



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

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

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

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

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Monday, February 9, 2009

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order  
at 7:33 PM Michigan Time.*

## ROLL CALL

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

## Others Present:

*Ed Anzek, Director of Planning and Development  
Scott Cope, Director of Building/Ordinance Compliance  
Ron Crowell, Fire Chief/Emergency Management Director  
Kurt Dawson, Director of Assessing/Treasury  
Bob Grace, Director of MIS  
Jonathan Han, Rochester Hills Government Youth Council  
Mike Hartner, Director of Parks and Forestry  
Captain Mike Johnson, Oakland County Sheriff Department  
Sam Kilberg, Rochester Hills Government Youth Council  
Gerry Lee, Forestry Operations Manager  
Pam Lee, Director of Human Resources  
Jane Leslie, City Clerk  
Roger Rouse, Director of DPS/Engineering  
Jack Sage, Ordinance Inspector  
Leanne Scott, City Council Coordinator  
Joe Snyder, Senior Financial Analyst  
Patriyusha Yalamanchi, Rochester Hills Government Youth Council  
Richard Yoon, Rochester Hills Government Youth Council*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

**President Hooper** thanked everyone for their participation in the affairs of the City and requested that those in attendance conduct themselves in a respectful and civil manner. He explained that he directed that the Agenda be published with the order of business rearranged in advance, noting that Public Comments appeared at the end of the published Agenda. He stated this was done to allow the Council to address the business of the City that could not be conducted at the January 26, 2009 meeting due to public disruption. He stated that he would request that Council approve the published Agenda as presented.

President Hooper then explained the law regarding disturbance of public meetings and thanked everyone in advance for their patience, cooperation and civility.

**Mr. Rosen** called a **Point of Order** stating that a motion was needed to Suspend the Rules to allow moving public comment to a point later in the Agenda.

**President Hooper** asked if there was a motion to Suspend the Rules. Being none, he continued on with the Approval of the Agenda as Presented, with Public Comments following New Business.

**A motion was made by Brennan, seconded by Pixley, that the Agenda be Approved as Presented with Public Comments and Legislative & Administrative Comments following New Business. The motion CARRIED by the following vote:**

**Aye** 4 - Brennan, Hooper, Pixley and Webber

**Nay** 3 - Ambrozaitis, Rosen and Yalamanchi

## PRESENTATIONS

**2009-0057** Presentation of the Rochester Hills Government Youth Council Bi-Annual Report to City Council

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

**Patryusha Yalamanchi**, Chair, and **Richard Yoon**, Vice-Chair, Rochester Hills Government Youth Council (RHGYC), gave their Bi-Annual Report to City Council of the RHGYC 2008-2009 activities.

**Ms. Yalamanchi** reported that the RHGYC had participated in the Two for Tuz school supplies drive, collecting supplies to be sent to Tuz, Montenegro. She reported that the RHGYC participated in the Holiday Family Fun Night at City Hall, where the group helped set up and ran many of the games, did face painting and worked on craft projects. She also noted that the RHGYC had marched in the Rochester Regional Chamber Christmas Parade.

**Mr. Yoon** reported that the members of the RHGYC went Christmas caroling and delivered Christmas Cards to the residents at Mercy Bellbrook Retirement Community. He stated that members of the RHGYC had worked at the polls during the November Presidential election. He noted that RHGYC representatives sat

at the dais at City Council meetings and were also assigned to participate on several of the City's Technical Committees.

**Ms. Yalamanchi** reported that the RHGYC was currently planning a 5K Run scheduled for June 2009 in Bloomer Park to raise funding for veterans affected by Traumatic Brain Injury. She stated the RHGYC met with Major Rick Briggs of the Brain Injury Association of Michigan to better understand the needs of those affected by traumatic brain injuries. She also stated that the RHGYC would be attending the Michigan Municipal League's Capital Conference on March 4, 2009 and would coordinate and participate in a mock council discussion on the topic of installing cameras in public schools.

**Mr. Yoon** indicated that the RHGYC planned voter registration drives for the schools and would also be assisting in upcoming City events such as the Festival of the Hills and the State of the City. He commented that the RHGYC was planning the production of Youth Council promotional videos to promote RHGYC membership interest. He stated that the RHGYC had participated in a successful Youth Summit in its 2007-2008 year, and that the Youth Summit was a project that the RHGYC would undertake every other year. He reported that the RHGYC was planning a recycle drive to promote preserving the environment, with proceeds to benefit Rochester Neighborhood House. On behalf of the RHGYC members, Mr. Yoon thanked Council for the opportunity that the RHGYC afforded its members to get involved in government.

**Mr. Ambrozaitis** thanked Ms. Yalamanchi and Mr. Yoon for their presentation and stated that the RHGYC was comprised of many terrific young adults who were the future of the City.

**Mr. Pixley** stated that the RHGYC was a very dynamic group of young people full of energy and spirit. He thanked Leanne Scott, City Council Coordinator and Youth Advisor to the RHGYC for her work with the Youth Council.

**Mr. Webber** echoed Mr. Pixley's comments stating that he had attended the Michigan Municipal League Capital Conference in 2008, and noted that there was much talk at that conference from other communities wanting to know how their communities could form a youth council.

Presented.

## CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

**2009-0034** Approval of Minutes - City Council Special Budget Work Session - August 18, 2008

**Attachments:** [CC Min Special Budget Work Session 081808.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0014-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Budget Work Session held on August 18, 2008 be approved as presented.

**2008-0506** Approval of Minutes - City Council Special Budget Work Session - August 25, 2008

**Attachments:** [CC Special Budget Work Session 082508.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0015-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Budget Work Session held on August 25, 2008 be approved as presented.

**2009-0035** Approval of Minutes - City Council Special Budget Work Session - September 3, 2008

**Attachments:** [CC Min Special Budget Work Session 090308.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0016-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Budget Work Session held on September 3, 2008 be approved as presented.

**2008-0507** Approval of Minutes - City Council Regular Meeting - September 8, 2008

**Attachments:** [CC Min 090808.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0017-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 8, 2008 be approved as presented.

**2009-0039** Approval of Minutes - City Council Regular Meeting - September 15, 2008

**Attachments:** [CC Min 091508.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0018-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 15, 2008 be approved as presented.

**2008-0508** Approval of Minutes - City Council Special Meeting - September 22, 2008

**Attachments:** [CC Special Meeting Min 092208.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0019-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on September 22, 2008 be approved as presented.

**2008-0509** Approval of Minutes - City Council Regular Meeting - September 22, 2008

**Attachments:** [CC Min 092208.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0020-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 22, 2008 be approved as presented.

**2009-0036** Approval of Minutes - City Council Regular Meeting - October 6, 2008

**Attachments:** [CC Min 100608.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0021-2009

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on October 6, 2008 be approved as presented.

**2008-0656** Approval of Minutes - City Council Special Meeting - October 13, 2008

**Attachments:** [CC Special Meeting Min 101308.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0022-2009

**Resolved**, that the Minutes of A Rochester Hills City Council Special Meeting held on October 13, 2008 be approved as presented.

**2008-0655** Approval of Minutes - City Council Regular Meeting - October 13, 2008

**Attachments:** [CC Min 101308.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0023-2009

**Resolved**, that the Minutes of Rochester Hills City Council Regular Meeting held on October 13, 2008 be approved as presented.

**2009-0012** Request for Purchase Authorization - MIS: Yearly GIS software maintenance fee in the amount of \$31,461.93; Environmental Systems Research Institute, Redlands, CA

**Attachments:** [Agenda Summary.pdf](#)  
[ESRI Maintenance Quote.pdf](#)  
[ESRI Sole Source Memo.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0024-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes the yearly GIS software maintenance fee in the amount of \$31,461.93 to Environmental Systems Research Institute, Redlands, California.

**2008-0534** Request for Purchase Authorization - DPS/FACILITIES: Increase to Blanket Purchase Order for snow removal services for the 2008-2009 winter season at the City Hall, Precinct #5, 52/3rd District Court and Oakland County Sheriff Department Substation in the amount of \$50,000.00 for a new not-to-exceed total of \$100,000.00; Advanced Services Landscape, LLC, Sterling Heights, MI

**Attachments:** [Agenda Summary.pdf](#)  
[102708 Agenda Summary.pdf](#)  
[Proposals Tabulation.pdf](#)  
[102708 Resolution.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0025-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes the increase of the Blanket Purchase Order to Advanced Services Landscape, LLC, Sterling Heights, Michigan for snow removal services for the 2008-2009 winter season at the City Hall,

Precinct #5, 52/3 District Court and Oakland County Sheriff Department Substation in the amount of \$50,000.00 for a new not-to-exceed total of \$100,000.00.

- 2009-0019** Request for Acceptance of a watermain easement granted by Rayconnect, Inc., a Michigan Corporation

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

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

Enactment No: RES0026-2009

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by Rayconnect, Inc., a Michigan Corporation, of 3011 Research Drive, 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 Nos. #15-29-452-028 & #15-29-452-027.

**Further Resolved**, that the City Clerk is authorized to record the easement with the Oakland County Register of Deeds.

- 2009-0020** Request for Approval of the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Rayconnect for Parcel Nos. 15-29-452-028 and 15-29-452-027

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

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

Enactment No: RES0027-2009

**Resolved**, that the Rochester Hills City Council, hereby approves the storm water detention system, relative to the details of the development and use, repair and maintenance of the storm water system, for City File #08-002, between the City of Rochester Hills and Rayconnect, Inc., a Michigan Corporation, of 3011 Research Drive, Rochester Hills, MI 48309.

Further Resolved, that the City Clerk is authorized to execute and deliver the agreement on behalf of the City.

- 2009-0026** Request for Purchase Authorization - CLERKS: Blanket Purchase Order for Postage by Phone in the amount not-to-exceed \$50,000.00 through December 31, 2009; Pitney Bowes, Inc., Louisville, KY

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

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

Enactment No: RES0028-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Pitney Bowes, Inc., Louisville, Kentucky for Postage by Phone in the amount not-to-exceed \$50,000.00 through December 31, 2009.

- 2009-0045** Request for Discontinuance Authorization - BLDG: Discontinuation of payment to SOCRRA for Saturday openings of the SOCRRA Composting Site for Rochester Hills residents

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

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

Enactment No: RES0029-2009

**Resolved**, that the Rochester Hills City Council authorization the discontinuation of payment to SOCRRA for Saturday openings of the SOCRRA Composting Site for Rochester Hills residents.

- 2009-0021** Request for Purchase Authorization - DPS/FACILITIES: Blanket Purchase Order for on-call electrical contractor services in the amount not-to-exceed \$40,000; Design & Quality Electric, Inc., Rochester, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Spreadsheet Detailed-Electrical.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0030-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Design & Quality Electric, Inc., Rochester, Michigan for on-call electrical contractor services in the amount not-to-exceed \$40,000 through December 31, 2010.

**Passed the Consent Agenda**

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

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

**The following Consent Agenda items were discussed and adopted by separate Motions:**

- 2009-0044** Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for the 2009 Oakland County Household Hazardous Waste (No



Haz) Program in the amount not-to-exceed \$55,000.00; Oakland County Waste Resource Management Division

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

**Mr. Ambrozaitis** requested that this Item be removed from the Consent Agenda to question whether the costs for this program would be subsidized by revenues from the Single Trash Hauler Program.

**Scott Cope**, Director of Building/Ordinance Compliance, explained that an adjustment of \$59,000 in revenue from the Solid Waste Program directed to the No-Haz Program was included in the First Quarter Budget Amendment. He commented that the projected revenue from the Solid Waste Program directed to No-Haz for 2010 would be approximately \$79,000.

**Jack Sage**, Ordinance Inspector, commented that this was an extremely successful program for the City; and the City accounts for approximately thirty percent of the activity.

**Mr. Yalamanchi** questioned what the pros and cons would be of limiting the budgeted amount to \$55,000, with the intention that if more funding was needed, it could be brought before Council at a later date.

**Mr. Cope** responded that it was Council's prerogative to have the program go to whatever level it desired and noted that the budgeted amount was increased to \$62,000 for 2008. He stated that the cost for the program is assessed per car, taking into account the amount of materials brought in. If the City were to limit the amount to \$55,000, there would be a limit to the amount of cars that would be allowed to access the site.

**Mr. Yalamanchi** questioned when the City would know when the funding was depleted.

**Mr. Sage** responded that there were three collection events already scheduled for 2009 and that this would be expanded to a fourth event with a location to be determined. He explained that the costs to each community would be known within a week or two after each collection event.

**Mr. Yalamanchi** stated that he would recommend the budgeted amount be set at \$55,000 through 2009.

**Mr. Cope** indicated that if the budgeted amount were set at \$55,000 for 2009, he expected to be coming before Council again after the first two collection events.

**Mr. Rosen** expressed his concern with budgeting only \$55,000, stating that the No-Haz Program is one of the most successful hazardous waste programs in the country. He stressed that if more money was needed later in the year, he wanted to make sure that Council would approve an increase.

**Mr. Pixley** asked for clarification whether the City paid only by the number of cars attending or by what quantity of materials was brought in. He noted the

*projection of 1,845 cars and asked what that estimate was based on.*

**Mr. Sage** indicated that billing is assessed to the City on a per-vehicle charge, computed by poundage brought in, and the estimate was approximately \$32 per vehicle. He noted that the City had 1,299 cars attending in 2008 and this number has been increasing every year. The number of City residents participating increases when the collection point occurs close to the City, such as at Oakland University (OU). He noted that the most recent collection at OU included 780 City residents' cars.

**Mr. Pixley** questioned whether collection would be stopped if a certain top number of cars was reached.

**Mr. Cope** stated that if after the first event it appeared that the budgeted amount would be close, the Administration would have to estimate how many cars could be served at the next event.

**Mr. Pixley** stated that Council should approve the higher amount, and noted that this would only be spent if billed.

**Mr. Sage** concurred that the City is only billed for the cars that use the program.

**Mr. Yalamanchi** questioned how the costs and revenues would be allocated.

**Mr. Cope** stated that the expenditure comes out of the General Fund, with an estimated amount of \$59,000 in revenue going back into the General Fund from the Solid Waste Program this year. He stated that \$59,000 was estimated to be this year's revenue as the Single Waste Hauler Program would only be active for nine months in 2009.

**Mr. Sage** indicated that if \$55,000 were approved, the City would likely be very close to that amount at the second collection for the year.

**Mr. Cope** concurred, stating that it was likely that the City would have to limit the number of cars allowed to participate at the second event.

**President Hooper** stated that the amount budgeted should remain at \$90,000.

**Mr. Brennan** stated that he was in favor of budgeting \$90,000 for the program.

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

**Aye** 2 - Ambrozaitis and Yalamanchi

**Nay** 5 - Brennan, Hooper, Pixley, Rosen and Webber

Enactment No: RES0038-2009

**Resolved**, that the Rochester Hills City Council authorize the Inter-Local Agreement between Oakland County and the City of Rochester Hills and a Blanket Purchase Order to Oakland County Waste Resource Management Division for the 2009 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$55,000.00 through December 31, 2009.

- 2009-0044** Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for the 2009 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$90,000.00; Oakland County Waste Resource Management Division

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

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

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

**Nay** 2 - Ambrozaitis and Yalamanchi

Enactment No: RES0039-2009

**Resolved**, that the Rochester Hills City Council authorize the Inter-Local Agreement between Oakland County and the City of Rochester Hills and a Blanket Purchase Order to Oakland County Waste Resource Management Division for the 2009 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$90,000.00 through December 31, 2009.

- 2009-0052** Request for Purchase Authorization - FIRE: Blanket Purchase Order for emergency medical services billing and reporting in the amount not-to-exceed \$90,000.00; AccuMed Billing, Inc., Riverview, MI

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

**Mr. Ambrozaitis** requested this item be removed from the Consent Agenda, and asked for an update on the Ambulance services budget.

**Ron Crowell**, Fire Chief/Emergency Management Director, responded that with the reduction in the AccuMed Billing Inc., billing fee from ten percent to 7.25 percent due to the City's decision to allow AccuMed to handle both Electronic Patient Care Reporting and Billing of EMS responses, the City has realized a savings of approximately \$31,000. He stated that the City brought in approximately \$1,130,000 for transport services in 2008.

**Mr. Ambrozaitis** questioned how much the City expends to run the EMS service. He questioned whether the Administration was trying to close the gap between revenues and expenses for the service.

**Chief Crowell** stated his estimate of the expense to run the EMS service, without having specific information with him tonight, was around \$2,000,000. He stated that the Administration was always reviewing different ways to shorten the gap between revenues and the expenses. He noted that typically throughout the country, fire-based EMS services provide a service and do not make money.

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

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

Enactment No: RES0031-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to AccuMed Billing, Inc., Riverview, Michigan for emergency medical services billing and reporting in the amount not-to-exceed \$90,000.00 through December 31, 2009.

**2009-0054** Request for Purchase Authorization - PARKS/FORESTRY: Blanket Purchase Order for 2009 Spring and Fall Street Tree Planting in the amount not-to-exceed \$54,000; Michigan Lawn Maintenance d/b/a Sherman Nursery Farms, Columbus, MI

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

**Gerry Lee**, Forestry Operations Manager, explained that this item was for the blanket purchase order for the 2009 tree planting projects which include the subdivision and cooperative tree planting projects.

**Mr. Yalamanchi**, who had requested that this item be removed from the Consent Agenda, questioned whether this money was being taken out of escrow funds directly, or from the earnings of the escrow fund.

**Mr. Lee** responded that it was coming out of the escrow funds, which are interest-bearing.

**Mr. Yalamanchi** questioned whether this item could be tabled until a Tree Fund Policy was drafted.

**Mr. Ambrozaitis** questioned if this item were tabled, would it delay implementation of the project.

**Mr. Lee** responded that the Administration had to tell the contractor what trees were needed by the beginning of March.

**President Hooper** indicated that a Tree Fund Policy was on the City Council's list of Goals and Objectives from its Strategic Planning Session.

**Mr. Yalamanchi** expressed concern that this item has been on Council's list of Goals and Objectives for two years, yet nothing has been done.

**Mr. Ambrozaitis** stated that he supported this item tonight, however, would insist that work toward developing a policy for the Tree Fund be addressed during this year.

**President Hooper** indicated that each year, specific items are ranked during the Strategic Planning Session; and last year Council addressed the top five or six items. He commented that the City Council does the best it can in addressing the top priority items and that it was physically impossible to address all 25 items on the list.

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

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

**Nay** 1 - Yalamanchi

Enactment No: RES0032-2009

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Michigan Lawn Maintenance, Inc. d/b/a Sherman Nursery Farms, Columbus, Michigan for 2009 Spring and Fall Street Tree Planting in the amount not-to-exceed \$54,000.00.

## PUBLIC HEARINGS

**2009-0031** 2009 1st Quarter Budget Amendment / Appropriations

**Attachments:** [Agenda Summary.pdf](#)  
[2009 - 1st Qtr BA \(Detail\).pdf](#)  
[Public Hearing Notice Rescheduled.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution.pdf](#)

**Kurt Dawson**, Director of Assessing/Treasury, stated that the 2009 First Quarter Budget Amendment amends the 2009 Budget to reflect carryover projects.

**Joe Snyder**, Senior Financial Analyst, summarized the First Quarter Budget Amendment, stating that the total requested increase was \$5,963,570 broken down into the following three major categories:

- Capital Project Expenditures increased by \$6,291,150
- Operating Expenditures decreased by \$9,950
- Transfers Out decreased by \$326,060

Mr. Snyder indicated that the increase in Capital Project Expenditures was due to the Capital Project carryover requests from 2008. He indicated that this increase was a transfer of funding from the 2008 Fiscal Year to the 2009 Fiscal Year. He explained that the City adopts the Budget on an annual calendar basis and per the City Charter all funding lapses at the end of the fiscal year, and all the unspent funding is returned to Fund Balance. Incomplete projects are then carried over in the proposed budget amendment to the 2009 Budget. The vast majority of the budget amendment request amounts presented here are due to transferring funding as a carryover from 2008 to 2009. He commented that all of the projects being transferred over are consistent with City Council's primary goal of maintaining and/or improving the City's infrastructure, and funding for each item was supported in the 2008 Budget. He then further explained each category:

Capital Projects:

- Increase of \$6,291,150
- \$1.4 million of this amount is expected to be received in the form of reimbursement revenue for the Hamlin Road from Crooks to Livernois project
- The net increase is \$4.9 million

Breakdown of Carryover Requests by Fund:

- Major Roads is requesting a \$1.4 million carryover primarily due to the Austin Avenue and Hamlin Road, Crooks to Livernois Right-of-Way phase
- Local Streets is requesting a \$160,000 carryover primarily due to the asphalt and concrete slab replacement programs not completed in 2008
- Storm Drain improvements is requesting a \$240,000 carryover primarily due to the East Ferry Drain project
- Fire is requesting \$332,000 due to two ambulances to be carried over
- Pathways is requesting \$1.1 million due to a combined total for ten different pathway projects carried over
- Water and Sewer is requesting \$1.1 million to be carried over to 2008 due to the Sanitary Sewer Rehabilitation Program, the Brewster Water Main Replacement and Austin Water Main Extension projects
- Facilities is requesting \$94,000 to be carried over
- MIS is requesting \$99,000 to be carried over for the Records Management and Asset Management projects
- Fleet is requesting \$75,000 be carried over for a utility tractor and a fuel management system not completed in 2008
- LDFA is requesting \$250,000 for the Technology Park Infrastructure Project not completed in 2008

He summarized that the vast majority of this 2009 First Quarter Budget Amendment is a compilation of City-wide Capital Projects approved in 2008, but not completed.

He noted that \$7.5 million previously budgeted in 2008 for these projects was swept into Fund Balance. The total coming back out is \$4.9 million, leaving \$2.6 million to remain in these funds. He explained that this means the projects being carried over are \$2.6 million under budget.

Operating Expenses:

- Operating Expenses show a net decrease of \$9,950
- The major Operating decrease is due to a reduction in Oakland County Sheriff's contract of nearly \$340,000. This was budgeted conservatively for 2009 and the actual agreement came in better than anticipated.
- Reappropriation requests are similar to carryovers and include:
  - \* Adams/Hamlin Brownfield Remediation City Oversight
  - \* City-Wide Catch Basin Cleaning Program
  - \* Installation of two traffic signals by the Oakland County Road Commission
  - \* Americans with Disabilities Act (ADA) Transition Study
  - \* Sidewalk Replacement Program

Mr. Snyder noted that all of the above projects were budgeted in 2008 but were not completed and the Budget Amendment requests that these amounts be carried over to the 2009 Budget.

Transfers Out:

- City-wide net decrease of just over \$326,060 primarily due to the reduced budget for the 2009 Sheriff's contract, as less General Fund subsidy monies are needed to transfer over to support Police operations.

Mr. Snyder noted that there were eight Operating and Capital items requesting additional funding in the First Quarter Budget Amendment:

General Fund Items:

- Human Resources was requesting \$15,000 for the Employee Health Assessment program. It is anticipated that this increase would be more than offset by decreases City-wide to health and wellness accounts. These decreases are expected to be recognized in the Fourth Quarter Budget Amendment for 2009.
- Building and Ordinance was requesting a \$35,000 increase for the No-Haz Program, from \$55,000 to \$90,000, to align the budgeted amount with the purchase order.

Major Road Fund:

- DPS is requesting the carryover amounts plus an additional \$8,000 for the Meadowfield Drive Concrete Reconstruction Project, increasing this project from \$645,000 to \$653,000, primarily due to extensive soil undercutting in the area.

Drain Fund and Water and Sewer Funds:

- Requesting an additional \$5,000 to be split between one-third Drains, two-thirds Water and Sewer, for a vehicle hauling storage system for the existing survey equipment the City has. Previously this equipment was hauled around in a cargo van. This cargo van is being replaced with a less expensive pickup truck. The storage system is portable and can be moved to subsequent vehicles.

Fire Capital Fund:

- Requesting the carryover amount plus an additional \$20,000 each for two ambulances due to a revised cost per ambulance of \$160,000 each. The models selected are projected to be longer-lasting and more durable ambulances than the current model and will match the two ambulances already adopted and currently budgeted for 2009.

Sewer Division:

- Requesting \$26,470 to support the Sewer Smoke Testing Program, along with assistance from the Building Department. This program has the goal of locating and reducing the unwanted water inflows and infiltration to the sanitary sewer system and the ultimate goal of lowering the sanitary sewer treatment charges to the City and in turn would lower the sanitary sewer treatment charges to the customers. It is anticipated that these increased costs will be more than offset.

Facilities Fund:

- Requesting an additional \$3,000 for an elevated work platform, bringing that item from \$5,000 to \$8,000 based on actual bids received.

Fleet Fund:

DPS and Parks are requesting the carryover amount plus an additional \$2,500 for a parks/utility tractor, increasing the cost for this tractor for \$42,500 to \$45,000. The replacement model budgeted for is no longer available and the next closest model is more expensive.

**President Hooper opened the Public Hearing at 8:31 PM.**

Public Comment:

**Bill Bidwell**, 2055 Avoncrest, stated that he wanted to see City Council practice fiscal responsibility. He made the following comments:

- Mayor Barnett should not hire an assistant.
- Expenditures have increased by 45 percent since Mayor Barnett took office.
- Increasing expenditures could jeopardize the City's bond rating.
- He cited the garbage contract and questioned the rate Allied was using for the residents.
- He stated that failure to reorganize the 911 system forfeits hundreds of thousands of dollars in savings.
- He acknowledged shortfalls in the Building Department budget.
- He noted the City's lawsuit exposure and stated that there were opportunities to mitigate legal expenses.

**Wolerian Domanski**, 3595 Emmons, stated that the City should make additional cuts in spending to account for current economic conditions. He stated that the Building Department should not keep its current staffing of inspectors without layoffs or salary cuts. He noted that the State cut salaries by ten percent for all of its employees. He commented that while the Parks budget was being reduced by eight percent, it could be cut by as much as 50 percent. He questioned why, in this economy, the City's projected tax revenue would increase.

**President Hooper closed the Public Hearing at 8:38 PM.**

Council Discussion:

**Mr. Rosen** expressed his concern for this year's Budget process and noted that there were huge downside risks that the economy would not improve as fast as projected. He commented that with the projections Council received last spring, revenue decreases of twenty percent were possible. He stated that the City could not continue to spend as if there would be no shortfall. He noted that the updated revenue projections provided at the City Council Strategic Planning Workshop indicate a possible reduction of 20 percent or greater in the next three years.



*He stated that the City could not continue to spend and deplete its fund balances. He further stated that the City Council must convene a Budget Work Session to reduce the 2009 Budget by 10 to 20 percent, noting that reductions should be made to capital expenditures, maintenance activities that could be postponed, and operating expenses that could be trimmed. He stated that the City needed to not only reduce the unnecessary expenditures, but also important, necessary and needed activities. He requested a work session be convened by the end of February to reduce the annual expenditures by 10 to 20 percent.*

**Mr. Ambrozaitis** stated that he was concerned about the inconsistencies he has received in the data regarding the City's financial position. He noted that the positive report given tonight covered the First Quarter of 2009, and stated that further projections were not as favorable. He noted the following observations:

- *For the 2010 Fiscal Year Budget, 73 percent of properties in the City had Taxable Values equal to the Assessed Value, and would result in no additional tax revenues unless millages were raised. This percentage of properties with Taxable Values equal to Assessed Values is projected to increase to 90 percent in 2011.*
- *Investment interest projections continued to decrease.*
- *State revenue sharing to the City was projected to decrease.*
- *The global economy has changed, and he noted the subprime market melt down in 2007.*
- *He questioned whether the seven percent reduction in City employees was a cutback or a structural change made by not filling open positions.*
- *He mentioned the transfers out of the General Fund, noting there would be shortfalls in Local Roads, Fire Department Operating Fund, and Police Funds.*
- *Projections given to Council in March of 2008 predicted decreasing Fund Balances.*
- *He stated that the reductions made did not go far enough, and commented that the City will be short four mills at its current spending rate on an annual basis.*
- *He noted that he has consistently voted no to the quarterly budget amendments and the annual Budget.*
- *He observed projections for Personal Property Tax revenues to the City at \$204 million for 2009; and this amount dropped to \$184 million for 2013. He noted that continued factory closings and job losses could drop these figures further.*
- *He noted projected 2009 Operating Millage revenues are \$30,531,567 and commented that this figure would be \$27,791,893 for 2013; leading to \$5 million less in operating revenues to the City from property taxes.*
- *He noted projected increases in the Charter Operating Fund and the Fire Fund.*
- *He proposed that the Administration institute a hiring freeze for all nonessential employees, and stated that the Mayoral Assistant position should not be filled.*
- *He stated that the CIP budget should be reviewed.*
- *He stated that the Budget Amendment should be tabled this evening and budget workshops be convened to review the 2009 Budget.*

*Mr. Ambrozaitis concluded by stating that he would make a motion later in the meeting to discontinue the deer culling operation in order to remove this issue from being the main focus of the press.*

*Mr. Yalamanchi questioned whether the project amounts being transferred from 2008 to 2009 had approved contracts in process and asked whether these savings were actual contract savings.*

*Mr. Snyder responded that the vast majority of the amounts being transferred forward were for projects that were currently underway with approved contracts.*

*Mr. Yalamanchi requested that Chief Crowell provide more detail regarding the increase in the ambulance costs of \$20,000.*

*Ron Crowell, Fire Chief/Emergency Management Director, responded that these ambulances were a different model than originally selected. He stated that these models would hopefully result in an extension in their use from five to seven years, and that it might be possible to get as much as eight or nine years of service out of them. He explained that these models were fairly new models with better suspension, and were a bit larger and heavier duty.*

*President Hooper questioned whether the increased cost could be removed from another part of the budget.*

*Chief Crowell responded that savings were realized on the purchase of three other budgeted vehicles, which came in \$11,000 under budget. He noted that by purchasing four ambulances together, he was hopeful that the cost for each would come in under the \$160,000 expected price. He commented that with the sale of the existing ambulances and other vehicles, he expected that the bottom line for the purchase would be well within the original budgeted amount.*

*President Hooper inquired whether the budget could be left at the \$280,000 originally approved.*

*Chief Crowell stated that he would still need to have the \$160,000 per vehicle approved in order to initially purchase them.*

*Mr. Snyder concurred that the budget needed to be raised to reflect the increased price, but in a later amendment, the revenues would also be raised to reflect the additional sale amounts for the current vehicles.*

*Mr. Yalamanchi questioned when the expenditure would be made for the vehicles approved for the Educational Component last year.*

*Chief Crowell stated that the Acadia and two pickup trucks were purchased, but not yet received. He noted that those came in \$11,000 under budget.*

*Mr. Pixley questioned what portion of the projects contained in the Budget Amendment were committed to by the City, and whether any of these projects could be stopped.*

**Mr. Snyder** responded that the vast majority of the projects in the Budget Amendment were underway, and noted that very few projects contained in the amendment did not have activity in 2008.

**President Hooper** reiterated that much of this money was being moved from one year to the other, and stated that the overall Budget is being reduced. He stated that the additional monies requested for this amendment were for the ambulances, the Health and Wellness plan, and the existing project on Meadowfield that came in over budget.

**Mr. Snyder** concurred and reiterated that the Administration was anticipating that the additional Wellness component would be offset by City-wide reductions in health and wellness costs.

**Mr. Dawson** stated that \$50 of each employee's Wellness benefit would be transferred out to offset the Health Risk Assessment component of the Wellness program as a revenue offset.

**President Hooper** commented that the City has made reductions in staffing and is facing a fiscally-responsible budget. The City has not pulled money out of Fund Balance and is increasing its savings accounts anticipating difficult economic times to come. He noted that the City is cognizant of the decreasing revenues and stated that significant cuts would be made in the future to many City services. He noted that Police and Local Road Funding has had shortfalls for decades, and commented that these funds have a continual drain on the Budget; however, public safety is a primary goal. He stated that the Hamlin Road Project will be 80 percent funded by the Federal Government and will be reimbursed to the City. He further commented that this project has been in the works for over twenty years. He noted similar observations for the Tienken Road Project and stated that a Federal Grant is in process.

**Mr. Yalamanchi** stated that he does not want to change the capital projects now in process. He noted that he wants to see the City keep the bottom line on the Budget, and commented that he would vote no to the Budget Amendment.

**President Hooper** noted that he supported Mr. Yalamanchi's earlier motion to have any Operating Expense increase offset by a corresponding Operating Expense decrease and stated that this proposed Budget Amendment did meet the intent of that motion.

**Mr. Snyder** commented that in total, Operating Cost decreased by approximately \$10,000.

**Mr. Brennan** commented on the capital project carryover amount of approximately \$6 million and questioned whether the City is operating at a deficit. He questioned whether this money had been earmarked.

**Mr. Snyder** responded that with projected reimbursement revenues, this net amount was \$4.9 million and noted that this money was designed to draw down Fund Balance. He stated that balances were accrued for these projects in the Major Road Fund.

**Mr. Webber** stated that he anticipated that Council could hold a Budget Workshop in the near future.

**President Hooper** stated that because the City currently did not have a Finance Director, a Budget Work Session was most likely not possible by the end of February, but would be scheduled as soon as possible.

**Mr. Ambrozaitis** stated that by voting no on the Budget Amendment, it was a chance as a City to send a message.

**Mr. Pixley** stated that while he appreciated Mr. Ambrozaitis' perspective, he also appreciated the hard work and effort that goes into analyzing these accounts and the Budget. He stated that going forward the City must make adjustments, but not approving these amendments is not the way to do it.

**Mr. Rosen** reiterated his request that a Budget Work Session be scheduled by mid-March.

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

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

**Nay** 2 - Ambrozaitis and Yalamanchi

Enactment No: RES0033-2009

**Whereas**, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

**Whereas**, in accordance with Section 19 of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act the City Council may permit the Mayor to execute adjustments to the budget within limits;

**Whereas**, the Public Hearing for the proposed 2009 1st Quarter Budget Amendments was noticed on January 29, 2009; and

**Whereas**, the proposed 2009 1st Quarter Budget Amendments were available for public viewing beginning on January 16, 2009; and

**Whereas**, at its February 9, 2009 meeting City Council held a Public Hearing on the proposed 1st Quarter Budget Amendments.

**Now, Therefore, Be It Resolved** that the Rochester Hills City Council hereby approves the following 2009 fund totals as amended:

101 - General Fund	\$26,974,810
202 - Major Road Fund	\$10,036,680
203 - Local Street Fund	\$ 6,903,830
207 - Special Police Fund	\$ 8,867,720
214 - Pathway Maintenance Fund	\$ 720,050

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244 - Drain Maintenance Fund	\$ 2,124,490
402 - Fire Capital Fund	\$ 905,920
403 - Pathway Construction Fund	\$ 2,393,160
420 - Capital Improvement Fund	\$ 409,500
592 - W&S Operating Fund	\$30,098,160
593 - W&S Capital Fund	\$ 5,406,760
631 - Facilities Fund	\$ 5,344,190
636 - MIS Fund	\$ 2,432,560
661 - Fleet Equipment Fund	\$ 3,471,120
848 - LDFA Fund	\$ 1,056,010

**Now, Therefore, Be It Resolved**, the Mayor is authorized to administratively adjust the operating budget line-items up to \$25,000 per event, but in no case may total expenditures of a particular fund exceed that which is appropriated by the City Council without a budget amendment.

NOTE: Fund totals include contributions to fund balance

## ORDINANCE FOR INTRODUCTION

**2009-0046** Acceptance for First Reading - An Ordinance to amend Section 106-125 of Chapter 106, Article III, Weed Control, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Adjust the amount charged to owners and occupants of land for weed cutting by the City, repeal conflicting Ordinances and prescribe a penalty for violations

**Attachments:** [020909 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[020909 Resolution.pdf](#)

**Mr. Yalamanchi** thanked Mr. Cope for his department's effort, noting that changes to this Ordinance had been discussed extensively during the Budget Workshops in August and September of 2008. He questioned whether typographic errors he noted on page two would be corrected for the second reading.

**Scott Cope**, Director of Building/Ordinance Compliance, stated that these corrections would be made.

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

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

**Resolved**, that an Ordinance to amend Section 106-125 of Chapter 106, Article III, Weed Control, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Adjust the amount charged to owners and occupants of land for weed cutting by the City, repeal conflicting Ordinances and prescribe a penalty for violations is hereby accepted for First Reading.

**2009-0047** Acceptance for First Reading - an Ordinance to amend Section 54-531 and repeal Section 54-532 of Article X, Solid Waste, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify solid waste transporting unit license fees, repeal conflicting Ordinances, and prescribe a penalty for violations

**Attachments:** [020909 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[020909 Resolution.pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, indicated that this proposed Ordinance amendment would clean up language in the Ordinance regarding the inspection of waste vehicles. He noted that the revenue generated by these inspections is approximately \$7,000 to \$8,000 per year.

**Mr. Yalamanchi** questioned whether the City charges the same rate for inspecting commercial and residential refuse collection vehicles.

**Mr. Cope** responded that generally these are the same types of collection vehicles. He stated that the Administration is looking to cover the costs of the inspection with these fees, and these costs were essentially the same to inspect commercial and residential collection vehicles. He noted that the Ordinance Inspector and an Oakland County Sheriff representative perform the inspection.

**Mr. Yalamanchi** noted a typographical error in a date contained in the proposed Ordinance.

**Mr. Cope** indicated this would be corrected.

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

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

**Resolved**, that an Ordinance to amend Section 54-531 and repeal Section 54-532 of Article X, Solid Waste, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify solid waste transporting unit license fees, repeal conflicting Ordinances, and prescribe a penalty for violations is hereby accepted for First Reading.

**2009-0058** Acceptance for First Reading - an Ordinance to amend Sections 6-1 and 6-38 of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to delete and replace references to the Liquor Technical Review Committee, repeal inconsistent provisions, and prescribe a penalty for violations

**Attachments:** [020909 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[020909 Resolution.pdf](#)

**President Hooper** stated that this Ordinance Amendment was prepared upon the direction of Council, and noted that the City would have no additional liquor licenses available until after the 2010 Census; the results of which would be received in 2012. He noted that anyone wishing to open a restaurant requiring a liquor license had to purchase an existing license and bring it in to the City.

**Mr. Pixley** questioned whether transfers in would now be reviewed by City Council rather than going to a Technical Review Committee.

**President Hooper** responded that was correct.

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

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

**Resolved**, that an Ordinance to amend Sections 6-1 and 6-38 of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to delete and replace references to the Liquor Technical Review Committee, repeal inconsistent provisions, and prescribe a penalty for violations is hereby accepted for First Reading.

## NOMINATIONS/APPOINTMENTS

**2009-0056** Nomination/Appointment of two (2) Citizen Representatives to the Historic Districts Study Committee to fill the unexpired terms of David Kibby and K'yhel King ending December 31, 2009.

**Attachments:** [Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[James Hannick CQ.pdf](#)  
[Murray Woolf CQ.pdf](#)  
[Notice of Vacancy HDSC.pdf](#)  
[King Resignation Letter](#)  
[Resolution.pdf](#)

**President Hooper** opened the nominations to the Historic Districts Study Committee.

**Mr. Ambrozaitis** nominated James Hannick and Murray Woolf.

**Mr. Yalamanchi** questioned whether these candidates met the minimum qualifications for membership to this Committee.

**President Hooper** indicated that the membership requirements were met with

*current Committee members and these two vacancies had no additional qualifications necessary. Seeing no additional nominations, President Hooper closed the nominations.*

*As there were two nominations for two Committee vacancies, Mr. Hannick and Mr. Woolf were appointed to the Historic Districts Study Committee.*

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

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

Enactment No: RES0034-2009

**Resolved**, that the Rochester Hills City Council appoints James Hannick and Murray Woolf to serve as Historic Districts Study Committee Representatives to fill the unexpired terms of David Kibby and K'yhel King ending December 31, 2009.

## NEW BUSINESS

**2009-0008** Request to vacate the portion of Randolph Road rights of way bounded on the west by the parking lot of the Meadowbrook Christian Church and on the east by the intersection of Randolph and Rhineberry Roads.

**Attachments:** [Agenda Summary.pdf](#)  
[Area Drawing with Aerial.pdf](#)  
[Location Map.pdf](#)  
[Application and Request.pdf](#)  
[020909 Resolution.pdf](#)

**Roger Rousse**, Director of DPS/Engineering, indicated that a resident requested that this road right-of-way be vacated and noted that the City has received no objections to this request. He mentioned that the City will maintain utility easements through the area and the property will be split between the two adjacent property owners.

**Mr. Ambrozaitis** questioned whether the homeowners would be willing to pay for the property.

**Mr. Rousse** responded that the Subdivision Control Act does not address compensation and the City has not requested compensation. He explained that when this subdivision was platted, this road right-of-way was intended to become a through street. He noted that the property terminates into the adjacent church parking lot and the City has no intention of using the property.

**Mr. Rosen** questioned whether a City Ordinance required that the Planning Commission needed to set a public hearing on this item.

**President Hooper** stated approval of this item tonight would set the Public Hearing regarding vacating this property for the City Council Regular Meeting of March 2, 2009; but he would check into whether the Planning Commission needed to review this item as well.



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

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

Enactment No: RES0035-2009

**Whereas**, the City Council of the City of Rochester Hills has considered vacating, discontinuing or abolishing the following described street, alley, public ground or part thereof, located in the City of Rochester Hills and subject to the jurisdiction and control of the City of Rochester Hills:

**Whereas**, Mr. Dennis L. Nystrom of 2752 Rhineberry Road has requested that the City approve the vacation of Randolph Road, west of Rhineberry Road between parcel 15-17-127-004, 2752, Rhineberry Road, and parcel 15-17-126-002; 45 Randolph Road, in the "Spring Hill Subdivision No. 1."

Description - The portion of Randolph Road rights of way bounded on the west by the parking lot of the Meadowbrook Christian Church and on the east by the intersection of Randolph and Rhineberry Roads. Section #17 - between parcels 15-17-127-004 and 15-17-126-002

**Now, Therefore, Be It Resolved:**

1. That it is hereby deemed advisable to vacate, discontinue or abolish the above-described street, alley, public ground or part thereof, and the City Council hereby declares its intention to do so.
2. That a Public Hearing is hereby scheduled for Monday, March 2, 2009 at 7:30 P.M., Michigan Time, at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan, for the City Council to hear and consider comments and objections submitted in writing or orally pertaining to the proposed vacation, discontinuance or abolition.
3. That the City Clerk is hereby directed to give notice of the public hearing in the time and manner specified in Section 94-175 of the Code of Ordinances.

**2009-0025** Request for Approval of the creation and granting of the "Agreement for Conservation Easement" for the south side of Hamlin Road, west of Crooks Road

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[MDEQ Permit.pdf](#)  
[Agreement.pdf](#)  
[Resolution.pdf](#)

**Roger Rouse**, Director of DPS/Engineering, stated that this proposal concerns the Hamlin Road construction project. He explained that there are eleven small parcels, totaling 0.31 acre, in the road right-of-way that need to be mitigated. Under Federal guidelines, anything over 0.3 acres must be mitigated. He noted that this will expand an existing wetland and that all costs will be incorporated into the Hamlin Road project.

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

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

Enactment No: RES0036-2009

**Resolved**, that the Rochester Hills City Council approves the creation and grants the "Agreement for Conservation Easement" and authorizes the Mayor to execute the document on behalf of the City and send the executed document to MDEQ for review and recording in compliance with the special instruction and specification stated in item number 26 of the MDEQ Permit.

**2009-0048** Request for Authorization to enter into the Oakland County Building Officials Association Damage Assessment Mutual Aid Agreement

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

**Scott Cope**, Director of Building/Ordinance Compliance, explained that this was an Agreement between Oakland County communities that will allow these communities to either give or receive assistance conducting damage assessments in the case of an emergency. He stated that it is similar to what has been done in the past for Fire Services.

**Mr. Brennan** asked whether entering this agreement would have any financial consequence to the City.

**Mr. Cope** responded that the City would receive nothing, nor give anything. He commented that in the event that there was Federal aid provided, there might be some Federal money that could be used to pay the people that came to help the City, or vice-versa.

**Mr. Yalamanchi** questioned when FEMA steps in, whether or not the inspections are extended to private property.

**Mr. Cope** responded that these inspections address public, private and commercial buildings, as well as structures such as bridges. He explained that this agreement is related to damage assessment for buildings.

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

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

Enactment No: RES0037-2009

**Whereas**, Damage Assessment Services can be improved by cooperation between political subdivisions during times of public emergency or disaster ("Incidents");

**Whereas**, the Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, Ex. Sess., being MCL 124.501 et seq. (the "Act"), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately;

Whereas, the Parties desire to enter into an interlocal agreement, pursuant to the Act, to

further improve Damage Assessment Services;

**Whereas**, each Party has the authority to execute this Agreement pursuant to resolution of its governing body; and

**Whereas**, each Party desires to commit personnel and equipment to another Party upon the request of another Party;

**Whereas**, the Michigan Constitution and the people of the State of Michigan have long recognized the value of cooperation by and among the state and its political subdivisions; Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby approves entering into the Oakland County Building Officials Association Damage Assessment Mutual Aid Agreement and authorizes the Mayor to execute the Inter Local Agreement on behalf of the City.

**(Recess - 9:41 PM - 9:51 PM)**

**2009-0061** Discussion regarding the creation of a Deer Management Advisory Committee to provide recommendations for 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Deer Committee Composition.pdf](#)

**President Hooper** summarized the following timeline of events relative to the Deer Management issue:

- A Deer Management Program was an item included in the 2008 City Council's Goals and Objectives.
- City Council received a number of comments during 2007 and 2008 from residents requesting Council undertake a deer management plan and many residents came before Council requesting relief.
- Rochester Hills is the number one city in the seven-county region for deer/car collisions.
- The Michigan Department of Natural Resources (MDNR) and the City's Parks and Forestry Division gave a presentation to Council on June 9, 2008 regarding population control options and recommendations.
- Discussion continued at the July 21, 2008 meeting. At that point, City Council resolved to direct the Administration to do the following:
  - \* Draft an Ordinance to ban the feeding of deer
  - \* Provide an educational component on control options, such as fencing
  - \* Improve the City signage on roads that the City has control over. He noted that most of the major roads are County-owned
  - \* Investigate the possibility of lifting the Bowhunting Ordinance
  - \* Continue to conduct the yearly fly-over to determine the population
  - \* Continue to monitor car/deer accident data
- A First Reading of an Ordinance Amendment prohibiting Deer Feeding was accepted on September 15, 2008.
- A Second Reading and Adoption of the Ordinance Amendment prohibiting the feeding of deer was passed on September 22, 2008.
- The Oakland County Sheriff Department (OCSD) presented a proposal for the use of a sharpshooting team as part of a deer management plan on September 15, 2008.
- On November 17, 2008, City Council resolved the following:

- \* Continue with the educational component
- \* Pursue grants for signage, reflectors and fencing
- \* Continue to perform annual deer count surveys
- \* Enact the Sheriff's proposal for the deer culling operation. That culling operation was resolved with seven conditions:
  - 1) Safety was the Number One priority in all respects.
  - 2) No private or commercial property would be used.
  - 3) The number of permits would not exceed 200.
  - 4) The harvested deer meat would be donated to food banks.
  - 5) Scope, timing and locations would be developed between the MDNR, Oakland County Sheriff, and the Rochester Hills Parks and Forestry Personnel.
  - 6) The OCSD operation would be conducted at no cost to the City.
  - 7) Results would be reviewed in June 2009, along with the deer/vehicle crash statistics and annual count surveys, to determine the effectiveness of the continuation of this option.

President Hooper stated that he was proposing to facilitate a discussion to engage a Deer Advisory Committee for the 2010 Deer Management Program to review all the statistics and data and develop a recommendation for City Council as to what the 2010 program should consist of. He suggested that this Committee report back to Council by June 30, 2009. He further suggested that the Committee should consist of two council members, four citizen members and Parks and Forestry personnel as deemed necessary.

**Public Comments:**

**Alana Hart**, 76 Roanoke Lane, stated she was a lifelong resident and serves as Vice-Chair of Environmental Energy Caucus for the State of Michigan. She stated that citizens move to Rochester Hills because of its environmental characteristics, and these characteristics include the deer. She expressed concerns that residents could take culling into their own hands on their own property. She noted that the Michigan.gov web site listed the Whitetail Deer as the Official State Game Mammal. She stated that the hunt should be brought to a halt, a Town Hall meeting be called, and the hunt should be brought to a decision of the voters.

**Jon Block**, 273 Vreeland Drive, stated that in 2007, 207 car/deer accidents occurred in Rochester Hills; however, this number had decreased for 2008. He stated that residents should be educated on deer avoidance and should drive slower at dusk. He stated that no religions advocated killing and that Council should not set its legacy for the future on this divisive issue.

**John Fougrouse, Jr.**, 1956 Hutchins, commented that Council should vote to stop the deer culling, which he stated was a military operation. He expressed concern over helicopter noises at night and the possibility of stray bullets.

**Sean Donovan**, 1394 Springwood, stated that an Oakland Press survey reported that 80 percent of respondents wanted the culling operation to stop. He expressed concern that people against the culling would not spend their money in Rochester Hills. He agreed that Council should form a committee, but stated that the culling should be discontinued now. He reported a decreasing accident rate and

*stated that residents may be more educated about deer avoidance.*

**Carol Donovan**, 1394 Springwood, expressed her belief that the City was violating fundamental beliefs and constitutional principles. She stated that during the cull, a deer ran into Avon Road and was hit by a car, and this proves that culling within the City is unsafe and dangerous.

**Calen Donovan**, 1394 Springwood, stated he did not like all the negative talk about the City. He commented that he did not want high-powered weapons to be used in the City and asked Council to stop the culling.

**Cecelia Whapham**, 5007 Timber Lake Trail, Clarkston, stated that she was a former resident of Rochester Hills and moved to Clarkston because she thought Rochester Hills had become overpopulated. She stated her belief that Council is being influenced by groups that present only one side of deer management possibilities and believes a panel of people should be chosen to represent everyone in attendance. She stated that the MDNR represents hunters, and suggested that individuals from zoological and biological societies be included.

**Lynn Toussaint**, 1005 Bloomer, expressed concern that the culled deer were being brought to Bloomer Park to the maintenance shed behind her property and asked why she was not informed that this would happen.

**Giuliana Deaconu**, 3190 Fallen Oaks, questioned whether the culling activities were continuing to spite the protestors. She cited the Oakland Press survey where 80 percent of the respondents opposed the culling.

**Deborah Barno**, 660 Bolinger, stated that she had hit a deer in late September and that the Deputy who came to her home to take the report told her that the culling would take place and that deputies were asking for the assignment. She noted that this occurred before Council's vote to approve the culling operation.

**Italia Milan**, 3744 Bald Mountain, Auburn Hills, thanked Mr. Rosen and Mr. Yalamanchi for their vote against the culling operation. She stated that the disruption that occurred at the January 26, 2009 Council meeting was a result of those attending wanting to be heard. She questioned why there have been no changes in collision numbers in high-accident areas as a result of culling. She requested Council stop the cull immediately and move to non-lethal methods. She requested Council create an Advisory Committee with a membership balanced on all sides of the issue.

**Don Hughes**, 3744 Bald Mountain, Auburn Hills, stated that last Wednesday protestors were subjected to intimidation, and were accused of harassing people and stealing a deer blind. He stated that his group did not participate in any illegal activities and only wished to voice an opinion. He questioned whether individuals other than OCSD sharpshooters were involved in the culling operation beyond processing the deer.

**Michele Good**, 495 Baldwin, Rochester, stated that the cull would not solve the deer problems, and commented that Stony Creek Park has been conducting

*culling operations for years and is still not at their desired deer population number. She stated that if the culling continued, she would not be shopping in the area or going to the parks.*

**Dianne Pawlowicz**, 1519 Streamwood Court, stated that she sees deer every day. She stated that she voted for the current Council members and thought they would be a team of people that she could trust. She stated that the culling should be stopped.

**Sheila Shah**, 838 Croydon, stated that in a democracy, the majority rules. She commented that everyone she knows is opposed to the culling. She stated that this decision should have been put to a vote of the people. She requested Council stop the culling.

**Jane Giblin**, 1651 North Bretton, stated that this was her third time speaking before Council. She stated that the first time she spoke before Council, she was the only person to speak on the side of the deer. She commented that at that first meeting, residents were complaining about deer droppings, damage to their plants, and threats by deer. She questioned where the people are now who initially wanted this to happen.

**Roxanna Bundy**, 2088 Somerville, stated that she has been a resident of Rochester Hills for the past four years and enjoys strolls through downtown and the ability to see wildlife in the parks. She stated that the culling activity was inhumane, removed the uniqueness of the area, and endangered the lives of residents.

**Jim Kubicina**, 2423 Chalet, stated that he was in favor of hunting, but not within the City of Rochester Hills using high-powered rifles. He stated that he believes Council was sincere in considering these Deer Management activities, but needed to revisit the decision to cull. He stated that the deer population numbers, along with car crashes, were already down. He stated that the City should be focusing more on its budget problems.

**Joseph Podvin**, 825 Dunedin Drive, stated that culling has been proven scientifically to not work. He stated that culling activities in the park did not address overpopulation and accidents in other areas. He stated that Council moved too quickly from a feeding ban to approving culling and commented that the Committee should have been formed to study the issue prior to culling.

**Craig Bauman**, 2440 Jackson, stated that components of a deer management plan could not be measured if implemented all at once. He stated that those in support of the cull were asking for something to be done, and those against the cull were asking for non-lethal control measures. He expressed concern that this culling operation would not remain free of charge to the City forever and stated that with current economic conditions, the City could not rely on grants to fund deer management.

**Erik Olson**, 974 Hillsborough, thanked Council for making a difficult decision. He stated that the reality is that the car/deer accidents are merely a symptom of the overpopulation of the deer. He stated that the culling operation, while a

*difficult decision, was the best solution for now. He expressed his interest in serving on a Deer Management Advisory Committee to work toward a long-term solution.*

**Monique Balaban**, 1487 North Livernois, stated that deer management activities should have included cutting back foliage at roadways and installing more signs. She stated that the reflector cost was actually lower than estimated by the Administration. She commented that the residents pay taxes to Oakland County and, therefore, they do pay for culling activities. She stated that a Political Action Committee would be formed in Rochester Hills to elect officials to be more accountable.

**William Black**, 2408 Jackson, thanked those in attendance for staying for this item. He stated that he was glad to see the possibility of an Advisory Committee be addressed. He stated that the City should be looking at how to cut taxes for small businesses and passing resolutions to help employ City residents. He requested Council vote to cease the deer culling operation.

**Martha Black**, 2408 Jackson, stated she was inspired by the members of the community that have become effective and united.

**Jill Dunphy**, 1610 Fair Oak, stated that it was not so much that the deer are overpopulated, but the community has over-expanded. She stated that this is more than an emotional issue and action was taken without appropriate citizen input. She stated that Council should focus on other pressing issues, such as the rate of drunk driving accidents. She commented that she appreciated the decision to form a committee, and recommended that the cull be stopped until the committee completed its work.

**Susan Fougousse**, 1956 Hutchins, commented that she has observed a reduction in the number of deer she sees around her home near the Clinton River. She stated that she is not against hunting, but did not want to see it occur in the City. She stated that reflectors should be used, and areas of high deer crossings be marked.

**Agnes Domanska**, 1530 Streamwood, stated that she was disappointed and frustrated at the lack of response of Council. She was encouraged by the decision to form a committee; however, requested that the cull be stopped.

**John Fougousse, Sr.**, 1956 Hutchins, stated that he was a hunter and had been a sniper in the Service. He stated that hunting is a good sport, but it does not belong in the City. He commented that high-powered rifles are outlawed in the lower part of Michigan, but they are being used in the City as a part of the cull.

**Scot Beaton**, 655 Bolinger, stated that the killing of wildlife should be stopped in Rochester Hills. He stated that there has been a decade of bad decisions, such as not using the property originally purchased to build the new DPS building, converting some property zonings from Office Research Technology (ORT) to Big Box Retail, allowing brownfield-zoned residential property to be approved for retail, in addition to the Hamlin roundabout project which will encourage further

cut-through traffic. He stated that the 2009 Budget did not recognize that the economy was in a deep recession, and stressed that Rochester Hills needs serious property tax relief.

**Council Discussion:**

**Mr. Ambrozaitis**, moved that the deer culling be stopped immediately and that a committee be formed with six citizen members, including three pro- and three anti-culling, along with three City Council members. He stated that he stood by his original vote to approve the cull; however, he learned this evening that less than twenty deer have been culled. He mentioned that he originally thought that the cull would be completed by now, and that the culling activities would be accomplished at 3:00 AM and not include helicopters. He commented that while the City does have a deer problem, the solution has become worse than the problem. He noted that in all his time on City Council, he has never changed his vote, and commented that this was a huge step for him tonight. He stated that by moving to stop the deer culling, he wanted to take the deer issue off the front page of the newspaper and get to the issue of the City's Budget.

**Mr. Rosen** stated that in the more than 20 years that he had been involved in Rochester Hills government, he has never seen an issue more divisive. He cited that the single waste hauler issue took four years to progress to completion; and noted that this round of deer management began in mid-June of 2008, with an exploration of bow hunting, and culminated in a vote to cull only five months later. He stated that City Council moved to the last resort of sharpshooting with little attention paid to progressive steps and too fast without enough input from citizens. He stated that Rochester Hills still has a car/deer accident problem; and that most people also recognize that if progress cannot be made by other means, reducing the population may be the last resort. He stated that the rush decision has done more to tarnish the perception of the City of Rochester Hills and the reputation of the City Council than any other issue. He further stated that Council needed to take decisive action to discontinue culling and proceed to establish the advisory committee. He suggested the committee include six members of the public, or as many as eight, and that the membership could be evenly divided, but does not have to be. He commented that including City staff would be necessary, and noted that if the Committee started in March, it should have the summer and fall to explore the options.

**Mr. Yalamanchi** thanked President Hooper for including this issue on the Agenda and stated that this was a very passionate issue. He commented that when passions are not listened to, they move toward emotions, which then lead into personalities and egos, and it is easy to forget what the issue is. He asked everyone to respect every Council Member, stating that each one felt they took the right step; and the common thread throughout on both sides was a concern for safety for both humans and deer. He commented that in view of the desire for safety, it should be kept in mind that the City does need a good deer management plan. He stated that he wished his predecessors had acted on this years ago so that the City would have been in a different place. He stated he was in favor of stopping the cull and creating a committee including representation from both sides of the issue, and that everyone on the committee should be objective and open to all the options. He suggested that the committee be given six months to work before reporting back.



**Mr. Ambrozaitis** agreed with Mr. Yalamanchi's suggestion to extend the timeframe of the committee to six months to report back to Council.

**Mr. Brennan** stated that during the four meetings in 2008 where this topic was discussed, everyone in attendance was in favor of having some sort of a deer management program. He stated that presentations by the Michigan DNR and Oakland County Conservation Officers indicated that the options of sterilization or relocation of the deer were not possible. He commented that the information presented to Council indicated that markers, signs and fences had only marginal value in minimizing car/deer accident risks; and culling was the only short-term option. He stated that while those attending meetings now were a vocal, zealous crowd, the e-mails and communication he has received indicate that the sentiment is fifty-fifty in favor and against the deer culling operation. He also stated that he wanted to thin the herd, not eliminate it; and he valued human life above deer life. He referred to a recent article reporting on a car/deer accident occurring in Rochester Hills approximately three weeks ago where the driver was injured. He stated that he was willing to explore all options, and questioned how funding could be obtained for these other methods.

**Mr. Pixley** stated that this issue has been about safety for the City's residents since the very beginning. He expressed his appreciation for the passion in the room and noted that the City Council spent a great deal of time on this issue, listening to the MDNR, Oakland County and City Staff experts as they provided information on which to base a decision. He commented that he has received many e-mails in support of the culling operation. He noted that Council has not been given any updated information on car/deer accident numbers, the current deer population numbers, or any results regarding the cull. He stated that the number one priority is citizen safety and commented that the Advisory Committee should be formed to review how to manage the deer herd in an urban setting. He stated that he believed the Council made the right decision to begin the culling operation and he was not in favor of stopping it before the operation was completed at the end of February, and the data gathered upon its completion reviewed.

**Mr. Webber** stated that Council was trying to do the right thing and he did not believe that the initial decision to approve the cull was a mistake. He stated that although he has heard from individuals that the deer population and car/deer crash numbers are down, this data has not been presented to Council. He commented that it does not appear that the culling operation had the impact that was originally anticipated and stated that he supported discontinuing the culling operation so that more pressing City issues would be given more attention. He commented that any Advisory Committee created had to consist of individuals who were willing to consider all options, and should not include individuals who were totally against the cull. He stated that if a pilot program of alternative methods were undertaken, and unsuccessful, everyone needed to recognize that this issue would have to be considered again.

**President Hooper** stated that he supported the idea of creating an Advisory Committee, and could agree with a committee makeup of six citizens, including

*three pro and three con, along with three Council members. He commented that he had no issues with anyone who came to Council to disagree with his view, but would not accept any member of the public using profanity against Council members. He stated that this Council took action while previous councils did not; and commented that the decision was made based on factual information and data presented. He further stated that discontinuing the cull now, without any data and based on hearsay, was irresponsible.*

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

**Aye** 4 - Ambrozaitis, Rosen, Webber and Yalamanchi

**Nay** 3 - Brennan, Hooper and Pixley

Enactment No: RES0040-2009

**Resolved**, that the Rochester Hills City Council directs that the deer culling operation be immediately ceased;

**Further, Resolved**, in accordance with Article VIII, Section .02 of the City Council Rules of Procedure, the City Council moves to establish a Deer Management Advisory Committee, as follows:

Purpose and Charge:

- 1) Review Deer Management Policy enacted on September 29, 2008 and develop recommendations for inclusion or modification, if any.
- 2) In accordance with City Council's Resolution 2008-0267, adopted on November 17, 2008, review vehicle/deer crash statistics and the annual deer count surveys to evaluate effectiveness of the current controlled culling operation.
- 3) To gather and review metrics and data from all available sources and statistics for possible guidelines and inclusion in the Deer Management Policy.
- 4) Investigate and recommend any potential funding sources for implementation of the Deer Management Policy.

Expected Results:

- 1) Committee is expected to make a recommendation for the 2010 Deer Management Policy in a timely and effective manner to assist City Council in its deliberation and adoption of such policy.
- 2) Committee to be formed no earlier than March 15, 2009.
- 3) Committee to make recommendations by September 30, 2009.

Membership:

City Council - Three (3) Members.

Citizen Representatives - Six (6) Members. Committee shall include citizen members which shall be appointed by Council. Citizen representation shall be balanced to

represent both sides of the issue.

Administrative Representatives - Two (2) members of the Parks/Forestry and other Staff Members as appropriate.

Rochester Hills Government Youth Council - (1) Member.

Term of Appointment:

The term shall be for one year, with the first to expire December 2009.

## **PUBLIC COMMENT**

**Lee Zendel**, 1575 Dutton, questioned whether reports of a decline in the deer population could be an anomaly. He commented on the events which occurred at the January 26, 2009 City Council Meeting and expressed his concern that the public's actions at that meeting were similar to mob rule. He stated that it was his opinion that these disrupters hurt their cause and that non-residents had no right to disrupt or force cancellation of this City's Council Meeting. He further stated that protestors against any killing of deer should address their comments to the State Capitol, noting that the preliminary count of deer killed in the fifteen-day firearm season in 2008 was 272,000.

**Alice Benbow**, 1582 Northumberland, expressed her gratitude to Mr. Ambrozaitis and Mr. Webber for their vote tonight. She stated that anyone wishing to explore the possibilities of a recall should contact her.

**Bruce Fealk**, 1474 Oakstone, stated that he wore the label of Activist proudly and noted that the group Blogging for Michigan named him Progressive Activist of the Year. He stated that he was never prouder of his City than he was tonight because of the Council members who looked at the facts and changed their votes.

**Christopher Boyle**, 1692 Black Maple, stated he was a lifelong resident of Rochester Hills. He stated he appreciated Council's patience with all the public comments and noted that there was not one single, positive, constructive comment from anyone speaking tonight as to what could be done.

## **LEGISLATIVE & ADMINISTRATIVE COMMENTS**

**Mr. Ambrozaitis** reminded residents to use reflectors on their clothing and on their animals when walking at night.

**Mr. Webber** stated that Rock Blanchard, Rochester Hills' Representative to the Trailways Commission, was appointed Chair of the Commission in December and stated that both he and Paul Miller, Alternate to the Trailways Commission, were representing the City well on the Commission.

## **COUNCIL COMMITTEE REPORTS**

None.

**ANY OTHER BUSINESS**

*None.*

**NEXT MEETING DATE**

*Regular Meeting - Monday, February 23, 2009 - 7:30 PM*

**ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 12:05 AM.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

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