



Rochester Hills Minutes City Council

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

*John L. Dalton, Bryan K. Barnett, Jim Duistermars, Melinda Hill,
Barbara L. Holder, Linda Raschke, Gerald Robbins*

Wednesday, July 14, 2004

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Dalton called the Special Rochester Hills City Council Meeting to order at 7:35 p.m. Michigan Time.

ROLL CALL

Present: John Dalton, Melinda Hill, Barbara Holder and Gerald Robbins

Absent: Bryan Barnett, Jim Duistermars and Linda Raschke

Council Member Barnett provided previous notice he would be late and Council Member Raschke provided previous notice she would be unable to attend and asked to be excused.

Others Present:

*Pat Somerville, Mayor
John Staran, City Attorney
Bev Jasinski, City Clerk
Ed Anzek, Director of Planning/Development
Alan Buckenmeyer, Parks Operations Manager
Dan Casey, Economic Development Manager
Derek Delacourt, Planner
Vince Foisy, Supervisor of Communication Systems
Susan Galezcka, City Council Liaison
Julie Jenuwine, Interim Finance Director
Pam Lee, Director of Human Resources
Jane Leslie, Deputy City Clerk
Deb Millhouse, Deputy Director of Planning/Development
Roger Rousse, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the agenda for the July 14, 2004 Special Meeting of the Rochester Hills City Council be approved with the following amendment:

Move "ORDINANCE FOR ADOPTION" before "ORDINANCE FOR INTRODUCTION"

A motion was made by Holder, seconded by Robbins, to Approve Agenda as Amended.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

PUBLIC COMMENT

Mr. Tom Stevenson, 708 Riverbend Drive, expressed his concerns regarding the sign ordinance, noting that aesthetics should not be a primary issue, as the purpose of a sign is to attract customers to a business.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Dalton asked the Mayor and other Council members to join him at the podium to make a presentation to City Clerk Beverly Jasinski in recognition of her Clerk of the Year status.

President Dalton read the following Proclamation from the City:

Whereas the Clerk of the Year is awarded to an outstanding municipal clerk in the State of Michigan by the Michigan Association of Municipal Clerks;

Whereas Beverly A. Jasinski, Clerk of the City of Rochester Hills was honored by her peers for outstanding service and presented this award on June 23, 2004;

Now, Therefore, Be It Resolved that in addition to the recognition received by the Michigan Association of Municipal Clerks, the Mayor and the Rochester Hills City Council wishes to further recognize Bev for her strong leadership, dedication and exemplary service she performs daily for the City Council, the City and the citizens of Rochester Hills.

President Dalton read the following proclamation from John Garfield, Michigan State Representative of the Forty-Fifth District:

LET IT BE KNOWN, that it is a pleasure to offer congratulations to Beverly Jasinski upon her selection for the City Clerk of the Year Award. With the record that this talented and energetic public servant has compiled over the years as Rochester Hills City Clerk, this is a most fitting symbol of excellence in an endeavor of great importance to every citizen, business and institution in this State.

In this time, since Beverly Jasinski began her responsibilities as City Clerk, the people of Rochester Hills have appreciated the dedication and belief in the community that have marked all elements of her work. At a time in our history in which local officials face many challenges and changes, Beverly Jasinski has responded with energy and a heartfelt concern for the citizens, businesses and institutions of Rochester Hills.

In receiving the City Clerk of the Year Award, Beverly Jasinski is being singled out for her efforts in several areas. She was nominated by the staff from the City of Rochester Hills, and was selected by her peers to receive this award. We applaud the dedication she has constantly displayed and offer our thanks for the manner in which the residents of Rochester Hills benefit from all this hard work.

IN SPECIAL TRIBUTE, therefore, this document is signed and dedicated to solute Beverly Jasinski upon her selection for the City Clerk of the Year Award. We offer our best wishes for continued success.

Ms. Jasinski made a brief speech thanking the Mayor, the City Council and her staff.

Mayor Somerville thanked the businesses throughout Rochester Hills that contributed the funds for the Festival of the Hills celebration and all the City employees who contributed to a successful event

Mr. Robbins congratulated Ms. Jasinski and praised her work. He extended his sympathy to Mr. Barnett and his wife over the death of Mrs. Barnett's father.

Ms. Hill echoed Mr. Robbins's comments.

Ms. Holder also congratulated Ms. Jasinski and praised the efforts of City staff during the Festival of the Hills. She then addressed Mr. Stevenson, noting that she shares his concerns regarding the sign ordinance.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

CONSENT AGENDA

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

2004-0557 Approval of Minutes - Special City Council Work Session Meeting - May 12, 2004

Attachments: Minutes CC Sp WS 051204.pdf; 0577 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Special Rochester Hills City Council Work Session Meeting held on May 12, 2004 be approved as presented.

Enactment No: RES0211-2004

2004-0558 Approval of Minutes - Regular City Council Meeting - May 19, 2004

Attachments: Minutes CC Reg Mtg 051904.pdf; 0558 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on May 19, 2004 be approved as presented.

Enactment No: RES0212-2004

2004-0510 Acceptance of a Sanitary Sewer Easement granted by Elro Corporation, a Michigan Corporation, to the City of Rochester Hills, a Michigan Municipal Corporation, for part of Parcel No.15-02-200-014

Attachments: Agenda Summary Sheet.pdf; Sanitary Sewer Easement.pdf; 0510 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 Sanitary Sewer Easement granted by Elro Corporation, 201 W. Big Beaver Road, Suite 720, Troy, Michigan 48309, for the construction, operation, maintenance, repair and/or replacement of a Sanitary Sewer Easement, over, on, under, through and across land more particularly described as part of Parcel No. 15-02-200-014.

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

Enactment No: RES0213-2004

2004-0546 Request for Purchase Authorization - DPS: Reflective Sheeting for Traffic Control Signs, blanket purchase order in the amount not-to-exceed \$50,000.00; Minnesota Mining Manufacturing, 3M Traffic Control Materials Division, St. Paul, MN

Attachments: Agenda Summary.pdf; 0546 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 Minnesota Mining Manufacturing, 3M Traffic Control Materials Division, of St. Paul, Minnesota, as a cooperative purchase from State of Michigan Extended Purchasing Program for the purchase of Reflective Sheeting, in the amount not-to-exceed \$50,000.00 through February 5, 2006.

Enactment No: RES0214-2004

Passed The Consent Agenda

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

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

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

2004-0545 Request for Purchase Authorization - DPS: Water service and repair parts, blanket purchase order in the amount not-to-exceed \$60,000.00; Etna Supply Company of Grand Rapids, Michigan, as a primary vendor and S.L.C. Service of Waterford, Michigan, as secondary vendor

Attachments: Agenda Summary.pdf; 0545 Resolution.pdf

Mr. Lee Zendel, 1575 Dutton Road, expressed his concern that the City's reliance on Etna Supply Company for water meters and related supplies results in a monopoly and, thus, the City cannot acquire these supplies elsewhere.

Ms. Hill indicated that these costs were included in the budget.

A motion was made by Hill, seconded by Robbins, that this matter be Adopted by Resolution.

Whereas, sealed bids for water service and repair parts were solicited and awarded to Etna Supply Company, as a primary vendor and S.L.C. Meter Service, as secondary vendor, the lowest responsive, responsible bidders; and

Whereas, the contract with Etna Supply Company offers value to the City through price and the quality of service; and

Whereas, the City wishes to exercise its option to renew through July 15, 2005;

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Etna Supply Company, of Grand Rapids, Michigan, as the Primary Vendor, and S.L.C. Meter Service, of Waterford, Michigan, as the

Secondary Vendor, as the lowest responsive, responsible bidder for the purchase of water service and repair parts, in the amount not-to-exceed \$60,000.00 through July 15, 2005.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

Enactment No: RES0205-2004

2004-0569

Request for Purchase Authorization - DPS/FACILITIES: HVAC Maintenance Agreement, increase to a blanket purchase order in the amount of \$20,000.00 for a new not-to-exceed total of \$91,078.00; George S. Hall, Chicago, IL

Attachments: Agenda Summary.pdf; 0569 Resolution.pdf

Mr. Roger Rousse, Director of DPS/Engineering, explained what services and work are included in the multi-year maintenance agreement:

** \$8,634 to repair boilers and pumps, and the pre-heat system at the administration portion of the Public Safety Building.*

** \$4,000 for the maintenance for the Sheriff's Substation.*

** \$3,800 for improvements to the HVAC system.*

Mr. Rousse noted that the system is approaching fifteen (15) years and systems are wearing out, stressing some specific problems:

** The computerized control system has failed repeatedly.*

** Both pumps on the boiler are leaking.*

** Control valves need replacement.*

He explained that there are City staff members who are nearing completion of training that would enable them to take on these maintenance tasks, thus reducing these costs by performing these services in-house.

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

Resolved that the Rochester Hills City Council hereby authorizes the amendment of an existing Blanket Purchase Order to George S. Hall, Inc., Chicago, Illinois, for the purchase of HVAC maintenance, by the increased amount of \$20,000.00 for the new total amount not-to-exceed \$91,078.00 through April 1, 2006.

The motion carried by the following vote:

Aye: Dalton, Holder and Robbins

Nay: Hill

Absent: Barnett, Duistermars and Raschke

Enactment No: RES0206-2004

2004-0579

Request for Purchase Authorization - DPS/FACILITIES: Maintenance Contract for the City's telephone system, blanket purchase order in the amount not-to-exceed \$57,812.00; Suntel Services, Rochester Hills, MI

Attachments: Agenda Summary.pdf; Bid sheet.pdf; 0579 Resolution.pdf

Mr. Vince Foisy, Supervisor of Communication Systems, expressed his belief that the cost of the maintenance contract would be sufficient to meet the needs of the phone system. In response to questions posed by Council members, Mr. Foisy described the services included in the contract under consideration:

- * All maintenance
- * Software upgrades
- * Issues related to technical changes/advancements.

He explained the different aspects of the phone system including:

- * Main telephone system
- * Call accounting system
- * Voice mail system

Mr. Robbins expressed concern that the City received only two (2) bids for this service.

Mr. Foisy explained, "The corporation has territories for the vendors and there's probably only three (3) vendors in this territory, and one vendor that we were going with just bought out the third vendor."

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

Whereas, sealed proposals for a maintenance contract for the City's Mitel SX2000 PBX System, Mitel Main Voice Mail System, SDT and RSI Call Accounting Systems and related assistance in general telephone network issues were solicited and an evaluation was conducted on the submissions, Suntel Services was selected as the lowest responsive, responsible proposer.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Suntel Services, of Rochester Hills, Michigan, for the purchase of a maintenance contract for the City's telephone system, in the amount not-to-exceed \$57,812.00 for a 3-year period, with an option to renew for two additional 1-year periods.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

Enactment No: RES0207-2004

ORDINANCE FOR ADOPTION

2004-0414

Second Reading and Adoption - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone one parcel of land totaling approximately 1.945 acres, located at the southeast corner of Rochester Road and Barclay Circle, from B-3, Shopping Center Business, to B-2, General Business and to prescribe penalties for the violation thereof, known as Parcel No. 15-26-351-002, Diversified Property Group, LLC, Applicant

Attachments: Agenda Summary second reading.pdf; Agenda Summary first reading.pdf; Map aerial.pdf; Report Staff 20040514.pdf; Minutes PC 20040518.pdf; Salsa's Ord.pdf; 0414 Second Reading Resolution.pdf

A motion was made by Robbins, seconded by Holder, that this matter be Accepted for Second Reading and Adoption by Resolution.

Resolved that an Ordinance to amend Chapter 138, Zoning, of the City of Rochester Hills, Oakland County, Michigan to rezone 1.945± acres, identified as T3N, R11E, Sec 26 Hampton Business Park No 1, Lot 1 commonly known as Parcel No. 15-26-351-002, from B-3, Shopping Center Business District to B-2, General Business District; and to prescribe penalties for the violation thereof, is hereby accepted for Second Reading and Adoption and shall become effective on Friday, July 23, 2004 the day following its publication on Thursday, July 22, 2004 in the Rochester Eccentric.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

Enactment No: RES0208-2004

(Mr. Duistermars Entered at 8:12 p.m.)

Present: John Dalton, Jim Duistermars, Melinda Hill, Barbara Holder and Gerald Robbins

Absent: Bryan Barnett and Linda Raschke

2004-0417

Second Reading and Adoption - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone 0.11± acres of Parcel No. 15-15-426-020 from B-5, Automotive Service Business District to B-2 General Business District and to rezone 0.29± acres of Parcel No. 15-15-426-020 from R-4, One Family Residential District to B-2 General Business, (parcel is approximately .5 acres total), located on the northwest corner of Rochester Road and Childress (City File 04-010), Bashar Bashir, Applicant

Attachments: Agenda Summary second reading.pdf; Agenda Summary first reading.pdf; Map aerial.pdf; Map Zoning.pdf; Report Staff 20040514.pdf; Minutes PC 20040518.pdf; AndersonSewingRezoneOrd.pdf; 0417 Second Reading Resolution.pdf

A motion was made by Holder, seconded by Hill, that this matter be Accepted for Second Reading and Adoption by Resolution.

Resolved that an Ordinance to amend the Zoning Ordinance of the City of Rochester Hills, Oakland County, Michigan to rezone 0.11± acres identified T3N, R11E, SEC 15 YAWKEY AND CHAPMAN'S ADD LOTS 75 & 76 EX E 7 FT OF BOTH SD LOTS TAKEN FOR ROCHESTER RD., commonly known as Parcel No. 15-15-426-020 from B-5, Automotive Service Business District to B-2, General Business District and to rezone 0.29± acres identified as T3N, R11E, SEC 15 YAWKEY AND CHAPMAN'S ALL OF LOTS 77 & 78 3-23-00 FR 012 & 014, from R-4, One Family Residential District to B-2, General Business District, commonly known as Parcel No. 15-15-426-020 and to prescribe penalties for the violation thereof, is hereby accepted for Second Reading and Adoption and shall become effective on Friday, July 23, 2004 the day following its publication on Thursday, July 22, 2004 in the Rochester Eccentric.

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Absent: Barnett, Duistermars and Raschke

Enactment No: RES0209-2004

ATTORNEY MATTERS

2004-0598 Adoption of Resolution to adjourn to Closed Session at the conclusion of tonight's special meeting (Wednesday, July 14, 2004) for the purpose of discussing the possible purchase or lease of real property

Attachments: Agenda Summary.pdf; 0598 Resolution.pdf

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

Resolved that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, at the conclusion of tonight's Special Meeting, Wednesday, July 14, 2004, for the purpose of considering the possible purchase or lease of real property. Council will not reconvene to Open Session at the conclusion of the Closed Session.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0210-2004

(Recess 8:15 p.m. - 8:28 p.m.)

ORDINANCE FOR INTRODUCTION

2004-0389 First Reading - Rezoning Request - An Ordinance to amend Chapter 138 of the Code of Ordinances, City of Rochester Hills, Oakland County, Michigan, to rezone two parcels of land totaling approximately 28 acres from R-2, One Family Residential, to B-2, General Business, located at the northeast corner of Hamlin and Adams, (City File No. 03-013); Parcel Nos. 15-29-101-022 and -023; Hamlin Adams Properties, LLC, Applicant

Attachments: 0389 Resolution.pdf; Agenda Summary.pdf; BRA Plan.pdf; EIS Hamlin-Adams.pdf; Letter Morita 20040615.pdf; Map aerial.pdf; Minutes BRA 20030918.pdf; Minutes pc 20040504.pdf; Minutes pc 20040615.pdf; Ordinance Sections.pdf; Report Revised Staff 20040615.pdf

Mr. Derek Delacourt, Planner, explained that the request for rezoning was due to contamination on the site and the applicant's contention that the property cannot be developed as zoned, R-2, One Family Residential.

Mr. John Gaber of Williams, Williams, Ruby & Plunkett, 380 North Old Woodward Avenue, Birmingham; Mr. Paul Henderson, Fidelity Trust Investments, Inc., 24400 Jefferson Avenue, St. Clair Shores, Michigan; and Mr. Tony Anthony, AKT Peerless Environmental Services, 22725 Orchard Lake Road, Farmington, Michigan, appeared for the applicant.

Mr. Gaber made the following points with regard to the request for rezoning:

** The City's Brownfield Redevelopment Authority (BRA) agreed to recommend the*

~~adoption of a brownfield redevelopment plan for this site.~~

- * *There is no governmental funding to clean up this site.*
- * *Tax Increment Funding (TIF) can be sought as a source of funding for clean up and redevelopment of the site.*
- * *Residents expressed several concerns regarding the contamination, as well as the redevelopment of the site.*
- * *The Michigan Department of Environmental Quality (MDEQ) is implementing a policy that would prohibit residential development on landfill sites.*
- * *Remediation of this site to a residential standard would be cost prohibitive.*
- * *Commercial clean up has been estimated at \$3.5 million.*
- * *Commercial clean up can be completed and repaid through the TIF process.*
- * *Residential homes would be unmarketable due to the sites history as a landfill.*
- * *The Adams Road interchange was not considered during the previous Master Plan update.*
- * *The proposed rezoning would provide an appropriate transition from the Madison Park site.*
- * *The type of mixed-use project proposed can be supported by the market.*
- * *The plan would include the clean up of adjoining residential yards to the north.*

PUBLIC COMMENT:

Ms. Bea Stachiw, 1685 Riverside Drive, read a letter into the record from Stephanie and Todd Morita, 2881 Portage Trail, expressing their opposition to the rezoning request, as it would amount to "spot zoning" and "is not an appropriate buffer use next to residential uses."

Ms. Debbie Geen, 3128 Walton Boulevard, Residential Visioning Committee Chairperson, expressed her opposition to the rezoning because it is not in keeping with the Master Use Plan, there is no transitional buffer, and it would create traffic and safety concerns.

Mr. Lawrence Schloss, 2851 Current Drive, noted his opposition to rezoning requesting that the Master Use Plan be followed.

Ms. Charlene McGunn, 3073 Greenspring Lane, read a letter into the record from Ms. Deanna Hilbert, 3234 Quail Ridge Circle, expressing her opposition to the plan due to the dangers associated with the clean up and noting that the proposed development is not in keeping with the character of the area.

Mr. Bill Windscheif, 2872 River Trail, asked that Council follow the recommendation of the Planning Commission and City Staff and deny the rezoning because it violates the Master Use Plan and the MDEQ policy cited by Mr. Gaber does not exist.

Ms. Holder read a letter from Kathy Kinglsey expressing opposition to the plan because it violates the Master Use Plan and once it is rezoned "anything can go in."

COUNCIL DISCUSSION:

 Mr. Anthony described the contamination on the site:

- * Drums were detected in various areas.
- * Chemical solvents, PCPs and heavy metals were found.

City Council members noted the following:

- * The zoning requested does not "fit well" within that area according to the Master Use Plan.
- * Council must consider all possible uses under the proposed rezoning.
- * There needs to be an evaluation of other possible uses.
- * Planned Unit Development (PUD) is a more appropriate rezoning process, as the City can retain greater control over what will be developed.

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

Resolved that an Ordinance to amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone 28± acres of Parcel Nos. 15-29-101-022 and -023 from R-2, One Family Residential to B-2, General Business District is hereby denied.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0215-2004

(Recess 9:24 p.m. - 9:40 p.m.)

(Mr. Barnett Entered at 9:40 p.m.)

Present: John Dalton, Bryan Barnett, Jim Duistermars, Melinda Hill, Barbara Holder and Gerald Robbins

Absent: Linda Raschke

NEW BUSINESS

2004-0469

Recommendation from Community Development and Viability Committee regarding Local Road Millage Initiative

Attachments: 081804 Agenda Summary.pdf; Local Street Millage Ballot Language.pdf; 071404 Agenda Summary.pdf; RR Public Education Initiative Outline & sample timeline 052704.pdf; 3.2 Mils - 10 yr w/o MRF transfer.pdf; 3.08 Mils - 10 yr w/o MRF transfer.pdf; Residenti

Mr. Ed Anzek, Director of Planning/Development, explained there is a need for a dedicated source of revenue to maintain, repair, reconstruct and provide general ongoing maintenance to residential streets. He noted that the road millage funds would be used to bring substandard roads up to a "good" level and would include routine maintenance, sealing, repairing/filling cracks, winter plowing, etc. Mr. Anzek explained that previous forms of

funding, including bonding and State dollars, were no longer adequate sources to address the problem. He then introduced Mr. Mark Nottley and Ms. Dalene Sprick, Rehmann Robson, 675 Robinson Road, Jackson, Michigan, the consultants contracted by the City to examine the issue and determine possible funding solutions.

Mr. Nottley presented the following information regarding their study:

Objectives of Study

**Determine Local Streets System Needs:*

- Condition*
- Cost*

**Evaluate Funding Options*

**Recommend a Funding Approach*

Structure of the Report

1. Overview of the Local Roads Issue

- Many local roads were paved prior to 1990*
- Historically - large monetary transfers were required to maintain local road fund*
- Current Financial Issue:*
 - * Proposal A and Headlee impacts*
 - * Limited tax base growth*
 - * Shrinking State aid*

2. Evaluation of Local Road System Needs

- Road Conditions*
 - * 135 miles in Good condition*
 - * 44.85 miles in Poor condition*
 - * 25 miles in Gravel condition*
 - * 12.5 miles in Fair condition*
- Ongoing Cost of Reconstruction*
 - * Fix the backlog of substandard streets*
 - * Establish a pre-emptive repair program*
- Ongoing Cost of Maintenance*
 - * Routine salting, sweeping, pothole patching, etc.*
 - * Traditionally funded by Act 51 and General Fund subsidy*
 - * Repair/Overlay costs \$1,518,000*
 - * Reconstruction costs \$11,285,000*

* *Funding for Operational Needs Only (Sources)*

- 1) *Act 51 32%*
- 2) *Unfunded 60%*
- 3) *Other Revenue 8%*

- *Summary of Local Road Financial Requirements: 10 Years*

- * *Reconstruction \$58,000,000*
- * *Maintenance \$45,000,000*
- * *Total Financial Need \$103,000,000*

3. *Evaluation of Funding Options*

- *State Act 51 monies*
- *General Fund subsidies*
- *Major Road Fund subsidies*
- *Other Federal or State Grants*
- *Dedicated Local Streets millage*

4. *Recommended Approach*

- *Conclusions on Funding*

- * *A dedicated Local Streets Millage should be considered*
- * *10-year millage amount: 2.92 mills*

Comparative Tax Levys (table)

<i>CITY</i>	<i>POP.</i>	<i>LEVY</i>
<i>Farmington Hills</i>	<i>82,111</i>	<i>11.41</i>
<i>Pontiac</i>	<i>66,337</i>	<i>20.12</i>
<i>Rochester Hills</i>	<i>68,825</i>	<i>9.37</i>
<i>Royal Oak</i>	<i>60,062</i>	<i>11.68</i>
<i>Southfield</i>	<i>78,296</i>	<i>16.85</i>
<i>St. Clair Shores</i>	<i>63,096</i>	<i>15.01</i>
<i>Taylor</i>	<i>65,868</i>	<i>23.58</i>
<i>Troy</i>	<i>80,959</i>	<i>10.05</i>
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<i>Average</i>	<i>70,694</i>	<i>14.76</i>

- *Public Education*

- * *A further recommendation*
- * *Concise delineation of situation, options and needs*

Mr. Nottley stressed the need for a "very strong public education campaign," noting there is no need to exaggerate the situation, as the "facts are pretty self-explanatory."

Mr. Anzek explained the apparent discrepancy between the millage rate recommended by Rehmann Robson (2.92) and the rate recommended by the Community Development & Viability Committee (3.08), noting that the parallel financial model completed by City staff did take into consideration the Special Assessment Districts (SAD) Program the City implemented allowing residents to share in a percentage of the costs to pave their streets. Mr. Anzek did voice his opinion that the 2.92 rate proposed by Rehmann Robson "is an adequate number to get the job done."

PUBLIC COMMENT:

Ms. Brenda Savage, 1715 Northumberland Drive, representing Rochester Hills No New Taxes, expressed her opposition to any increase in taxes and questioned the number of roads that could have been repaired with the money spent on Rehmann Robson's research.

Mr. Lee Zendel, 1575 Dutton Road, urged Council to place the issue on the upcoming November ballot.

Ms. Debbie Geen, 3128 Walton Boulevard, Neighborhood Visioning Committee Chairperson, asked that the vote on this matter be postponed and rescheduled to a later Council meeting when it can be placed first on the agenda to facilitate more public comment.

COUNCIL DISCUSSION:

Council members and staff made the following comments:

** The proposed millage rate and time frame should be reduced to be palatable to the voting public.*

** Any millage request will face an "uphill battle."*

** This plan includes "something for everyone," as all residential streets will be brought up to a good standard.*

** The poor condition of residential streets can potentially reduce housing values in a greater amount than the proposed tax increase.*

** People are more willing to support a plan if they know they will benefit from it themselves.*

** Those individuals who criticize the proposed millage plan are encouraged to offer their own solutions.*

** The City cannot keep "playing a shell game" of borrowing money that must be repaid while the roads continue to deteriorate.*

** When the Township became a City no plan for local street funding was put in place.*

** There is a great need to disseminate information to the voters.*

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

Resolved that the Rochester Hills City Council hereby approves the placement of a request for up to 2.9213 mills over the next ten (10) years millage proposal on the November 2, 2004 General Election ballot for the local street program to provide for the maintenance, repair, snow plowing, repaving and reconstruction of residential streets.

Further Resolved that the City Council directs City Attorney John Staran to prepare the proposed ballot language to be reviewed and approved by City Council at a subsequent regular meeting.

The motion carried by the following vote:

Aye: Dalton, Barnett, Duistermars, Hill and Holder

Nay: Robbins

Absent: Raschke

Enactment No: RES0279-2004

(Recess 10:58 p.m. - 11:06 p.m.)

(Mr. Barnett Departed at 11:11 p.m.)

Present: John Dalton, Jim Duistermars, Melinda Hill, Barbara Holder and Gerald Robbins

Absent: Bryan Barnett and Linda Raschke

ORDINANCE FOR INTRODUCTION

2004-0536

First Reading - Rezoning Request - An Ordinance to amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone five (5) parcels of land totaling approximately 21 acres, located on Hamlin Road, East of Crooks, from I-1, Light Industrial, to ORT, Office Research, Technology, (City File No. 04-017) known as Parcel Nos. 15-21-376-004, -006, -007, 15-21-352-001 and -002; City of Rochester Hills, Applicant

Attachments: 20040725 Agenda Summary second reading.pdf; 20040714 Agenda Summary.pdf; Map aerial.pdf; Doc1.pdf; Report Staff 20040614.pdf; Minutes pc 20040629.pdf; Letter Cherniawsky 20040702.pdf; Hamlin Properties (Letica) ORD.pdf; 0536 Resolution.pdf

Mr. Dan Casey, Economic Development Manager, explained the following:

- * *The properties under consideration are located in the Smart Zone.*
- * *Companies locating in a Smart Zone are attracted to undeveloped land.*
- * *The Michigan economy is evolving from a manufacturing base to more research and development activities.*
- * *The Michigan industrial vacancy rate is at nineteen percent (19%).*
- * *The Smart Zone was not in effect during the previous review of the City's Master Use Plan.*
- * *There has been very little interest in the property for industrial uses.*
- * *The requested ORT zoning is more flexible and more reflective of what is needed in the market.*
- * *The Smart Zone would allow the use of Tax Increment Funding (TIF) to demolish structures on the property through a reimbursement plan with the developer.*
- * *The manufacturing building is obsolete.*

Ms. Hill expressed her belief that the rezoning should only be considered once a buyer has been identified.

Accepted for First Reading by Resolution.

Resolved that an Ordinance to amend Chapter 138 of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone 20.88± acres of land known as Parcel Nos. 15-21-376-004, 15-21-376-007, 15-21-376-006, 15-21-352-001 and 15-21-352-002 from I-1, Light Industrial, to ORT, Office, Research, Technology District, is hereby accepted for First Reading.

The motion carried by the following vote:

Aye: Duistermars, Holder and Robbins

Nay: Dalton and Hill

Absent: Barnett and Raschke

Enactment No: RES0245-2004

UNFINISHED BUSINESS

2004-0496

Approval of Ballot Language for Open Space Land Acquisition Ballot Question

Attachments: 071404 Agenda Summary.pdf; 060204 Agenda Summary.pdf; Letter, Carvey 052504.pdf; Draft Strategic Plan pg 11.pdf; Flyer.pdf; Petition.pdf; 0496 Resolution.pdf; 0496 20040622 Letter, Staran.pdf; 081904 Open Space.pdf

PUBLIC COMMENT:

Ms. Lois Golden, 645 Apple Hill Lane, a member of the Open Space Committee that requested the issue be placed on the November ballot, asked that the vote be delayed until the Open Space Committee had a chance to review the ballot language, as she was concerned that the millage rate being requested may not be "accepted" by voters.

Mr. Paul Miller, 1021 Harding Road, also a member of the Open Space Committee, asked that the Council postpone their vote while the ballot language is reevaluated.

Council determined that, as the issue is time sensitive and Council had based their previous discussion and decision on petition language presented by the Open Space Committee, and as the two members present were not speaking for the Committee, but rather as concerned Committee members, they would move forward with the approval of the language, and advised the Open Space Committee to convene quickly and return to Council as soon as possible to request a change in the ballot language.

A motion was made by Robbins, seconded by Hill, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby approves placing the following Proposal on the November 2, 2004 General Election:

Shall the City of Rochester Hills levy a new millage of up to one-half mill (\$0.50 per \$1,000 of taxable value) on the taxable value of all property assessed for taxes in the City for a period of ten (10) years, beginning in 2004 and continuing through 2013, inclusive, for the purpose of providing funds for the acquisition of land for the protection of natural features and wildlife habitat and the preservation of open or green spaces in the City? If approved, the estimated amount of revenue that will be collected in the first year, if the millage is authorized and levied in full, is One Million Six Hundred Fifteen Thousand Dollars (\$1,615,000.00).

Yes

No

The motion carried by the following vote:

Aye: Dalton, Hill, Holder and Robbins

Nay: Duistermars

Absent: Barnett and Raschke

Enactment No: RES0217-2004

NEW BUSINESS

2004-0477

Final Preliminary Plat Approval - City File No. 96-016.2 - Manchester Knolls II, an 18-lot subdivision on approximately 12.8 acres, located south of Tienken and east of Brewster Road, zoned R-1, One Family Residential, Parcel No. 15-08-251-006, Kay Family Asset Co., LLC, Applicant

Attachments: Agenda Summary Man Knolls.pdf; Map aerial.pdf; Report Staff 20040524.pdf; Site Plans ManchesterKnollsII.pdf; Minutes pc 20040601.pdf; 0477 Resolution.pdf

A motion was made by Robbins, seconded by Hill, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby grants Final Approval of the Preliminary Plat for Manchester Knolls II (City File No. 96-016.2), an 18-lot subdivision on 12.84 acres located east of Brewster and south of Tienken Roads, zoned R-1 (One Family Residential) and known as Parcel Number 15-08-251-006, based on the preliminary plat dated received by the Planning Department on June 11, 2004 with the following findings and subject to the following conditions.

FINDINGS:

- 1. The preliminary plat is consistent with the street and lot layout of the previously approved tentative preliminary plat.**
- 2. The preliminary plat conforms to all applicable City ordinances, standards, regulations, and requirements.**

CONDITIONS:

- 1. Correction of the Lot Data on Sheet No. C-2 to reflect the minor dimensional modifications, as approved by the City.**
- 2. Provision of a performance guarantee in the amount of \$7,600.00, as adjusted if necessary by the City, to ensure the proper installation of replacement trees. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.**
- 3. Payment by the applicant of \$3,600.00, as adjusted if necessary by the City's Forestry Division, for one street tree per lot. Such payment to be provided prior to issuance of a Land Improvement Permit.**

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0218-2004

2004-0574

Request for Purchase Authorization - DPS: Hampton Circle Road Rehabilitation and Walnut Creek Estates Concrete Slab Replacement Project contract in the amount of \$688,553.50; John Carlo, Inc., Clinton Township, MI

Attachments: Agenda Summary.pdf; Bid tab.pdf; 0574 Resolution.pdf

Mr. Roger Rousse, Director of DPS/Engineering, explained that the scope of the project under consideration was reduced from a total reconstruction to a partial reconstruction with a total overlay. This change has resulted in a substantial reduction in the cost of the project.

A motion was made by Hill, seconded by Robbins, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby awards the contract for the Hampton Circle Road Rehabilitation and Walnut Creek Estates Concrete Slab Replacement Project to John Carlo, Inc. of Clinton Township, Michigan as the lowest responsive, responsible bidder in the amount of \$688,553.50 and authorizes the Mayor and Clerk to execute a contract on behalf of the City.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0219-2004

2004-0220

Request for Purchase Authorization - DPS/FACILITIES: HVAC modifications for Fire Station #1 Dispatch Center; blanket purchase order not-to-exceed \$42,210.00; William E. Walter, Inc., Flint, MI

Attachments: Agenda Summary.pdf; Proposal Tabulation.pdf; 0220 Resolution.pdf

Mr. Roger Rousse, Director of DPS/Engineering, briefly explained that the HVAC unit on the roof of the Public Safety building does an inadequate job of cooling a section of the building. He stressed the importance of the building during City-wide emergencies such as the multi-day blackout the previous summer.

Mr. Robbins questioned why these services are not included with the maintenance agreement discussed earlier. He also questioned why the Fire Department administrative and dispatch services cannot be provided from City Hall. He suggested that City Hall would be a more appropriate command center during an emergency.

Mr. Rousse explained the requirements to maintain emergency operations over an extended period of days. He noted that the City had issued an RFP for these improvements and the previously discussed vendor had not provided a bid. He was unable to address the issue of relocating the administrative and dispatch services to City Hall.

Ms. Hill questioned whether this was an issue of personal comfort or whether this was a "serious problem."

Council determined that more detailed information was needed before this issue could be decided. They postponed the issue to await additional information to be provided by City Staff.

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

Resolved that the Rochester Hills City Council hereby POSTPONES authorization of a blanket Purchase Order to William E. Walter, Inc, of Flint, MI, for HVAC modification services at Fire Station #1, in the amount not-to-exceed \$42,210.00 for a period of one year.

Be It Further Resolved that the Rochester Hills City Council directs City Staff, and specifically Fire Chief Greg Waltherhouse, to provide more detailed information to Council regarding the necessity of this purchase.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0220-2004

2004-0564

Request for Purchase Authorization: HUMAN RESOURCES: Group Life Insurance, ADD & Disability Insurance, and Third Party Administration COBRA/HIPPA, amended blanket purchase order not-to-exceed \$185,500.00; Benefit Coordinators Corporation, Pittsburgh, PA

Attachments: Agenda Summary.pdf; 0564 Resolution.pdf

Ms. Pam Lee, Director of Human Resources, requested an extension on the blanket purchase order to allow the Human Resources Department additional time to complete the bid process for these services, noting that the process would be complete and the issue brought back before Council by the beginning of September.

PUBLIC COMMENT:

Mr. Lee Zendel, 1575 Dutton Road, questioned the percentage increase or decrease per employee for the new carrier.

Ms. Lee did not have that calculation but assured Mr. Zendel and Council that the Human Resources Department had received some "very competitive bids."

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

Resolved that the Rochester Hills City Council hereby authorizes the extension of a Blanket Purchase Order to Benefit Coordinators Corporation, Pittsburgh, PA, for the purchase of group life/ADD and Disability insurance and third party administration/COBRA/HIPPA, in the amount not-to-exceed \$185,500 through December 31, 2004.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0221-2004

2004-0585

Request for Purchase Authorization - PARKS: Construction Services for

Spencer Park Beach House (Concession/Restroom), contract/blanket purchase order not-to-exceed \$337,500.00; Bernco, Inc., St. Clair Shores, MI

Attachments: 20040728 Agenda Summary.pdf; 20040714 Agenda Summary.pdf; Spencer Bid Tab.pdf; Spencer THA letter.pdf; Spencer - CDBG.pdf; Leisure Activities Res 20040719.pdf; 0585 Resolution.pdf

Mr. Alan Buckenmeyer, Parks Operations Manager, explained that the construction bids to rebuild the Spencer Park Beach House came in higher than anticipated and the Parks Department recommended drawing these additional funds from the CIP to compensate for the financial short fall.

Council questioned whether there were other ways to compensate for the financial short fall suggesting perhaps reducing the scope of the architectural plans, postponing other Parks projects, eliminating concessions, etc.

PUBLIC COMMENT:

Mr. Lee Zendel, 1575 Dutton Road, expressed his opposition to the project, noting that the funds could be put to better use elsewhere in the City.

It was determined that the decision would be postponed while the Parks Department investigated these suggestions.

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

Resolved, that the Rochester Hills City Council hereby POSTPONES approval of construction services for the Spencer Park Beach House to Bernco, Inc., St. Clair Shores, Michigan, in the amount not-to-exceed \$337,500.00 as the lowest, responsive, responsible bidder.

Be It Further Resolved that the Rochester Hills City Council directs City Staff to explore alternatives to the use of CIP funds to off-set the unbudgeted shortfall of this project and/or explore means to reduce the scope of the project in order to meet the original budgeted amount.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0246-2004

2004-0587

Request for Purchase Authorization - PARKS: Construction Services for Vault Toilets and Accessible Pathways at Veterans Memorial Pointe and Bloomer Park through Community Development Block Grant Funded Program, contract/blanket purchase order not-to-exceed \$95,406.00; Cedroni Associates, Inc., Utica, MI

Attachments: 20040721 Agenda Summary.pdf; Spencer - CDBG.pdf; 20040714 Agenda Summary.pdf; Bid Tab.pdf; 20040628 Letter, THA.pdf; 0587 Resolution Ver 1 dtd 070904.pdf; 0587 Resolution Ver 2 dtd 071404.pdf; 0587 Resolution Ver 3 dtd 071904.pdf

Mr. Alan Buckenmeyer, Parks Operations Manager, explained that the ADA compliant vault toilets and pathway would benefit both Veterans Memorial Pointe as well as the Clinton River Trail access.

Council members questioned the need for the vault toilets and suggested that perhaps

the CDBG funds could be used for the previously discussed Spencer Park Beach House project.

It was decided that this matter be postponed while the issue of using the funds elsewhere be explored.

A motion was made by Hill, seconded by Robbins, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby POSTPONES authorization awarding a contract to Cedroni Associates, Inc., Utica, Michigan, for construction services for vault toilets and accessible pathways at Veterans Memorial Pointe and Bloomer Park through Community Development Block Grant Funded Program in the amount not to exceed \$95,406.00 as the lowest, responsive, responsible bidder.

Be It Further Resolved that the Rochester Hills City Council directs City Staff to explore the possibility of using Community Development Block Grant funds to off-set the unbudgeted shortfall of the higher-priority Spencer Park Beach House (concession/restroom) project.

The motion carried by the following vote:

Aye: Dalton, Duistermars, Hill, Holder and Robbins

Absent: Barnett and Raschke

Enactment No: RES0233-2004

COUNCIL COMMITTEE REPORTS

None.

NEXT MEETING DATE

Regular Meeting - Wednesday, July 21, 2004 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Dalton adjourned the meeting at 12:59 a.m.

*JOHN L. DALTON, President
Rochester Hills City Council*

*BEVERLY A. JASINSKI, Clerk
City of Rochester Hills*

MARGARET A. STRATE
Administrative Secretary
City Clerk's Office

Approved as presented at the September 1, 2004 Regular City Council Meeting.