



# Rochester Hills Minutes - Draft

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## City Council Regular Meeting

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

*Vision Statement: The Community of Choice for Families and Business*

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

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Monday, December 7, 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 7:11 p.m. Michigan Time.*

### ROLL CALL

**Present** 7 - J. Martin Brennan, Greg Hooper, Nathan Klomp, Vern Pixley, James Rosen, Michael Webber and Ravi Yalamanchi

### Others Present:

*Bryan Barnett, Mayor  
Tara Beatty, Chief Assistant to the Mayor  
Alan Buckenmeyer, Parks Operations Manager  
Scott Cope, Director of Building/Ordinance Compliance  
Ron Crowell, Fire Chief/Emergency Management Director  
Aly Difilippo, Rochester Hills Government Youth Council Representative  
Jean Farris, Supervisor of Procurement  
Bob Grace, Director of MIS  
Mike Hartner, Director of Parks and Forestry  
Jane Leslie, City Clerk  
Roger Rousse, Director of DPS/Engineering  
Jack Sage, Ordinance Inspector  
Keith Sawdon, Director of Finance  
John Staran, City Attorney  
Bob White, Supervisor of Ordinance Services*

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

A motion was made by Brennan, seconded by Pixley, that the Agenda be Approved as Amended to add Legislative File Number 2009-0553 Request to Authorize the Mayor and the City Clerk to execute a one-year (FY2010) agreement with the Oakland County Sheriff's Office for Law Enforcement Services under Attorney Matters and to move New Business to immediately follow Ordinance For Introduction. The motion CARRIED by the following vote:

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

## PUBLIC COMMENT

**Tom McMillan**, 1261 Oakwood Court, District 45 - Republican State Representative, announced he would be available to meet with residents at City Hall on Monday, January 25, 2010 from 4:00 p.m. to 6:00 p.m. to discuss the Avon Road Bridge and any other concerns residents may have.

**Martha Black**, 2408 Jackson Drive, wished City Council and residents Happy Holidays and shared her experience attending The White House Christmas Party. She pointed out and recognized the participation of all those who work behind the scene within the community.

**David Kibby**, 558 Whitney, discussed the gift of giving and referenced the Holiday Helpers' Tree outside of the Mayor's Office at City Hall containing cards with individuals' names and their wants or needs for Christmas. He suggested sharing the legacy of gift giving with the youth.

**Lee Zendel**, 1575 Dutton, commented on the residents response to the City's Public Opinion Survey, pointing out that residents interested in the City's finances could review the City's Budget Book located at the Reference Desk of the Rochester Hills Public Library. He made reference to today being Pearl Harbor Day, a day that will live in infamy.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Hooper** stated that he had the privilege of attending the Employee Christmas luncheon at City Hall earlier today. He expressed his gratitude for the professional staff working for the City.

**Mr. Brennan** reported that City Council had been informed by the Road Commission for Oakland County (RCOC) of its submission of the draft Environmental Assessment (EA) of the widening of Tienken Road to the Federal Highway Administration and Michigan Department of Transportation for anticipated approval. The EA recommends the widening of Tienken Road to three lanes between Livernois and Sheldon Road and the construction of a roundabout at Livernois and Tienken to aide traffic congestion. He mentioned that assuming the Federal Highway Administration approves the EA, the document will then be presented at a public information meeting. He stated that this was good news for our community.

**Mr. Pixley** thanked the following:

- The nation's Veterans for all they do and a reminder of remembrance of

*December 7th - Pearl Harbor Day.*

*- Lori Hall and Jason Boughton for their hard work ensuring that the Holiday Family Fun Night was successful.*

*- Participants in the Annual Rochester Hometown Christmas Parade.*

**Mr. Rosen** added to resident Mr. Zendel's comments regarding Pearl Harbor Day and suggested a visit to the U.S.S. Arizona Memorial in Hawaii.

**Mr. Yalamanchi** expressed his appreciation to Mr. Mike Hartner, Director of Parks and Forestry, and the Green Space Advisory Board for their successful efforts in obtaining a \$510,000.00 grant to be used for the acquisition of additional green space for the City. He thanked the Road Commission for Oakland County regarding its consideration for the widening of Tienken Road and stated he is looking forward to receiving more information regarding the proposed roundabout at Livernois and Tienken.

**Aly Difilippo**, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the Youth Council had participated in the successful Holiday Family Fun Night for the families of City employees on Friday, December 4, 2009 and had walked in the Annual Rochester Hometown Christmas Parade on Sunday, December 6, 2009. She announced that a 5k Walk has been chosen as a project for the spring and that details would be forthcoming.

**Mayor Barnett** congratulated Ed Leafdale for being named the 2009 Employee of the Year, and Bob White, Nancy Butty and Alan Buckenmeyer for being named as 2009 Outstanding Employees. He thanked all of the participants in the Annual Rochester Hometown Christmas Parade and Channel 7 for televising it. He noted there are 29 names remaining on the Holiday Helpers' Tree to be selected and collection would be by Friday, December 11, 2009. Referring to the widening of Tienken Road, he stated that the three-lane road can be considered because of the proposed roundabout at Livernois and Tienken Road.

Mayor Barnett invited Mr. Mike Hartner, Director of Parks and Forestry, and Ms. Tara Beatty, Chief Assistant to the Mayor, to brief City Council and residents on the \$510,000.00 grant obtained by the City to be used for the Sheldon/Mead Green Space Acquisition.

**Tara Beatty** reported that the \$510,000.00 grant awarded to the City will be used for over 39 acres of the Sheldon/Mead Green Space Acquisition. She noted that the City was ranked number 2 out of 175 projects that were submitted from across the State of Michigan. She acknowledged that more than 20 City Employees and the members of the Green Space Advisory Board assisted in this project.

**Mayor Barnett** thanked Christine Preuss of the Parks and Forestry Department for her assistance and hard work on this project.

## ATTORNEY MATTERS

**2009-0553** Request to authorize the Mayor and the City Clerk to execute a one-year (FY2010) agreement with the Oakland County Sheriff's Office for Law Enforcement Services

***President Hooper** commented that Council first became aware of a significant material change to the agreement on November 23, 2009, specifically, that all subcontractors for the City sign an indemnification clause protecting the City from any and all claim costs as a result of their errors and omissions and the Sheriff's Department and the County have chosen not to do that for the proposed 2010 Agreement. He stated that he unilaterally opposes what the County has done with this proposed agreement.*

***Mr. Pixley** added that Council's disagreement with the contract is not a reflection on the services provided by Oakland County Sheriffs Office.*

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

**Aye** 6 - Brennan, Klomp, Pixley, Rosen, Webber and Yalamanchi

**Nay** 1 - Hooper

Enactment No: RES0309-2009

**Whereas**, the City of Rochester Hills and its predecessor, the Charter Township of Avon, have contracted with Oakland County and the Oakland County Sheriff for law enforcement services continuously for 30+ years; and

**Whereas**, the City and its residents have benefited from the law enforcement services provided over the years by the Sheriff and desire to continue their contractual relationship and law enforcement services; and

**Whereas**, the City, County and Sheriff have entered into and operated under the same basic form of Law Enforcement Services Agreement for many years; and

**Whereas**, the current Agreement expires at the end of this month, and for 2010, the County and Sheriff have proposed a form of Agreement containing material changes relating to responsibility for loss or damage to the Sheriff's Dept. substation caused by Sheriff's deputies, and relating to indemnification of the City for claims, costs and damages incurred by the City as a result of the acts or omissions of the Sheriff's Departments; and

**Whereas**, under the prior and current Law Enforcement Services Agreement, the County and Sheriff have been responsible for any loss or damage they cause to the Substation premises, and the County and Sheriff are contractually obligated to indemnify and hold the City harmless from claims, costs and damages against the City that may arise out of the acts or omissions of the Sheriff's Department; and

**Whereas**, in the proposed 2010 Law Enforcement Agreement, the County has unilaterally, and without prior discussion, eliminated the aforesaid provisions resulting in shifting risk and responsibility for loss or damage to the Substation from the County to the City, and further exposing the City to risk of liability and litigation costs in regard to claims that may be asserted against the City due to the acts or omissions of the Sheriff's Department; and

**Whereas**, these material changes to the form of Law Enforcement Agreement will have the effect of transferring risks and potential costs to the City and its taxpayers with no corresponding offset, consideration or benefit to the City; and

**Whereas**, the City Council is aggrieved that these proposed changes to the Agreement were not fairly or properly presented, discussed with or explained to the City by County or Sheriff representatives; the City was neither consulted nor notified that the County was considering these material changes, and the County has not afforded the City a reasonable opportunity or adequate time to evaluate alternatives; and

**Whereas**, the County has been resolute in refusing to consider the City's legitimate concerns and disagreements over the proposed material changes to the Law Enforcement Agreement, in rejecting any and all alternative provisions suggested by the City, and in declining the City's request to extend or carry over the current form of Agreement for at least one more year in order to reasonably allow the City to explore alternatives and to negotiate and work cooperatively with the County to reach a mutually satisfactory resolution; and

**Whereas**, the City Council does not believe the County has negotiated or approached the proposed 2010 Law Enforcement Agreement reasonably, fairly or in good faith; and

**Whereas**, the City Council disagrees with the changes made to the 2010 Law Enforcement Agreement by the County and imposed on the City without consideration.

**THEREFORE, IT IS RESOLVED**, that for the foregoing reasons, the Rochester Hills City Council regrettably approves the form of the 2010 Law Enforcement Agreement proposed by the County and the Sheriff and authorizes the Mayor and the Clerk to sign the Agreement.

## 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.

**2009-0421** Approval of Minutes - City Council Special Meeting - September 14, 2009

**Attachments:** [CC Special Meeting Min 091409.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0311-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on September 14, 2009 be approved as presented/amended.

**2009-0422** Approval of Minutes - City Council Regular Meeting - September 14, 2009

**Attachments:** [CC Min 091409.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0312-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 14, 2009 be approved as presented/amended.

**2009-0492** Approval of Minutes - City Council Regular Meeting - September 21, 2009

**Attachments:** [Resolution.pdf](#)  
[CC Min 092109.pdf](#)

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

Enactment No: RES0313-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 21, 2009 be approved as presented.

**2009-0525** Request for Purchase Authorization - DPS/FAC: Blanket Purchase Order for maintenance, hardware and building supplies from Home Depot, Rochester Hills, Michigan, in the amount not-to-exceed \$35,000.00 through December 31, 2010

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

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

Enactment No: RES0314-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Home Depot, Rochester Hills, Michigan, for maintenance, hardware and building supplies in the amount not-to-exceed \$35,000.00 through December 31, 2010.

**2009-0526** Request for Purchase Authorization - CITYWIDE: Blanket Purchase Order for office supplies and equipment in the amount not-to-exceed \$86,260.00 through December 31, 2010; Office Depot Business Services Division, Plymouth, MI and other office supply vendors as appropriate

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

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

Enactment No: RES0315-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Office Depot Business Services Division, Plymouth, Michigan and other office supply vendors as appropriate for the purchase of office supplies and equipment in the amount not-to-exceed \$86,260.00 through December 31, 2010.

**2009-0529** Request for Purchase Authorization - MIS: GIS software maintenance fee, in the amount not-to-exceed \$31,194.25; ESRI, Inc. (Environmental Systems Research Institute), Redlands, CA

**Attachments:** [Agenda Summary.pdf](#)  
[Quotation.pdf](#)  
[Sole Source Letter.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0316-2009

**Resolved**, that the Rochester Hills City Council hereby approves a purchase order to ESRI, Inc. (Environmental Systems Research Institute), Redlands, California for annual GIS software maintenance fee for 2010 in the amount of \$31,194.25.

**Passed the Consent Agenda**

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

**The following Consent Agenda items were discussed and adopted by separate motion.**

**2009-0519** Request for Purchase Authorization - FIRE: Blanket Purchase Order for EMS billing and reporting services in the amount not-to-exceed \$90,000.00 through December 31, 2010; AccuMed Billing, Inc., Riverview, MI

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

**Mr. Yalamanchi** requested that Chief Crowell give some background on this contract and to report the costs and recovery for 2009.

**Chief Crowell** reported that the City is in its third year of a five-year contract with AccuMed. Processing the Emergency Patient Care Reporting electronically has reduced the Department's billing service costs from ten percent to seven and-a-quarter percent. He reported that approximately \$901,498.00 has been collected which is down slightly from what had been anticipated.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0326-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to AccuMed Billing, Inc., Riverview, Michigan for billing and reporting services in the amount not-to-exceed \$90,000.00 through December 31, 2010.

**2009-0541** Request for Purchase Authorization - MIS: Project Budget for the purchase of MIS budgeted technical equipment, supplies and software in the amount not-to-exceed \$99,100.00; State Contract and Other Supply Sources

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

**Public Comment:**

**Lee Zendel**, 1575 Dutton, requested that City Council postpone its decision

regarding this purchase and that the City's Administration research the cost benefits of contracting with Google Apps or Amazon.

**President Hooper** responded that Google apps had been discussed previously.

**Bob Grace** concurred and reported that if the City were to contract with Google Apps or Amazon, its costs would be greater because there would still be software licensing fees and costs to ensure security of information both on servers and desktop computers. He stated that City Council's approval of this budget would enable the Department to replace equipment as needed and at better, competitive pricing.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0327-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Project Budget for the purchase of MIS budgeted technical equipment, supplies and software utilizing the State Contract and Other Supply Sources in the amount not-to-exceed \$99,100.00.

## ORDINANCE FOR INTRODUCTION

**2009-0220** Acceptance for First Reading - an Ordinance to amend Section 110-404 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the permit fee charged for temporary signs, repeal conflicting Ordinances and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[120709 Resolution.pdf](#)  
[062209 Agenda Summary.pdf](#)  
[062209 Ordinance \(Revised\).pdf](#)  
[062209 Resolution.pdf](#)  
[060109 Agenda Summary.pdf](#)  
[060109 Ordinance.pdf](#)  
[060109 Resolution.pdf](#)  
[Resolution.pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, stated that the revision to the Ordinance allows for the reduction of fifty percent (50%) in cost for temporary signs. This was based upon an applicant who has plans to have four (4) temporary sign events in one year; the applicant will submit one application for all four (4) temporary sign events, and the City would only have to process one plan review and one permit.

In response to Council's questions, **Mr. Cope** reported the following:

- Notification of Ordinance revisions are forwarded to property managers of retail spaces and on the City's website.



- Specific dates are not an absolute requirement but the intent of the dates, or approximation thereof, is to aide Ordinance Compliance in specifying the type of sign installation, display period and removal in accordance with the application and permit information.
- The cost is \$200 per year for four (4) temporary sign event installations, each for a fourteen-day display period with the potential to be changed to a thirty-day display period. Businesses have communicated to the City that a fourteen-day display period is too short.

**Mr. White** added that currently, there are a couple of businesses and organizations in the community who have four (4) events planned annually and have communicated their frustration at having to send a representative through the application process at the City four (4) separate times for temporary permits. He recommended that the revision to the Ordinance would support business efforts within the City.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0338-2009

**Resolved**, that an Ordinance to amend Section 110-404 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify the permit fee charged for temporary signs, repeal conflicting Ordinances and prescribe a penalty for violations, is hereby accepted for First Reading.

**2009-0365** Acceptance for First Reading - an Ordinance to amend Section 84-17 of Article I, Chapter 84, Property Maintenance Code of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to remove references to natural landscape, clarify the weed cutting charge; repeal conflicting Ordinances and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[092809 Agenda Summary.pdf](#)  
[092809 Ordinance \(Revised\).pdf](#)  
[092109 Agenda Summary.pdf](#)  
[092109 Ordinance.pdf](#)  
[092109 Resolution.pdf](#)  
[092809 Resolution.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, explained that in addition to making an adjustment to the fees charged, a change was made related to Section (b)(5). He explained that it has been difficult for the City Administration to try to define and enforce 'natural landscaping' and upon discussions with the City Attorney and the City Administrative Staff, the result was that they do not have a clear definition of when to cut and when not to cut. He stated that it is the City's intent to have an ordinance that can be enforced in a reasonable manner and if there is a reasonable, natural landscape proposed

*by a resident, the City Administrative Staff would review it.*

**Mr. Yalamanchi** expressed his appreciation for this approach since landscaping has evolved and especially if the "natural" landscaping is beneficial for the residences and the environment.

**A motion was made by Webber, seconded by Klomp, that this matter be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0339-2009

**Resolved**, that an Ordinance to amend Section 84-17 of Article I, Chapter 84, Property Maintenance Code of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to remove references to natural landscape, clarify the weed cutting charge; repeal conflicting Ordinances and prescribe a penalty for violations is hereby accepted for First Reading.

- 2009-0542** Acceptance for First Reading - an Ordinance to amend Sections 134-1, 134-7, 134-109, 134-148, 134-177, 134-178, 134-179 and 134-181 of Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define terms; clarify location requirements; authorize and regulate temporary advertising banner flags and modify regulations for temporary wall and freestanding portable signs; modify electronic message sign regulations; modify standards for area, setback, height and number of signs; repeal conflicting Ordinances and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance \(2nd Revision\).pdf](#)  
[Ordinance \(Revised\).pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, stated that the purpose of the revisions to the ordinance is to make the Sign Ordinance more user-friendly for both customers and the staff. He stated that the revisions adapt the ordinance to the City's current architectural construction and design of buildings located in mixed-use developments. The Sign Ordinance revisions address the new sign technologies with the overall intent of maintaining a balance both to the business owners for marketability and for retention of the character of the City's community.

**Bob White**, Supervisor of Ordinance Services, gave a brief pictorial overview of the proposed ordinance revisions as requested by City Council. He stated that business owners and sign contractors are creative individuals and the City's intent is not to inhibit the creativity but to maintain reasonable limitations.

**Monument Signs:**

*The base of the sign shall not be less than seventy-five percent (75%) of the width of the sign frame.*

**Temporary Signs:**

The proposal is to increase the permit time period from fourteen (14) to thirty (30) days and to allow up to four (4) permits per year. **Mr. Cope** commented that both business owners and contractors have communicated that One Hundred Dollars (\$100) is too costly for fourteen (14) days and had requested that thirty (30) days would be more agreeable for the cost. The proposal is to increase the size of ground signs from sixteen (16) square feet to thirty-two (32) square feet which would accommodate many of the a-frame signs but remain consistent with the thirty-two (32) square foot real estate sign currently permitted in the City. In regard to the temporary signage that is approved annually for vacant lots, there is a proposed increase in height from six (6) feet to seven (7) feet. This would maintain sign height consistency because monument signs are at a height of seven (7) feet. The Department has received requests from business owners to have temporary banner flags, and the City is proposing a limit of two (2) signs at thirty-two (32) square feet by up to twelve (12) feet in height.

**Office Signs:**

**Mr. White** explained that under the current ordinance, if a building owner also occupied space in that same building, the building owner has not been permitted to display their name at the top of the sign; they have been required to use the eight (8) square feet allotted for this. The City Administration does not see the need to regulate the naming of owners' buildings. In multi-use buildings, each tenant will be allowed a twenty square foot sign for each floor occupied, up to a maximum of one hundred (100) square feet. The proposed revision to Industrial District buildings would allow for a sign up to two hundred (200) square feet.

**Electronic Message Boards:**

The current ordinance requires LED and Electronic Message Boards to display a single color on a black background only. The proposed revision would allow for a multicolor display.

**Canopy Signs:**

The current ordinance prohibits any signs attached to gas station canopies. The City Administration believes it is reasonable to allow a twenty (20) square foot sign per road frontage.

**Signage Height:**

**Mr. White** stated that currently, the ordinance limits permanent wall signs to a height of twenty (20) feet. The Administration is proposing to change this to allow the top of the wall of the building to be the limit. The proposed formula for calculating the allowable size of a permanent sign is determined by allocating ten percent of the facade. He assured City Council, based on signage costs provided by sign contractors, that signage beyond thirty (30) to thirty-five (35) feet becomes cost prohibitive and it is unlikely that any business could afford a one hundred (100) foot sign. He stated that in the Industrial District, the current

ordinance allows one hundred twenty (120) square feet and the proposed ordinance would allow two hundred sixty-four (264) square feet, but the maximum sign would be one hundred (100) square feet.

**Public Comment:**

**Robert Miller**, 3255 W. Hamlin Road, a representative of PGW and Company, spoke in support of the revision to the ordinance stating it would help make their business more visible from M-59.

**Miles Volpe**, 2911 Katie Lane, Milford, MI 48380, Owner and Representative of Benchmark Homes, Inc. (Benchmark), commented that there was no reference specific to real estate signs in Mr. White's presentation and asked for assistance to address Benchmark's signage request.

**Karen Wilson**, 70 W. Long Lake Road, Troy, MI 48098, Sales Representative from Real Estate One, expressed a similar concern for the need for larger, temporary real estate signage for subdivision sales.

**President Hooper** referred the real estate signage inquiries to Mr. Cope and asked what the current ordinance addresses and what would the proposed ordinance change.

**Mr. Cope** responded that the proposed ordinance revision does not change real estate signs. He commented that he had had some discussions with Mr. Volpe and had made a suggestion of exhibiting development signs for a one year period at the allowable larger size and then reducing the signage size thereafter. He expressed the City Administration's empathy of the marketing need for real estate but stated that the City does not want the larger signs exhibited without a time limitation.

**Council Discussion:**

Discussion ensued and members of the Building Department responded as follows:

**Mr. Cope** clarified that the City is not involved in the design of the type of signs, but we do regulate the size and the height.

In regard to real estate and temporary signage, **Mr. White** explained that there are real estate development signs which are approved at thirty-six (36) square feet by seven (7) feet in height for three (3) years. He stated that after three years, there is an annual renewal until the subdivision is built out to eighty percent (80%) and then the sign has to be removed. The real estate sign or the typical leasing signs on vacant lots at thirty-six (36) square feet by seven (7) feet high, are annual permits and renewed every year. Developer signs can list engineers, developers and builders and real estate signs can only state for sale or lease.

**Mr. Sage** addressed the question regarding brightness regulation of LED signs, stating that some communities have luminal limits but that the City has not had

to address many of those inquiries. **Mr. White** added that information from lighting contractors reveals that there are light sensitive timers which dim the lights for the evening and brightens the lights for daylight.

**Mr. Cope** stated that there had been communication and meetings with businesses and sign contractors to enable the Department to develop reasonable revisions to the Ordinance. **Mr. White** added that there had been a presentation made to the Mayor's Business Council and had received positive feedback for the proposed revisions to the Ordinance.

**A motion was made by Brennan, seconded by Klomp, that this matter be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0340-2009

**Resolved**, that an Ordinance to amend Sections 134-1, 134-7, 134-109, 134-148, 134-177, 134-178, 134-179 and 134-181 of Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define terms; clarify location requirements; authorize and regulate temporary advertising banner flags and modify regulations for temporary wall and freestanding portable signs; modify electronic message sign regulations; modify standards for area, setback, height and number of signs; repeal conflicting Ordinances and prescribe a penalty for violations, is hereby accepted for First Reading.

**2009-0530** Acceptance for First Reading - an Ordinance to amend Article VIII of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to increase park entry and shelter and sports field rental fees, repeal conflicting Ordinances and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Park Fees - 2010 Proposed.pdf](#)  
[Field Fees - 2010 Proposed.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**Mike Hartner**, Director of Park and Forestry Services, commented that during the 2010 Budget Meeting there had been considerable discussion regarding park fees. He stated that what is being proposed is a modest increase in park fees that will help offset the cost increase of specialized services.

**President Hooper** noted the proposed lower fees during off-season use to encourage winter usage of the parks.

**Mr. Hartner** responded that off-season use of the parks could prevent the loss of revenue and promote greater park attendance over all the seasons.

**Mr. Pixley** stated he was encouraged that the City had not had fee increases since 2000 and 2005, however, noted that the increase is necessary. He inquired if collection of park fees during the off-season periods by part-time City employees would cost more than the fees actually collected.

*Mr. Hartner stated that had been a consideration but the collection of fees from individuals utilizing the facilities, sledding on the hills and benefitting from the security at the parks might work to promote earlier permit purchases.*

*Mr. Rosen questioned how the different fee increases for the various soccer fields was determined.*

*Alan Buckenmeyer, Parks Operation Manager, reported that larger increases were applied to the fees charged for fields that require more maintenance due to higher use.*

*President Hooper asked if there is legislation governing the fee rates between City residents and non-residents.*

*Mr. Hartner explained that non-residents cannot be charged more than double a resident fee, based upon project agreements and past grant requirements from the Department of Natural Resources.*

*Mayor Barnett commented that most park customers use the park for a daily entrance fee which is not increasing; the only fee increase regarding entrance fees is the \$5 increase of the annual park pass from \$25 to \$30 and a \$5 increase for the annual senior citizen park pass from \$5 to \$10.*

**A motion was made by Yalamanchi, seconded by Brennan, that this matter be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0341-2009

**Resolved**, that an Ordinance to amend Article VIII of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to increase park entry and shelter and sports field rental fees, repeal conflicting Ordinances and prescribe a penalty for violations, is hereby accepted for First Reading.

## NEW BUSINESS

(Mr. Webber exited at 9:25 p.m. and re-entered at 9:28 p.m.)

**2009-0480** Request to waive the enforcement of Section 10-186 of Chapter 10, Article VI Amusement/Entertainment until January 30, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Bldg Dept Memo 011310.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Game Over application.pdf](#)  
[Bldg Dept Memo 110409.pdf](#)  
[Ordinance.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**Constantin Carstea**, 1524 East Auburn, Suite 50, gave a brief summary of his application for a mechanical license permit in October 2009 and expressed his confusion over the application process. He described his business as a gaming facility and explained that it includes all types of internet gaming which would be performed on internet gaming consoles. He mentioned that the hours of operation begin at 3:00 p.m., when the local schools were finished for the day, and that loitering would not be permitted.

**President Hooper** requested that a representative from the Building Department clarify the Memorandum from the Building Department and its recommendation for application denial.

**Bob White**, Supervisor of Ordinance Services, explained that after reviewing Mr. Carstea's application and floor plan, it appeared that this was a 21st century video arcade. He stated that under the City's current Ordinance, there are six types of establishments where mechanical amusement devices are allowed:

- Has a Class C liquor license issued in good standing;
- Located in an enclosed shopping mall (with an adult attendant at all times and a security guard on duty);
- Under Article 3 of the Ordinance is a section that addresses dance hall and roller rink descriptions;
- Bowling alley;
- Movie theatre; and
- Activity center.

**Mr. White** stated that it would be difficult for Mr. Carstea to qualify under the definition of an activity center because it means a business or establishment where amusement devices are not the primary attraction or revenue source, which is not the case in this situation. He further noted that the Ordinance states the location of the establishment cannot be closer than 2,000 feet to the property of an elementary or secondary school. He concluded described that the business location and description do not meet the criteria of any of the ordinance's requirements.

**Mr. Carstea** responded that he had but at the time of his permit application, he had not been informed about the location problem. To date he has performed a complete build-out required for the opening of this new business, and has expended \$40,000.00 into this business. He stated he does not understand why he was not informed about the necessary criteria for procurement of such occupancy permit.

**President Hooper** inquired about the application process for property improvement and questioned if zoning is checked first.

**Mr. White** stated that the applicant had received his Certificate of Occupancy (C of O) inspection although the inspectors were not aware that there was a mechanical amusement device license required. Once the Clerk's Office contacted the Ordinance Enforcement regarding the application for the mechanical amusement device license, the error was realized and the temporary C of O was not issued.

*Council Members expressed a desire to support this business venture and asked City Attorney Staran what direction Council could take to support and aide this situation.*

**City Attorney Staran** stated that the Ordinance is very specific and was not written with any provision for variances, exceptions or the waiving of some restrictions. He noted that he had been reviewing the Ordinance and meeting with Mr. White to see in what way, if any, this business would still be able to open. He informed Council that the creation of this section of the Ordinance was to address problems in gaming arcades during the 1970s and that the Zoning Board of Appeals would not have jurisdiction on this type of matter. He stated one possibility would be for City Council to resolve to suspend or repeal the ordinance, but that resolution would allow an unregulated business within the City. He recommended reviewing the Ordinance for any possible amendment but noted that this will take time.

**President Hooper** questioned if Section 10-186 could be waived to allow this business to open which is the specific problem area of the Ordinance.

**City Attorney Staran** responded that the choices would be to resolve to repeal it or resolve to adopt a moratorium on enforcement of that section for a period of time until such time as the Council can take a look at the ordinance and address it, but to bear in mind that Mr. Carstea and his partners would be still in the same position of conflict with the Ordinance after the business has been opened.

**Mr. Yalamanchi** suggested a motion to waive Section 10-186 for sixty days.

**Mr. Rosen** expressed his concern about City Council moving too quickly before fully reviewing any amendments to the Ordinance.

**City Attorney Staran** suggested that an ordinance amendment could be done more timely by the addition of one or two sentences that would give City Council authority to grant a variance, or make exception to various conditions or terms of the Ordinance based on hardship or difficulty. Doing so would allow Council to deal with this particular applicant in a timely manner without running into problems with other potential license applicants.

**President Hooper** stated that it could not happen until City Council's January 11, 2010 meeting.

**Mr. Pixley** stated that it is not City Council's desire to discourage business in the City, however, while he thinks it is a great business concept, he cannot support the motion on the table but would support looking into amending the Ordinance to add a hardship exception.

**Mr. Brennan** stated his opinion that Council owes it to the community to conduct further investigation of the business and the Ordinance and could not support the motion on the table until this is accomplished.



**Mr. Yalamanchi** stated a solution might be, as City Attorney Staran had previously suggested, to suspend enforcement of Section 10-186 of the Ordinance until January 30, 2010 which would allow the business to begin. He asked if there are any other similar businesses in the City that have applied for this type of permit.

**Mr. White and Clerk Leslie** responded no.

**Mr. Rosen** disagreed with allowing the business to commence and questioned if the Ordinance is amended, could the business be required to change to comply with the Ordinance or would the business be considered 'grandfathered in'.

**City Attorney Staran** responded that the business could be required to change because this is a non-zoning Ordinance. However, doing so may compound the businesses' hardship. He stated that a draft ordinance could be prepared in time for City Council's next meeting for a First Reading and that a Second Reading would not occur until January 2010 for adoption.

**Mr. Klomp** stated his support of this business in the City.

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

**Aye** 5 - Hooper, Klomp, Pixley, Webber and Yalamanchi

**Nay** 2 - Brennan and Rosen

Enactment No: RES0019-2010

**Whereas**, the applicant known as Game Over Lounge (Mr. Constantin Carstea, Owner) has applied for a Mechanical Amusement Device License, and does not meet the criteria for the license pursuant to Chapter 10, Amusement/Entertainment.

**Resolved**, that the Rochester Hills City Council hereby waives enforcement of Section 10-186 until January 30, 2010.

**2009-0480** Request for a Mechanical and Electronic Amusement Device License for Game Over Lounge, located at 1524 E. Auburn Road, Suite 50, in accordance with the City of Rochester Hills Code of Ordinances, Section 10-151

**Attachments:** [Agenda Summary.pdf](#)  
[Bldg Dept Memo 011310.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Game Over application.pdf](#)  
[Bldg Dept Memo 110409.pdf](#)  
[Ordinance.pdf](#)  
[120709 Resolution.pdf](#)  
[Resolution.pdf](#)

**City Attorney Staran** reiterated that the license be granted and that based on Council's previous action to suspend enforcement of Section 10-186 of the Ordinance. However, if the Ordinance is not amended by this January 30, 2010 deadline, the business may have to close.

**Mr. Rosen** asked Mr. Carstea if he is prepared for the possibility of having to

*close his business at the end of January, 2010.*

**Mr. Carstea** stated he understood.

**A motion was made by Yalamanchi, seconded by Webber, that this matter be Adopted by Resolution to issue a Mechanical Amusement Device License until January 30, 2010. The motion CARRIED by the following vote:**

**Aye** 6 - Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

**Nay** 1 - Brennan

Enactment No: RES0019-2010

**Whereas**, the applicant known as Game Over Lounge (Mr. Constantin Carstea, Owner) has applied for a Mechanical Amusement Device License, and does not meet the criteria for the license pursuant to Chapter 10, Amusement/Entertainment.

**Whereas**, the Rochester Hills City Council waived enforcement of Section 10-186 of Chapter 10, Amusement/Entertainment for the period ending January 30, 2010.

**Resolved**, that the Rochester Hills City Council hereby approves the Mechanical Amusement Device License requested by Mr. Constantin Carstea, owner, Game Over Lounge, located at 1524 E. Auburn Road, Suite 50, Rochester Hills, MI 48307 for the period ending January 30, 2010.

- 2009-0514** Request for Purchase Authorization - DPS/FAC: Blanket Purchase order for the purchase and delivery of electric energy for City facilities from DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan, in the amount not-to-exceed \$450,000.00 through December 31, 2010

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

**Roger Rouse**, Director of DPS/Engineering, stated the City enjoys a modest cost decrease as a result of the cooperative purchase plan through the Michigan Municipal Risk Management Authority (MMRMA) and recommend that City Council approve this purchase.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0318-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount not-to-exceed \$450,000.00 through December 31, 2010.

- 2009-0524** Request for Purchase Authorization - DPS/FAC: Blanket Purchase Order for the purchase of natural gas for various City-owned buildings to Consumers Energy, Lansing, Michigan, in the amount not-to-exceed \$175,000.00 through December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Natural Gas Savings Report.pdf](#)  
[Resolution.pdf](#)

**Roger Rousse**, Director DPS/Engineering, noted that supply of the commodity has been negotiated separately with Constellation Energy. He explained that there is a carrying charge and use of the facilities charge from Consumers Energy; the City will pay one vendor for both of those charges.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0319-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Consumers Energy, Lansing, Michigan, for the purchase of natural gas for various City-owned buildings in the amount not-to-exceed \$175,000.00 through December 31, 2010.

**2009-0528** Request for Purchase Authorization - DPS/FAC: Project Budget for the Renovation of the HVAC System at Fire Station #1 in the amount not-to-exceed \$285,000.00; North Star Mechanical, Inc., Shelby Township, MI and other necessary contractors

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

**Roger Rousse**, Director of DPS/Engineering, stated that this project has been on the City's plan docket for five years. In order to have a more energy efficient operation, the proposal was changed so rather than just simply replacing the old equipment, seven (7) units will be created and then all those units will be programmed into an energy management system so each individual zone would be programmed for working hours and/or times when training is going to occur. The vendor has indicated that the City could expect to see a \$12,000.00 a year savings in energy consumption for using this type of configuration. He pointed out that less than \$100,000.00 is for equipment outside of the building or for the mechanical units, the balance is for interior building improvements inside the building which includes new duct work for all units and separate, humidity controls and the energy management system.

**Mr. Yalamanchi** questioned what the anticipated payback period will be.

**Mr. Rousse** responded that the payback period is estimated based upon two factors: the energy consumption and the cost for maintenance. He stated approximately \$35,000.00 has been spent in the last forty-two (42) months on maintenance to the system. Based on the energy savings and on the continued cost of maintenance and repair to the system, a payback period is estimated at six years.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0320-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes the Project Budget for the Renovation of the HVAC System at Fire Station #1 to North Star Mechanical, Inc., Shelby Township, Michigan and other contractors as required to complete the project in the amount not-to-exceed \$285,000.000 and further authorizes the Mayor contracts on behalf of the City.

**2009-0543** Request to Consider charging the Rochester Hills residents a fee of \$10.00 per vehicle, per visit, to dispose of hazardous waste in 2010

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

**Mr. Scott Cope**, Director of Building/Ordinance Compliance, introduced Jack Sage, Ordinance Inspector and the City's Representative to the Oakland County No-Haz Program (No-Haz Program) to give Council an update of the City's 2009 participation in the No-Haz Program and options to address the substantial increases for the City's participation in this Program.

**Mr. Sage** stated that this is the seventh year that the City of Rochester Hills has participated in the No-Haz Program and Rochester Hills accounts for thirty-two percent (32%) of resident participation in the overall total program. This has resulted in a budget increase of \$12,643.00 for a new total of \$102,643.37 for 2009. He reported that in 2009, there was approximately 6,618 participants. For 2010, the No-Haz Program vendor is estimating a cost at approximately \$30.25 per car and has suggested four (4) options to offset the cost of this Program:

- (1) Continue to collect latex paint, computers and electronic equipment and charge each participant a \$10.00 fee; or
- (2) Continue to collect latex paint, computers and electronic equipment and not charge a fee per participant; or
- (3) Eliminate collection of latex paint, computers and electronic equipment and not charge a fee per participant; or
- (4) Eliminate collection of latex paint, computers and electronic equipment and charge each participant a \$10.00 fee. This was deemed illogical.

**Mr. Sage** reported that the advisory board members were in favor of Option #1 because latex paint, computers and electronic equipment remain important collection items for the participants. He stated that should City Council agree to Option #1, it would result in a cost savings of \$30,000.00 to the City. He mentioned that the solid waste program provides approximately \$79,000.00 additional revenue to supplement the cost of the Program.

**Public Comment:**

**Melinda Hill**, 1481 Mill Race Road, spoke in support of the No-Haz Program and a one-time \$10 fee per participating resident. She suggested that a sticker or token system be utilized for residents' proof of the fee payment. She questioned what the balance of the \$30 per cost is covering, if \$9 covers latex paint and electronics. She also inquired as to this possibility of negotiating an

*increase to the amount Allied Waste gives toward this program.*

**Mr. Sage** responded that the disposal of pesticides, solvent, gasoline, old tar buckets and any old liquids found stored in most residents' garages.

**Mr. Webber** commented that most residents would not likely object to paying the participation fee because of their familiarity with the Program.

**Mr. Pixley** expressed his agreement with Ms. Hill's opinion of an annual 'one time fee charge' for all four (4) collection events.

**President Hooper** responded that the resolution is to approve the City's 'option' to charge participation fees but does not mean that the City is going to charge a participation fee.

**Mr. Cope** concurred with President Hooper stating that is the inquiry from the No-Haz Program and from the Department whether City Council would want the option of charging the residents a participation fee.

**Mr. Yalamanchi** expressed his support for the \$10 fee per participant and suggested that it should be a \$10 participation fee with an additional suggested but not mandatory \$10 donation.

**Mr. Rosen** stated that he was in agreement with the \$10 participation fee as most residents will only make one disposal trip to one of the four (4) No-Haz Collection Events. He stated this Program encourages residents to retain their hazardous disposable materials and then participate in the No-Haz Collection Events.

**Mr. Brennan** stated that \$10 is a reasonable fee, and environmentally conscientious participants would be willing to pay it.

**A motion was made by Pixley, seconded by Yalamanchi, that this matter be Adopted by Resolution to charge a \$10.00 fee, in addition to a suggested \$10.00 donation. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0321-2009

**Resolved**, that the Rochester Hills City Council hereby approves the option provided by the No-Haz Advisory Board to charge the Rochester Hills residents a fee of \$10.00 per vehicle, per visit, to dispose of hazardous waste in 2010; in addition to a suggested \$10.00 donation per vehicle, per visit.

## **NOMINATIONS/APPOINTMENTS**

- 2009-0513** Request to Confirm the Mayor's reappointments of Mary Bragg, Thomas Dohr, Martha Peters, Joshua Raymond, Ronald Vogt and Kathryn Zwolak to the Citizens Pathway Review Committee for one (1) year terms expiring December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Bragg CQ.pdf](#)  
[Dohr CQ.pdf](#)  
[Peters CQ.pdf](#)  
[Raymond CQ.pdf](#)  
[Vogt CQ.pdf](#)  
[Zwolak CQ.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** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0328-2009

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's reappointments of Mary Bragg, Thomas Dohr, Martha Peters, Joshua Raymond, Ronald Vogt and Kathryn Zwolak to the Citizens Pathway Review Committee for one (1) year terms expiring December 31, 2010.

- 2009-0527** Request to Confirm the Mayor's reappointments of Robert Gauthier, Tushar Oza and Nancy Ritter to the Board of Review for three (3) year terms expiring December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
[Gauthier CQ.pdf](#)  
[Oza CQ.pdf](#)  
[Ritter CQ.pdf](#)  
[Resolution.pdf](#)

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0329-2009

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's reappointments of Robert Gauthier, Tushar Oza and Nancy Ritter to the Board of Review for three (3) year terms expiring December 31, 2012.

- 2009-0558** Adoption of Resolution To Waive City Council Rules of Procedure to allow for Citizen Appointments to be made within a one-week period of their Nominations.

**Mr. Webber** requested that City Council waive its Rules and Procedures to allow for citizen appointments to be made within a one-week period of their nominations for any Board/Commission/Committee on this agenda wherein the number of nominees exceeds the number of vacancies.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0322-2009

**Resolved**, that the Rochester Hills City Council hereby waives the *City Council Rules of Procedure, Article VII. Boards, Commissions and Committees, Section .01 (ii)* to allow for Citizen Appointments to be made within a one-week period of their Nominations.

**2009-0427** Nomination/Appointment of seven (7) Citizen Representatives to the Water and Sewer Technical Review Committee each for one-year terms expiring December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Sher Akhtar CQ.pdf](#)  
[Johanna Allen CQ.pdf](#)  
[Martin Borucki CQ.pdf](#)  
[Clare Cheesman.pdf](#)  
[Frank Cosenza CQ.pdf](#)  
[Richard Graham CQ.pdf](#)  
[Philip Hurst CQ.pdf](#)  
[Tim Jacobson CQ.pdf](#)  
[George Karas CQ.pdf](#)  
[Gerard Verschueren CQ.pdf](#)  
[Suppl Ted Zellers CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** *Opened the Floor for Nominations.*

**Mr. Yalamanchi** *nominated Sher Akhtar.*

**Mr. Webber** *nominated Johanna Allen.*

**Mr. Yalamanchi** *nominated Martin Borucki.*

**Mr. Yalamanchi** *nominated Frank Cosenza.*

**Mr. Webber** *nominated Richard Graham.*

**Mr. Webber** *nominated Tim Jacobson.*

**Mr. Webber** *nominated George Karas.*

**Mr. Yalamanchi** *nominated Gerard Verschueren.*

**Mr. Pixley** *nominated Ted Zellers.*

**President Hooper** *Closed the Floor for Nominations and noted that, as there were more nominees than open positions for Citizen Representatives to the Water and Sewer Technical Review Committee, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.*

**Discussed; Nominated Sher Akhtar, Johanna Allen, Martin Borucki, Frank Cosenza, Richard Graham, Tim Jacobson, George Karas, Gerard Verschueren and Ted Zellers**

**2009-0428** Nomination/Appointment of two (2) Citizen Representatives to the Human Resources Technical Review Committee each for one-year terms to expire December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Johanna Allen CQ.pdf](#)  
[Donald Atkinson CQ.pdf](#)  
[Clare Cheesman.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[Frank Cosenza CQ.pdf](#)  
[Dona Martinez CQ.pdf](#)  
[Edward Olson CQ.pdf](#)  
[Alexios Pathenos CQ.pdf](#)  
[Kenneth Wissbrun CQ.pdf](#)  
[Suppl Thomas McDonald CQ.pdf](#)  
[Suppl Ted Zellers CQ.pdf](#)  
[Resolution.pdf](#)

***President Hooper*** Opened the Floor for Nominations.

***Mr. Rosen*** nominated Donald Atkinson and Clare Cheesman.

***Mr. Pixley*** nominated Tom McDonald.

***President Hooper*** Closed the Floor for Nominations and noted that, as there were more nominees than open positions for the Human Resources Technical Review Committee, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.

**Discussed; Nominated Donald Atkinson, Clare Cheesman and Thomas McDonald**

**2009-0429** Nomination/Appointment of one (1) Citizen Representative to the Building Authority for a six-year term to expire December 31, 2015



**Attachments:** [Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Johannes Buiteweg CQ.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[Alexios Pathenos CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** *Opened the Floor for Nominations.*

**Mr. Yalamanchi** *nominated Johannes Buiteweg.*

**President Hooper** *Closed the Floor for Nominations.*

**A motion was made by Rosen, seconded by Pixley, that Johannes Buiteweg be appointed for a term to expire December 31, 2015. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0330-2009

**Resolved,** that the Rochester Hills City Council appoints Johannes Buiteweg to the Building Authority to serve a six-year term expiring December 31, 2015.

**2009-0430** Nomination/Appointment of two (2) Citizen Representatives to the Canvassing Board each for a four-year term to expire December 31, 2013

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[James Duistermars CQ.pdf](#)  
[Paul Funk CQ.pdf](#)  
[Sigrid Grace CQ.pdf](#)  
[Theresa Mungoli CQ.pdf](#)  
[Alexios Pathenos CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** *Opened the Floor for Nominations.*

**Mr. Yalamanchi** *nominated Sigrid Grace - Democrat and Paul Funk - Republican.*

**Mr. Pixley** *nominated Jim Duistermars - Republican.*

**President Hooper** *Closed the Floor for Nominations and noted that, as there were more nominees than open positions for the Citizen Representatives to the Canvassing Board, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.*

**Discussed; Nominated Sigrid Grace, Paul Funk and Jim Duistermars**

**2009-0431** Nomination/Appointment of one (1) Citizen Representative to the Rochester Avon Recreation Authority for a three-year term to expire December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[James Duistermars CQ.pdf](#)  
[Dianah Foster CQ.pdf](#)  
[Jim Kubicina CQ.pdf](#)  
[Alexios Pathenos CQ.pdf](#)  
[Brian Probst CQ.pdf](#)  
[Suppl Mike Reno CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** *Opened the Floor for Nominations.*

**Mr. Yalamanchi** *nominated Michael Reno.*

**Mr. Klomp** *nominated Jim Kubicina.*

**President Hooper** *Closed the Floor for Nominations and noted that, as there were more nominees than open positions for the Rochester Avon Recreation Authority, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.*

**Discussed; Nominated Michael Reno and Jim Kubicina**

**2009-0432** Nomination/Appointment of three (3) Citizen Representatives to the Historic Districts Commission each for three-year terms to expire December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[HDC Special Membership Requirements.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[Melinda Hill CQ.pdf](#)  
[Micheal Kilpatrick CQ.pdf](#)  
[Stewart Myers CQ.pdf](#)  
[Richard Stamps CQ.pdf](#)  
[Jason Thompson CQ.pdf](#)  
[Suppl Sue Thomasson CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** Opened the Floor for Nominations.

**Mr. Yalamanchi** nominated Micheal Kilpatrick, Dr. Richard Stamps and Jason Thompson.

**Mr. Pixley** nominated Sue Thomasson.

**President Hooper** Closed the Floor for Nominations and noted that, as there were more nominees than open positions to the Historic Districts Commission, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.

**Discussed; Nominated Micheal Kilpatrick, Dr. Richard Stamps, Sue Thomasson and Jason Thompson**

**2009-0433** Nomination/Appointment of four (4) Citizen Representatives to the Historic Districts Study Committee each for two-year terms to expire December 31, 2011

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[120709 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[HDSC Cmte Appt Memo.pdf](#)  
[2009 Notice of Vacancy Commissions and Committees2.pdf](#)  
[Christopher Cobb CQ.pdf](#)  
[James Hannick CQ.pdf](#)  
[Richard Stamps CQ.pdf](#)  
[LaVere Webster CQ.pdf](#)  
[Suppl Sue Thomasson CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** Opened the Floor for Nominations.

**Mr. Webber** nominated James Hannick, Sue Thomasson and Christopher Cobb.

**Mr. Yalamanchi** nominated Dr. Richard Stamps and LaVere Webster.

**President Hooper** Closed the Floor for Nominations and noted that, as there were more nominees than open positions for Citizen Representatives to the Historic Districts Study Committee, the vote would be carried over to the next City Council Regular Meeting on Monday, December 14, 2009.

**Discussed; Nominated Christopher Cobb, James Hannick, Dr. Richard Stamps, Sue Thomasson and LaVere Webster**

- 2009-0436** Reappointment of Monique Balaban, William Carlson, Allen Decker, Jim Kubicina, Thomas McDonald, Joe Podvin and Linda Raschke to the Deer Management Advisory Committee each to serve a one-year term to expire December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Monique Balaban CQ.pdf](#)  
[William Carlson CQ.pdf](#)  
[Allen Decker CQ.pdf](#)  
[Jim Kubicina CQ.pdf](#)  
[Thomas McDonald CQ.pdf](#)  
[Joseph Podvin CQ.pdf](#)  
[Linda Raschke CQ.pdf](#)  
[Resolution.pdf](#)

***President Hooper*** stated that it is the desire of City Council to reappoint the current Members.

***President Hooper*** Closed the Floor for Nominations.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0323-2009

***Resolved***, that the Rochester Hills City Council reappoints Monique Balaban, William Carlson, Allen Decker, Jim Kubicina, Thomas McDonald, Joe Podvin and Linda Raschke to the Deer Management Advisory Committee each to serve a one-year term to expire December 31, 2010.

- 2009-0470** Nomination/Appointment of seven (7) Citizen Representatives to the Police and Road Funding Technical Review Committee each for a term to expire December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Don Cline CQ.pdf](#)  
[John Dalton CQ.pdf](#)  
[Paul Funk CQ.pdf](#)  
[Dale Hetrick CQ.pdf](#)  
[Tim Jacobson CQ.pdf](#)  
[Walter Johnson CQ.pdf](#)  
[Nancy Soisson CQ.pdf](#)  
[Resolution.pdf](#)

***President Hooper*** stated that it is the desire of City Council to reappoint the current Members.

***President Hooper*** Closed the Floor for Nominations.

**A motion was made by Webber, seconded by Pixley, that Don Cline, John Dalton, Paul Funk, Dale Hetrick, Tim Jacobson, Walter Johnson and Nancy Soisson be appointed all for terms to expire December 31, 2010. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0324-2009

**Resolved**, that the Rochester Hills City Council appoints Don Cline, John Dalton, Paul Funk, Dale Hetrick, Tim Jacobson, Walter Johnson and Nancy Soisson to the Police and Road Funding Technical Review Committee each to serve a term to expire December 31, 2010.

**2009-0535** Nomination/Appointment of three (3) Citizen Representatives to the MR-42E Noise Barrier/Sound Wall Technical Review Committee each for a term to expire December 31, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Lagerbohm CQ.pdf](#)  
[Lam CQ.pdf](#)  
[McGlynn CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** stated that it is the desire of City Council to reappoint the current Members.

**President Hooper** Closed the Floor for Nominations.

**A motion was made by Yalamanchi, seconded by Pixley, that Jennifer Lagerbohm, Charles Lam and Mike McGlynn all be appointed for terms to expire December 31, 2010. The motion CARRIED by the following vote:**

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0325-2009

**Resolved**, that the Rochester Hills City Council appoints Jennifer Lagerbohm, Charles Lam and Mike McGlynn to the MR-42E Noise Barrier/Sound Wall Technical Review Committee each to serve a term to expire December 31, 2010.

## **Election of City Council President and Vice-President**

**2009-0440** Election of City Council President for a one-year term to expire December 6, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Nomination Form - Pres.pdf](#)  
[City Charter.pdf](#)  
[Election Process CC Rules of Procedure.pdf](#)  
[Election Procedure - Roberts Rules.pdf](#)

**President Hooper** Opened the Floor for Nominations.

**Mr. Pixley** nominated Mr. Hooper.

**Mr. Rosen** nominated himself.

**President Hooper** Closed the Floor for Nominations.

*City Council Members voted for the nominees as follows:*

**President Hooper:** *Hooper, Brennan, Klomp, Pixley, Webber, Yalamanchi*

**Mr. Rosen:** *Rosen*

*President Hooper was appointed to a one-year term as President of City Council to expire December 6, 2010.*

**2009-0441** Election of City Council Vice-President for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - VPRES.pdf](#)

**President Hooper** *Opened the Floor for Nominations.*

**Mr. Brennan** *nominated Mr. Pixley.*

**Mr. Yalamanchi** *nominated himself.*

**President Hooper** *Closed the Floor for Nominations.*

*City Council Members voted for the nominees as follows:*

**Mr. Pixley:** *Hooper, Brennan, Klomp, Pixley, Webber*

**Mr. Yalamanchi:** *Rosen, Yalamanchi*

*Mr. Pixley was appointed to a one-year term as Vice President of City Council to expire December 6, 2010.*

### **Council Appointments to Independent Boards and Commissions**

**2009-0442** Appointment of one (1) City Council Member to the Advisory Traffic & Safety Board for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - ATSB.pdf](#)

**President Hooper** *stated Council Member Webber had expressed interest in serving on this board, and seeing no other nominees, President Hooper announced the appointment of Mr. Webber to the **Advisory Traffic & Safety Board** for a one-year term ending December 6, 2010.*

**Appointed.**

**2009-0443** Appointment of one (1) City Council Member to the Avondale Youth Assistance for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - AYA.pdf](#)

**President Hooper** *stated Council Member Yalamanchi had expressed interest in serving on this board, and seeing no other nominees, President Hooper announced the appointment of Mr. Yalamanchi to the **Avondale Youth Assistance** for a one-year term ending December 6, 2010.*

Appointed.

- 2009-0444** Appointment of one (1) City Council Member to the Brownfield Redevelopment Authority for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - BRA.pdf](#)

**President Hooper** stated Council Member Webber had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Webber** to the **Brownfield Redevelopment Authority** for a one-year term ending December 6, 2010.

Appointed.

- 2009-0445** Appointment of one (1) City Council Member to the Green Space Advisory Board for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - GSAB.pdf](#)

**President Hooper** stated that Council Members Klomp and Yalamanchi had expressed interest in serving on the Green Space Advisory Board.

City Council Members voted for the nominees as follows:

**Mr. Klomp:** Hooper, Brennan, Klomp, Pixley, Webber

**Mr. Yalamanchi:** Rosen, Yalamanchi

**Mr. Klomp** was appointed as City Council's representative to the **Green Space Advisory Board** for a one-year term to expire on December 6, 2010.

Appointed.

- 2009-0446** Appointment of one (1) City Council Member to the Museum Board for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - Museum Board.pdf](#)

**President Hooper** stated Council Member Yalamanchi had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Yalamanchi** to the **Museum Board** for a one-year term ending December 6, 2010.

Appointed.

- 2009-0447** Appointment of two (2) City Council Members to the Older Persons' Commission each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - OPC.pdf](#)

**President Hooper** stated that Council Members Rosen, Webber and Yalamanchi had expressed interest in serving on the Older Persons' Commission.

City Council Members voted for the nominees as follows:

*Mr. Rosen: Rosen, Yalamanchi*

*Mr. Webber: Hooper, Brennan, Klomp, Pixley, Webber*

*Mr. Yalamanchi: Hooper, Brennan, Klomp, Pixley, Rosen, Webber, Yalamanchi*

*Mr. Webber and Mr. Yalamanchi were appointed as City Council representatives to the **Older Persons' Commission** for a one-year term to expire on December 6, 2010.*

**Appointed.**

**2009-0448** Appointment of one (1) City Council Member to the Planning Commission for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - Planning Commission.pdf](#)

*President Hooper stated he was interested in serving on this board, and seeing no other nominees, **President Hooper** announced his appointment to the **Planning Commission** for a one-year term ending December 6, 2010.*

**Appointed.**

**2009-0449** Appointment of one (1) City Council Member to the Police School Liaison Steering Committee for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - Police School Liaison Com.pdf](#)

*President Hooper stated Council Member Pixley had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Pixley** to the **Police School Liaison Steering Committee** for a one-year term ending December 6, 2010.*

**Appointed.**

**2009-0450** Appointment of one (1) City Council Member to the Board of Trustees to the Retiree Health Care Trust for a term to expire December 6, 2010

**Attachments:** [Nomination Form - Board of Trustees to the Retiree Health Care Trust.pdf](#)

*President Hooper stated he was interested in serving on this board, and seeing no other nominees, **President Hooper** announced his appointment to the **Board of Trustees to the Retiree Health Care Trust** for a one-year term ending December 6, 2010.*

**Appointed.**

**2009-0451** Appointment of one (1) City Council Member to the Rochester Area Youth Assistance for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - RAYA.pdf](#)

*President Hooper stated that Council Members Klomp and Yalamanchi had expressed interest in serving on the Rochester Area Youth Assistance.*



City Council Members voted for the nominees as follows:

**Mr. Klomp:** Hooper, Brennan, Klomp, Pixley, Webber

**Mr. Yalamanchi:** Rosen, Yalamanchi

**Mr. Klomp** was appointed as the City Council representative to the **Rochester Area Youth Assistance** for a one-year term to expire on December 6, 2010.

**Appointed.**

- 2009-0452** Appointment of one (1) City Council Member to the Rochester/Auburn Hills Community Coalition for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - Roch Com Coalition.pdf](#)

**President Hooper** stated Council Member Brennan had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Brennan** to the **Rochester/Auburn Hills Community Coalition** for a one-year term ending December 6, 2010.

**Appointed.**

- 2009-0454** Appointment of one (1) City Council Member to the Rochester-Avon Recreation Authority for a one-year term to expire December 6, 2009

**Attachments:** [Nomination Form - RARA.pdf](#)

**President Hooper** stated Council Member Klomp had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Klomp** to the **Rochester-Avon Recreation Authority** for a one-year term ending December 6, 2010.

**Appointed.**

- 2009-0455** Appointment of one (1) City Council Member to Southeast Michigan Council of Governments (SEMCOG) as Alternate for a two-year term to expire December 6, 2011

**Attachments:** [Nomination Form - SEMCOG.pdf](#)

**President Hooper** stated Council Member Webber had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Webber** to the **Southeast Michigan Council of Government Boards (SEMCOG)** as Alternate for a two-year term ending December 6, 2011.

**Appointed.**

- 2009-0456** Appointment of three (3) City Council Members to the Sister City Committee / Auburn Hills each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Sister Cities Auburn Hills.pdf](#)

**President Hooper** stated Council Members Pixley, Rosen and Yalamanchi

*had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Pixley, Mr. Rosen and Mr. Yalamanchi** to the **Sister City Committee/Auburn Hills** each for one-year terms ending December 6, 2010.*

**Appointed.**

- 2009-0457** Appointment of three (3) City Council Members to the Sister City Committee / Rochester each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Sister Cities Rochester.pdf](#)

***President Hooper** stated Council Members Klomp, Pixley and Webber had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Klomp, Mr. Pixley and Mr. Webber** to the **Sister City Committee/Rochester** each for one-year terms ending December 6, 2010.*

**Appointed.**

- 2009-0458** Appointment of two (2) City Council Members to the Southeastern Oakland County Resource Recovery Authority (SOCRRA) each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - SOCCRA.pdf](#)

***President Hooper** stated that he and Council Member Pixley had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced his appointment and the appointment of **Mr. Pixley** to the **Southeastern Oakland County Resource Recovery Authority (SOCRRA)** each for one-year terms ending December 6, 2010.*

**Appointed.**

- 2009-0459** Appointment of City Council Members as one (1) Delegate and one (1) Alternate to the Trailways Commission for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Trailways.pdf](#)

***President Hooper** stated that Council Member Klomp had expressed interest in serving on this commission as the Alternate and Council Member Yalamanchi had expressed interest in serving on this commission as Delegate. Seeing no other nominees, **President Hooper** announced the appointment of **Mr. Klomp** as Alternate, and **Mr. Yalamanchi** as **Delegate** to the **Trailways Commission** each for a one-year term ending December 6, 2010.*

**Appointed.**

- 2009-0460** Appointment of one (1) City Council Member to the Rochester Hills Government Youth Council (RHGYC) for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - RHGYC.pdf](#)

***President Hooper** stated Council Member Pixley had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Pixley** to the **Rochester Hills Government***

*Youth Council (RHGYC) for a one-year term ending December 6, 2010.*

**Appointed.**

- 2009-0461** Appointment of one (1) City Council Member to the Zoning/Sign Board of Appeals for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - ZBA.pdf](#)

*President Hooper stated Council Member Brennan had expressed interest in serving on this board, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Brennan** to the **Zoning/Sign Board of Appeals** for a one-year term ending December 6, 2010.*

**Appointed.**

### **Council Appointments to Technical Review Committees**

- 2009-0462** Appointment of one (1) City Council Member to the Capital Improvement Plan (CIP) for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - CIP.pdf](#)

*President Hooper stated Council Member Rosen had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Rosen** to the **Capital Improvement Plan (CIP)** for a one-year term ending December 6, 2010.*

**Appointed.**

- 2009-0463** Appointment of one (1) City Council Member to the Cemetery Citizen Advisory Technical Review Committee for a one-year term to expire December 6, 2010

**Attachments:** [Nomination Form - Cemetery.pdf](#)

*President Hooper stated Council Member Pixley had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Pixley** to the **Cemetery Citizen Advisory Technical Review Committee** for a one-year term ending December 6, 2010.*

**Appointed.**

- 2009-0464** Appointment of two (2) City Council Members to the Deer Management Advisory Committee (DMAC) each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - DMAC.pdf](#)

*President Hooper stated that Council Members Brennan and Webber had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Brennan** and **Mr. Webber** to the **Deer Management Advisory Committee (DMAC)** each for one-year terms ending December 6, 2010.*

**Appointed.**

**2009-0465** Appointment of two (2) to three (3) City Council Members to the Environmental Cleanup & Oversight Technical Review Committee each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - EOC.pdf](#)

**President Hooper** stated his opinion that this committee should be dissolved.

**Mr. Rosen** responded that if the work begins at REI and Adams/Hamlin, this committee would be necessary.

**Mr. Brennan** inquired about the last meeting of the committee.

**Mr. Rosen** stated that the committee had met early last year.

**Mr. Pixley** concurred with President Hooper that the Brownfield Redevelopment Authority would be appropriate to handle any necessary work that REI and Adams/Hamlin would generate.

**Discussed.**

**2009-0465** Discussion regarding the dissolution of the Environmental Cleanup & Oversight Technical Review Committee

**Attachments:** [Nomination Form - EOC.pdf](#)

**A motion was made by Pixley, seconded by Brennan, that this matter be Adopted by Resolution to dissolve the Environmental Cleanup & Oversight Technical Review Committee. The motion CARRIED by the following vote:**

**Aye** 6 - Brennan, Hooper, Klomp, Pixley, Webber and Yalamanchi

**Nay** 1 - Rosen

Enactment No: RES0334-2009

**Resolved,** that the Rochester Hills City Council hereby dissolves the Environmental Cleanup & Oversight Technical Review Committee.

**2009-0466** Appointment of two (2) to three (3) City Council Members to the Human Resources Technical Review Committee each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Human Resources.pdf](#)

**President Hooper** stated that he and Council Members Klomp, Pixley and Rosen had expressed interest in serving on the Human Resources Technical Review Committee.

*City Council Members voted for the nominees as follows:*

**President Hooper:** Hooper, Brennan, Klomp, Pixley, Rosen, Webber, Yalamanchi

**Mr. Klomp:** Hooper, Brennan, Klomp, Pixley, Webber, Yalamanchi

**Mr. Pixley:** Hooper, Brennan, Klomp, Pixley, Rosen, Webber,

**Mr. Rosen:** Rosen, Yalamanchi

**President Hooper, Mr. Klomp and Mr. Pixley** were appointed as City Council representatives to the **Human Resources Technical Review Committee** each for one-year terms to expire on December 6, 2010.

**Appointed.**

- 2009-0536** Appointment of two (2) City Council Members to the MR-42E Noise Barrier/Sound Wall Technical Review Committee each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - MR-42E.pdf](#)

**President Hooper** stated that he and Council Member Klomp had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced his appointment and the appointment of **Mr. Klomp** to the **MR-42E Noise Barrier/Sound Wall Technical Review Committee** for a one-year term ending December 6, 2010.

**Appointed.**

- 2009-0467** Appointment of two (2) City Council Members to the Police and Road Funding Technical Review Committee each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Police and Roads.pdf](#)

**President Hooper** stated that he and Council Member Webber had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced his appointment and the appointment of **Mr. Webber** to the **Police and Road Funding Technical Review Committee** for a one-year term ending December 6, 2010.

**Appointed.**

- 2009-0468** Appointment of two (2) to three (3) City Council Members to the Strategic Planning and Policy Review Technical Review Committee each for one-year terms to expire December 6, 2010

**Attachments:** [Nomination Form - Strategic Planning.pdf](#)

**President Hooper** stated Council Members Rosen, Webber and Yalamanchi had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced the appointment of **Mr. Rosen, Webber and Yalamanchi** to the **Strategic Planning & Policy Review**

**Technical Review Committee** for a one-year term ending December 6, 2010.

Appointed.

- 2009-0469 Appointment of two (2) to three (3) City Council Members to the Water and Sewer Technical Review Committee each for one-year terms to expire December 6, 2010

Attachments: [Nomination Form - Water and Sewer.pdf](#)

**President Hooper** stated that he and Council Members Brennan and Yalamanchi had expressed interest in serving on this committee, and seeing no other nominees, **President Hooper** announced his appointment and the appointment of **Mr. Brennan** and **Mr. Yalamanchi** to the **Water and Sewer Technical Review Committee** for a one-year term ending December 6, 2010.

Appointed.

(Recess - 11:00 p.m. - 11:12 p.m.)

## NEW BUSINESS CONTINUED

- 2009-0537 Adoption of 2010 City Council Meeting Schedule

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

**Mr. Webber** commented that because the Statewide Primary Election is scheduled for August 2, 2010, he questioned if the Mayor could distribute the Budget information to Council for their review on August 2, 2010 to allow ample time to review the Budget before the Mayor's presentation on August 9, 2010.

**City Attorney Staran** responded that the Budget books could be distributed on August 2, 2010 for review, although the official presentation will be held August 9, 2010.

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0317-2009

**Resolved**, that the Rochester Hills City Council establishes the Year 2010 Regular Meeting Schedule for City Council on Monday evenings as follows:

Regular Meetings:

January 11, 25

February 1, 8, 22  
March 1, 15, 22  
April 12, 19, 26  
May 3, 17, 24  
June 7, 14, 21  
July 12, 19, 26  
August 9  
September 13, 20, 27  
October 4, 18, 25  
November 8, 15, 22  
December 6, 13

**Further Resolved**, that the Rochester Hills City Council Meetings will begin at 7:00 p.m., Michigan Time, and will be held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan.

**Further Resolved**, that the City Clerk shall provide proper notice of the 2010 Meeting Schedule pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.

## COUNCIL COMMITTEE REPORTS

### MR-42E Noise Barrier/Sound Wall:

**President Hooper** reported that the Committee would be meeting on Tuesday, December 8, 2009.

## ANY OTHER BUSINESS

**Mr. Yalamanchi** referred to a Memorandum submitted to City Council by a resident regarding the Leaf Burning in the City and requested that the Administration provide Council with more information regarding the resolution of this matter.

**Mr. Rosen** requested the Administration contact Allied Waste to gather more information relative to leaf removal services for City residents.

**2009-0554** Request to direct the Administration to investigate options for additional insurance for liability exposure relative to the OCSD contract

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

**Aye** 7 - Brennan, Hooper, Klomp, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0310-2009

**Resolved**, that the Rochester Hills City Council requests to direct the Administration to investigate options for additional insurance for liability exposure relative to the OCSD contract.

## NEXT MEETING DATE

- Regular Meeting - Monday, December 14, 2009 - 7:00 PM

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 12:06 a.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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*CHRISTINE A. WISSBRUN  
Administrative Secretary  
City Clerk's Office*

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