



Rochester Hills Minutes City Council Regular Meeting

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*Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, November 29, 2006

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:33 p.m. Michigan Time.

ROLL CALL

Present: Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent: Greg Hooper

Others Present:

*Bryan Barnett, Mayor
Derek Delacourt, Deputy Director of Planning
Bob Grace, Director of MIS
Jane Leslie, City Clerk
Roger Rousse, Director of DPS/Engineering
Robert Smith, Captain - Oakland County Sheriff's Department
John Staran, City Attorney
Kelly Winters, Deputy Director of Building/Ordinance Enforcement*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council hereby approves the Agenda for the Regular Meeting of November 29, 2006 with the following amendments:

Remove from Nominations/Appointments:

2006-0820 - Nominations/Appointment to Building Authority

Remove from New Business:

2006-0857 - Request to schedule a Public Hearing regarding request for an Industrial Facilities Exemption Certificate (IFT) at 2965 Technology Drive, Rochester Hills, Michigan 48309

2006-0858 - Request to schedule a Public Hearing to establish an Industrial Development District at 2965 Technology Drive, Rochester Hills, Michigan 48309

A motion was made by Raschke, seconded by Ambrozaitis, to Approve Agenda as Amended.

The motion carried by the following vote:

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Absent: Hooper

PUBLIC COMMENT

Mr. Mark Avery, 1871 Fair Oak Court, questioned the City's process for assessing property taxes, noting that home values are decreasing while assessments are still increasing.

Mr. Lee Zendel, 1575 Dutton Road, noted that "true community leadership" would be to seek out organizations and volunteers to assist Rochester Hills residents who need home maintenance assistance, rather than creating a blight ordinance that will penalize those home owners who cannot afford to properly maintain their homes.

Ms. Deanna Hilbert, 3234 Quail Ridge Circle, provided an update of information gathered by Citizens Voice of Rochester Hills regarding the REI development. She noted that the scope of the project had changed and no longer should qualify the developer for low interest loans and bonds.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Rosen, referring to Mr. Avery's comments, suggested that the City tax assessing process be discussed at an upcoming Council Work Session meeting.

Ms. Ambrozaitis discussed the following:

- Acknowledged that Mr. Avery had "a legitimate concern" and encouraged Council to discuss the tax assessing issue further.

- Thanked the local Church of Christ of Latter Day Saints for an invitation to an event at their church.

- Expressed concern at the recent announcement that Dura Automotive had declared bankruptcy.

- Noted the recent problems the City of San Diego was experiencing with their pension plan and asked that he and his fellow Council members be aware of how Rochester Hills handles its pension plan.

- Thanked "Club Pride" for their work with area youth.

- Praised a local resident involved in charitable work.

Ms. Raschke discussed efforts on behalf of City officials and residents to change the recent law that raised speed limits on rural roads. She then announced two open house events to benefit American House. Ms. Raschke encouraged residents to purchase memberships to the City's museum.

Mr. Yalamanchi requested that the tax assessment discussion take place as soon as possible so that Council members are well prepared for upcoming budget discussions. He questioned when Council would be updated on the City's dispatch process.

President Rosen noted that an update would be forthcoming.

Mayor Barnett discussed the following:

- City Assessor Kurt Dawson would be made available to discuss the tax assessing process if Council so desires.
- Residents can bring their assessment concerns to the City's Board of Review.
- The Mayor's office was actively pursuing volunteer assistance with blight issues; however, most organizations are limited to simple yard cleanup activities.
- The City is working very hard to address the matter of the increased speed limits on rural roads.
- There was a fire at a local retail establishment; there were no injuries.
- Residents were encouraged to attend the upcoming Christmas Parade and enjoy the lights in downtown Rochester, thanks to the efforts of the local Downtown Development Authority.
- Residents were encouraged to attend the upcoming OPC Open House and Old Fashioned Christmas, described as "a mini Frankenmuth."
- Adams Road at M-59 recently opened to through traffic.
- The Tienken Road Bridge would likely be open by Christmas

Mr. Roger Rouse, Director of DPS/Engineering, provided a brief update on the Tienken Road Bridge project, confirming that, barring any adverse weather conditions, the Bridge would be completed this year.

(Mr. Hooper Entered at 8:05 p.m.)

Present: Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

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.

2006-0531 Approval of Minutes - Joint Planning Commission / City Council Meeting - June 27, 2006

Attachments: CC and PC Joint Meeting Minutes 062706.pdf; 0531 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Joint Rochester Hills Planning Commission / City Council Meeting held on June 27, 2006 be approved as presented.

Enactment No: RES0400-2006

2006-0832 Approval of Minutes - City Council Work Session Meeting - June 28, 2006

Attachments: CC Min 062806.pdf; 0832 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Work Session Meeting held on June 28, 2006 be approved as presented.

Enactment No: RES0401-2006

2006-0836

Approval of Minutes - Regular City Council Meeting - July 12, 2006

Attachments: Min CC 071206.pdf; 0836 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on July 12, 2006 be approved as presented.

Enactment No: RES0402-2006

2006-0792

Request for Purchase Authorization - MAYOR/PURCHASING: Office Supplies and Equipment blanket purchase order in the amount not-to-exceed \$95,000.00 through December 31, 2007; Office Depot, Plymouth, MI

Attachments: Agenda Summary.pdf; 0792 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Office Depot, Plymouth, Michigan, for the purchase of office supplies and equipment, in the amount not-to-exceed \$95,000.00 through December 31, 2007.

Enactment No: RES0403-2006

2006-0805

Request for Purchase Authorization - MAYOR/PURCHASING: Various supplies, including hardware and building products blanket purchase order in the amount not-to-exceed \$35,000.00 through December 31, 2007; Home Depot, Rochester Hills, MI

Attachments: Agenda Summary.pdf; 0805 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Home Depot, Rochester Hills, Michigan for the purchase of various supplies, including hardware and building products in the amount not-to-exceed \$35,000.00 through December 31, 2007.

Enactment No: RES0404-2006

2006-0800

Request for Purchase Authorization - DPS/Facilities: Purchase and delivery of electric energy for City facilities blanket purchase order in the amount not-to-exceed \$305,470.00; DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: Agenda Summary.pdf; 0800 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

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 \$305,470.00 through December 31, 2007.

Enactment No: RES0405-2006

2006-0804 Request for Purchase Authorization - DPS/FACILITIES: Natural gas for various City-owned buildings blanket purchase order in the amount not-to-exceed \$175,360.00 through December 31, 2007; Consumers Energy, Lansing, MI

Attachments: Agenda Summary.pdf; 0804 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

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 \$175,360.00 through December 31, 2007.

Enactment No: RES0406-2006

2006-0807 Approval of Sanitary Sewer Agreement among the City of Auburn Hills, the City of Rochester Hills and Edward and Annette Morawski and Vito A. and Angela D. Pampalona located at 2715 South Adams Road

Attachments: Agenda Summary.pdf; Interlocal Agreement 2715 Adams.pdf; 0807 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, the Adams Road Relocation project was approved in the 2006 CIP MR-05A; and

Whereas, as part of the acquisition settlement for Parcel 13, 2715 South Adams Road, it was determined that the City would incorporate two (2) 6-inch sanitary sewer leads for the future use and benefit of Parcel 13 owners; and

Whereas, costs associated with the design, construction and Auburn Hills' tap and lateral fees for the sewer leads shall be borne by the City of Rochester Hills.

Resolved, that the Rochester Hills City Council approves the Sanitary Sewer Agreement among the City of Auburn Hills, the City of Rochester Hills and Edward and Annette Morawski and Vito A. and Angela D. Pampalona and authorizes the payment of all costs associated with connecting the sanitary sewer to the future buildings. In addition, the City Council authorizes the Mayor and City Clerk to execute the agreement on behalf of the City.

Enactment No: RES0407-2006

Passed The Consent Agenda

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

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

PUBLIC HEARINGS

2006-0835 Proposed Consent Judgment pertaining to James Dahline vs. the City of Rochester Hills, Oakland County Circuit Court Case No. 06-075175-AA, specifically regarding

appeal of the Zoning Board of Appeals' denial of a lot width variance for Lot 136 in Stratford Knolls Subdivision

Attachments: Agenda Summary.pdf; Dahline v Rochester Hills Consent Judgment.pdf; Public Hearing Notice.pdf; Dahline Memo.pdf; Set Public Hearing Resolution.pdf; 0835 Resolution.pdf

*President Rosen **Opened the Public Hearing at 8:06 p.m.***

***Ms. Sue Stachel**, 2012 Pedal Court, noting that she owns property adjoining the property in question, expressed concern that, if this Consent Judgment were approved and the applicant were to build on this property, it would adversely impact her property by increasing drainage problems as well as forcing the move of a utility pole at the lot line.*

*There being no further Public Comment, President Rosen **Closed the Public Hearing at 8:10 p.m.***

***City Attorney John Staran** noted that any drainage issues cannot be addressed until a building permit is sought; however, he stressed that a builder would not receive approval of any plan that would detrimentally impact neighboring property. He further indicated that the City has no control over the location of utility poles and any decision to relocate a pole would be at the discretion of the utility company.*

A motion was made by Holder, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby approves the proposed Consent Judgment pertaining to James Dahline vs. the City of Rochester Hills, Oakland County Circuit Court Case No. 06-075175-AA, specifically regarding the appeal of the Zoning Board of Appeals' denial of a lot width variance for Lot 136 in Stratford Knolls Subdivision and hereby authorizes the Mayor and the City Attorney to sign and enter into the Consent Judgment.

The motion carried by the following vote:

Aye: Ambrozaitis, Holder, Hooper, Raschke and Yalamanchi

Nay: Duistermars and Rosen

Enactment No: RES0408-2006

ORDINANCE FOR INTRODUCTION

2004-0032

Acceptance for First Reading an Ordinance to repeal Section 42-26 through 42-65 of Article II, Alarm Systems, Chapter 42, Emergency Services, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and Adopt a New Article II, Sections 42-26 through 42-67 to Regulate Residential and Business Alarm Systems, Decrease the Frequency of False Alarms, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations

Attachments: Agenda Summary.pdf; 112906 Agenda Summary.pdf; 111406 Letter Staran.pdf; Chapter 42 False Alarms - NEW.pdf; 1988 False Alarm Ordinance w/Minutes.pdf; False Alarm Ordinance as Codified in 1998.pdf; 1996 False Alarm Amendment w/Minutes.pdf; Minutes Public S

***Mayor Barnett** explained that, following the most recent discussion with City Council about the False Alarm Ordinance, the draft language was changed to reflect Council's desire to eliminate a mandatory registration fee and include a more progressive penalty fee schedule. He further noted that every effort would be expended to notify residents of the changes, with the new ordinance only going into final effect following a 60 to 90 day education period.*

He explained that education efforts would include Channel 55, the Hills Herald, notices in water bills, etc. He stressed that the purpose of the new ordinance was to discourage the habitual false alarm abusers and limit the time wasted by responding police officers.

Captain Robert Smith, Oakland County Sheriff's Department, noted that the proposed ordinance provides an effective tool to address the false alarm issue as well as providing appropriate due process. He assured Council that the ordinance would be applied in a fair manner.

Mr. Bob Grace, Director of MIS, described a process wherein an online registration form would be made available on the City's website to be completed, signed and returned to the Sheriff's substation.

Mr. Yalamanchi expressed concern that, while the registration fee was eliminated, the penalty fee schedule was too punitive and aggressive.

Captain Smith explained that, although the intent of the ordinance is not to generate revenue, there is a cost associated with the program that will be compensated by the penalty fees. He stressed that the elimination of the registration would impact the cost-effectiveness of the program.

City Attorney John Staran noted that it was his impression that City Council consensus was that the original penalty fee schedule was too lenient. He stressed that the fee schedule can be whatever Council desires.

Mr. Yalamanchi also expressed concern that there is a penalty if residents do not register within a certain time frame.

Mr. Staran noted that, without some sort of penalty, there would be no motivation for people to register at all.

Captain Smith explained the essential reason for registration is that it will provide expediency in contacting the owners of alarms when they have been triggered. He noted that a great deal of police time can be wasted while a business or homeowner is tracked down in the middle of the night.

Mr. Yalamanchi acknowledged the need for the registration process, but requested that a penalty not be charged until the third false alarm offense.

Mr. Ambrozaitis suggested that the penalty for a second false alarm be reduced from \$50 to \$25, with the third offense penalty being increased from \$100 to \$125.

Mr. Hooper questioned the need for a \$100 alarm shut off fee.

Captain Smith explained that there are times when the police must disconnect an external alarm that is sounding and disturbing the peace. In such a case, he noted that there should be compensation for those efforts. He further noted that often newer alarm systems have all internal wiring, making it more difficult to address such situations.

PUBLIC COMMENT:

Mr. Lee Zendel, 1575 Dutton Road, noting that false alarm infractions are calculated within a calendar year, suggested that it be calculated on a twelve-month basis.

Mr. Staran explained that tracking infractions within a calendar year is more easily calculated.

COUNCIL DISCUSSION:

Mr. Yalamanchi, noting that businesses appear to pose a greater false alarm problem than residential locations, questioned whether the ordinance could have a separate penalty fee for businesses.

Mr. Staran explained that the City would be obligated to prove that there is a legitimate distinction between the efforts expended by police to respond to a business false alarm as opposed to a residential false alarm.

Captain Smith stressed that such a practice could lead to questions of equal protection under the law.

Mr. Yalamanchi requested the addition of a sunset clause to require that this ordinance be reviewed in five years.

Mr. Staran noted that such a provision could be included, but reminded Council that any City ordinance can be reviewed and amended by Council at any time.

Captain Smith stressed that this would be a "fluid and dynamic program" for the first few years and would need "tweaks." He assured Council he would work with the administration to make appropriate changes.

Mr. Duistermars agreed that there was no need for a sunset clause, as Council would address any issues on an ongoing basis.

A motion was made by Raschke, seconded by Hooper, that this matter be Adopted by Resolution.

Resolved that an Ordinance to repeal Section 42-26 through 42-65 of Article II, Alarm Systems, Chapter 42, Emergency Services, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and Adopt a New Article II, Sections 42-26 through 42-67 to Regulate Residential and Business Alarm Systems, Decrease the Frequency of False Alarms, Repeal Conflicting Ordinances and Prescribe a Penalty for Violations is hereby accepted for first reading.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke and Rosen

Nay: Yalamanchi

2006-0866

Approval of Amendment to Acceptance for First Reading an Ordinance to Repeal Article VII, Emergency Services, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan and Adopt a New Article VII to Impose Fees for False Alarms and Repeal Conflicting Ordinances

Attachments: Agenda Summary.pdf; Revised 54-436 False Alarm Fees (11 14 06).pdf; Ordinance Amendment Chapter 54 False Alarm Fees .pdf; First Reading Resolution.pdf; 0866 Resolution.pdf

Mr. Ambrozaitis requested that the penalty fee structure of the ordinance be adjusted to reflect that a fee of \$25 be charged for the second false alarm offense and that \$125 be charged for a third offense.

A motion was made by Ambrozaitis, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that an Ordinance to Repeal Article VII, Emergency Services, of Chapter

54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan and Adopt a New Article VII to Impose Fees for False Alarms and Repeal Conflicting Ordinances be amended to revise the fee for a false alarm to \$25 for a second false alarm and \$125 for a third false alarm.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Attachments: Agenda Summary.pdf; Revised 54-436 False Alarm Fees (11 14 06).pdf; Ordinance Amendment Chapter 54 False Alarm Fees .pdf; First Reading Resolution.pdf; 0866 Resolution.pdf

A motion was made by Duistermars, seconded by Raschke, that this matter be Accepted for First Reading by Resolution.

Resolved that an Ordinance to Repeal Article VII, Emergency Services, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan and Adopt a New Article VII to Impose Fees for False Alarms and Repeal Conflicting Ordinances is hereby accepted for First Reading.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

NOMINATIONS/APPOINTMENTS

2006-0817

Nomination/Appointment for three (3) Citizen Representatives to the Historic Districts Commission each for a three-year term to expire December 31, 2009

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Questionnaire Kilpatrick.pdf; Questionnaire Thompson.pdf; Questionnaire Stamps.pdf; Questionnaire Verschueren.pdf; Notice of Vacancy.pdf; 112906 Agenda Summary.pdf; 0817 Resolution.pdf

President Rosen Opened the Floor for Nominations:

Mr. Duistermars nominated Mr. Micheal Kilpatrick.

Ms. Raschke nominated Dr. Richard Stamps.

Mr. Ambrozaitis nominated Mr. Jason Thompson.

Mr. Hooper nominated Mr. Gerard Verschueren.

President Rosen Closed the Floor for Nominations and noted that, as there were more nominees than open positions on the Historic Districts Commission, the vote would take place at the next City Council Regular meeting.

Discussed

2006-0818

Nomination/Appointment of two (2) Citizen Representatives to the Historic Districts Study Committee each for a two-year term ending December 31, 2008

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Notice of Vacancy.pdf; Questionnaire Dziurman.pdf; Questionnaire Thompson.pdf; 0818 Resolution.pdf

President Rosen Opened the Floor for Nominations:

Mr. Hooper nominated Mr. John Dziurman and Mr. Jason Thompson.

President Rosen Closed the Floor for Nominations.

A motion was made by Duistermars, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council appoint John Dziurman and Jason Thompson to serve as Historic Districts Study Committee Representatives each serving for a two (2) year term expiring December 31, 2008.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0409-2006

2006-0819

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

Attachments: Agenda Summary.pdf; Nomination Form.pdf; Questionnaire Klomp.pdf; Additional Resume Klomp.pdf; Questionnaire Paurazas.pdf; Notice of Vacancy.pdf; 112906 Agenda Summary.pdf; Questionnaire Barrett.pdf; 0819 Resolution.pdf

President Rosen Opened the Floor for Nominations:

Mr. Ambrozaitis nominated Dr. Beverly Paurazas.

Mr. Duistermars nominated Mr. Nathan Klomp.

Mr. Hooper nominated Mr. Clark Barrett.

President Rosen Closed the Floor for Nominations and noted that, as there were more nominees than open positions on the Rochester Avon Recreation Authority, the vote would take place at the next City Council Regular meeting.

Discussed

2006-0820

Nomination/Appointment of one (1) Citizen Representative to the Building Authority for a six-year term to expire December 31, 2012

Attachments: Agenda Summary.pdf; Notice of Vacancy.pdf; Nomination Form.pdf; Kaszubski Candidate Questionnaire.pdf; Miller Candidate Questionnaire.pdf; Stein Candidate Questionnaire.pdf; 112906 Agenda Summary.pdf; 112906 Nomination Form.pdf; Questionnaire Schroeder.pdf

This item was removed from the Agenda by Administrative Request.

Removed from Agenda

(Recess 9:05 p.m. - 9:19 p.m.)

UNFINISHED BUSINESS

2006-0707

Approval of the Proposed Brownfield Redevelopment Plan for the Hamlin Adams Brownfield Project, Parcel Numbers 15-29-101-022 and 15-29-101-023; Hamlin Adams Properties, LLC, Applicant

Attachments: Agenda Summary.pdf; 11-21-06 Strobl & Sharp Air Quality Letter.pdf; 11-20-06 STS Air Monitoring Letter.pdf; 11-21-06 Revised Brownfield Redevelopment Plan.pdf; 111506 Resolution.pdf; 11-09-06 Assessing Memo.pdf; 111506 Agenda Summary.pdf; Public Hearing N

Mr. Derek Delacourt, Deputy Director of Planning, noted that Mr. Anderson, the City's Environmental Consultant, provided a letter outlining the City's request for a base line air quality sampling to be done as part of the project as well as a written assertion by the applicant agreeing to that testing. He then discussed the changes to the proposed Brownfield Redevelopment Plan (BRP) resulting from the previous discussion before Council:

- Any issues regarding decisions as to the repayment of interest through tax capture, the revolving fund or the ability of Council to collect 75% of the total Tax Increment Financing (TIF) available will be determined after the initial site investigation to determine the estimated cost of remediation and prior to entering into the Reimbursement Agreement.

- The last sentence of Section 3.12, which referenced any use of revolving fund dollars for the monitoring and maintenance of this specific site, was stricken from the BRP.

Mr. Delacourt further noted that the administration had asked that the City negotiate the ability to collect \$75,000 annually as an administrative fee. He acknowledged that this issue had not previously been discussed or considered but requested that it be included in the negotiations of the Reimbursement Agreement. He estimated that a draft Reimbursement Agreement would likely be ready for review by the City Attorney within six to eight months.

Mr. Hooper indicated that he was in agreement with all of the changes described by Mr. Delacourt and requested that a seventh condition be added to the resolution before Council requiring that the BRP state that the City will not approve capture of TIF for the repayment of interest.

Mr. Delacourt explained to Council that if they were to adopt the resolution with Mr. Hooper's seventh condition the entire BRP would have to be revised to indicate that the City is not willing to consider interest as an eligible activity for reimbursement at any time. He stressed that, unless the BRP were amended, this action would completely eliminate the option to negotiate the issue of interest.

Mr. John Anderson, the City's Environmental Consultant, assured Council that the air quality testing he requested would adequately meet the needs of the City and its residents.

Mr. Yalamanchi requested a change in the BRP that would clarify that a percentage of annual incremental taxes can either be retained by all taxing jurisdictions or deposited into a revolving fund, or a combination of both of those options.

City Attorney John Staran assured Council that the BRP language would be modified to reflect Mr. Yalamanchi's request.

A motion was made by Hooper, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby Approves the Brownfield Redevelopment Plan for the Hamlin/Adams Brownfield Project, City File No. 03-013, based on the Plan dated received by the Planning Department on September 11, 2006, as revised November 21, 2006, with the following findings and subject to the following conditions:

Findings:

1. The submitted Plan meets the requirements for a Brownfield Redevelopment Plan under State Act 381 and the City of Rochester Hills.
2. The subject parcels are the site of a former landfill/dump and a source of known contamination within the City.
3. If implemented, the Plan provides a reasonable course of action for the remediation of a known contaminated site.
4. If implemented, the amount, pay back period, and use of tax increment financing (TIF) is reasonable for the eligible activities proposed.

Conditions:

1. That all 381 Work Plans for the site are required to be reviewed and accepted by the City's Brownfield Redevelopment Authority prior to submittal to the Department of Environmental Quality (DEQ).
2. That the applicant and City Council enter into a Reimbursement Agreement prior to the utilization of TIF captured for eligible activities.
3. That a cap regarding the life of the Plan be determined and imposed by City Council and identified in a Reimbursement Agreement to be entered into between the applicant and City Council prior to the utilization of any TIF captured for eligible activities.
4. That if the extent of Due Care activities related to the subject site is altered or revised due to a change to the proposed development plans or proposed use of the site, the applicant shall submit an amended BRA Plan to the Brownfield Redevelopment Authority.
5. That additional air quality testing, as identified in STS Consultants letter dated November 20, 2006, be included in the initial 381 Work Plan prior to submittal to the State.
6. That additional language be added to the Brownfield Redevelopment Plan to indicate that the City reserves the right to make a determination regarding capture of an administration fee of up to \$75,000 per year prior to entering into a Reimbursement Agreement. Revised language is to be reviewed and approved by Staff prior to submittal of the Plan to the DEQ.
7. That the language in the Plan be revised to indicate that the City does not approve the capture of TIF for the repayment of interest for eligible activities, to be reviewed and approved by Staff prior to submission to the DEQ.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Nay: Ambrozaitis

Enactment No: RES0410-2006

2006-0826

Adoption of Amendments to City Council Rules of Procedure

Attachments: Agenda Summary.pdf; Rules of Procedure 112006.pdf; 111506 Agenda Summary.pdf; 0826 Resolution.pdf

President Rosen noted that the various recommended changes to Council's "Rules of Procedure" were a result of the impending change to Council's meeting schedule, as well as general housekeeping matters.

Mr. Yalamanchi questioned one section where the changes appeared to eliminate Council's ability to "Call the Question" during debate.

It was noted by **President Rosen** and **Ms. Holder** that some items were removed due to redundancy and that the "Rules of Procedure" state that Council follows "Robert's Rules of Order", which includes the ability to "Call the Question."

President Rosen assured Council that he would review the changes with the Clerk's staff to make sure all changes were correct.

A motion was made by **Ambrozaitis**, seconded by **Yalamanchi**, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council amends its City Council Rules of Procedure as follows:

Article II. General Rules

Section.04 Journal of Proceedings:

- (a) The City Clerk shall keep a permanent record of all City Council Proceedings in the City's Official Minutes Books. Once approved, these Minutes are the official records of the actions of City Council
 - (i) Audio ~~tape~~ recordings shall be made for each public meeting by the Clerk or his/her designee except for Special Meetings, which are specifically held to adopt a Resolution to convene to Closed Session. The ~~tape~~ recordings shall be retained for at least one (1) year and one (1) day following the meeting.
 - (ii) a. All Regular Council Meetings and Regular Work Sessions shall be broadcast over cable television
 - b. ~~The Council President shall determine if a regularly scheduled Work Session will be broadcast over cable television as the Work Session's respective Agenda Review meeting. If it is determined that a Work Session is to be broadcast, the meeting will be held in the City Hall Auditorium. If the Work Session is not to be broadcast, it may be held in the City Council Conference Room or other location deemed best to meet the needs of the meeting.~~
 - (iii) ~~Video~~ Digital recordings shall be made for each regularly scheduled meeting, unless otherwise specified by the Council President pursuant to Section.04(i)(b). The ~~tape~~ recordings shall be retained for at least three (3) months.
- (b) The City Clerk shall keep Minutes of Closed Sessions by such Minutes shall not be available for public inspection and may only be disclosed by order of a Court. These Minutes shall be destroyed one (1) year and one (1) day after the date of the Closed Session.

Article III. Meetings of Council

Section.02 Regular Meetings:

- (a) Regular Meetings of the Council shall be held on the ~~first~~ second and ~~third~~ fourth Wednesdays of each month, except for the month of December where the Regular Meeting will be held on the ~~first~~ second Wednesday of the month. No meeting shall be held on the Wednesday immediately preceding Thanksgiving in November or on the ~~four~~ Wednesday in December, or on any legal holiday.

Section.03 Work Sessions:

- (a) Work Sessions shall be held on the ~~fourth~~ first and third Wednesday of each month, except for the month of December when ~~no~~ the Work Session will be ~~scheduled~~ held only on the first Wednesday of the month. ~~No meeting meeting~~ Work Session shall be held on the Wednesday immediately preceding Thanksgiving in November ~~or on the fourth~~ Wednesday in December, or on any legal holiday.

Section.04 Special Meetings:

- (b) Notice of the Special Meeting shall be prepared in writing by the Clerk or his/her designee, containing the following information: date, time ~~and~~ place, ~~business is to be transacted~~ and the purpose of the meeting and be posted at least eighteen (18) hours prior to the scheduled starting time of the Meeting in accordance with the Open Meetings Act.

Article IV. Council Officers and Duties

Section.03 Duties of Council Officers:

- (a) The President shall:

(xii) Review monthly Council meeting attendance sheets pursuant to Council Attendance/Per Diem Compensation Policy adopted May 3, 2006

~~(xii)~~(xiii) Act as representative of the Council at various functions.

~~(xiii)~~(xiv) Perform such duties as may be directed by the Council.

- (b) The Vice President

~~(ii) Shall serve as Council's liaison to the Rochester Hills Government Youth Council (RHGYC).~~

Article V. Order of Business and Agenda

Section.01 Order of Business:

- (b) Work Sessions

Call to Order
 Roll Call
 Pledge of Allegiance
Review of Agenda
 Public Comments
Legislative and Administrative Comments
 Administration
 City Council
~~Comments and Announcements~~
 Any Other Business

Next Meeting Date
Adjournment

Section .02 Agenda

(a) Regular Meeting Agenda:

(v) Agenda Summary Reports

- 1) ~~Agenda Summary Reports will be included in the Agenda Packet for each Agenda item. Every Agenda Item in the Agenda Packet shall contain an Agenda Summary Sheet, a proposed resolution if action is being requested and any additional back-up information that may be deemed necessary.~~

(vi) ~~Each Regular Meeting Agenda shall contain the following an item entitled "public Comments" at which time any person may speak on any subjection that does not appear on the Meeting Agenda.~~

- 1) An item entitled "Approval of Agenda at which time any council Member shall have the option of changing the Agenda, deleting any item from the Agenda or deferring an item on the Agenda to a subsequent Regular Council Meeting by a majority vote.
- 2) An item entitled "Public Comments" at which time any person may speak on any subject that does not appear on the Meeting Agenda.
- 3) An item entitled "Any Other Business" at which time any Council Member may discuss any matter that does not appear on the Meeting Agenda.

(vii) ~~Each Regular Meeting Agenda shall contain any item entitled "Any Other Business" at which time any Council Member may discuss any matter that does not appear on the Meeting Agenda. Regular Meeting Agendas may include a Consent Agenda which includes the following:~~

- 1) All matters listed under Consent Agenda are considered to be routine and non-controversial in nature and will be enacted by one (1) motion, without discussion.
- 2) Such items include, but are not limited to, approval of minutes, purchase authorizations, approval of recognition resolutions, approval of agreements, grants of easements, final ready and adoption of ordinances, etc.
- 3) If any Council Member or citizen requests discussion of an item, it will be removed from the Consent Agenda for separate discussion.
- 4) If an Item is removed from the Consent Agenda, it shall be considered immediately after the approval of the Consent Agenda.

(viii) ~~Each Regular Meeting Agenda shall contain an item entitled "Approval of Agenda" at which time any Council Member shall have the option of changing the Agenda deleting any time from the Agenda or deferring an item on the Agenda to a subsequent Regular Council Meeting by a majority vote.~~

(b) Consent Agenda Work Session Agenda:

- ~~(i) All matters listed under Consent Agenda are considered to be routine and non-controversial in nature and will be enacted by one (1) motion, without discussion.~~
- ~~(ii) Such items include, but are not limited to, approval of minutes, purchase authorizations, approval of recognition resolutions, approval of agreements, grants of easements, final ready and adoption of ordinances, etc.~~
- ~~(iii) If any Council Member or citizen requests discussion of an item, it will be removed from the Consent Agenda for separate discussion.~~
- ~~(iv) If an Item is removed from the Consent Agenda, it shall be considered immediately after the approval of the Consent Agenda.~~
- (i) The President shall be responsible for the preparation of an Agenda for each Work Session and shall consider for inclusion on the Agenda items submitted by the Mayor, any Council Member or any member of the public.
- (ii) The City Clerk shall be responsible for causing an Agenda Packet to be prepared, which shall be available to each Council Member for pickup at a place designated by Council by 5:00 PM on the Friday preceding each Work Session. A copy of the Agenda Packet shall be forwarded to the Rochester Hills Public Library and the Mayor's Office. The City Clerk shall also make copies available to the news media.
- (iii) Any Council Member, other City official or other person may supplement the materials dealing with any agenda item prior to or at the public meeting for which the Agenda has been prepared.
- (iv) Agenda items from Council Members should be filed with the City Clerk. Requested items will appear on the next available agenda within three (3) meetings after the request is made.
- (v) Agenda Summary Reports
- (1) Agenda Summary Reports will be included in the Agenda Packet for each Agenda Item.
- (2) Any item listed on the Agenda for which an Agenda summary Report has not been included will automatically be continued to the next Regular Work Session
- (vi) Each Work Session Agenda shall contain the following:
- (1) An item entitled "Review of Agenda"
- (2) An item entitled "Public Comments" at which time any person may speak on any subject that does not appear on the Meeting Agenda.
- (3) An item entitled "Any Other Business" at which time any Council Member may discuss any matter that does not appear on the Meeting Agenda.

Section.03 Discussion Items:

(iv) Rules of Debate for Regular Meetings:

- ~~1) The Chair shall recognize all Members wishing to speak until there are no more requests for the floor.~~

- ~~2) When there is a motion on the floor, the maker of the motion shall be afforded the first opportunity to speak on that motion.~~
- ~~3) A Member may not speak against his/her own motion, but may vote against it.~~
- ~~4) Once the Motion is on the floor for any particular issue, each Member shall have three (3) opportunities to debate the issue for a maximum of five (5) minutes per opportunity, for a total of fifteen (15) minutes.~~
- ~~5) A Member may yield the floor temporarily, through the Chair, in order to obtain information/input directly related to the issue, without relinquishing the right to retain the floor.~~
- ~~6) A Member who has the floor shall indicate to the Chair when he/she is finished speaking.~~
- ~~7) At the conclusion of debate by Members, the Chair shall have the floor to provide his/her comments about the item under discussion.~~
- ~~8) Once it has been determined that no further discussion will take place, the Chair shall close discussion and proceed to the vote, or next agenda item. Once discussion is closed on an item, no Member shall be recognized to speak on that item, including the Chair, administrative staff or Mayor.~~
- ~~9) Call the Question.
 - ~~a) The motion to Call the Question cannot be made while someone is speaking.~~
 - ~~b) A Member, after being recognized by the Chair, may make a motion to close debate (Call the Question). The motion needs a second.~~
 - ~~c) The Chair, prior to restating the motion, may provide comment on the issue under discussion. Upon conclusion, the Chair must state the motion to Call the Question which must be adopted by a two-thirds (2/3) vote of Council without further discussion.~~
 - ~~d) Upon passage, the Chair shall have Council proceed with the vote of the motion under debate.~~~~
- ~~10) The Mayor, or his/her designee, shall be allowed to participate in debate in accordance with the Rules of Debate established by Council.~~
- ~~11) The Rules of Debate may be changed by resolution by a two-thirds (2/3) vote of Council at the beginning of debate for any agenda item or at the beginning of the Council Meeting.~~
- 1) The President shall recognize all Members of Council wishing to speak until there is a motion on the floor.
- 2) When an agenda item has been the subject of a Work Session discussion item the President may request a motion from the floor in order to start debate.

- 3) When there is a motion on the floor, the maker of the motion shall have the first opportunity to speak on that motion.
- 4) Once the motion is on the floor for any particular item, each Member shall have one opportunity to debate the motion or discuss the issue for a maximum of five (5) minutes.
- 5) A Member who has the floor shall indicate when he/she is finished speaking.
- 6) A Member may request an extension of debate for all Members with one additional opportunity to speak for a maximum of three (3) minutes. Such request shall be granted by the President unless it is objected to by a Member.
- 7) The mayor or designee, shall be allowed to participate in debate in accordance with these Rules of Debate in place.
- 8) The Rules of Debate may be changed by resolution by a two-thirds (2/3) vote of the Council at the beginning of the debate.

(v) Rules of Discussion for Work Sessions

- 1) Work Sessions are intended to be less formal meetings designed to promote discussion of policies and issues, answering questions, requesting information among Council Members, Administration representatives and the public including applicants.
- 2) The President shall recognize all Members of Council wishing to speak until there are no more requests or a time designated for discussion has expired.
- 3) The President shall recognize all members of the public requesting the opportunity to speak on an agenda item using the Speakers Request Form and may recognize the same and additional members of the public subsequently during the Council discussion.
- 4) At the conclusion of discussion of an agenda item, the President may request a consensus from the Council whether the item may be placed on the next or subsequent Regular Meeting. The result of the request is not considered a decision under these Rules of Procedure, but may be considered guidance with respect to the setting of agendas.

Section.04 Minutes

(a) Regular and Special Meetings and Regular and Special Work Sessions:

- (i) A journal of the proceedings of each Regular and Special Meeting and Regular and Special Work Sessions shall be kept in the English language by the City Clerk and shall be signed by the City Clerk and City Council President upon approval by Council.
- (v) ~~Minutes shall be made available to the public and e~~ Corrections in minutes shall be made in accordance with the Open Meetings Act. Corrected minutes shall show both the original entry and the correction.

Article VII. Boards, Commissions and Committees

Section.01 Boards and Commissions:

- (v) Upon completion of the vote, Council shall adopt a resolution appointing the nominee to the position including the Board/Commission/Committee and term of appointment.

~~Section.02 Committees of Council- Technical Review Committees of Council~~

- (a) The Council may, from time to time, establish Committees for the purpose of assisting the Council in carrying out its duties. Committees shall be established by Council resolution setting forth the following:

(i) Request for the formation of a Committee may be made by City Council Members, the Administration or the public.

(ii) Council will consider each request and make a determination whether a Committee will be created and whether the Committee will be created immediately or at some time in the future.

(iii) Committees shall be established by Council resolution setting for the following:

1) Purpose and Charge

~~(i)~~a. Charge/responsibility of the Committee.

~~(ii)~~b. Expected results including, but not limited to, time line.

~~(iii)~~ 2) Membership and selection, including number of members, solicitation of members and qualifications of members.

~~1)~~a. Each committee shall include at least two (2) and not more than three (3) Council Members.

~~2)~~b. Committees may include citizen members which shall be appointed by Council.

~~3)~~c. Committees may include Administrative Staff Members which shall be appointed by the Mayor.

~~4)~~d. Committees may include one (1) Rochester Hills Government Youth Council (RHGYC) Representative selected by the Youth Council

~~(iv)~~e. Term of appointment, where appropriate

3) All recommendations from Committees to City Council shall follow the same procedures for placement on a City Council Agenda as outlined in Article V, Section.02.

4) Upon creation of a Committee, the Administration will determine which Department is responsible for coordinating the meetings and maintaining the "notes" for the meeting.

5) The City Clerk or his/her designee will be responsible for ensuring that all Committee Meetings are noticed and agendas posted.

~~Section.03 City Council Communication Committees:-~~

- ~~(a) The City Council establishes the following City Council Communications Committees:~~
- ~~(i) Purpose/Charge~~
- ~~1) ADMINISTRATION & INFORMATION SERVICES COMMITTEE (AIS), whose purpose shall be to review policy matters of general government and information services, including such issues as: communications, information technology, salaries and per diem, Class C Liquor licenses, elections, and municipal organizations.~~
 - ~~2) COMMUNITY DEVELOPMENT & VIABILITY COMMITTEE (CDV), whose purpose shall be to review policy matters of community development and viability, including such issues as: land development and maintenance, economic development and maintenance, and infrastructure development and maintenance.~~
 - ~~3) FINANCIAL SERVICES COMMITTEE (FS), whose purpose shall be to review financial policy matters, including: budget issues, capital improvement plan, long term financial planning, millage rates, water and sewer rates, fees, charges, and grants~~
 - ~~4) LEISURE ACTIVITIES COMMITTEE (LA), whose purpose shall be to review policy matters of leisure activities, including such issues as: City parks, Museum, Environmental Education Center, community events, and interlocal recreational facilities and programs.~~
 - ~~5) PUBLIC SAFETY COMMITTEE (PS), whose purpose shall be to review policy matters of public safety, including: fire protection, police protection, emergency medical service, traffic and pedestrian safety, and emergency planning and operations.~~
- ~~(ii) Membership and Selection~~
- ~~1) Committee Members shall be appointed by the Council.~~
 - ~~2) Each Committee's membership shall consist of three (3) Members of the City Council to be appointed by City Council each year, two (2) citizen members to be appointed by City Council to one (1) year terms, members of the Administration, to be appointed by the Mayor and a maximum of three (3) Rochester Hills Government Youth Council (RHGYC) Members appointed by the RHGYC. The three (3) Council Members and the two (2) citizen members shall be the only voting members of the Committees.~~
 - ~~3) Council Members shall be appointed to Committees for one (1) year terms that expire on December 31 of the appropriate year; except, in the event a Member's term in office ends, the Committee Membership will expire when the Member leaves office.~~
 - ~~4) Citizen members to the Committee shall be appointed by Council and shall serve for one (1) year terms expiring on December 31 of the appropriate year. Appointments shall be made as provided in Article VII, Section 02.a (i) through (iv).~~
 - ~~a) In the event of a vacant citizen seat, City Council shall appoint a new citizen member to serve the remainder of the term~~
 - ~~5) RHGYC Members shall be appointed by the RHGYC at their October monthly meeting and serve a one (1) year term commencing in October and~~

~~ending in August to coincide with the school year. RHGYC Members are required to attend a minimum of one (1) meeting per quarter.~~

- ~~6) Any Committee Member shall be eligible for reappointment~~
- ~~7) Committee Members except for the RHGYC Members shall be appointed to Committees no later than the last Council meeting in December, such appointments to be made in accordance with the following:
 - ~~a) The President may submit a list of nominees.~~
 - ~~b) Any Council Member may make additional nominations with no second being required.~~
 - ~~c) Nominees shall be voted on as provided in Section.01.~~~~

~~(iii) Miscellaneous~~

- ~~1) The City Council may refer to the Committee policy matters and the Committees shall have the responsibility of reviewing and making progress reports and final recommendations to City Council on those policy matters.~~
- ~~2) The Mayor and Administrative Staff may also bring issues to the Committees; and the Committees shall have the responsibility of reviewing, discussing, and advising the Mayor and Administrative Staff about those issues.~~
- ~~3) The Committees shall not be limited to issues referred to them and may discuss and make recommendations to the City Council on any policy matters within the purview of the Committees.~~
- ~~4) Records of Committee meetings shall be made and retained by way of audiotape for one (1) year and one (1) day. The audiotape will be transcribed including all speaking members of the meeting who are recognized by the Chair, and say their names before speaking.~~
- ~~5) Each Committee shall provide factual information upon their investigation, study and review of all matters. Such information will be provided to the City Council to assist them in making a decision.~~

Article VIII. Citizens' Rights

Section.06 Written Communication:

- (a) Interested parties or their authorized representatives may address the Council in writing through letters or email regarding any matter listed on the Agenda. copies will be distributed to Council Members by the Clerk's Office. Council discourages reading letters for the record and encourages personal appearances at Council meetings.

(i) Communication received prior to a City Council meeting.

- (a) Written communications received by 4:00 PM on the date of a Council meeting shall be documented with a receipt time and date by the City Clerk and will be copied and provided to City Council as Supplemental Information.

(b) At the City Council meeting under the respective item, the President of Council or the City Clerk shall summarize the letters and other communications.

(ii) Communications received during a City Council meeting

- (a) Any written correspondence or other materials received at a City Council Meeting shall be documented with a receipt time and date by the City Clerk, ~~read into the record and distributed as indicated.~~
- (b) ~~If the Clerk does not receive a copy of the written submittal it shall not be incorporated as part of the official record.~~ **In order to be incorporated as part of the record, written communications must be received by the City Clerk.**

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0411-2006

2006-0859

Creation of Liquor Technical Review Committee

Attachments: Agenda Summary.pdf; 0859 Resolution.pdf

Mr. Hooper questioned the need for some of the new technical review committees being suggested, noting that many of the issues, such as liquor licenses, could be addressed by the full Council during Work Session meetings. He expressed his belief that matters discussed at these new committees would likely be "rehashed" again at Council meetings.

President Rosen noted that any new processes put in place could be reevaluated in six months and modified. He further noted that these proposed committees would be less structured than the recently dissolved Communication Committees, with no minutes or official agendas.

Mr. Yalamanchi agreed with Mr. Hooper that there was no need for these committees. He suggested that ad hoc committees be created on an "as need" basis when issues requiring more attention arise.

President Rosen noted that a liquor committee and a human resources committee are required by State law.

Ms. Holder suggested that it would be beneficial to have these new committees be established to meet on an as need basis so that Council does not have to go through the added effort of establishing ad hoc committees periodically. She also stressed the importance of including residents on these committees and their valuable input.

Ms. Raschke agreed, stressing the positive efforts of the residents currently serving on the Cemetery Committee.

City Attorney John Staran clarified that the liquor committee is not necessitated by State law, but rather by City ordinance. He also noted that the ordinance would need to be amended, as it currently references the now dissolved Administration & Information Services Committee.

Mr. Yalamanchi noted that there were other recommended committees not included in this discussion, such as a committee to examine potential Charter amendments.

President Rosen acknowledged that there were various other issues and proposed committees to be considered; however, he and the administrative staff had determined that these proposed technical review committees needed to be in place by the end of the year. He stressed that other potential committees would be addressed during upcoming Council meetings.

A motion was made by Duistermars, seconded by Holder, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council has decided to create Technical Review Committees in lieu of City Council Communication Committees to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Whereas, by State Statute and City Ordinance the City is required to have a Liquor License Review Committee.

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the Liquor Technical Review Committee as follows:

Name of Committee: Liquor Technical Review Committee

Purpose and Charge: The Committee shall be responsible for the following:

- * **Causing an Annual Inspection and Investigation of each Class C License operating within the City of Rochester Hills pursuant to Article I, Section 1 In General of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills and shall make a report to City Council of its findings**
- * **Reviewing Applications for New License or Transfer of License and Applications for Dance and/or Entertainment Permits pursuant to Article II, License and Permits, of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills and shall make a report and recommendation to City Council**

Membership:

City Council - Two to Three Members appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Citizen Representatives - Two Members appointed to a one-year term to expire on December 31 of the given year

Administrative Representative - City Clerk

Youth Representatives - Two members of the Rochester Hills Government Youth Council selected by the Youth Council

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Nay: Hooper

Enactment No: RES0412-2006

2006-0861

Creation of Human Resources Technical Review Committee

Attachments: Agenda Summary to Amend RES0413-2006 .pdf; 112906 Agenda Summary.pdf; 112906 Resolution.pdf; 0861 Amended Resolution.pdf

A motion was made by Holder, seconded by Raschke, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council has decided to create Technical Review Committees in lieu of City Council Communication Committees to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Whereas, by City Council Policy for Salaries of Department Directors and Mayor, and Per Diem Fees for City Boards and Commissions and City Council's Policy for Review of Performance Appraisals for City Council Appointed Department Directors had charged the Administration and Information Services Committee with certain responsibilities.

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the Human Resources Technical Review Committee as follows:

Name of Committee: Human Resources Technical Review Committee

Purpose and Charge: The Committee shall be responsible for the following:

- * **Formal duties and responsibilities stated in the Policy for Salaries of Department Directors and Mayor, and Per Diem Fees for City Boards and Commissions and shall be responsible to City Council for adhering to and carrying out the required actions of this Policy**
- * **Pursuant to City Council's Policy for Review of Performance Appraisals for City Council Appointed Department Directors the Committee will periodically monitor the performance of Council appointed directors**

Membership:

City Council - Two to Three Members appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Citizen Representatives - Two Members appointed to a one-year term to expire on December 31 of the given year

Administrative Representative - Human Resources Director

Youth Representatives - Two members of the Rochester Hills Government Youth Council selected by the Youth Council

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0032-2007

2006-0862

Creation of Council Policy Technical Review Committee

Attachments: Agenda Summary.pdf; 0862 Resolution.pdf

A motion was made by Holder, seconded by Raschke, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council has decided to create Technical Review Committees in lieu of City Council Communication Committees to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Whereas, City Council has determined that from time to time it may need to review its current policies or implement new policies in regards to its operations.

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the City Council Policy Technical Review Committee as follows:

Name of Committee: City Council Policy Technical Review Committee

Purpose and Charge: The Committee shall be responsible for considering changes to Council policies and operations and City Council Rules of Procedure as directed by Council

Membership:

City Council - Two to Three Members appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Administrative Representative - City Clerk or his/her designee

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0414-2006

2006-0863

Creation of Water and Sewer Technical Review Committee

Attachments: Agenda Summary.pdf; 0863 Resolution.pdf

A motion was made by Raschke, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Whereas, the Rochester Hills City Council has decided to create Technical Review Committees in lieu of City Council Communication Committees to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Whereas, City Council understands and respects the opinions of the Water and Sewer Board that currently serves at the pleasure of the Financial Services Committee.

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the Water and Sewer Technical Review Committee as follows:

Name of Committee: Water and Sewer Technical Review Committee

Purpose and Charge: The Committee shall be responsible for reviewing water and sewer rates on an annual basis and providing a recommendation to City Council.

Membership:

City Council - Two to Three Members appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Citizen Representatives: Six or Seven Members appointed to a one-year term to expire on December 31 of the given year

Administrative Representative - Finance Director and the DPS Director

Youth Representatives - Two members of the Rochester Hills Government Youth Council selected by the Youth Council

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0415-2006

2006-0865

Creation of Cemetery Citizen Advisory Technical Review Committee

Attachments: Agenda Summary.pdf; 0865 Resolution.pdf

A motion was made by Raschke, seconded by Holder, that this matter be Adopted by Resolution.

Whereas, on October 27, 1999 at a Special Rochester Hills City Council Meeting, Council adopted Resolution 1999-0450 requesting the Community Development and Viability Committee to consider creating an Ad Hoc Cemetery Advisory Committee to provide further information pertaining to cemetery services, as needed; and

Whereas, at its meeting of January 20, 2000 the Community Development and Viability Committee created an Ad Hoc Cemetery Citizen Advisory Committee to discuss ideas and outstanding issues pertaining to the Cemetery and present a status report regarding Cemetery issues to the CDV Committee quarterly, or more frequently, if CDV requests a matter be reviewed; and

Whereas, the Cemetery Committee has continued to meet regularly discussing various issues and ideas regarding the Cemetery; and

Whereas, the Rochester Hills City Council sees the value in continuing this Committee; and

Whereas, with the dissolution of the CDV Committee, the Cemetery Committee needs to be re-established to report directly to City Council.

Now, Therefore, Be It Resolved that the Rochester Hills City Council re-establishes the Cemetery Citizen Advisory Technical Review Committee as follows:

Name of Committee: Cemetery Citizen Advisory Technical Review Committee

Purpose and Charge: The Committee shall be responsible for the following:

- * Meet and discuss ideas and outstanding issues as they pertain to the Cemetery
- * Provide recommendations to City Council regarding any changes or issues in relation to the Cemetery

- * Provide a written report to City Council

Membership:

City Council - One Member appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Citizen Representatives - Seven Members serving until they submit a letter of resignation

Administrative Representative - City Clerk

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0416-2006

NEW BUSINESS

2006-0857 Request to schedule a Public Hearing regarding the request for an Industrial Facilities Exemption Certificate (IFT) at 2965 Technology Drive, Rochester Hills, MI 48309

Attachments: Agenda Summary.pdf; Company Overview.pdf; 121306 Agenda Summary.pdf; Public Hearing Notice.pdf; Application.pdf; Financial Analysis-Personal.pdf; Set Public Hearing Resolution.pdf; 0857 Resolution.pdf

This item was removed from the Agenda by Administrative Request.

Removed from Agenda

2006-0858 Request to schedule a Public Hearing to establish an Industrial Development District at 2965 Technology Drive, Rochester Hills, MI 48309

Attachments: Agenda Summary.pdf; 121306 Agenda Summary.pdf; Public Hearing Notice.pdf; Letter Requesting IDD.pdf; Establish Public Hearing Resolution.pdf; 0858 Resolution.pdf

This item was removed from the Agenda by Administrative Request.

Removed from Agenda

COUNCIL COMMITTEE REPORTS

***President Rosen** noted that the final meetings of the recently dissolved Communication Committees would take place in December.*

Planning Commission

***Mr. Hooper**, City Council's representative to the Planning Commission, noted that the Commission had recently discussed site plans for a new Flag Star Bank on Rochester Road and a small office building on Auburn Road east of Adams Road.*

Environmental Clean-Up & Oversight Committee

President Rosen noted that the Committee had recently discussed the City in general and land fills. He indicated that notes from the meeting would be distributed to Council in the near future.

ANY OTHER BUSINESS

Ms. Holder requested that information about the adoption of the new False Alarm Ordinance be provided on the City's emergency radio station.

Mayor Barnett noted that he would investigate whether that would be feasible.

2006-0881

Adoption of Resolution directing the Attorney regarding Rochester Hills vs Tadian

A motion was made by Holder, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council adopts the recommendation of special counsel Dloski set forth in his written, privileged communication received by City Council relative to case evaluation in the Rochester Hills vs Tadian case, and to authorize and direct Attorney Dloski to proceed accordingly.

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Hooper, Raschke, Rosen and Yalamanchi

Enactment No: RES0417-2006

NEXT MEETING DATE

Regular Meeting - Wednesday, December 13, 2006 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 10:04 p.m.

*JAMES ROSEN, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARGARET A. CASEY
Administrative Secretary
City Clerk's Office*

Approved as presented at the March 14, 2007 Regular City Council Meeting.