that the density would need to be approximately double what was viewed in the original study to make a significant impact on the sound study numbers.

Mr. Davis reviewed an aerial photo noting 35 homes in the area of proposed Noise Barrier 10 (NB10), where a five-decibel increase in noise would increase the noise beyond 66 decibels. He noted that for this area to be deemed "reasonable", additional homes would have to be in existence between Joshua and John R. MDOT would not be reimbursed by Federal Highway monies for sound walls in these areas under the current densities.

**President Hooper** questioned whether there could be an appeal process to these standards or contribution amounts. He further questioned whether different construction methods could be used to achieve the same results.

**Mr. Davis** responded that the amount of reimbursement is adjusted periodically for inflation, and is standard throughout the State. He stated that different construction methods do not achieve the same results and commented that earthen berms are not pursued as they take up too much room and frequently do not provide a five-decibel decrease in noise.

**Public Comment:**

**Scot Beaton**, 655 Bolinger, stated that smaller homes with lesser values exist on the south side of M-59 and noted that this location qualifies for a sound barrier. He stated that the City should have a goal of maintaining sound property values and should fund a sound wall. He noted that a senior mobile home community along M-59 has been requesting a sound wall for years.

**Olaf Nitsche**, 3753 Everett, expressed concerns that the MDOT study was done with few measurements and used modeling. He noted six particular homes not included in the study and noted homes on Wade Court which would also benefit from a wall. He questioned whether a sound wall on the south side of M-59 would deflect additional noise northward.

**Michael McGlynn**, 3741 Everett, stated that approximately 300 homes are affected and noted an approximate tax base for these homes of \$45,000,000, accounting for approximately \$1.4 million in property taxes for the City each year. He indicated that a drop in property values would reduce City revenues. He stated that the City should plan to build the wall now, and push MDOT to recount the homes and construct the barrier. He requested City Council amend the 2009-2014 Capital Improvement Plan to include this sound barrier and look for other sources of funding for the wall, such as grants.

**Bill Bidwell**, 2015 Avoncrest, questioned whether a brick wall could be considered rather than concrete to make the City look more aesthetically pleasing.

**Marisa Rawlins**, 3670 Everett, stated she is President of the Country Club Village Residential Association, and read a draft resolution for City Council's consideration.

**Mike Datema**, 3717 Everett, commented that once widening takes place, it will take away any option he has of opening his windows. He expressed concern that children in danger would not hear adults and stated that a south wall will amplify noise.

**Keith Yanachik**, 3720 Everett, stated that the majority of homes in the Country Club Village Subdivision have two children with an average age of eight. He expressed concern for their safety and noted that his subdivision has become a shortcut for drivers to get from M-59 to Auburn Road.

**Noelle O'Neill**, 3640 Winter Creek, questioned whether the pool and clubhouse should be counted as ten units in the study. She stated that MDOT has provided residents with mixed messages. She stated that her home has been on the market for three-and-a-half years and has not found a buyer due to traffic noise.

**Peter O'Neill**, 3696 Everett, stated that Mr. Sweeney conveyed to him that the City should request a re-review of the study.

**Michael Plumer**, 3601 Winter Creek, stated that his home was not considered one of those impacted in the noise study. He stated he could not believe that the south side of M-59, with its limited number of homes and property value differences, were approved for a wall while they were not.

**Mary Blake**, 3665 Winter Creek, stated that she has lived in her home for 27 years and it was once a beautiful, wooded peaceful area. She stated that she can no longer hear anyone talking outside, cannot hear her phone ring and cannot hear approaching cars on her street. She commented that a wall constructed on the south side will create bounce-off noise. She noted that her home was previously on the market for sale for approximately 14 months with no buyer.

**Sue Lucas**, 3635 Winter Creek, commented that a noise barrier would be extremely important to her family as she has two hearing-impaired grandchildren who live with them.

**Ron Lucas**, 3635 Winter Creek, stated that when he moved to his home 30 years ago, the expressway was there at the time, however, the noise was not significant. He stated that this wall is necessary to maintain property values.

**Glenn Baird**, representing Pinnacle Homes, commented that his company took over the development at Country Club Village approximately one year ago. He noted that 25 homes were sold in the last six to nine months and approximately 60 sites remain for development. He stated that this development is currently the busiest site in southeastern Michigan for the construction of new homes. He commented that the noise study was conducted in 2007 prior to the growth in the area and stated that a noise barrier will help home sales and home values in this area, increasing tax revenue for Rochester Hills. He noted that he has ten additional permit applications out for homes to be constructed and the vacant areas on the map in the Study do not show homes that have been constructed. He commented that individuals visiting his development express concern that they do not wish to build in the southern area of the subdivision because of the noise.

#### **Council Discussion:**

**President Hooper** questioned how the distance to the sound wall is determined by MDOT and whether it would be possible to re-evaluate the number of units included by MDOT. He further questioned how the clubhouse was considered in the study.

**Paul Davis** indicated that the distance to the wall is computed where the noise is noted at 66 decibels and noted that the Federal Highway standard is 67 decibels. He stated that this does not necessarily translate to a uniform distance and can vary by elevation. He also noted that a zero to three decibel increase is deemed by MDOT to be "barely perceptible". He further stated that MDOT's consultant stated that the clubhouse was not considered a benefitting unit as it was not a public park or a residence. He noted that the City could ask for a re-evaluation.

**Mr. Ambrozaitis** stated that residents' discussions of property values and quality of life prompted him to note the 1,400 vacant homes currently in the City. He commented that in the event that the widening projected is funded with Stimulus Funding, the City should set aside the \$6 million that it had originally budgeted for the M-59 Project to build the wall.

**Mr. Yalamanchi** questioned whether the homes on the south side of M-59 were more distant to the freeway. He stated that he would recommend that the City should ask MDOT to re-evaluate NB10 as there are additional homes that were not in existence when the study was first done.

**Mr. Davis** responded that the density of homes on the south side was greater, with narrower lots. He noted that based on how sound travels, there were a

sufficient number of homes on the south side to qualify for sound abatement. He further stated that if Council requests the State re-evaluate NB10, he would not be surprised if the other nine locations that did not qualify also would request a re-review. He further commented that Mr. Sweeney stated to him that even with the new construction considered, MDOT did not expect that the study conditions would change as a result of a re-review as there would not be enough homes within the setback to raise the total benefitting units to 68 or 69 and qualify for the wall. He noted that MDOT intends to schedule a public hearing to discuss noise and stated that he expected these hearings to be scheduled within a month.

**Mr. Rosen** questioned why the sound walls were pulled from the M-59 Widening Project. He noted that if a re-review does not yield a need for a sound wall, the City and the neighborhood would have to do some serious thinking about what could be done. He questioned whether funding the sound walls could be done with Act 51 or tri-party monies. He further questioned that if a re-review of the Study found additional walls that qualified, would the City's share then be reduced to those walls for 12.5 percent of the cost.

**Mr. Davis** responded the City would have to fund the entire cost of any sound walls that were not approved and reviewed various costs for each wall section. He stated that the two walls that were approved would go through the Act 51 Formula and require a 12.5 percent contribution from the City; and further noted that if a re-review of the Study identified additional qualifying locations, the City's costs would then be reduced to 12.5 percent for those locations. He further noted that if after final design, actual construction costs for approved locations were substantially higher and raised the total cost for the walls to no longer qualify as "reasonable", then the City would be asked to contribute the difference in cost as well. He noted that MDOT pulled the sound walls from the M-59 Widening Project to accommodate the public hearing process and keep the project on schedule and under construction this year.

**President Hooper** questioned when the sound walls could be constructed.

**Mr. Davis** responded that he did not know what the timeframe for wall construction would be relative to the M-59 Widening Project.

**Mr. Webber** agreed that Council should request MDOT re-evaluate the study. He noted that if a re-review was not successful, the City would have to look at other options for funding the wall. He questioned whether other communities have looked at Special Assessment Districts for this purpose.

**President Hooper** stated that all listed walls should be reviewed again and one wall should not be singled out. He commented that while there was no question that there was a need for a sound wall project, Council had a process to follow to consider any project for inclusion in the Capital Improvement Plan (CIP).

**Mayor Barnett** stated that the City would contact its elected officials at the State and National levels to ask for their assistance; and would further coordinate discussions between residents, the developer and the State to provide further information to assist in a re-review of the Study.

**Mr. Ambrozaitis** cited several projects in the 2010-2015 CIP draft that he believed should not be included. He stated that he wanted to prioritize the right spending. He commented that depressed property values in this area would affect neighboring subdivisions as well and the City should be proactive to protect values.

**Mr. Rosen** stated that in reviewing the various noise barriers in the study, NB10 was the only one where he could readily identify active construction in the last two to three years.

**Mr. Davis** concurred that this area has been building additional homes.

**Mr. Brennan** concurred that all areas be included, and further stated any resolution passed by City Council and sent to the State should not include language regarding the City's CIP.

**Mr. Staran** suggested language for Council's consideration to request MDOT take action regarding the sound study. He further noted that including the sound wall project in the City's CIP would require the City to follow a process dictated by State Law, and could not be done tonight.

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

Enactment No: RES0138-2009

**Whereas**, MDOT has conducted a noise analysis in 2007, and questions have arisen concerning the accuracy of the study and the sound impact on our community, especially concerning the dwelling count for the NB10 portion of the study;

**Whereas**, sound will be deflected and amplified by the placement of wall NB6A on the south side of M-59 along with the commercially zoned land use across from the north side. As such property values will be negatively impacted resulting in a lower tax base and tax revenue for our City. In addition, the loss of the grassy median to concrete after completed construction will also deflect and amplify sound;

**Whereas**, this area has changed from a rural area to a thriving community with 256 new homes (many with young children) and a clubhouse, pool and tennis courts as well as State-protected wetlands that are enjoyed by many;

**Now Therefore, Be It Resolved**, that the Rochester Hills City Council requests MDOT to include a sound abatement wall for NB10 during the 2009 M-59 expansion project based on a reanalysis of the number of units attenuated in the previous study.

**Be It Further Resolved**, that the Rochester Hills City Council shall forward this resolution to Mayor Barnett, Governor Granholm, MDOT Project Manager Sweeney, Congressman Peters, State Representative McMillin and State Senator Bishop.

**2009-0145** Review of information supplied by Michigan Department of Transportation related to the M-59 Noise Barriers

**Attachments:** [Agenda Summary.pdf](#)  
[Final Noise Technical Report Pgs 1to31.pdf](#)  
[Final Noise Technical Report Appx A.pdf](#)  
[Final Noise Technical Report Appx B.pdf](#)  
[Final Noise Technical Report Appx C.pdf](#)  
[O'Neill Email.pdf](#)

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

**Aye** 6 - Ambrozaitis, Brennan, Hooper, Rosen, Webber and Yalamanchi

**Absent** 1 - Pixley

Enactment No: RES0138-2009

**Resolved**, that the Rochester Hills City Council directs that the sound abatement wall project be considered for inclusion in the next Capital Improvement Plan.

## COUNCIL COMMITTEE REPORTS

### **Police and Road Funding Technical Review Committee:**

**Mr. Webber** reported that the Police and Road Funding Technical Review Committee met on April 29, 2009, and would meet again on May 13, 2009. He commented that the Committee was finalizing its report and would be scheduling a date to report to City Council.

### **Brownfield Redevelopment Authority:**

**Mr. Webber** stated that a draft policy was developed by the Brownfield Redevelopment Authority, and noted that Mr. Delacourt would be scheduling a time with President Hooper to present the draft policy to City Council.

### **Older Persons Commission:**

**Mr. Rosen** announced that the Older Persons Commission will be holding a dinner meeting on May 20, 2009 to discuss its proposed Strategic Plan.

### **Deer Management Advisory Committee:**

**Mr. Brennan** reported that the Deer Management Advisory Committee (DMAC) will be holding its third meeting tomorrow, May 5, 2009, at City Hall. He stated that discussions at the first two meetings included goals and objectives and the Committee was now moving into research.

**Mayor Barnett** noted that the May 5, 2009 DMAC meeting will be held in the City Hall Auditorium, and that future meetings (with the exception of June 2, 2009) will be held at Fire Station Number One on Horizon Court.

## ANY OTHER BUSINESS

**Mr. Ambrozaitis** questioned whether Mr. Staran had any suggestions on what City Council could do regarding the speed limit on Livernois, north of Tienken.

**Mr. Staran** responded that City Council could pass a resolution to forward to Governor Granholm which would be an expression of Council's feelings with respect to the matter. He stated that speed limits are set pursuant to statutory procedure and various laws, traffic studies and control orders. He noted that Council previously had this discussion regarding Dutton Road, as a change in State Law allowed the speed limit on gravel roads to be increased; and further commented that attempts to lobby an appeal to the State fell on deaf ears.

**Mr. Ambrozaitis** noted that he recently learned that there were now 1,400 vacant homes in the City; and in light of this fact, he would request that Mr. Staran look into Farmington's recent Ordinance mandating that all foreclosed homes be registered with the City. He stated that in the Draft Capital Improvement Plan (CIP) 2010 to 2015, a possible project was mentioned for a Borden Park Adventure Golf Course and Enclosed Training Facility; and commented that he would not support further development at Borden Park.

**President Hooper** stated that the Borden Park project was contained in the CIP that was already passed, however, was not funded. He stated that 85 to 90 percent of the projects mentioned in the CIP do not go forward and there was no plan for this project to proceed.

**Mr. Ambrozaitis** stated that it was imperative that Mr. Sawdon's presentation on the City's financial forecast be presented as soon as possible. He further stated that he wished to make a presentation regarding the City's budget in June.

**President Hooper** stated that Mr. Sawdon's financial forecast was on the April 20, 2009 Agenda, however, Mr. Ambrozaitis moved that this item be pulled from that Agenda due to Mr. Rosen's absence from that meeting. He further stated that the item was not placed on tonight's Agenda as Mr. Pixley would be absent.

**Mr. Ambrozaitis** stated that he wanted the City to be proactive in its discussions on Tienken Road. He stated that the City should establish a public position against any widening of Tienken Road beyond three lanes and requested that Mr. Staran draft some language tonight to that effect including the City's intention not to fund any project beyond three lanes.

**Mr. Staran** offered wording for a motion, which Mr. Ambrozaitis accepted; that the Rochester Hills City Council disapproves and will not participate in the widening of Tienken Road beyond three lanes; and be it further resolved that the resolution would be forwarded to the County Executive, the Road Commission for Oakland County (RCOC), and other appropriate authorities.

**Mr. Yalamanchi** supported the motion.

**Mr. Brennan** stated that he does some contractual work for RCOC, none of which had anything to do with Rochester Hills. He explained that he was in the process of obtaining a legal opinion as to whether he had to recuse himself from a vote on

*this issue and stated that as such, he would need to abstain from a vote at this meeting. He requested that Mr. Ambrozaitis postpone this motion until Mr. Pixley returned at the next meeting.*

**Mr. Ambrozaitis** stated that he did not wish to postpone this motion.

**Mr. Rosen** questioned whether City Council Rules of Procedure encouraged motions be distributed to Council in advance.

**Mr. Staran** responded that there was a provision in the City Council Rules of Procedure stating that any Council Member can demand that a motion be reduced to writing before it is voted upon.

**Mr. Rosen** stated that he would like to review prior City Council actions where a vote occurred to limit road widening to four lanes, and further review City Council actions where this vote was rescinded to reflect a case-by-case basis.

**Mr. Yalamanchi** stated that Council has voted many times on motions presented during meetings; however, he wished to give consideration to colleagues who were not in attendance. He requested Mr. Ambrozaitis table his motion until Mr. Pixley's return and to allow the review of prior Council policy and a history of road projects completed since the Livernois Boulevard project.

**Mr. Ambrozaitis** stated that he would not postpone his motion.

**Mr. Yalamanchi** subsequently withdrew his second of Mr. Ambrozaitis' motion. He then requested that President Hooper place Council's road widening policy on the Agenda for the May 18, 2009 meeting.

**President Hooper** stated that he would make this an agenda item for May 18, 2009.

**Mayor Barnett** reaffirmed that there was no golf dome or miniature putt-putt project currently planned for Borden Park.

## **NEXT MEETING DATE**

*Regular Meeting - Monday, May 11, 2009 - CANCELLED; Regular Meeting - Monday, May 18, 2009 - 7:00 PM*

## **ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 11:55 p.m.*

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GREG HOOPER, President  
Rochester Hills City Council

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

*Approved as presented at the July 13, 2009 Regular City Council Meeting.*