

2006-0097

CITY OF ROCHESTER HILLS

Fiscal

DATE: May 16, 2006

TO: City Council Members

RE: RARA Inquiries

Julie Jenuwine, Extension 2535

This memo is in respond to Councilmember Hooper's inquiries about RARA, in preparation for the May 17, 2006 City Council meeting.

- Q. Over the past 10 years, what has been the annual city contribution to RARA?
- Q. The millage rate for each year?
- Q. What is the city of Rochester doing for their share?

A. Fiscal Year	Rochester Hills Contribution	RH Millage	Rochester Contribution
2006	\$532,405	0.1586	\$71,225
2005	\$511,656	0.1596	\$69,828
2004	\$490,384	0.1609	\$100,892
2003	\$467,354	0.1619	\$31,680
2002	\$446,405	0.1635	\$61,420
2001	\$428,407	0.1655	\$56,937
2000	\$414,912	0.1673	\$50,742
1999	\$398,261	0.1687	\$46,399
1998	\$378,657	0.1691	\$40,560
1997	\$353,607	0.1691	\$39,414

Note: RARA currently pays approximately \$40,000 annually for rental to the City.

- Q. The number of users/participants each year?
- A. Last year there was approximately 14,000 registrations. Mr. Anderson (Director of RARA) will provide more information Wednesday evening if needed.

I hope this information is helpful. Should you have additional questions, please do not hesitate to inquire. Thank you.

9/13/05

Yes

Yes

No

Proposal 3
Rochester-Avon Recreation
Authority (RARA) Millage
Renewal Plus Additional Millage

Shall the City of Rochester Hills
renew and continue to levy a
millage of up to 0.1586 mills
(\$0.1586 per \$1,000) (reduced by
the Headlee Amendment from the
original 0.1691 mills) and also
levy a new additional millage of
up to 0.0372 mills (\$0.0372 per
\$1,000) for a total millage of up to
0.1958 mills (\$0.1958 per \$1,000)
to provide funds for the
Rochester-Avon Recreation
Authority (RARA) to enable it to
provide adult and youth sports
leagues and recreational
activities, on the taxable value of
all property assessed for taxes in
the City for ten (10) years,
beginning in 2006 and continuing
through 2015, inclusive, which will
provide an estimated revenue of
\$690,860 if levied in full in the first
year of such levy?

Yes

No

Typ:01 Seq:0001 Spl:01

7.3.0.0 / 012503-17 © Election Systems & Software, Inc. 1981, 2002

ted by Authority of The City Election Commission

**VOTER: PLEASE DO NOT REMOVE STUB
STUB DETACHES, PLEASE RETURN WITH BALLOT**



Rochester Hills Certified Copy

Finance: RES0201-2005

1000 Rochester Hills
Drive
Rochester Hills, MI 48309
(248) 656-4660
Home Page:
www.rochesterhills.org

File Number: 2005-0369

Enactment Number: RES0201-2005

Approval of Rochester Avon Recreation Authority (RARA) Operating Millage Renewal Plus Additional Millage Ballot Proposal

Resolved that the Rochester Hills City Council hereby approves placing the following Proposal on the September 13, 2005 Primary Election:

BALLOT QUESTION

Rochester-Avon Recreation Authority (RARA) Millage Renewal Plus Additional Millage

Shall the City of Rochester Hills renew and continue to levy a millage of up to 0.1586 mills (\$0.1586 per \$1,000) (reduced by the Headlee Amendment from the original 0.1691 mills) and also levy a new additional millage of up to 0.0372 mills (\$0.0372 per \$1,000) for a total millage of up to 0.1958 mills (\$0.1958 per \$1,000) to provide funds for the Rochester-Avon Recreation Authority (RARA) to enable it to provide adult and youth sports leagues and recreational activities, on the taxable value of all property assessed for taxes in the City for ten (10) years, beginning in 2006 and continuing through 2015, inclusive, which will provide an estimated revenue of \$690,860 if levied in full in the first year of such levy?

_____ Yes

_____ No

Be It Further Resolved that if there is not a Citywide Primary Election on September 13, 2005 that the Rochester-Avon Recreation Authority (RARA) Millage Renewal proposal shall be moved to the November 8, 2005 General Election.

I, Jane Leslie, City Clerk, certify that this is a true copy of RES0201-2005, passed at a Regular Rochester Hills City Council meeting held on 6/22/2005 by the following vote:

Moved by Barnett, Seconded by Robbins,

Aye: Hill, Barnett, Dalton, Holder, Raschke and Robbins

Nay: Duistermars

Jane Leslie, City Clerk

June 30, 2005

Date Certified

OFFICIAL BALLOT - PRIMARY ELECTION

TUESDAY, SEPTEMBER 12, 1995

CITY OF ROCHESTER HILLS - PRECINCT _____

OAKLAND COUNTY, MICHIGAN

1-1



TO VOTE, complete the arrow(s) pointing to your choice with a heavy bold line, like this . DO NOT vote for more candidates for any office than the number indicated under each office title.

**IMPORTANT: Use a #2 pencil or the marking pen provided.
DO NOT USE RED INK!**

Write-ins: To vote for a person whose name is not printed on the ballot, write or place the name of the person in the blank space provided and complete the arrow.

When you have completed voting, place the ballot in the secrecy sleeve so that the face of the ballot cannot be seen and the numbered stub is visible. Then return the ballot to the inspector stationed at the ballot box. (If voting by absentee ballot follow the instructions provided by the clerk for returning the ballot.)

NOTE: If you make a mistake, return your ballot to the Election Official and obtain another. Do not attempt to erase a marking made in error.

CITY OF ROCHESTER HILLS

MAYOR

(Vote For Not More Than One)

NEIL BILLINGTON

JOHN GARFIELD

PAT ROBERTS

KENNETH D. SNELL

RICHARD C. SWORDS

WRITE-IN

CITY COUNCIL MEMBER AT LARGE

(Vote For Not More Than Two)

SUSAN deCAUSSIN

MAURICIO KOHN

R. PATTERSON

GERALD ROBBINS

PAT SOMERVILLE

WRITE-IN

WRITE-IN

PROPOSAL 1

ROCHESTER AVON RECREATION AUTHORITY (RARA) MILLAGE RENEWAL

Shall the City of Rochester Hills renew a tax levy of up to 0.1691 mill to provide funds for the Rochester Avon Recreation Authority (RARA) to enable it to provide adult and youth sports leagues and recreational activities, the tax to be for a period of ten (10) years, the years 1996 through 2005 inclusive, on the taxable value of all property assessed for taxes in the City, the tax authorized under Section 4.2.7 of the City Charter?

YES

NO

PROPOSAL 2

OLDER PERSONS TRANSPORTATION MILLAGE

Shall the City of Rochester Hills levy a new tax of up to and including 0.0240 mill on the state equalized value of all property assessed for taxes in the City for a period of (10) years, the years 1995 through 2004, inclusive, to enable the Older Persons Commission to maintain or increase handicapped and senior transportation services with an estimated first year revenue of \$47,419, the tax authorized under Section 4.2.7 of the City Charter?

YES

NO

CITY OF ROCHESTER HILLS
CITY COUNCIL

At a REGULAR ROCHESTER HILLS CITY COUNCIL MEETING held at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan, on Wednesday, July 5, 1995:

Present: President Patricia Roberts, Members Scot Beaton, Jon Buller,
Linda Raschke, Lauren Shepherd, Kenneth Snell, Pat Somerville
Absent: None
Quorum Present.

MOTION by Somerville, seconded by Shepherd, Resolved, the Rochester Hills City Council HEREBY APPROVES the following proposition language to be placed on the September 12, 1995 Primary Election ballot:

Shall the City of Rochester Hills renew a tax levy of up to 0.1691 mill to provide funds for the Rochester Avon Recreation Authority (RARA) to enable it to provide adult and youth sports leagues and recreational activities; the tax to be for a period of ten (10) years, the years 1996 through 2005 inclusive, on the taxable value of all property assessed for taxes in the City, the tax authorized under Section 4.2.7 of the City Charter?

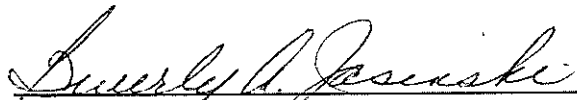
and HEREBY AUTHORIZES the City Clerk to forward this ballot proposal wording to the Oakland County Clerk on behalf of the city.

Ayes: Snell, Somerville, Roberts, Buller, Raschke, Shepherd
Nays: Beaton

MOTION CARRIED

CERTIFICATE

I, Beverly A. Jasinski, Rochester Hills City Clerk, do hereby certify that the foregoing is a complete and true copy of a resolution, the original of which is on file in my office, adopted by the Rochester Hills City Council at a Regular Meeting thereof held on Wednesday, July 5, 1995



BEVERLY A. JASIMSKI, Clerk
City of Rochester Hills

BAJ:rw

Commission, Planning Commission, Zoning Board of Appeals, Advisory Water and Sewer Board, Construction Board of Appeals and Fire Prevention Code Board of Appeals:

Members -- \$35 per meeting attended
Chairperson -- \$45 per meeting attended

Board of Review: Members -- \$95 per meeting attended

City Council: Members -- \$70 per City Council meeting attended
President -- \$90 per City Council meeting attended

Intergovernmental Cable Communications Authority (ICCA):
City Representative -- \$35 per meeting of attendance

Ayes: Roberts, Beaton, Buller, Raschke, Shepherd, Snell, Somerville

Nays: None

MOTION CARRIED

APPROVAL OF BALLOT PROPOSITION FOR RARA - (members received a letter from John D. Staran dated June 27, 1995; proposed ballot language; and a proposed resolution).

MOTION by Somerville, seconded by Shepherd, Resolved, the Rochester Hills City Council HEREBY APPROVES the following proposition language to be placed on the September 12, 1995 Primary Election ballot:

Shall the City of Rochester Hills renew a tax levy of up to 0.1691 mill to provide funds for the Rochester Avon Recreation Authority (RARA) to enable it to provide adult and youth sports leagues and recreational activities, the tax to be for a period of ten (10) years, the years 1996 through 2005 inclusive, on the taxable value of all property assessed for taxes in the City, the tax authorized under Section 4.2.7 of the City Charter?

and HEREBY AUTHORIZES the City Clerk to forward this ballot proposal wording to the Oakland County Clerk on behalf of the city.

Discussion:

Ms. Shepherd said she would like the word "renew" to be highlighted on the ballot.

Mr. Staran said he is not sure the law would allow that to be done. He said typically that type of thing would be explained in the various articles and other coverage that goes with the proposal.

Mr. Beaton said renewals are not always good. This millage only helps a select few in the city; not the city as a whole.

MOTION by Snell, seconded by Shepherd, Resolved, that the Question IS HEREBY CALLED.

Ayes: Shepherd, Snell, Somerville, Roberts, Beaton, Buller, Raschke

Nays: None

MOTION CARRIED

Vote on Motion:

Ayes: Snell, Somerville, Roberts, Buller, Raschke, Shepherd

Nays: Beaton

MOTION CARRIED

8/5/86

LAWRENCE R. TERNAN 81

JOAN E. YOUNG 82

EDWARD J. CIBOR 83

JOHN KATSOULOS 84

JAMES P. SHEEHY (JUDGE OF DISTRICT COURT) 85

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and improvements (such as snow removal, patching, grading, and surfacing) of both paved and gravel public roads, shall the City of Rochester Hills levy a tax of up to one (1) mill on the assessed valuation of all property assessed for taxes in the City, as authorized under Section 4.2.7 of the City Charter, for a period of ten (10) years, being the years 1986 through 1995 inclusive?

YES 101

NO 103

CITY OF ROCHESTER HILLS PROPOSITION 2
R.A.R.A. BALLOT PROPOSITION

Shall the City of Rochester Hills levy a tax of up to two-tenths (0.2) of a mill to provide funds for the Rochester Avon Recreation Authority (R.A.R.A.), to enable it to provide adult and youth sports leagues and recreational activities, the tax to be for a period of ten years, the years 1986 through 1995 inclusive, on the assessed valuation, as equalized, of all property assessed for taxes in the City, the tax authorized under Section 4.2.7 of the City Charter?

YES 109

NO 111

NOTE: When you have completed voting, place ballot in secrecy envelope.
1. PRECINCT, hand to inspector at ballot box.
2. ABSENT VOTER, return to clerk.

City of Rochester Hills

y.
I may vote
rejected.

FOR CANDIDATES
corresponds to the

I Ballot card which
S" or "NO" of each

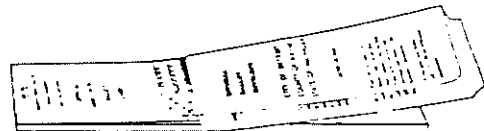
ick dot" on the card
s and the "YES" or

out of the card and

Write-in Vote:

- To vote for a person whose name is not printed on this Instruction Ballot, write or place the Name, Office and Party of that person on the inside cover of the "Official Ballot Envelope."
- When you have completed voting, raise (do not detach) the Official Ballot Card from the foam backing and examine it. Be sure all holes are cleanly punched. Look at the back of the card and pull off any partially punched "chips" that might be hanging, then place the ballot card inside the "Official Ballot Envelope".

RAISE THE OFFICIAL BALLOT CARD
PLACE THE OFFICIAL BALLOT ENVELOPE
OVER THE CARD ONLY AS SHOWN.



IMPORTANT!

- Sign affidavit on back of return envelope, put the Official Ballot card (still attached to foam backing) inside, seal and return to your City or Township Clerk.

OR TOWNSHIP CLERK TO REQUEST A NEW BALLOT.

received this evening, Council is being informed that the program will cost approximately \$123,860. Mr. Schroeder stated the \$90,000 that was referred to previously was for this year only and by no means included the entire program.

Discussion ensued with regard to the source of funds, areas for reduction and when information will be available. Specifics of the program were also discussed.

Attorney Ternan stated he has not reviewed any contract documents relating to this program and suggested some type of simple agreement be drafted.

MOTION by Tull, seconded by Snell, Resolved, that the proposal submitted by Pavement Management Systems Inc. to institute a program for \$80,000 for Phase I and \$43,868 for Phase II, based on the information submitted to Council be approved, WITH THE UNDERSTANDING that contract documents be subject to approval by the Mayor and Legal Counsel; and the Mayor be authorized to execute documents on behalf of the City.

Ayes: Nowicki, Snell, Trimble, Tull

Nays: Karas, Jolly

Absent: Carvey

MOTION CARRIED.

Discussion: Political Signs: (copy of letter dated April 23, 1986 from Attorney Ternan with attachments was forwarded to each Council member).

Based upon the Opinion No. 6258 from the Attorney General's Office, the restrictions on the placement of political campaign signs placed on private property are protected under the First Amendment. Councilman Tull was concerned that the City was in violation of same. He suggested two changes be considered in Section 1810.4.b: (1) number of weeks prior to an election a sign can be placed, and (2) property must be occupied by a dwelling. Lengthy discussion ensued regarding same.

MOTION by Tull, seconded by Snell, Resolved, that Section 1810.4.b of Ordinance No. 80, the Zoning Ordinance, be referred to the Planning Commission to consider if amendments are necessary in order to comply with the recent decision by the United States Supreme Court.

Ayes: Jolly, Karas, Nowicki, Snell, Trimble, Tull

Nays: None

Absent: Carvey

MOTION CARRIED.

It was noted copies of information presented to Council also should be sent to the Planning Commission.

Discussion on Ballot Wording for Millages (copy of letter dated May 23, 1986 from Rod Marshall was forwarded to each Council member).

It is recorded Mr. Rod Marshall, Director of Rochester-Avon Recreation Authority (R.A.R.A.), was present and distributed a handout that coincided with the slide presentation being presented. The presentation was developed after the defeat of the last millage proposal. The presentation has and will be shown to local community groups to advise citizens of the R.A.R.A. programs.

Council viewed the slide presentation.

It was noted the reason the presentation was being presented to Council this evening was to develop language for an upcoming millage election. Language must be submitted by June 17, 1986 for the August election. Proposed wording was included in Mr. Marshall's letter dated May 23, 1986. The amount to be levied will be left to the discretion of Council.

It was noted that the proposed language indicates funds will be used for R.A.R.A. only. This has not been the past history of the City, nor did Councilman Snell feel this is the direction the City wants to pursue as there are other recreational activities the City supports.

Mr. Marshall explained a group was formed after the last millage election, called the Youth Sports Coalition, which consists of representatives from the baseball leagues, soccer associations, and Y.M.C.A. These groups are some of the providers of youth sports activities in the Rochester area. Some of the input received after the last election was that people did not know that the funding would go directly to R.A.R.A. or whether it was additional funding for the Older Persons Commission. It was the feeling of this group to sell this issue similar to the Older Persons Commission millage, in that the money be earmarked specifically for R.A.R.A. activities.

After lengthy discussion regarding ballot wording, whether or not R.A.R.A. could stand alone and the amount to levied, Council was in agreement that R.A.R.A should be a separate ballot issue and requested Legal Counsel to submit language to be considered at the next Council meeting. The amount should be limited to "up to .2 mill".

Any Other Business:

Mayor Ireland asked for a volunteer to serve on the State Sesquicentennial Committee, which is being coordinated by the Greater Chamber of Commerce.

Anyone interested in attending the Michigan Municipal League's Annual Convention should contact the Mayor's Office by June 16, 1986.

Councilman Snell received a letter from a citizen with regard to the Adult Business Ordinance in which they express 100% approval of our efforts and encouraged the Council to do everything possible to curtail these types of businesses.

With regard to the same subject, Councilman Snell located a newspaper article from March 11 dealing with a Warren adult business ordinance where they require a special permit for adult business to operate within the city. According to the article, this was upheld by the Supreme Court and Councilman Snell would like Rochester Hills to consider this type of approach. Attorney Ternan stated that it was his understanding the ruling was opposite of that stated and he would look into the matter. He has been unsuccessful in his attempts to obtain copies of the decision from the City of Warren.

MOTION by Nowicki, seconded by Jolly, Resolved, that the Rochester Hills City Council adjourn to Executive Closed Session for the purpose of discussing the purchase of property.

Ayes: Nowicki, Snell, Trimble, Tull, Karas, Jolly
Nays: None
Absent: Carvey

It is recorded, in accordance with the Open Meetings Act, Act 266 of the Public Acts of Michigan for 1976, the City Council, having adopted a Resolution by at least two-thirds roll call affirmative vote, held a Closed Session for the purpose of discussing the purchase of property. A separate record was kept of those proceedings.

President Karas advised those present that Council would not return to the Regular Meeting following the Closed Session.

Ballot Wording for RARA Millage (copy of proposed wording drafted by Attorney Ternan forwarded to each Council Member).

Attorney Ternan said he has attempted to reflect the consensus of the Council as discussed at last week's meeting.

During ensuing discussion, Councilman Tull said he feels that Council has to think about how they will provide more facilities for recreation; the need is so great, and the money is not there. Mr. Tull said RARA is not authorized to procure or develop fields under the Interlocal agreement, so it is something Council will have to look at outside the RARA levy, and he feels the City has a responsibility to consider that.

Council agreed to delete "in the City" and to move some wording around so the proposal reads as follows:

Shall the City of Rochester Hills levy a tax of up to two-tenths (0.2) of a mill for the purpose of providing funds for the Rochester Avon Recreation Authority (R.A.R.A.), to enable it to provide adult and youth sports leagues and recreational activities, the tax to be for a period of ten years, the years 1986 through 1995 inclusive, on the assessed valuation, as equalized, on all property assessed for taxes in the City, the tax authorized under Section 4.2.7 of the City Charter?

Attorney Ternan said if Council accepts this in content, he will work on some minor revision of the wording in the morning.

MOTION by Tull, seconded by Carvey, Resolved, that the City Council approves the Ballot Wording for RARA Millage as restructured this evening, subject to review by Counsel, for placement on the August 5, 1986 Primary Ballot.

Ayes: Karas, Carvey, Jolly, Nowicki, Trimble, Tull
Nays: None
Absent: Snell

MOTION CARRIED.

During discussion of the foregoing resolution, Ms. Madonna Killewald, 3054 Willet, addressed the Council and said she is in favor of a recreation millage, but questioned why it is taking so long to complete the bike paths after a millage was passed for that purpose.

Councilman Tull explained to Ms. Killewald that the biggest problem in finishing the bike paths is the acquisition of easements from the property owners so the paths can go through.

Mayor Ireland said the City has had to hire two right-of-way negotiators to acquire the necessary easements so the bike path projects can proceed, and added that she feels it is a shame that some residents will not cooperate with the project.

Addendum to the Agenda:

Request by City of Rochester to waive water and sewer charges to outside owners: This matter was tabled at the March 5, 1986 City Council Meeting (copy of letter dated April 24, 1986 to Robert Lovell from KMG Main Hurdman and attached related information forwarded to each Council Member).

Mayor Ireland said Ken Johnson, City of Rochester Manager, had asked her if this matter could be brought forth so the Rochester City Council can make a determination.

TO VOTE, FIRMLY PUNCH OUT THE SMALL "BLACK DOT" ON THE CARD ABOVE THE NUMBER WHICH CORRESPONDS TO THE NUMBERS AT THE RIGHT OF THE CANDIDATE'S NAME OR "YES" OR "NO" OF EACH QUESTION.

PROPOSAL

Shall the City of Rochester Hills levy a tax authorized by Section 4.2.7 of the City Charter of up to one-quarter (1/4) mill on the assessed valuation, as equalized on all property assessed for taxes in the City, for a period of ten (10) years, the years 1986 through 1995, inclusive, to provide funds for general community recreation, for recreation activities such as, but not limited to, those of R.A.R.A. (Rochester-Avon Recreation Authority)?

YES 24 →

NO 26 →

NOTE: When you have completed voting, place ballot in secrecy envelope.

- 1. PRECINCT, hand to inspector at ballot box.
- 2. ABSENT VOTER, return to clerk.

City of Rochester Hills

WARNING! DO NOT Start to Vote Until You Have Studied These Instructions
DO NOT vote for more Candidates than indicated under each name.

VOTING:

Candidates names which appear above on this ballot.

RIGHT of each Candidate's name and the "YES" or "NO" of each Question is a number.

The numbers you MUST locate on the Official Ballot card are ready to vote.

Official Ballot Card: It is a computer card stapled together. A "punching tool" is attached to the Official Ballot Card (remove prior to voting). On the face of the card are numbers with a small dot above each number.

TO VOTE:

- 1. Read Instruction Ballot.
- 2. To the right of the candidate's name or "Yes" or "No" of each question is a NUMBER.
- 3. Use the punch tool furnished (nothing else) and firmly punch out the Black Dot located above the number selected.

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A copy of Memo dated June 5, 1985 from Jerome J. Eby was distributed to each Council Member and considered during ensuing discussion.

During discussion re off street parking and adequate ingress and egress, Mr. Nowicki referred to a parking area being made on the southeast corner of Crooks Road near M-59 where gravel was hauled in and it is being set up as a commercial operation, and questioned how this is interpreted as being any different from a parking area that is provided in a site plan review.

Attorney Ternan said he believes the Building Department is interpreting this to be of a temporary nature and is requiring a sketch plan showing adequate parking, and added that he does not believe there is any concern about the surface of the parking area under the current standards set forth in the ordinance. Continuing, Counsel said if someone brings in gravel to improve their property and makes a better parking lot, I'm not sure that you want to prohibit that, except that you want to be sure it becomes nothing more than a temporary roadside stand.

Mr. Albert VanHoutte, 45745 Dequindre Road, addressed the Council and explained it is his roadside stand at Crooks and M-59 that is under discussion and advised that the lot was so muddy, it was necessary to haul in gravel to provide a good base. Mr. VanHoutte further explained that he sells produce there that he grows in Rochester Hills, and it is a temporary (three month) operation.

Rosemary McConachie addressed the Council and said as a resident of that area and having shopped at this roadside stand, she was very glad to see gravel brought in because the mud there has been a problem. Also, Ms. McConachie said she feels this particular roadside stand benefits the neighborhood in that the produce is very good and is reasonably priced.

It is recorded during these proceedings certain modifications were made and inserted into the proposed ordinance (complete information on file).

MOTION by Karas, seconded by Nowicki, Resolved, that Ordinance No. 80-50*, an amendment to Ordinance 80, the Zoning Ordinance of the City of Rochester Hills, Oakland County, Michigan, to revise the regulations on roadside stands and markets and Christmas tree sales BE AND IS HEREBY ADOPTED to become effective on June 14, 1985, the day following its publication in the Rochester Clarion on June 13, 1985.

Ayes: Karas, Nowicki, Snell, Tull, Ireland, Carvey

Nays: None

Absent: Trimble

MOTION CARRIED.

*Ordinance No. 80-50 is printed in its entirety in Ordinance Book No. 8 on file in the Office of the City Clerk and by this reference is made a part hereof.

Request by the R.A.R.A. Board to place a ballot question on the September Primary (copy of memo received May 17, 1985 to Earl Borden from Mr. Rod Marshall and resolution adopted by the RARA Board at its May 16, 1985 Meeting forwarded to each Board Member).

It is recorded a copy of letter dated May 31, 1985 from Attorney Ternan containing proposed ballot wordage was distributed to each Council Member.

Mr. Rod Marshall, Director of Rochester-Avon Recreation Authority (RARA), addressed the Council on behalf of the RARA Board to request that a ballot question for the continuation of the present millage which expires in 1985 be placed on the September 10th primary ballot for the continuing support of RARA.

Discussion ensued.

MOTION by Tull, seconded by Carvey, Resolved, that Ballot Proposition be placed before the voters of the City of Rochester Hills on the ballot of the September 10, 1985 Primary Election as follows:

Shall the City of Rochester Hills levy a tax authorized by Section 4.2.7 of the City Charter of up to one-quarter (1/4) mill on the assessed valuation, as equalized on all property assessed for taxes in the City, for a period of ten (10) years, the years 1986 through 1995, inclusive, to provide funds for general community recreation, for recreation activities such as, but not limited to, those of R.A.R.A. (Rochester-Avon Recreation Authority)?

YES _____

NO _____

Ayes: Ireland, Carvey, Karas, Nowicki, Snell, Tull

Nays: Trimble

MOTION CARRIED.

Resolution re Crooks Road Bridge (copy of letter dated May 17, 1985 with attached proposed resolution from the Oakland County Road Commission and letter dated May 28, 1985 to G. Holmberg, OCRC, from Earl Borden forwarded to each Council Member).

MOTION by Snell, seconded by Nowicki,

WHEREAS, the Michigan Department of Transportation administers the Federal Bridge Replacement Program and the Michigan Critical Bridge Program for bridge replacement and reconditioning for bridges in the State of Michigan, and

WHEREAS, the Oakland County Road Commission is applying for funding for the replacement or rehabilitation of the bridge located:

Crooks Road
over the Clinton River,
north of E. Hamlin Road
City of Rochester Hills
County Of Oakland

in the State of Michigan, and

WHEREAS, this Council deems that the replacement or rehabilitation of the above bridge is vital to the community and essential to the safety and welfare of the traveling public;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Rochester Hills does hereby give approval and support to the action taken by the Board of County Road Commissioners, and hereby orders that copies of this resolution be sent to the Oakland County Road Commission so they can include this support with their application to the Michigan Department of Transportation for funding for the replacement or rehabilitation of this bridge.

Ayes: Ireland, Carvey, Karas, Nowicki, Snell, Tull

Nays: None

Absent: Trimble

MOTION CARRIED.

8/4/76

STATEMENT OF VOTES

The whole number of votes for and against the

MILLAGE PROPOSAL FOR (GENERAL COMMUNITY RECREATION AND SENIOR CITIZEN ACTIVITIES (RARA)

Shall the Township of Avon levy a tax of up to one-quarter (1/4) mill on the assessed valuation as equalized on all property assessed for taxes in the Township, for a period of ten (10) years, the years 1976 through 1985, inclusive, for the purpose of providing funds for senior citizen activities and general community recreation, such as the activities of RARA (Rochester-Avon Recreation Authority), and shall the limitation of fifteen (15) mills as contained in Article IX, Section 6, of the Michigan Constitution of 1963 be increased for the period stated to allow the levy of said tax?

was Twenty Eight Hundred Fifty Seven

of which number Seventeen Hundred

votes were marked **YES**

and Eleven Hundred Fifty Seven

votes were marked **NO**

PUT FIGURES
IN THIS COLUMN

2	8	5	7
1	7	0	0
1	1	5	7
TOTAL VOTES			2 8 5 7

The whole number of votes for and against the

was

of which number

votes were marked **YES**

and

votes were marked **NO**

TOTAL VOTES

The whole number of votes for and against the

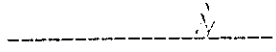
- 4. Notice from the Liquor Control Commission received May 4, 1976, of request to transfer ownership of 1975 Class C licensed business at 870 S. Rochester Road from Al Rossi to James Baldwin and George Knorr.

Mr. Baldwin was present and advised the Board that he and Mr. Knorr are purchasing the business from Mr. Rossi. In response to inquiry from the Board, Mr. Baldwin stated that the financial obligations incurred by Mr. Rossi would be paid and if left unpaid, would be satisfied before final settlement, this condition being part of their Purchase Agreement.

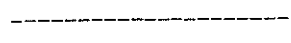
Mr. Baldwin further volunteered to submit a letter to the Township containing a copy of the Purchase Agreement and assured the Board that if Mr. Rossi failed to fulfill his financial obligations, Messrs. Knorr and Baldwin would resolve the matter before closing the deal.

MOTION by Spencer, supported by Nowicki, approving the transfer of the Class C License located at 870 S. Rochester Road from Al Rossi to George Knorr and James Baldwin. This transfer is approved subject to payment of personal property taxes and receipt of letter indicating such taxes will be paid from the proceeds prior to consumation of the sale.

AYES: All NAYS: None
MOTION CARRIED



- 5. At the request of the owner, the Notice from the Liquor Control Commission to transfer ownership of Class C license at 54 W. Auburn Road was set aside to the next Regular Meeting. There being no objection from the Board, it was so ordered.

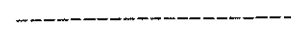


- 6. Submitted notice from the Michigan Townships Association relative to Seminar for Urban and Charter Townships to be held at the Holiday Inn in Bloomfield Hills on June 15, 1975.

MOTION by Schmittel, supported by Spencer, authorizing Board Members to attend the Michigan Townships Association Seminar for Urban and Charter Township Officials on June 15, 1976 at the Holiday Inn in Bloomfield Hills with expenses paid.

AYES: All NAYS: None
MOTION CARRIED

It was requested that Board Members desiring to attend the above Seminar, be prepared to set their reservations at the May 26th meeting.



TREASURER KNUDSEN:

Reported on the Board of Directors of Rochester-Avon Recreation Authority meeting during which the Board discussed the financial needs of R.A.R.A. which has had a significant increase in the number of senior citizens utilizing the programs over the past three years. After analyzing the financial needs, the R.A.R.A. Board is requesting that a millage to support R.A.R.A. be placed before the voters.

Mrs. Marye Miller addressed the Board with regard to the financial problems of R.A.R.A., especially in view of federal funding which will lapse this summer. Treasurer Knudsen further advised that if a millage question was placed on the ballot, that an Agreement with the City of Rochester should be obtained to insure that the costs of operating the R.A.R.A. program will be on a population basis.

Treasurer Knudsen had supplied each Board Member with a packet of information on this matter and it was concurred to set further consideration of the request aside to the May 26th meeting for further discussion.



It is recorded at this point in the Proceedings, the Board recessed briefly then returned to Regular Session.

Supervisor Borden:

- 1) Referred to the Planned Unit Development Agreement and Restrictions for "Brookedale Woods" Subdivision (formerly known as 'Smokler-Avon' Subdivision), copy of which had been forwarded to each Board Member accompanied by copy of communication from Attorney Ternan dated May 21, 1976 and copy of communication from Mr. Leonard Kutschman, Director of Assessing.

Mr. Gary Menzel of Frankel/Smokler Investment Company, present on behalf of the Proprietor, requested minor revisions to the Restrictions as follows: Page 11, Section 10 - last sentence delete the words 'not' and 'permitted' and add the word 'discouraged' at the end of the last sentence, and with these changes the last sentence will read as follows: "Rear yard enclosures on lots adjoining open space common areas shall be discouraged".

Page 9, Section 3, second paragraph: Change ten (10) feet to read seven (7) feet; and, add the following sentence at the end of the paragraph: "Minimum distance between houses to be fifteen (15) feet".

During ensuing discussion, Counsel pointed out the Agreement and Restrictions provide that taxes shall be prorated and assessed against individual lots in the subdivision for the Open Spaces or Common Areas; and, Mr. Kutschman, in his review of the matter, is recommending the assessment of open spaces or common areas be against individual lots.

In answer to the Supervisor's inquiry regarding approval of the documents, Counsel advised the Board action would be to approve the Subdivision Open Space Agreement which provides that the Restrictions as presented (and amended) are approved. In addition, the Resolution should reflect, as stated in Counsel's May 21, 1976 letter, that legal descriptions be added to the Agreement and Restrictions of the areas that might be added to the subdivision open space and association; and, the Agreement be revised to provide the Township the right to enforce collection of any charges for maintenance by adding it to the tax rolls.

MOTION by Knudsen, seconded by Spencer, Resolved, the Brookedale Woods Subdivision Open Space Agreement, which provides that the Restrictions as presented and amended during these proceedings, be approved contingent upon legal descriptions being added to the Agreement and Restrictions of areas that might be added in the future; and, subject further to the Agreement being revised to provide the Township the right to enforce collection of any charges for maintenance done by the Township; and, that the Supervisor and Township Clerk be and they hereby are authorized to execute and deliver the said Agreement on behalf of the Township.

Ayes: Borden, Spencer, Knudsen, Trimble, Nowicki, Healy, Schmittel
Nays: None

MOTION CARRIED.

It is recorded Mr. Menzel informed the Board that revised documents, incorporating the changes will be presented to the Township.

- 2) Referred to discussion at the last Township Board meeting with Representatives of RARA regarding a ballot proposition for the August 3rd Primary and advised Counsel had prepared ballot verbiage. (Copy of the ballot proposition distributed to each Board Member). General discussion ensued.

CONTINUED

MOTION by Knudsen, seconded by Schmittel, Resolved, "Millage Proposal For General Community Recreation and Senior Citizen Activities (RARA)", be placed on the August 3rd Primary Ballot, and the Ballot Question be worded as follows:

Shall the Township of Avon levy a tax of up to one-quarter (1/4) mill on the assessed valuation as equalized on all property assessed for taxes in the Township, for a period of ten (10) years, the years 1976 through 1985, inclusive, for the purpose of providing funds for senior citizen activities and general community recreation, such as the activities of RARA (Rochester-Avon Recreation Authority), and shall the limitation of fifteen (15) mills as contained in Article IX, Section 6, of the Michigan Constitution of 1963 be increased for the period stated to allow the levy of said tax?

Ayes: Borden, Spencer, Knudsen, Trimble, Nowicki, Healy, Schmittel
Nays: None

MOTION CARRIED.

It is recorded Mrs. Marye Miller spoke to the Board concerning funding for the RARA - Senior Citizens Program, and advised they have to guarantee to the Federal Government, \$30,000 by June 14, 1976. Informal discussion followed.

Referred to Memo dated May 18, 1976, with attachment, from Mr. C. T. Womack, (copy of which was forwarded to each Board Member) regarding purchase of Back Hoe Loader Tractor.

MOTION by Knudsen, seconded by Schmittel, Resolved we approve the recommendation of the D.P.S. and authorize the purchase of Back Hoe Loader from AIS Construction Equipment Corporation, in the amount of \$18,400.00 per per proposal dated May 7, 1976.

AYES: Borden, Spencer, Knudsen, Trimble, Nowicki, Healy, Schmittel
AYES: None

MOTION CARRIED

CLERK SPENCER:

Presented request for Site Plan Approval:

FILE #76-373: To construct a "Pizza Hut" restaurant on the westerly 120 feet of Parcel 15-09-476-025, further described as being located on the north side of Walton Blvd. west of Livernois, east of and abutting the Rochester Hills Shopping Center, Zoned B-2.

Applicant: Pizza Hut, Inc., 30161 Southfield Road, Southfield, MI 48076

It is recorded Mr. Dave Adams of Pizza Hut, Inc. and Mr. William Thomas, property owner, were present.

During review of the subject site plan, reference was made to the size of trees proposed (1" dia.) and Mr. Adams advised they would have no objections to providing larger diameter (1-1/2" to 2") trees.

In answer to several questions raised, Mr. Adams responded at some future time a beer and wine license may be requested for the facility; as to excluding students during normal school hours, he was not aware of the policy of the Rochester Community Schools in regard to this matter; and a survey made by Pizza Hut, Inc., showed this area to be one of the best in the greater Detroit area for this type facility.

Discussion continued on the additional traffic that will be generated in this immediate area due to this facility and a proposed Burger King facility. Heavy traffic exists now because of the shopping center, the Landmark Restaurant and other businesses, each with their own ingress-egress onto Walton Blvd.

During ensuing discussion, it was noted the Planning Commission had recommended approval of the Site Plan at meeting held May 5, 1976.

STATEMENT OF VOTES

The whole number of votes for and against the RECREATIONAL PROPOSITION

A

No 47

Proposition Ballot
Special Election
Township of Avon, Michigan
August 3, 1971

OFFICIAL BALLOT

TOWNSHIP OF AVON

OAKLAND COUNTY, MICHIGAN

SPECIAL ELECTION

TUESDAY, AUGUST 3, 1971

INSTRUCTIONS: If you wish to vote in favor of the following proposal, place a cross in the square opposite the word "YES". If you wish to vote against said Proposal, place a cross in the square opposite the word "NO". Fold the ballot so that the face of the ballot is not exposed and so that the numbered corner is visible.

RECREATIONAL PROPOSITION

"Shall the Township of Avon, for a period of five (5) years, starting in 1971, collect one-quarter (1/4) of a mill on all property in the Township, on the assessed valuation as equalized, in addition to the regular fifteen (15) mill levy, and use the proceeds for recreational purposes for the people of the Township of Avon and the City of Rochester. (The electors of City of Rochester are voting on the same proposition and it must be approved in both municipalities before the millage will be collected. If the proposition loses in either municipality, then neither will collect the tax.)"

YES

NO

STATEMENT OF VOTES

number of votes for and against the RECREATIONAL PROPOSITION

SEVENTEEN HUNDRED ELEVEN

number marked YES EIGHT HUNDRED TWENTY EIGHT

number marked NO

HUNDRED EIGHTY THREE

number marked NO

TOTAL VOTES

PUT FIGURES IN THIS COLUMN

1 8 1 1

8 2 8

9 8 3

1 8 1 1

number of votes for and against the ROAD CHLORIDE AND EMERGENCY ROAD REPAIR PROPOSITION

SEVENTEEN HUNDRED TWENTY FIVE

number marked YES ONE THOUSAND FIFTY EIGHT

number marked NO

SEVEN HUNDRED SIXTY SEVEN

number marked NO

TOTAL VOTES

1 8 2 5

1 0 5 8

7 6 7

1 8 2 5

number of votes for and against the

number

- 4) Submitted proposed resolutions to amend the Official Minutes of the Avon Township Board, concerning the 1970-71 Budget, as recommended by the Township Auditors.

MOTION by Borden, seconded by Ennis, Resolved, the Minutes of the January 27, 1971 Avon Township Board Meeting regarding approval of the Board for purchase of capital expenditure items BE AMENDED as follows: The Avon Township Board approves of transfer of Budgeted Expenditures in the amount of \$2,500.00 from Account 10.659 "Engineering Fees - Township Expense", to Account 10.900 "Capital Additions and Improvements".
Ayes: All Nays: None
MOTION CARRIED.

MOTION by Ennis, seconded by Spencer, Resolved, the Minutes of the March 24, 1971 Avon Township Board Meeting, regarding approval for transfer of \$17,759.81 Reserve for Road Chloriding to Fund Balance, BE AMENDED as follows: "Such Transfers are made for the purpose of increasing budgeted expenditures in Account 12.708 "Road Chloriding" from \$10,000 to \$25,344, in addition to various other budget expenditure adjustments already setforth in said Minutes".
Ayes: All Nays: None
MOTION CARRIED.

MOTION by Trimble, seconded by Lamb, Resolved, the Minutes of the March 30, 1971 Avon Township Board Meeting, regarding approval of the Board for transfer of \$60,000 to Reserve for Road Repair, BE AMENDED as follows: "The Avon Township Board approves reduction in Budgeted Expenditures of \$40,000 (Account 12.706) to \$-0-, thus enabling transfer to Reserve For Road Repair".
Ayes: All Nays: None
MOTION CARRIED.

- 5) Advised complaint had been received of a fence having been installed beyond the property line on someone else's land. During the discussion which followed, Counsel advised that this matter would not properly come before the Fence Viewers Committee, nor could the Township per se be involved.
- 6) Referred to Report of Expenditures for Local Road Maintenance from the Oakland County Road Commission, for the period May 1, to May 31, 1971, copy of which was submitted to each Board member for informational purposes.
- 7) Informed the Board request had been received to purchase short-sleeved summer shirts for the Township Auxiliary Police. Discussion followed.

MOTION by Ennis, seconded by Spencer, Resolved, the Avon Township Board approves and authorizes the purchase of short-sleeved summer shirts for the Township Auxiliary Police.
Ayes: All Nays: None
MOTION CARRIED.

- 8) Submitted and requested approval of wording for two (2) propositions to be on the ballot of the August 3, 1971 election.

Discussion followed.

MOTION by Borden, seconded by Ennis, Be it resolved, that the Avon Township Board, after reviewing alternate means of organizing a recreation program for the greater Rochester Area Community, agrees that a joint authority, consisting of a four member board (composed of one member each from Avon Township, City of Rochester, Rochester Community Schools and the Avondale Public Schools) be appointed.

That this authority would appoint a fiscal agency to act in matters of personnel and finance.

That the authority would draw up by-laws for the operation of the recreation program subject to its approval of the member groups.

Under the above organization the following guidelines would be used to establish and control the Rochester-Avon Recreation Authority.

1. That an individual vote be held by Avon Township and the City of Rochester.
2. That the vote would be for 1/4 of a mill for 5 years for the operation of the recreation program.
3. That requests for taxes be a simultaneous vote in both municipalities.
4. Each district, Avon Township, City of Rochester, Avondale Public Schools and Rochester Community Schools, would appoint one member to the four member board above.
5. The initial appointment would be City of Rochester, 2 years; Avon Township, 2 years; Avondale Public Schools, 1 year; Rochester Community Schools, 1 year; with two-year appointments on each succeeding anniversary.
6. That the Rochester Community Schools would act as the paying agent for the authority.
7. Expenditures would be made as recommended by the Director and approved by the authority.
8. Purchases would be made as recommended by the Director and approved by the authority.
9. The authority would have the right to contract with the schools for after school hour time for recreation facilities.
10. The authority would have the right to contract with the various municipalities for use of recreation facilities within the municipality.

Ayes: All Nays: None
MOTION CARRIED.

MOTION by Borden, seconded by Trimble, Resolved, the Avon Township Board approves the following wording for Proposition No. 1, to be placed on the ballot of the August 3, 1971 election:

"Shall the Township of Avon, for a period of five (5) years, starting in 1971, collect one-quarter (1/4) of a mill on all property in the Township, on the assessed valuation as equalized, in addition to the regular fifteen (15) mill levy, and use the proceeds for recreational purposes for the people of the Township of Avon and the City of Rochester. (The electors of City of Rochester are voting on the same proposition and it must be approved in both municipalities before the millage will be collected. If the proposition loses in either municipality, then neither will collect the tax).

Yes

No "

Ayes: All Nays: None
MOTION CARRIED.

MOTION by Ennis, seconded by Lamb, Resolved, the Avon Township Board approves the following wording for Proposition No. 2, to be placed on the ballot of the August 3, 1971 election:

"Shall the Township of Avon, for a period of five (5) years starting in 1972, collect a tax on all property in the Township of Avon, in the amount of up to 1/2 (one-half) mill on the assessed valuation, as equalized, in addition to the regular fifteen (15) mill levy, and use the money so collected to repair and resurface paved roads, to repair and resurface gravel roads and for Road Chloride (dust abatement) on gravel roads in the Township, except primary roads cared for by the County of Oakland, in pursuance of a contract with the Oakland County Road Commission, as provided in Article 9, Section 6, of the Michigan Constitution of 1963?

Yes

No "

Ayes: All Nays: None
MOTION CARRIED.