



Rochester Hills Minutes City Council Regular Meeting

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

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

Wednesday, August 22, 2007

7:30 PM

1000 Rochester Hills Drive

DRAFT

CALL TO ORDER

President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:30 p.m. Michigan Time.

ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor
Jane Leslie, City Clerk
Ed Anzek, Director of Planning and Development
Scott Cope, Director of Building/Ordinance Enforcement
Ron Crowell, Fire Chief
Paul Davis, City Engineer
Kurt Dawson, Assesor/Treasurer
Susan Galeczka, Deputy Clerk
Mike Hartner, Director of Parks & Forestry
Bob White, Supervisor of Ordinance Services
Kelly Winters, Deputy Director of Buidling/Ord. Compliance*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Yalamanchi, seconded by Duistermars, to Approve Agenda as Amended. to Change Legislative Files 2007-0317, 2007-0504, and 2007-0505 from "Request for Approval for Green Space Acquisition" to "Request to Set Public Hearing".

The motion carried by the following vote:

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

PUBLIC COMMENT

Alice Benbow, 1582 Northumberland Dr., expressed concern for statements made about her at a previous Council meeting. She noted that she received an award for volunteerism from the Michigan Republican Party and was named Number 1 Republican of the Year.

David Kibby, 558 Whitney, expressed concern that many running for office who lack verifiable information but criticize others. Citing President Reagan, Mr. Kibby stated that one must trust but also verify. He concluded by stating voters need to be shown respect and provided with information rather than conclusions and visions. He concluded by stating that residents want to trust but they need to verify.

Joshua Raymond, 3417 Innsbrook Drive, requested the City place a pathway along Raintree and Firewood, noting these are two major roads in the neighborhood. He expressed safety concerns noting there are additional cars due to the Village of Rochester Hills, students walking to Adams High School, accessibility to four area parks and an increase in pedestrian traffic overall. Mr. Raymond noted that these roads have either a gravel shoulder or no shoulder and cars travel at an average of 35 mph. He indicated that the neighbors are in favor of the pathway, noting these roads are feeder roads and no homes would be impacted by the construction of a pathway.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Ms. Holder, noting the number of telephone calls she has received regarding political signs, reminded people that signs are not to be placed in the right-of-way and signs to be placed on personal property require the permission of the property owner.

Mr. Ambrozaitis concurred with Ms. Holder regarding the political signs. He thanked Mr. Raymond for bringing forward the request for a pathway on Raintree. Lastly, Mr. Ambrozaitis encouraged residents to review the Budget book, noting it is available on the City's website.

Mr. Duistermars rebutted Ms. Benbow's comments indicating they were untrue. He further indicated that he has never represented himself or used his position as a City Council Member at any party functions. Mr. Duistermars stated he is one of seven members that comprise the State Republican Party Committee.

Ms. Raschke thanked Mr. Raymond for his comments, noting that when that subdivision was constructed pathways were not a concept. She announced that tomorrow there is a blood drive at City Hall from 10:00 AM to 4:00 PM and asked residents to call 248 656-4708 to make an appointment. Lastly, Ms. Raschke announced that Paint Creek Trail is hosting its 2nd Annual Labor Day Virtual Bridge Walk and Run in honor of the Mackinac Bridge Walk on Monday, September 3, 2007 beginning at 9:30 AM.

Mr. Yalamanchi requested the Mayor create an Advisory Pathway Committee as soon as possible.

Mayor Barnett explained that because of the recent Pathway Millage Renewal the City is allowed to consider roads such as Raintree for pathway construction. In response to Council Member Yalamanchi, Mayor Barnett indicated that the Administration is prepared to recreate the Advisory Pathway Committee in October. Mayor Barnett encouraged residents to become more interested in the Budget, noting it is available at the Clerk's Office, the Resource Library, the Rochester Hills Library and on the City's web page. Lastly, Mayor Barnett announced that Sunday, August 26th is "Charlie Sanders" Day in honor of Mr. Sanders being inducted into the Football Hall of Fame. He noted that Mr. Sanders is a native Rochester Hills resident who is a community activist and excellent athlete.

ATTORNEY MATTERS

None.

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.

- 2007-0502** Approval of Minutes - City Council Regular Meeting - June 13, 2007
Attachments: CC Min 061307.pdf; Resolution.pdf
This Matter was Adopted by Resolution on the Consent Agenda.
Resolved that the Minutes of a Rochester Hills City Council Regular Meeting held on June 13, 2007 be approved as presented.
Enactment No: RES0274-2007
- 2007-0464** Approval of Minutes - City Council Work Session Meeting - June 20, 2007
Attachments: CC Min 062007.pdf; Resolution.pdf
This Matter was Adopted by Resolution on the Consent Agenda.
Resolved that the Minutes of a Rochester Hills City Council Work Session Meeting held on June 20, 2007 be approved as presented.
Enactment No: RES0275-2007
- 2007-0476** Approval of Minutes - City Council Regular Meeting - June 27, 2007
Attachments: CC MIN 062707.pdf; Resolution.pdf
This Matter was Adopted by Resolution on the Consent Agenda.
Resolved that the Minutes of a Rochester Hills City Council Regular Meeting held on June 27, 2007 be approved as presented.
Enactment No: RES0276-2007
- 2007-0462** Request for Acceptance of the Warranty Deed for right of way granted by Bluewood Properties, LLC, for Hickory Ridge Condos.
Attachments: Agenda Summary.pdf; Map.pdf; Warranty Deed.pdf; Resolution.pdf
This Matter was Adopted by Resolution on the Consent Agenda.
Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a warranty deed granted by Bluewood Properties, LLC, a Michigan limited liability company, 1717 Stutz, Suite B, Troy, MI 48084, to the City of Rochester Hills, 1000 Rochester Hills Drive, Rochester Hills, MI 48309.
Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.
Enactment No: RES0277-2007
- 2007-0473** Request for Purchase Authorization - PARKS/FORESTRY: Blanket Purchase Order for Tree Maintenance Services in the amount not-to-exceed \$86,800 through October 31, 2008; J. H. Hart Urban Forestry, Sterling Heights, MI.
Attachments: Agenda Summary.pdf; 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 J.H. Hart Urban Forestry, Sterling Heights, Michigan for street tree maintenance in the amount not-to-exceed \$86,800 through October 31, 2008.

Enactment No: RES0278-2007

2005-0674

Request for Acceptance of a Watermain Easement granted by Grosse Pines Association for the Lomond Watermain Project.

Attachments: Agenda Summary.pdf; Map.pdf; Watermain Easement.pdf; Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Grosse Pines Association, a non-profit organization, of 1923 Chalmers, Rochester Hills, MI 48309, for the construction, operation, maintenance, repair and/or replacement of a Watermain Easement over, on, under, through and across land more particularly described as Parcel No. #15-09-301-026.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds

Enactment No: RES0279-2007

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, Duistemars, Holder, Hooper, Raschke, Rosen and Yalamanchi

UNFINISHED BUSINESS

2007-0470

Request for Approval for an Extension of the existing Right-of-Way Deed for Butler Road

Attachments: Agenda Summary.pdf; Map.pdf; Letter Jensam LLC 100304.pdf; Deed.pdf; Suppl Info.pdf; Resolution.pdf

Mr. Yalamanchi confirmed that the requested extension would be for two (2) years.

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

Resolved, that the Rochester Hills City Council agree to extend the existing right-of-way deed dated October 3, 2004 for two (2) years to preserve the option of removing the existing splitter island should Auburn Hills pave its portion of Butler Road.

Hereby be it further resolved, that City Council requests the City Attorney to work with Mr. Frankel in finalizing the revised agreement and authorizes the Mayor to execute the agreement on behalf of the City.

The motion carried by the following vote:

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

Nay: Rosen

Enactment No: RES0286-2007

2007-0486

Request for a "New from Quota" Class C Liquor License from Rochester Tienken Investments, LLC d/b/a/ Shield's Pizza to be located at 1488 N. Rochester Road, Rochester Hills, MI

Attachments: Agenda Summary.pdf; Application Info.pdf; State of MI Resolution.pdf; Resolution.pdf

Ms. Kelly Allen, representative for the applicant, was present to answer questions.

Mr. Yalamanchi indicated after careful consideration and review of the financials he is in support of approving the request. He further noted this request is from a small business and not a franchise.

Mr. Hooper stated that if this license is issued, it is the last license the City holds and all other licenses will have to be brought in by the requestors.

President Rosen stated that in reviewing this request he has taken into consideration a small versus large company and local versus regional.

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

Resolved that the request from Rochester Tienken Investments, LLC d/b/a Shield's Pizza for a New Class C License to be located at 1488 N. Rochester Road, Rochester Hills, MI, 48307, Oakland County, Michigan be considered for approval "Above All Others" by Michigan Liquor Control Commission.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke and Yalamanchi

Nay: Ambrozaitis and Rosen

Enactment No: RES0280-2007

2007-0485

Request for Establishment of 3072 Research Drive as a Speculative Development

Attachments: Agenda Summary.pdf; Resolution.pdf

Mr. Yalamanchi stated that he has made the motion with the intention that the property will be developed.

Mr. Anzek responded yes and if the company does not receive the abatement, the City may seek back taxes.

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

Whereas, Public Act 198 of 1974, as amended, permits communities to declare by resolution parcels of land for speculative development, and

Whereas, City Council by Resolution on August 22, 2007 established an Industrial Development District at 3072 Research Drive, and

Whereas, GDC No. 9, LLC, owners and developers of 3072 Research Drive began construction of a new speculative building in 2005 with no tenant or buyer under contract to lease or purchase the building, and

Whereas, the new speculative building is not completed and, therefore, has not been vacant for more than nine (9) years, and

Whereas, the new speculative building has never been occupied and is not a replacement facility.

Resolved that City Council declares that the building identified as 3072 Research Drive, also known as 15-30-477-016, is a speculative development as defined in Public Act 198 of 1974, as amended.

The motion carried by the following vote:

Aye: Duistermars, Holder, Hooper, Raschke and Yalamanchi

Nay: Ambrozaitis and Rosen

Enactment No: RES0281-2007

2007-0467

Request to establish an Industrial Development District at 3072 Research Dr., Rochester Hills, MI 48309.

Attachments: Agenda Summary.pdf; 080807 Agenda Summary.pdf; 080807 Resolution.pdf; Resolution.pdf

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

Whereas, GDC No. 9, also known as the General Development Company, as owner of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, has filed a request with the City of Rochester Hills City Council for the establishment of an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended, and

Whereas, the proposed development district is that property located at 3072 Research Dr., Rochester Hills, Michigan, also known as Parcel Number 15-30-477-016, more particularly described as:

T3N, R11E, SEC 29 & 30 ROCHESTER HILLS EXECUTIVE PARK
PART OF LOT 32 BEG AT PT DIST N 85-57-25 E 50 FT & N 77-31-46
E 105 FT FROM NW LOT COR, TH ALG CURVE TO LEFT, RAD
358.23 FT, CHORD BEARS N 67-16-27 E 22.85 FT, DIST OF 22.86 FT,
TH N 65-26-46 E 126.57 FT, TH ALG CURVE TO RIGHT, RAD 137.50
FT, CHORD BEARS S 12-31-52 E 40.20 FT, DIST OF 40.34 FT, TH S
04-02-35 E 320.16 FT, TH S 85-57-25 W 140 FT, TH N 04-02-35 W
257.57 FT, TH ALG CURVE TO LEFT, RAD 212.50 FT, CHORD
BEARS N 10-56-26 W 51.04 FT, DIST OF 51.16 FT TO BEG 8-5-05 FR
001

Whereas, the Rochester Hills City Council held a public hearing regarding this request at the Workshop Meeting of August 15, 2007 at 7:30 p.m. in the Council Chambers, at 1000 Rochester Hills Dr., Rochester Hills, Michigan, during which the owner of the property and all interested parties were given the opportunity to be heard, and

Whereas, the establishment of an Industrial Development District is consistent with the objectives of the City for industrial development and the creation of new employment opportunities.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council determines that the levies of ad valorem taxes are at a rate, when taken together with the rates of ad valorem taxes levied by any other taxing authority which levies taxes within the City of Rochester Hills, equals or exceeds \$30.00 for each \$1,000.00 of taxable value, and therefore is eligible for designation as an Industrial Development District pursuant to said Act, and

Be It Further Resolved, that the above listed legal description is hereby designated an Industrial Development District.

The motion carried by the following vote:

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

Enactment No: RES0282-2007

2007-0468

Request for an Industrial Facilities Exemption Certificate (IFT) at 3072 Research Dr., Rochester Hills, MI 48309.

Attachments: Agenda Summary.pdf; Application.pdf; Letter Dawson 080107.pdf; Development Agreement.pdf; Company Overview.pdf; Financial Analysis-Personal.pdf; Financial Analysis-Real.pdf; 080807 Agenda Summary.pdf; 080807 Resolution.pdf; Resolution.pdf

Mr. Hooper confirmed that the revised pay-off information provided by Mr. Dan Casey, Manager of Economic Development, is what will become part of the tax tables and record.

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

Whereas, FormFab, LLC, as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, are located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended, and

Whereas, the Industrial Development District is that property located at 3072 Research Dr., also known as Parcel Number 15-30-477-016, Rochester Hills, Michigan, more particularly described as follows:

T3N, R11E, SEC 29 & 30 ROCHESTER HILLS EXECUTIVE PARK PART OF LOT 32 BEG AT PT DIST N 85-57-25 E 50 FT & N 77-31-46 E 105 FT FROM NW LOT COR, TH ALG CURVE TO LEFT, RAD 358.23 FT, CHORD BEARS N 67-16-27 E 22.85 FT, DIST OF 22.86 FT, TH N 65-26-46 E 126.57 FT, TH ALG CURVE TO RIGHT, RAD 137.50 FT, CHORD BEARS S 12-31-52 E 40.20 FT, DIST OF 40.34 FT, TH S 04-02-35 E 320.16 FT, TH S 85-57-25 W 140 FT, TH N 04-02-35 W 257.57 FT, TH ALG CURVE TO LEFT, RAD 212.50 FT, CHORD BEARS N 10-56-26 W 51.04 FT, DIST OF 51.16 FT TO BEG 8-5-05 FR 001

Whereas, FormFab, LLC has made application to the Rochester Hills City Council for an Industrial Facilities Exemption Certificate under the above noted legislation, and

Whereas, the Rochester Hills City Council has reviewed the application and made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates

previously granted and currently in force, does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.

- b. The project is a speculative development and the building is a new facility that has not previously been occupied by a tenant
- c. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.
- d. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of providing a new speculative facility on industrial property.
- e. The construction of the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.

Now, Therefore, Be It Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the request of FormFab, LLC for an Industrial Facilities Exemption Certificate for a period of five (5) years for real and personal property, and

Be It Further Resolved, that the accompanying agreement between FormFab, LLC and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution, and

Be It Finally Resolved, that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form.

The motion carried by the following vote:

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

Enactment No: RES0283-2007

NEW BUSINESS

2007-0494

Request to schedule a Public Hearing for an Industrial Development District (IDD) at 2956 Waterview Drive, Rochester Hills, MI 48309, owned by Joel Nosanchuk.

Attachments: Agenda Summary.pdf; 090507 Agenda Summary.pdf; Public Hearing Notice.pdf; Nosanchuk Ltr 062907.pdf; 082207 Agenda Summary.pdf; 082207 Resolution.pdf; Resolution.pdf

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

Whereas, Joel Nosanchuk has filed a request for the establishment of an Industrial Development District for property he owns, identified as 2956 Waterview Dr., further identified as:

**T3N, R11E, SEC 30 ROCHESTER HILLS CORPORATE CENTER SUB
LOT 4 EXC SLY 27 FT, ALSO ALL OF LOT 5 5-18-95 FR 012 & 013, and**

Whereas, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering the request.

Resolved to schedule the Public Hearing for City Council's Workshop Meeting of September 5, 2007, and

Be it Further Resolved, to send a certified copy of this Resolution to Joel Nosanchuk, located at P.O. Box 668, Bloomfield Hills, MI 48303-0668, no later than Wednesday, August 29, 2007, and

Be it Further Resolved to send a certified copy of this Resolution to all taxing authorities and the City's Assessor no later than Wednesday, August 29, 2007, and

Be it Finally Resolved to print a notice of the Public Hearing in the Rochester Hills Eccentric or another paper of general circulation on Thursday, August 30, 2007.

The motion carried by the following vote:

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

Enactment No: RES0294-2007

2007-0493

Request to schedule a Public Hearing for an Industrial Facilities Exemption Certificate (IFT) for Ovonyx.

Attachments: Agenda Summary.pdf; Development Agreement.pdf; 090507 Agenda Summary.pdf; Public Hearing Notice.pdf; Application.pdf; Nosanchuk Ltr 062907.pdf; Profile.pdf; ECD Lease.pdf; Financial Analysis-Personal.pdf; 082207 Agenda Summary.pdf; 082207 Resolution.pdf;

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

Whereas, Joel Nosanchuk has filed a request for the establishment of an Industrial Development District for property he owns, located at 2956 Waterview Dr., also known as Parcel number 15-30-376-022, further described as:

**T3N, R11E, SEC 30 ROCHESTER HILLS CORPORATE CENTER SUB LOT 4
EXC SLY 27 FT, ALSO ALL OF LOT 5 5-18-95 FR 012 & 013, and**

Whereas, Ovonyx Technologies, Inc. filed an application for an Industrial Facilities Exemption Certificate on July 25, 2007 for the same property, where it subleases space from one of its owners, Energy Conversion Devices, which holds the lease, and

Whereas, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering the request and must render a decision within 60 days of receipt of the application.

Resolved to schedule the Pubic Hearing for City Council's Workshop Meeting of September 5, 2007, and

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on Thursday, August 30, 2007, and

Be It Further Resolved, to send a certified copy of the notice to Ovonyx Technologies, Inc., attention Karen Connolly, 2956 Waterview Dr., Rochester Hills,

MI 48309 no later than Wednesday, August 29, 2007, and

Be It Finally Resolved, to send a certified copy of the notice to all taxing jurisdictions and the City's Assessor no later than Wednesday, August 29, 2007.

The motion carried by the following vote:

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

Enactment No: RES0295-2007

2007-0495

Request to schedule a Public Hearing regarding the Request for Transfer of Industrial Facilities Exemption Certificate #2005-388 for 3098 Research Dr. to Skybird Products, Inc.

Attachments: Agenda Summary.pdf; Development Agreement.pdf; 090507 Agenda Summary.pdf; Public Hearing Notice.pdf; Application.pdf; Skybird Financial Analysis -Real.pdf; Skybird Financial Analysis-Personal.pdf; Duke Ltr 071707.pdf; Purchase Agreement.pdf; 082207 Agenda

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

Whereas, Skybird Products, Inc., as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, are located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended, which was established on July 27, 2005, and

Whereas, the Industrial Development District is that property located at 3098 Research Dr., Rochester Hills, Michigan, more particularly described as follows:

A PARCEL OF LAND PART OF LOT 32 OF THE "ROCHESTER HILLS EXECUTIVE PARK" PART OF THE SOUTHEAST ¼ OF SECTION 29 AND THE SOUTHEAST ¼ OF SOUTHEAST ¼ OF SECTION 30, T.3 N., R.11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 199 OF PLATES, PAGES 26,27,28,29 AND 30, OAKLAND COUNTY RECORDS, BEING MORE PARTICULAR DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 32; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF RESEARCH DRIVE (70 FEET WIDE) THE FOLLOWING TWO (2) COURSES: (1) N 85°57'25" E., 50.00 FEET; AND (2) 105.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 358.23 FEET, CENTRAL ANGLE 16°51'17" LONG CHORD BEARS N 77°31'46" E., 105.00 FEET); THENCE 51.16 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 212.50 FEET, CENTRAL ANGLE 13°47'41", LONG CHORD BEARS S 10°56'25" E., 51.04 FEET); THENCE S 04°02'35" E., THENCE S 85°57'25" W., 160.00 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 32 TO A POINT ON THE EASTERLY LINE OF TECHNOLOGY DRIVE (70 FEET WIDE) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 32; THENCE N 04°02'35" W., 292.85 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID TECHNOLOGY DRIVE TO THE POINT OF BEGINNING. CONTAINING 47,376 SQUARE FEET OR 1.087 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

Whereas, BMD Group, Inc./E-Motive received approval for a tax abatement from the City of Rochester Hills on July 27, 2005 and the State Tax Commission, in the same year, issued Industrial Facilities Exemption Certificate (IFT) Number 2005-388 for the property, and

Whereas, Skybird Products, Inc. and owner Bill Duke purchased 3098 Research Dr. from BMD Group in 2007 and has submitted an application requesting the transfer of IFT #2005-388, as permitted under Public Act 198, of 1974, as amended, 207.571, Section 21 (1), and

Whereas, Skybird Products, Inc. is eligible for an IFT as defined by Public Act 198, of 1974, as amended, and

Whereas, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering a request for transfer of an IFT.

Now, Therefore, Be It Resolved, to schedule the Pubic Hearing for City Council's Workshop Meeting of September 5, 2007, and

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on Thursday, August 30, 2007, and

Be It Further Resolved, to send a certified copy of the notice to Bill Duke at 4930 Mill Creek Ct., Rochester, MI. 48036 no later than Wednesday, August 29, 2007, and

The motion carried by the following vote:

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

Enactment No: RES0296-2007

2007-0474

Request for Approval of the 2007-2008 Winter Maintenance Agreement for Livernois Road between the City of Rochester Hills and the Board of Road Commissioners for Oakland County (RCOC)

Attachments: Agenda Summary.pdf; Agreement.pdf; Resolution.pdf

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

Resolved, that the Rochester Hills City Council approves the 2007-2008 Winter Maintenance Agreement between the City of Rochester Hills and the Board of Road Commissioners for Oakland County (RCOC) and authorizes the Mayor and Clerk to execute the agreement on behalf of the City.

The motion carried by the following vote:

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

Enactment No: RES0285-2007

2007-0317

Request to schedule a Public Hearing for Green Space Acquisition of East Childress property, known as Parcel No. 15-15-426-023.

Attachments: Agenda Summary.pdf; Purchase Agreement.pdf; Public Hearing Notice.pdf; 082207 Agenda Summary.pdf; 052307 Agenda Summary.pdf; 051607 Agenda Summary.pdf; Recommendation Presentation.pdf; Revised GSAB Recommendation Pres.pdf; 082207 Resolution.pdf; 052307 Re

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

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

Whereas, the GSAB) has developed criteria for open space acquisition and evaluated the nominated properties based on the Property Evaluation Criteria, site visits, greenway connectivity, and how they fit into Oakland County's Spoke & Hub Strategy; and

Whereas, The GSAB has adopted the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures, which requires all recommendations regarding the expenditure of millage funds to purchase property interests are to be brought forward in the form of a written report document with supporting documents.

Whereas, the Green Space Advisory Board recommendations in their report dated May 16, 2007, included Parcel #15-15-426-023 as meeting their acquisition criteria; and

Whereas, the Rochester Hills City Council authorized the Mayor and Administration to create an acquisition team to begin the acquisition process with the property owners; and

Whereas, the Mayor's acquisition team has negotiated an Agreement to Purchase based on appraised value for this property; and

Whereas, the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures further requires that prior to approving any recommendation for expenditure of millage funds for purchasing property interests, the City Council shall conduct a Public Hearing regarding the report document recommendation in order to obtain comments from residents of the community.

Now Therefore Be It Resolved, that the Rochester Hills City Council hereby sets a Public Hearing on the proposed purchase of East Childress property, known as Parcel #15-15-426-023 at the Rochester Hills City Council Work Session on Wednesday, September 5, 2007 commencing at 7:30 p.m., Michigan time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309.

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on Thursday, August 30, 2007.

The motion carried by the following vote:

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

Enactment No: RES0297-2007

2007-0504

Request to schedule a Public Hearing for Green Space Acquisition of West Childress property, known as Parcel No. 15-15-426-022.

Sponsors: Green Space Advisory Board

Attachments: Agenda Summary.pdf; Purchase Agreement.pdf; Public Hearing Notice.pdf; 082207 Agenda Summary.pdf; 082207 Resolution PH.pdf; Resolution.pdf

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

Adopted by Resolution.

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

Whereas, the GSAB) has developed criteria for open space acquisition and evaluated the nominated properties based on the Property Evaluation Criteria, site visits, greenway connectivity, and how they fit into Oakland County's Spoke & Hub Strategy; and

Whereas, The GSAB has adopted the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures, which requires all recommendations regarding the expenditure of millage funds to purchase property interests are to be brought forward in the form of a written report document with supporting documents.

Whereas, the Green Space Advisory Board recommendations in their report dated May 16, 2007, included Parcel #15-15-426-022 as meeting their acquisition criteria; and

Whereas, the Rochester Hills City Council authorized the Mayor and Administration to create an acquisition team to begin the acquisition process with the property owners; and

Whereas, the Mayor's acquisition team has negotiated an Agreement to Purchase based on appraised value for this property; and

Whereas, the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures further requires that prior to approving any recommendation for expenditure of millage funds for purchasing property interests, the City Council shall conduct a Public Hearing regarding the report document recommendation in order to obtain comments from residents of the community.

Now Therefore Be It Resolved, that the Rochester Hills City Council hereby sets a Public Hearing on the proposed purchase of West Childress property, known as Parcel #15-15-426-022 at the Rochester Hills City Council Work Session on Wednesday, September 5, 2007 commencing at 7:30 p.m., Michigan time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309.

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on Thursday, August 30, 2007.

The motion carried by the following vote:

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

Enactment No: RES0298-2007

2007-0505

Request to schedule a Public Hearing for Green Space Acquisition of 1460 Mead Road property, known as Parcel No. 15-01-100-009.

Sponsors: Green Space Advisory Board

Attachments: Agenda Summary.pdf; Revised Purchase Agreement.pdf; Purchase Agreement.pdf; Public Hearing Notice.pdf; 082207 Agenda Summary.pdf; 082207 Resolution PH.pdf; Resolution.pdf

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

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

Whereas, the GSAB) has developed criteria for open space acquisition and evaluated the nominated properties based on the Property Evaluation Criteria, site visits, greenway connectivity, and how they fit into Oakland County's Spoke & Hub Strategy; and

Whereas, The GSAB has adopted the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures, which requires all recommendations regarding the expenditure of millage funds to purchase property interests are to be brought forward in the form of a written report document with supporting documents.

Whereas, the Green Space Advisory Board recommendations in their report dated May 16, 2007, included Parcel #15-01-100-009 as meeting their acquisition criteria; and

Whereas, the Rochester Hills City Council authorized the Mayor and Administration to create an acquisition team to begin the acquisition process with the property owners; and

Whereas, the Mayor's acquisition team has negotiated an Agreement to Purchase based on appraised value for this property; and

Whereas, the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures further requires that prior to approving any recommendation for expenditure of millage funds for purchasing property interests, the City Council shall conduct a Public Hearing regarding the report document recommendation in order to obtain comments from residents of the community.

Now Therefore Be It Resolved, that the Rochester Hills City Council hereby sets a Public Hearing on the proposed purchase of 1460 Mead Road property, known as Parcel #15-01-100-009 at the Rochester Hills City Council Work Session on Wednesday, September 5, 2007 commencing at 7:30 p.m., Michigan time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309.

Be It Further Resolved, to authorize the City Clerk's office to publish notice of the public hearing in the Rochester Eccentric on Thursday, August 30, 2007.

The motion carried by the following vote:

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

Enactment No: RES0299-2007

COUNCIL COMMITTEE REPORTS

None

ANY OTHER BUSINESS

Council Member Ambrozaitis indicated that he has received an Email complaint from a resident regarding a blight issue at the Hampton Golf Course, noting that he will forward the information on to Mr. Staran.

NEXT MEETING DATE

-Thursday, August 23, 2007, Special Work Session at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 8:11p.m.

*JAMES ROSEN, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*SUSAN GALECZKA, Deputy Clerk
City of Rochester Hills*