

MINUTES of the **Regular Rochester Hills City Council Meeting** held at 1700 W. Hamlin Road, Rochester Hills, Michigan, on Wednesday, October 15, 2003 at 7:30 p.m.

1. CALL TO ORDER

President Dalton called the Regular Rochester Hills City Council Meeting to order at 7:32 p.m. Michigan Time.

2. ROLE CALL

Present: President John Dalton; Members Bryan Barnett, Jim Duistermars, Lois Golden, Melinda Hill, Barbara Holder

Absent: Member Gerald Robbins

QUORUM PRESENT

Others Present: Pat Somerville, Mayor
Beverly A. Jasinski, City Clerk
Ed Anzek, Director of Planning/Development
Alan Buckenmeyer, Parks Operations Manager
Scott Cope, Director of Building/Ordinance Enforcement
Bob Grace, Director of Management Information Systems
Mike Hartner, Director of Parks & Forestry
Raymond Leafdale, General Superintendent
Patrick McKay, Supervisor Interpretative Services
Bob Spaman, Director of Finance
Roger Rouse, Director of DPS/Engineering

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA (Members received a copy of a City Council Regular Meeting Action Summary Sheet dated October 8, 2003 from Susan Galeczka, City Council Liaison)

Resolution A0001-2003-R0369

MOTION by Duistermars, seconded by Barnett,

Resolved, that the Rochester Hills City Council hereby approves the Agenda, of the Regular Rochester Hills City Council Meeting of October 15, 2003 amended as follows:

Remove Agenda Item 15c -Approval of Agreement to implement changes to the City of Rochester Hills Retiree Health Savings Plan (A0719)

Add Agenda Item 15e - Adoption of Resolution to change October 22, 2003 Regular Work Session to Joint Work Session with the Planning Commission

The remainder of the Agenda remained the same

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

5. CHAIRPERSON'S REPORT

President Dalton announced that the League of Women Voters is presenting an informational meeting on Tuesday, October 21st at 7:30 p.m. regarding the two (2) ballot questions: the charter proposal and the police millage. Mr. Dalton “strongly” encouraged voters to attend and ask questions.

6. MAYOR'S REPORT

Mayor Somerville announced that the City Hall Flu Clinic was “tremendously successful” having served over 100 people.

7. COUNCIL COMMENTS

Ms. Holder announced that the Adams Cheer Team fundraiser, “Girls Night Out,” would be held Monday, October 20th from 6:00 p.m. to 8:30 p.m. in the Adams High School cafeteria. She directed interested parties to call (248) 608-0229 for further information.

Mr. Barnett noted the success of two recent R.A.R.A. events: the Road Rally attracted approximately one hundred (100) people and the Fall Festival attracted approximately two hundred (200) people. He stated that these events offer “great chances to get involved with other residents.”

Ms. Hill stated that she is “saddened and concerned about the problems going on with one of our neighbors in Sterling Heights.” Stressing the necessity for public officials to provide factual information to the communities they represent, Ms. Hill explained that any proposed changes to the City Charter that may arise as a result of the current ballot initiative cannot be implemented without the majority vote of Rochester Hills residents.

Ms. Hill assured residents concerned that the garbage strike in the City of Chicago illustrates a risk to the implementation of a single-hauler trash removal system in Rochester Hills that any union can strike at any time.

Ms. Hill expressed disappointment that the 1999 Strategic Plan was not mentioned during the recent League of Women Voters Candidate Forum. She explained that four (4) of the five (5) issues to be addressed as a result of that Plan have been or are in the process of being addressed:

- 1) M-59/Adams Road interchange project.

- 2) Greenspace Plan (Clinton River Corridor)
- 3) Community Center (consultant has been hired, survey has been completed)
- 4) Examine current City government

Ms. Hill expressed surprise and disappointment while disputing “rumors spread around City Hall” concerning an alleged confrontation at the Older Persons’ Commission (OPC) luncheon.

Ms. Golden noted that part of the Strategic Plan was improvement to fire services resulting in a five-year plan that has, among other things, resulted in ten (10) City ambulances.

8. ATTORNEY’S REPORT

City Attorney John Staran was not present.

9. **PRESENTATION** of Historical Society of Michigan’s Award of Merit for Rochester Hills’ Dairy Barn Renovation (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 8, 2003 from Susan Galeczka, City Council Liaison)

President Dalton introduced **Mr. Pat McKay**, Supervisor Interpretative Services, **Mr. Mike Hartner**, Director of Parks & Forestry and **Mr. Alan Buckenmeyer**, Parks Operations Manager.

Mr. McKay explained that the Van Hoosen Dairy Barn had received an Award of Merit from the Historical Society of Michigan. He briefly described the history of the museum renovation noting that it has become a multi-purpose facility that blends the City’s past and present.

Ms. Hill congratulated the Parks Department and specifically praised the Pumpkin Fest held the previous Saturday night.

Ms. Golden thanked Mr. McKay and praised him as a “tremendous ambassador of this City.”

Mayor Somerville praised all of the City’s Directors for their accomplishments within their respective departments as well as for their inter-departmental cooperation.

10. **CONSENT AGENDA** (All matters listed 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 the Consent Agenda for separate discussion.)

Approved by a single motion Items **10a, 10b, 10c, 10d, 10e, 10f, 10h, 10i, 10l** and **10m** from the Consent Agenda.

- 10a. **Approval of Minutes** - Regular Work Session, June 25, 2003 (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 7, 2003 from Margaret Strate, Administrative Secretary)

Resolution A0005-2003-R0370

MOTION by Barnett, seconded by Holder,

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on Wednesday, June 25, 2003 be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10b.** **Approval of Minutes** - Regular Work Session, September 24, 2003 (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 7, 2003 from Margaret Strate, Administrative Secretary)

Resolution A0005-2003-R0371

MOTION by Barnett, seconded by Holder,

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on Wednesday, September 24, 2003 be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10c.** **Request for Purchase Authorization** - MIS: Forms Software, blanket purchase order not-to-exceed \$37,620.00; Optio Software, Inc., Alpharetta, GA (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 2, 2003 from Bob Grace, Director of Management Information Services)

Resolution A0722-2003-R0372

MOTION by Barnett, seconded by Holder,

Whereas, forms software is need for the secure production of City checks, forms and reports; and

Whereas, proposals and demonstrations were received and evaluated by the JDE Vision Committee with Optio Software, Inc. selected as the best value for the City,

Resolved that the Rochester Hills City Council approve the project budget for the purchase and implementation of forms software for the production and distribution of City forms and checks in the amount not-to-exceed \$37,620.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10d. Request for Purchase Authorization** - DPS/FACILITIES: Snow Removal Services - City Hall, Precinct #5 and 1700 & 1600 W. Hamlin Rd., blanket purchase order not-to-exceed \$46,000.00; Steele's Services, LLC, Rochester Hills, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 26, 2003 from Bob Srogi, Facilities Manager)

Resolution A0718–2003–R0373

MOTION by Barnett, seconded by Holder,

Whereas, it is important to the City to provide a safe environment for persons accessing City buildings during the winter months. Competitive sealed bids for Snow Removal Services at City Hall, Precinct #5, and 1700 & 1600 Hamlin W. were solicited and opened on September 18, 2003.

Resolved, that the Rochester Hills City Council award the contract for Snow Removal Services for the 2003-2005 winter seasons, with an option to renew for the 2005-2006 winter season, to Steele's Services, LLC of Rochester Hills, Michigan, as the lowest, responsive, responsible bidder, in an amount not-to-exceed \$46,000, through October 15, 2005.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10e. Request for Purchase Authorization** - DPS/FACILITIES: Snow Removal Services for 52/3 District Court and Sheriff's Substation, blanket purchase order not-to-exceed \$50,000.00; Advanced Services, Sterling Heights, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 2, 2003 from Bob Srogi, Facilities Manager)

Resolution A0723–2003–R0374

MOTION by Barnett, seconded by Holder,

Whereas, it is important to provide a safe environment for persons accessing public buildings during the winter months. Competitive sealed bids for Snow Removal Services at the newly constructed 52/3 District Court & Sheriff's Substation were solicited and opened on September 24, 2003.

Resolved, that the Rochester Hills City Council award the contract for Snow Removal Services for the 2003-2005 winter seasons, with an option to renew for the 2005-2006 winter season, to Advanced Services of Sterling Heights, Michigan, as the lowest, responsive, responsible bidder, in an amount not-to-exceed \$50,000, through October 15, 2005.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder
Nays: None
Absent: Robbins

MOTION CARRIED

- 10f. **Request for Purchase Authorization** - DPS/FACILITIES: Overhead Door Maintenance and Repair, amendment to blanket purchase order in the amount of \$5,000.00 for a new not-to-exceed total of \$30,000.00; Pioneer Door Company, Inc., Oxford, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 26, 2003 from Bob Srogi, Facilities Manager)

Resolution A0720–2003–R0375

MOTION by Barnett, seconded by Holder,

Whereas, it is necessary that the City continue to maintain its facilities.

Resolved, that the Rochester Hills City Council authorize an increase of \$5,000 to the Blanket Purchase Order to Pioneer Door Company, for overhead door maintenance and repair services in the amended amount not-to-exceed \$30,000 through May 15, 2004.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder
Nays: None
Absent: Robbins

MOTION CARRIED

- 10h. **Request for Purchase Authorization** - DPS/ENGINEERING: Sewer Lining Program - Sanitary Sewer Rehabilitation Phase 1, Task 2 Project, amendment to blanket purchase order in the amount of \$6,556.00 for a new not-to-exceed total of \$36,306.00; Spalding DeDecker Associates, Inc., Rochester Hills, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 26, 2003 from Barbara Key, Contract Specialist)

Resolution A0357–2003-R0376

MOTION by Barnett, seconded by Holder,

Resolved that City Council amend the Continuing Service Agreement between Spalding DeDecker Associates, Inc. and the City of Rochester Hills in the amount of \$6,556.00 for the Sewer Lining Program, Phase I-Task II, for the new total contract amount not-to-exceed \$36,306.00.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10i. **Approval of Amendment to Traffic Signal Agreement** - between the City of Rochester Hills and Credit Suisse Leasing 92A, L.P. on behalf of Home Depot U.S.A., Inc. (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 29, 2003 from Kim C. Murphey, Administrative Coordinator)

Resolution A0714–2003–R0377

MOTION by Barnett, seconded by Holder,

Resolved, that the Rochester Hills City Council approves the Amendment to the Traffic Signal Agreement between the City of Rochester Hills and Credit Suisse Leasing 92A, L.P., on behalf of Home Depot U.S.A., Inc. and authorizes the Mayor and Clerk to execute the Agreement on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 10l. **Approval of Suburban Mobility Authority for Regional Transportation (SMART) Municipal Credit 2004 Contract Application** between SMART and the City of Rochester Hills in the amount of \$64,681.00 (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 23, 2003 from Bob Spaman, Director of Finance)

Resolution A0218–2003–R0378

MOTION by Barnett, seconded by Holder,

Resolved, that the Rochester Hills City Council hereby approves the application to the Suburban Mobility Authority for Regional Transportation (SMART) for Fiscal Year 2004 Municipal Credits as presented;

Be It Further Resolved, that the Council agrees that the Municipal and Community Credits Master Agreement adopted on January 22, 1997 will form a part of this agreement;

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

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder
Nays: None
Absent: Robbins

MOTION CARRIED

10m. Acceptance of Easements granted by Rochester Hills Congregate LLC, a Michigan Corporation for Parcel Nos.15-35-100-036 & 15-35-302-010 (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated August 25, 2003 from Josy A. Foisy, Clerk III)

10m.i Tree Preservation Easement

Resolution A0259–2003–R0379

MOTION by Barnett, seconded by Holder,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by Rochester Hills Congregate, LLC, a Michigan Corporation, of 31731 Northwestern Hwy., Suite 250 W, Farmington Hills, MI 48334, an easement for the preservation of existing natural features, through and across land more particularly described as: 15-35-100-036 & 15-35-302-010.

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

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder
Nays: None
Absent: Robbins

MOTION CARRIED

10m.ii Watermain Easement

Resolution A0259–2003–R0380

MOTION by Barnett, seconded by Holder,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by Rochester Hills Congregate, LLC, a Michigan Corporation, of 31731 Northwestern Hwy., Suite 250 W. Farmington Hills, MI 48334, an easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described as: 15-35-100-036 & 15-35-302-010.

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

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

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

10g. Request for Purchase Authorization - DPS/ENGINEERING: Consultant Services for the Development of Funding Strategies for Local Road Reconstruction and Maintenance, blanket purchase order not-to-exceed \$21,900.00; Rehman Robson, Jackson, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 29, 2003 from Roger Rouse, Director of Public Service/Engineering)

Ms. Golden noted that she does not support this motion.

Resolution A0721–2003–R0381

MOTION by Hill, seconded by Duistermars,

Whereas, proposals received and evaluated with Rehman Robson selected as the most qualified and providing the City the best value, and

Resolved that the Rochester Hills City Council approve the award of consultant services for the development of funding strategies for local road reconstruction and maintenance to Rehman Robson, Jackson, Michigan in the amount not-to-exceed \$21,900.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder

Nays: Golden

Absent: Robbins

MOTION CARRIED

10j. Approval of Interlocal Agreement for Sanitary Sewer between the City of Rochester Hills, the City of Rochester and Mark Stapels and Sharon Tattrie at 1965 Washington, Rochester Hills, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated July 21, 2003 from Josy A. Foisy, Clerk III)

Ms. Hill requested that the issue be postponed, as she felt Staff had not furnished Council with enough information to make an informed decision.

President Dalton suggested that the issue be brought back before Council during the upcoming Work Session scheduled for Wednesday, October 22, 2003.

Resolution A0673–2003–R0382

MOTION by Hill, seconded by Golden,

Resolved that City Council will POSTPONE considering approval of the Interlocal Agreement for Sanitary Sewer between the City of Rochester Hills, the City of Rochester, and Mark Stapels and Sharon Tattrie located at 1965 Washington.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

10k. Approval of Interlocal Agreement for water between the City of Rochester Hills and Charter Township of Shelby for John Moore at 50988 Dequindre, Shelby Twp., MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 6, 2003 from Josy A. Foisy, Clerk III)

Ms. Hill, again, requested postponing this issue until more detailed information was presented to Council.

Resolution A0709–2003–R0383

MOTION by Hill, seconded by Golden,

Resolved that City Council will POSTPONE considering approval of the Water Service Agreement between John Moore and the City of Rochester Hills for connection to the City of Rochester Hill's water main at 50988 Dequindre, Shelby Township, MI 48317.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

11. PUBLIC COMMENTS

Mr. Lee Zendel, 1575 Dutton Road, disputed Ms. Hill’s contention regarding the Chicago waste hauler strike in Chicago. He then expressed his opposition to the proposed change from a Strong Mayor to a City Manager form of government, asking that proponents of the change provide examples of other cities that had made this change as well as the results.

Ms. Jennifer Fine, 387 Tourangeau, identified herself as a resident of a trailer park community on Avon Road and expressed concern regarding the following issues:

- A “terrible” smell that appears to be the result of nearby construction resulting in apparent health related problems.
- A rumor that her trailer park will be “shut down” in ten (10) years and replaced with condominiums.
- Medicare funding has been cut for persons with mental health problems.

President Dalton suggested that she give any information to the City Clerk and it will be distributed to all Council members. He also noted that the City will look into the matter of the ongoing construction behind her home.

Mr. Vincent Mungoli, 3435 Palm Aire Drive, expressed his opposition to the proposed change from a Strong Mayor form of government to a City Manager form, noting that he has seen no “justification for the change.” He noted that the City of Cincinnati has returned to a Strong Mayor form of government after “years of City Manager government.”

12. LEGISLATIVE / ADMINISTRATIVE RESPONSE

Ms. Golden discussed a July 2, 2003 memo she wrote that addressed the issue of compensation and performance review of the Assistant to the Mayor position. She noted that the purpose of the memo was to “define the process” and to examine the compensation, professionalism and credentials of that position. She noted, “This is something the Council could accomplish through amendment.”

Ms. Hill offered clarification, stating that the position to which Ms. Golden referred is a position the Mayor has chosen not the fill. She stressed that this issue is “completely different” from the proposed charter issue.

Ms. Golden again stressed that Council “at any time could make this change as an amendment.”

President Dalton explained that the position to which Ms. Golden referred is “a contract position and the Mayor, by Charter, has the right to hire whomever she wishes.” He explained that the City Attorney has determined that the City Manager position could not be brought in by a Charter amendment, but rather, would require a revision to the Charter.

13. PUBLIC HEARINGS

13a. 2003 Budget Adjustments (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 1, 2003 from Bob Spaman, Director of Finance)

13a.i Public Hearing

President Dalton opened the Public Hearing at 8:32 p.m.

There being no public comment, **President Dalton** closed the Public Hearing at 8:33 p.m.

13a.ii Adoption of Resolution

Resolution A0373–2003–R0384

MOTION by Barnett, seconded by Hill,

Whereas, a public hearing was held on October 15, 2003 to amend and adopt new fund totals:

Now Therefore Be It Resolved that the Rochester Hills City Council hereby amends and adopts the following 2003 Budgets:

101 – General Fund	\$24,045,294
202 – Major Roads	\$9,202,633
203 – Local Roads	\$7,360,864
206 – Fire	\$6,637,299
219 – Special Police	\$6,846,521
244 – Drains	\$3,058,444
314 – Local Road SAD-2001 Debt	\$202,800
332 – Local Road-1987 Local Road Bond Debt	\$5,671
403 – Pathway Construction	\$987,063
592 – Water & Sewer	\$31,036,461
631 – Buildings & Grounds	\$5,309,330
661 – Fleet	\$2,970,655

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

13b. 2004-2005 Community Development Block Grant (CDBG) Program Year Application (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated September 25, 2003 from Joe Snyder, Financial Analyst)

Mr. Bob Spaman, Director of Finance, noted that the City would receive \$6,000 more in CDBG funds this year than last year, explaining that his department was making the recommendations for distribution of the funds as noted in the resolution.

Ms. Hill, noting that “assessment of Brownfield properties” is a new category, questioned where the additional \$30,000 of the \$36,000 contribution would be derived.

Mr. Spaman explained that the “Minor Home Repairs” and “Removal of Architectural Barriers” categories had been reduced.

13b.i Public Hearing

President Dalton opened the Public Hearing at 8:34 p.m.

Ms. Andrea Cooley, Rochester Area Youth Assistance (R.A.Y.A.), 3200 West Tienken, **Ms. Brandy Boyd**, Rochester Avon Recreation Authority (R.A.R.A.), 104 East Second Street, Rochester, explained that the two (2) organizations had worked in conjunction to provide four (4) individual camps the previous summer, thus providing constructive activities for several children who would otherwise “be left to their own devices during the summer.”

Ms. Susan Vidican, Executive Director, Rochester Area Neighborhood House, 1234 Inglewood, Rochester, described the services provided by the organization including a food pantry, clothes closet and cancer support line. She explained that the contribution from Rochester Hills is used to support the Clothes Closet that provides new and gently used clothing to individuals who meet the income eligibility requirement.

Ms. Phyllis McCaffrey, Case Worker, Avondale Youth Assistance, 220 South Squirrel Road, Auburn Hills, explained that the funds provided by Rochester Hills provided assistance to twenty (20) at-risk children.

President Dalton noted that the Avondale Youth Assistance program was “hit very hard by the Avondale Board of Education.”

Mr. Gerald Sieh, Chairperson of the Board of Directors, Avondale Youth Assistance, stated that one-third (1/3) of the budget was removed and they have been searching for alternative sources of funding.

Ms. Jennifer Jones, Counselor, HAVEN, 92 Windimore, Pontiac, described the services provided by the organization to prevent domestic violence, sexual assault and child abuse. She specifically noted that, while the funds contributed by the City are used specifically for clients from Rochester Hills, those individuals will continue to receive services following depletion of those funds. Also, while HAVEN does treat perpetrators of abuse, none of the grant money is used for that purpose.

Ms. Catherine McGee, Women’s Survival Center, 761 West Huron, Pontiac, explained that the organization provides counseling for individuals seeking Personal Protection Orders. The group provides a legal clinic, free consultants and representation, and a daycare center, as well as information and a referral service to guide people to other social services.

The following information was submitted to Council President Dalton in writing prior to the meeting:

Mr. Joe Snyder, Financial Analyst for the city of Rochester Hills, received a letter dated October 4, 2003 from **Mr. Len Laskowski**, 1996 Tall Oaks Boulevard, suggesting that the City use CDBG funding to purchase land along Dutton Road directly east and west of the Paint Creek Trail and construct a pathway system along Dutton Road connecting to the trail. In response to this request, Mr. Snyder submitted a report stating, “According to CDBG regulations, property cannot be purchased / nor can facilities be constructed in non-defined benefit areas.” Unfortunately, this area does not fall within the Defined Benefit Area.

There being no further public comment, **President Dalton** closed the Public Hearing at 8:55 p.m.

13b.ii Approval of Application

Resolution A0717–2003–R0385

MOTION by Barnett, seconded by Golden,

Whereas, the City of Rochester Hills has duly advertised a public hearing for the purpose of receiving comments regarding the proposed use of 2004 Program Year Community Development Block Grant funds in the approximate amount of \$180,101.00, and;

Whereas, the public hearing was held on October 15, 2003;

Resolved, that at a regular meeting of the City of Rochester Hills City Council held on October 15, 2003 at 1700 Hamlin Rd., that the 2004 Program Year Community Development Block Grant Application in the approximate amount of \$180,101 be approved and submitted along with the required signature page and Sub-recipient Agreement signed by the City of Rochester Hills Mayor as follows:

\$29,051 **Minor Home Repair (3188)** – To assist low and moderate-income residents with a variety of necessary home improvements.

\$36,000 **Planning / Management (3304)** – To provide funding dedicated to the assessment of Brownfield properties within the City and also to the development of a natural features inventory.

- \$25,000 **Remove Architectural Barriers (2400)** – To bring various park facilities up to standards consistent with Americans with Disabilities Act (ADA) standards.
- \$45,050 **Home Chore Program (3384)** – To assist low and moderate-income senior citizens and disabled residents with spring / fall yard maintenance, snow removal and lawn mowing services.
- \$20,000 **Rochester Area Youth Assistance (3384)** – To provide funding that supports youth enrichment activities.
- \$7,500 **HAVEN (3384)** – To provide emergency shelter and services to battered / abused spouses and their children.
- \$7,500 **Women’s Survival Center (3384)** – To provide legal and counseling services to battered / abused spouses and their children.
- \$5,000 **Neighborhood House (3384)** – To help offset operational costs of the Clothes Closet, which provides clothing to low and moderate income families, citywide.
- \$5,000 **Avondale Youth Assistance (3384)** – To provide funding that supports youth enrichment activities.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

(Recess 8:58 pm – 9:19 pm)

14. PETITIONERS REQUESTS

- 14a. Request for Final Site Condominium Development Approval** for Hazelton Pines, a 3-unit development on 1.64 acres located on the north side of Hazelton Road and East of Livernois Road, Parcel No. 15-34-101-057; zoned R-4, One Family Residential District; Laynie Veitch, Applicant (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 6, 2003 from Derek Delacourt, Planner II)

Mr. Ed Anzek, Director of Planning/Development, noted that the request was self-explanatory and that the Planning Commission had approved the plan unanimously.

Resolution A0408–2003–R0386

MOTION by Holder, seconded by Duistermars,

Resolved that the Rochester Hills City Council approves the Final Plan for Hazelton Pines Site Condominium Development, City File No. 01-015, a three-unit single family condominium development on approximately 1.6 acres, located south of Auburn Road and east of Livernois, identified as Parcel No. 15-34-101-057 and zoned R-4, One Family Residential, based on plans dated received by the Planning Department on September 26, 2003, with the following findings and subject to the following conditions.

Findings:

1. All requirements of the One-Family Residential Detached Condominium Ordinance and other applicable City Ordinance Code provisions can be met.
2. Adequate public utilities are currently available to properly service the proposed development.
3. The final plan indicates a reasonable street and lot layout meeting all zoning standards while preserving much of the sensitive natural features of the site.
4. The final plan conforms to the preliminary plan approved by the Rochester Hills Planning Commission on July 16, 2002.
5. The Fire Department, which is responsible for reviewing proposed street names, has approved the Final Site Condominium Plan.

Conditions:

1. The applicant is required to deposit \$1,350.00, amount to be adjusted by Staff if necessary, into the City's Tree Replacement Fund prior to issuance of a Land Improvement Permit.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

15. ADMINISTRATION

- 15a. Request for Purchase Authorization - PARKS/FORESTRY: Street Tree Maintenance, blanket purchase order not-to-exceed \$144,900.00; J. H. Hart Urban Forestry, Sterling Heights, MI (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 2, 2003 from Gerald Lee, Forestry Operations Manager)**

Mr. Mike Hartner, Director of Parks & Forestry, explained that this request represents a two (2) year renewal for contracted street tree maintenance at a reduced price from the previous five (5) years, and that the work is unable to be completed from ground level.

Mr. Barnett questioned whether the City had previously contracted for two (2) years and whether there would be an advantage to contracting for a longer time period.

Mr. Hartner explained that the City traditionally has contracted for two (2) years, noting there is an option to extend this contract to a third (3rd) year.

Resolution A0724–2003–R0387

MOTION by Duistermars, seconded by Barnett,

Whereas, Proposals were solicited for the street tree maintenance and the lowest responsive, responsible proposer was selected; and

Whereas, after review and evaluation of the proposals, J.H. Hart Urban Forestry was determined to be the lowest responsible, responsive proposer in the best interest of the City;

Resolved that the City of Rochester Hills City Council hereby awards the Street Tree Maintenance Contract to J. H. Hart Urban Forestry for a not-to-exceed amount of \$144,900.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

15b. Request for Purchase Authorization - DPS/ENGINEERING: Pre-Construction Architectural and Construction Management Services for the DPS Facility (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 7, 2003 from Ed Anzek, Director of Planning/Development; Scott Cope, Director of Building/Ordinance Enforcement; Roger Rouse, Director of Public Service/Engineering)

15b.i Blanket Purchase Order not-to-exceed \$120,500.00; Minoru Yamasaki Associates, Troy, MI

Mr. Scott Cope, Director of Building/Ordinance Enforcement, introduced **Mr. Robert Szantner**, Minoru Yamasaki Associates, 900 Tower Drive Plaza Level, Troy, and **Mr. Matt Hubbard**, DeMattia Group, 45501 Helm Street, Plymouth, and gave a brief explanation and presentation regarding the pre-construction phase of the DPS Facility project. Mr. Cope described each step of the process dating back to January of 2002 and culminating in the

selection of an architectural firm and a construction management firm. Mr. Cope then listed the advantages to proceeding with the pre-construction phase of the project at this time:

- Enable staff to maintain the current project momentum
- Take advantage of work already completed (i.e. environmental cleanup).
- The selection process has been completed.
- Will assure the DPS employees that the project is a priority for Council and Administration.
- Will provide a “head start” to the construction process once the funding plan is established.
- Are currently receiving very good bids from contractors.
- Pre-construction work can be “saved and used at a future time.”

Mr. Cope also noted that the Minoru Yamasaki Associates and DeMattia Group will work together to determine the best approach to the project: renovation/expansion or new construction.

Mr. Szantner explained that the conceptual phase of the project would include:

- Verifying the Maximus Master Plan.
- Developing facility concepts based on the Master Plan.
- Beginning to define systems and layouts.
- Completing a comparative evaluation between new-build and renovation/expansion.

Mr. Hubbard explained that, in conjunction with the Steering Committee and architects, DeMattia Group will:

- Validate the budget.
- Develop cost model estimate.
- Examine the function of the room and the space and assign a cost.
- Count, measure and survey materials (following final design development).
- Examine various types of systems.

Mr. Szantner noted that this process will result in an interim report detailing the evaluation of the two concepts (renovation/expansion versus new construction) that will be presented to the Steering Committee. Once the direction of the project has been determined, they will move forward and develop site plans, floor plans, building elevations, etc., all of which will be forwarded to DeMattia Group to provide a more detailed system-by-system estimate.

Mr. Hubbard assured Council that during the process they would employ assistance from consultants and subcontractors to get the best value for the City.

Mr. Szantner noted that documentation in terms of drawings, outline specifications and a schedule and statement of construction costs will be brought before Council for review.

Mr. Hubbard explained that there are currently significant savings in many trade categories, specifically mechanical and electrical trades, due to the current economic situation.

PUBLIC COMMENT:

Mr. Vincent Robinson, 1487 Antler Court, urged Council to vote “no” for any form of “new city garage consulting” citing the following points:

- City mechanics are probably the most expensive labor.
- Light duty vehicles have short commercial lives and do not need a full garage.
- If leased, many light vehicles include maintenance service.
- With a finite fleet of equipment, the annual workload and timing of that work can be determined.
- By employing outsourcing, preventive maintenance, and limited service windows, the existing facilities may be sufficient.

He stressed, “To embark on designs for a building before the method of managing the fleet is determined is folly.”

COUNCIL DISCUSSION:

Ms. Hill asked for an estimated time frame for this project.

Mr. Szantner estimated the project would take approximately five (5) or six (6) months.

Ms. Holder stressed the need to “keep moving forward on this project.” She noted that the existing building will require a considerable amount of funding “to continue functioning.”

Mr. Roger Rouse, Director of DPS/Engineering, explained that there is seven million dollars (\$7,000,000) of “rolling stock” in the City. While acknowledging that there may be some savings from outsourcing maintenance work, the immediacy of the in-house service could not be duplicated. He listed several positive aspects of the plan:

- Vehicles will no longer require long “warm up” periods after having sat outside over night.
- Leaks will be contained.
- A larger facility will accommodate a larger staff, as required by certain mandates.
- Fully functioning DPS equipment is needed to maintain the City’s infrastructure, as requested by Council.
- As part of the Bio-Terrorism Act, this plan will address some weaknesses.
- Fuel can be maintained at the new facility in case of an emergency, specifically for the use of emergency vehicles (fire trucks, police cruisers, ambulances).

Ms. Holder supported taking advantage of “the reduction in the contracted services going on now,” also noting the need to store a “tremendous amount of salt.”

Mr. Rouse explained that the conceptual design of the facility includes a salt barn and truck wash to prolong the life of City vehicles.

Ms. Holder asked Mr. Anzek to elaborate on the prospect of selling the West Hamlin property and buildings.

Mr. Anzek noted that the City is very close to selling the West Hamlin property for an appropriate price.

Mr. Duistermars stressed that there are many regulations with which the City must comply and also noted that the many City vehicles would benefit greatly from being housed inside.

Mr. Cope described the improved “functionality” of a new or renovated facility.

Mr. Duistermars noted that other activities will take place at the new facility such as the sign making shop as well as monitoring of the water and sewer system.

Mr. Rouse acknowledged that the SCADA system will be housed there, as well as complaints and scheduling will be handled from this facility. The facility will function as an emergency operations center in the event of a catastrophic failure of systems. Mr. Rouse also indicated there are unfunded mandates to which the City must comply such as equipment, records and inspection services that are required for maintaining the sewer system.

Mr. Barnett stated he was “comfortable in moving this forward to the next step.” He noted that the information gleaned from this process will be useful no matter when it is implemented.

Ms. Hill questioned whether DPS outsources any of its maintenance work.

Mr. Rouse explained that a small portion of the work is outsourced—primarily body work and repair—but the majority of mechanical work is done in-house by four full-time mechanics.

Ms. Hill stated that she is interested “in having a DPS facility that’s going to function for us for the next thirty (30) years.” However, she expressed concern that this process was brought before Council “at the last minute” after the project was reinstated in the budget. She noted that Council had requested a workshop meeting to thoroughly examine the City’s needs and the “validation of what Maximus put in front of us.”

Ms. Golden, stressing that the DPS employees are “our ambassadors” to the residents of the City, indicated she is encouraged by this process and the prospect of taking advantage of the low costs for construction.

Mr. Rouse clarified that the proposal before Council was not to build the new facility, but rather to take preparatory steps toward the construction that will only occur once the funding is established, thus allowing the City to maintain the current project momentum.

Ms. Hill again noted that she was under the impression that this would not be brought back before Council until the funding issue had been fully resolved.

Resident Robinson explained that his comments were mostly directed at the garage portion of the project, stressing that, “I expect professionals in this department to know about the different philosophies of maintaining vehicles.” He advised that those philosophies be employed to “pick the right path.”

President Dalton stated that he is “excited that we’re really going to look at the validation of a new building versus an addition to the building.” He stressed the importance of this step prior to the City expending an estimated thirteen million dollars (\$13,000,000) on this project. He indicated that his “Yes” vote is for this pre-construction phase only; it is not approval of the entire project.

Resolution A0263–2003–R0388

MOTION by Duistermars, seconded by Holder,

Whereas, Requests for Proposals were solicited, reviewed and evaluated by the DPS Project Team with Minuro Yamasaki Associates selected to provide architectural services for the Department of Public Service Facility, and

Whereas, pre construction activities will provide the City with the necessary analysis, evaluation and design concepts to begin construction,

Resolved that the Rochester Hills City Council authorizes the purchase of pre construction architectural services for the Department of Public Service Facility to Minuro Yamasaki Associates, Troy, Michigan, in the amount not-to-exceed \$120,500.

Ayes: Dalton, Barnett, Duistermars, Golden, Holder

Nays: Hill

Absent: Robbins

MOTION CARRIED

15b.ii Blanket Purchase Order not-to-exceed \$41,976.00; DeMattia Group, Plymouth, MI

Resolution A0263–2003–R0389

MOTION by Duistermars, seconded by Holder,

Whereas, Requests for Proposals were solicited, reviewed and evaluated by the DPS Project Team with DeMattia Group selected to provide construction management services for the Department of Public Service Facility, and

Whereas, pre construction activities will provide the City with the necessary analysis, evaluation and design concepts to begin construction,

Resolved that the Rochester Hills City Council authorizes the purchase of pre construction construction management services for the Department of Public Service Facility to DeMattia, Group, Plymouth, Michigan, in the amount not-to-exceed \$41,976.

Ayes: Dalton, Barnett, Duistermars, Golden, Holder

Nays: Hill

Absent: Robbins

MOTION CARRIED

15d. Adoption of the Comprehensive Gateway Plan (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 3, 2003 from Deborah Millhouse, Deputy Director of Planning/Development)

Mr. Anzek briefly reviewed the history of the Gateway Plan as presented at a previous Council Work Session Meeting.

Mr. Barnett praised the project and moved the motion in the packet.

PUBLIC COMMENT:

Mr. Lee Zendel, 1575 Dutton Road, stated that the project was placed in the CIP for one million dollars (\$1,000,000); however, he requested more detailed specifics of the funding before “this becomes City policy.”

Mr. Anzek explained that the one million dollar (\$1,000,000) budget was estimated before the program was implemented. It is now estimated that the true budget will be fifty thousand dollars (\$50,000).

COUNCIL DISCUSSION:

Ms. Holder was “glad to hear we have private funding.”

Ms. Hill noted she was “extremely pleased to see this come before us for approval.”

Resolution A0041-2003–R0390

MOTION by Barnett, seconded by Hill,

Whereas, the City of Rochester Hills 1999 Master Land Use Plan recommended that a Comprehensive Gateways Plan be developed to improve the variable and haphazard treatment of the community entries; and

Whereas, Donald C. Westphal Associates of Rochester Hills was selected by the City Council Community Development & Viability Committee to prepare such a Comprehensive Gateways Plan; and

Whereas, a Design Review Committee consisting of nine residents of the City was formed to offer significant input and guidance in developing the Comprehensive Gateways Plan; and

Whereas, two community wide surveys were conducted to determine the four significant elements representing Rochester Hills in the view of its residents; and

Whereas, the educational, historical, residential, and recreational elements identified by the residents have been combined to form the design image for our gateways; and

Whereas, the Community Development & Viability Committee was responsible for overseeing preparation of the Comprehensive Gateways Plan; and

Whereas, the Community Development & Viability Committee accepted the Comprehensive Gateways Plan prepared by Donald C. Westphal Associates, L.L.C. on December 12, 2002.

Now Therefore Be It Resolved, that the City Council hereby adopts the Comprehensive Gateways Plan as the basis for pursuit of enhancement grants and as a tool to encourage public/private partnerships within the community.

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None

Absent: Robbins

MOTION CARRIED

- 15e. Adoption of Resolution** to change October 22, 2003 Regular Work Session to Joint Work Session with the Planning Commission (Members received a copy of a City Council Regular Meeting Agenda Summary Sheet dated October 15, 2003 from Susan Galeczka, City Council Liaison)

Resolution A0007–2003–R0391

MOTION by Duistermars, seconded by Barnett,

Resolved that the Rochester Hills City Council hereby **changes** the October 22, 2003 Regular City Council Work Session to a Joint Work Session with the Planning Commission.

Further Resolved that the City Clerk shall provide proper notice of the Meeting Schedule change pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended

Ayes: Dalton, Barnett, Duistermars, Golden, Hill, Holder

Nays: None
Absent: Robbins

MOTION CARRIED

16. COUNCIL COMMITTEE REPORTS

None.

17. ANY OTHER BUSINESS

Ms. Holder, noting that the General Election is near, suggested that during Council meetings “we should keep to our legislative issues.”

President Dalton expressed concern that during the evening’s meeting some “comments were made against the policy of the City.” He stated that the City Attorney would be asked to determine whether these comments were appropriate, as they had gone “beyond the informational comments tonight.”

18. NEXT MEETING DATE - Wednesday, October 22, 2003 - Joint Work Session with the Planning Commission - 7:30 PM

19. ADJOURNMENT

There being no further business to discuss before Council, President Dalton adjourned the meeting at 10:31 p.m.

JOHN L. DALTON, President
Rochester Hills City Council

MARGARET A. STRATE
Administrative Secretary
City Clerk's Office

BEVERLY A. JASINSKI, Clerk
City of Rochester Hills