



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

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

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

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

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Monday, March 15, 2010

7:00 PM

1000 Rochester Hills Drive

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**City Council, at its Regular Meeting of March 1, 2010, adopted Resolution  
RES0062-2010 agreeing to meet in Closed Session prior to the Regular City  
Council Meeting beginning at 6:00 p.m.**

#### **CALL TO ORDER**

*President Hooper called the Regular Rochester Hills City Council Meeting to order  
at 7:07 p.m. Michigan Time.*

#### **ROLL CALL**

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

#### **Others Present:**

*Bryan Barnett, Mayor  
Tara Beatty, Chief Assistant to the Mayor  
Paul Davis, City Engineer  
Amith Diwakar, Rochester Hills Government Youth Council Representative  
Vince Foisy, Supervisor of Communication Services  
Mike Hartner, Director of Parks and Forestry  
Gerry Lee, Forestry Operations Manager  
Jane Leslie, City Clerk  
Roger Rousse, Director of DPS/Engineering  
Keith Sawdon, Director of Finance  
John Staran, City Attorney  
Doug Walther, Deputy Director of Assessing  
Bob White, Supervisor of Ordinance Services*

#### **PLEDGE OF ALLEGIANCE**

#### **APPROVAL OF AGENDA**

A motion was made by Pixley, seconded by Webber, that the Agenda be Approved as Presented. The motion CARRIED by the following vote:

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

## PUBLIC COMMENT

**Deanna Hilbert**, 3234 Quail Ridge Circle, stated that she wished to thank the Board of the Older Persons' Commission (OPC) for adopting rules for their employees regarding political campaigning, noting that it was an important step in protecting the OPC's non-profit status. She questioned if the Deer Management Advisory Committee had been disbanded and whether any text messages sent by Council members during meetings could violate the Open Meetings Act.

**Lorraine McGoldrick**, 709 Essex, reported that the Rochester Area Heritage Festival will be moved to the weekend of September 25th and 26th this year, and be hosted by Rochester College. She commented that non-profit groups are encouraged to participate in the Festival as a fund raiser for their organizations and stated that the website for the Festival is [www.rochesterheritagefest.org](http://www.rochesterheritagefest.org).

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Hooper** reported that deer flyover information for 2010 was submitted to the Deer Management Advisory Committee (DMAC) and Council members; and stated that the DMAC has not been dissolved and would meet to review the Administration's recommendations for presentation to Council in the future. He responded to Ms. Hilbert's question of whether text messages during Council meetings violate the Open Meetings Act, stating that any texts he might receive or send during Council meetings are related to his profession and not City business. He requested City Attorney John Staran respond regarding text messages.

**City Attorney John Staran** stated that receiving and sending text messages or using Blackberries during Council meetings would not violate the Open Meetings Act unless Council members use texts to communicate with each other regarding items which should be discussed openly. He stated that sending and receiving work-related or other non-City text messages would not violate the Act.

**Mr. Pixley** acknowledged Clerk Jane Leslie's work on the Cemetery Chapel Dedication Ceremony held March 8, 2010. He thanked the Mayor for his comments at the Dedication and expressed appreciation to Reverend Jeffery Regan of St. Paul's United Methodist Church. He also thanked Cemetery Sexton Calvin Leach for his efforts at the Cemetery.

**Mr. Brennan** extended his condolences to the family of Michael Finney, age 20, Rochester Hills resident and Adams High School graduate, who died this week in a swimming accident in Florida. He commended the Mayor and Staff for the State of the City address, noting that it was a lively and informative presentation, attended by a good cross-section of the community.

**Mr. Klomp** expressed his condolences to Michael Finney's family. He stated that he was pleased with the great attendance at the State of the City. He expressed his support for the Oakland University Golden Grizzlies Men's Basketball Team as it enters the National Collegiate Athletic Association (NCAA) Tournament.

**Amith Diwakar**, Rochester Hills Government Youth Council (RHGYC) Representative, announced that the RHGYC will host its 5K Run/Walk at Bloomer Park on June 19, 2010. He commented that the RHGYC is looking for sponsors and stated that any interested businesses should contact the RHGYC.

**Mayor Barnett** extended condolences to the family of Ed Vollenweider, Rochester Hills resident, former City Council candidate and active Rochester Rotarian, who passed away this week. He made the following comments and announcements:

- He thanked Calvin Leach for doing a tremendous job at the Cemetery. He noted that approximately 12 percent of the Chapel building costs have been covered by donations, received through the Greater Rochester Area Community Foundation.
- He expressed thanks to Rochester College for hosting the State of the City address, noting that 250 attended the address, and the College waived all costs to use the facility.
- He stated he attended a rally this morning at the Royal Park Hotel to support Oakland University in its NCAA Tournament bid.
- Stoney Creek High School Cheer Team won the Division One Competitive Cheer Championship.
- The City has been made aware of two 40-hour maintenance positions available at a company in the City. He suggested that any interested individuals could contact the Mayor's office for information on where to apply for these positions.
- The City has experienced four apartment fires in the last 30 days.
- The City is being very aggressive in its efforts to promote participation in the 2010 Census. He encouraged all residents to fill out the Census form immediately and return it, noting that the City wished to improve its performance over the 2000 Census.

## ATTORNEY MATTERS

*City Attorney John Staran had nothing to report.*

## PRESENTATIONS

2010-0099 Proclamation in Recognition of the outstanding achievements of Megan Goethals

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

**Mayor Barnett** introduced Megan Goethals, and listed her achievements, including being named the Gatorade National Girls Cross Country Runner of the Year.

*He stated that she has had an unbeaten season and commented that her win in the Foot Locker National Championship was exciting, as she was 15 yards behind with 150 yards to go and she won by 0.2 seconds. He noted that she carries a 3.66 grade point average, is a member of the National Honor Society, volunteers with Meals on Wheels, the United States Youth TOPSoccer Program and Athletes with Disabilities.*

**Presented.**

**Whereas**, Rochester High School Senior Megan Goethals is the nation's best high school girls cross country runner based on her phenomenal career and dominating season, where she shattered course records in nearly every outing; and

**Whereas**, Megan won the Foot Locker Cross Country National Championship and was named the 2009-10 Gatorade National Girls Cross Country Runner of the Year from a field of nearly 200,000 high school girls nationwide; and

**Whereas**, the Gatorade award recognizes not only outstanding athletic excellence, but also high standards of academic achievement and exemplary character on and off the racecourse; and

**Whereas**, in addition to her amazing performance on the track, Megan has maintained a 3.66 GPA in the classroom, is a member of the National Honor Society, volunteers on behalf of Meals on Wheels and on the U.S. Youth Soccer TOPSoccer program helping young athletes with disabilities.

**Now, Therefore, Be It Resolved**, that the Mayor and City Council of Rochester Hills hereby recognize and applaud Megan Goethals for her outstanding cross country career, and for her many achievements both as a world-class athlete and as a shining example of what a leader and student-athlete should be.

**2009-0145** Presentation on the work done to rank the M-59 Noise Barrier locations; Mike McGlynn, Chairman of the MR-42E Noise Barrier/Sound Wall Technical Review Committee, and Paul Davis, City Engineer, Presenters

**Attachments:** [Agenda Summary.pdf](#)  
[Presentation.pdf](#)  
[071309 Agenda Summary.pdf](#)  
[MDOT Response to Citizens 06222009.pdf](#)  
[MDOT Response to City 062209.pdf](#)  
[Questions re M59 Sound Study.pdf](#)  
[050409 Agenda Summary.pdf](#)  
[Final Noise Technical Report Pgs 1to31.pdf](#)  
[Final Noise Technical Report Appx A.pdf](#)  
[Final Noise Technical Report Appx B.pdf](#)  
[Final Noise Technical Report Appx C.pdf](#)  
[O'Neill Email.pdf](#)  
[Suppl O'Neill Resolution.pdf](#)  
[Suppl Noise Barrier ranking.pdf](#)

**Mike McGlynn**, Chairperson of the MR-42E Noise Barrier/Sound Wall Technical Review Committee presented the Committee's final report:

Committee Members:

*Council-Appointed Resident Committee Members: Michael McGlynn, Jennifer Lagerbohm and Charles Lam*

*Council Members: Greg Hooper and Nathan Klomp (replacing Erik Ambrozaitis)  
Rochester Hills Government Youth Council (RHGYC) Member: Trip Brennan  
Administration Support Members: Paul Davis, City Engineer and Doug Walther,  
Deputy Director of Assessing*

*Mr. McGlynn commented that he wished to thank a number of other residents who came to the meetings and actively participated. He stated that he would like to express a special thanks to Trip Brennan, RHGYC member, who actively participated in the meetings.*

*Council Charge to the Committee:*

- *Recommend criteria, metrics and individual ratings for MR-42E to determine a fair review of the twelve (12) wall segments that are both funded and not funded by the Michigan Department of Transportation (MDOT).*
- *The Committee was to make recommendations by December 15, 2009.*
- *Five committee meetings were held to develop a noise barrier rating formula and rank the 12 locations identified in the MDOT report, along with one additional location (Chateau Avon, the Manufactured Home Park, between Crooks and the Clinton River Trail).*
  - \* *October 13, 2009*
  - \* *November 10, 2009*
  - \* *December 8, 2009*
  - \* *January 12, 2010*
  - \* *February 9, 2010*

*Mr. McGlynn noted that each meeting lasted approximately two hours, and was attended by Committee members and residents, and Council was asked to extend the Committee's timeline beyond December 2009.*

*Committee Approach:*

- *The most logical starting point for analysis was to use what information was available in the existing MDOT report. This report provided the information necessary to compare the proposed walls.*
- *Next, key factors were identified that the Committee felt were missing from the MDOT report that would be necessary to compare the proposed walls in order to offer a more-balanced approach.*
- *The Committee tailored its analysis to ensure that all relevant evaluation factors were considered.*

*MDOT Report versus Committee Report Comparison:*

***MDOT Report Criteria Considerations***

1. *Sound levels (dBA)*
2. *Cost per benefitting unit*
3. *Benefitting units derived by the Traffic Noise Model (TNM) software program*

***Committee Report Criteria Considerations***

1. *Sound levels (dBA)*
2. *Cost per benefitting unit*
3. *Expanded Location Considerations*
4. *Lower cost alternatives*
5. *Expanded definition of a public area is used.*
6. *Maintenance Consideration*
7. *Expanded decibel range*

Mr. McGlynn noted that while MDOT only considered walls within the right-of-way, the Committee considered other locations, reviewed lower-cost alternatives, and included schools, churches and daycares as other public uses. He commented that while MDOT utilized a five decibel reduction, the Committee expanded that range and considered all locations within 500 feet.

Additional factors discussed but not included in the final ranking formula:

- Differences in Existing Home Property Values
- Sound Reflection from a Barrier Built on the opposite side of M-59
- Effectiveness of using trees for noise reduction

Mr. McGlynn reported that there was opposition to basing decisions on property values, and in the end, the Committee felt that other criteria were more relevant because noise levels do not discriminate. He noted that while there was some evidence that sound reflection could impact decibel levels, the Committee felt that this would not change the rankings. Trees were not considered for noise reduction due to the year-round density that would be required to make a significant difference in levels. Special Assessment Districts were discussed; however, this criteria was discarded as it was determined to be outside of the scope of charge of the Committee.

Ranking Formula:

- The M-59 Noise Barrier ranking formula is similar to the version used for the Capital Improvement Plan process
  - \* 150 total possible points
  - \* Eight categories are used and three are completed from information in the MDOT noise study report

<b>Item 1 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Predicted peak noise levels without barrier (per updated MDOT report)</i>				
74 to 77 dBA	5			
70 to 73 dBA	4	5	5	25
less than 70 dBA	3			
<i>Total Possible Points = 25</i>				

<b>Item 2 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Number of first floor attenuated units (per updated MDOT report)</i>				
greater than 40	5			
26 to 40	4	3	5	15
11 to 25	3			
less than 11	0			
<i>Total Possible Points = 25</i>				

<b>Item 3 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Cost per Benefitting Unit (per updated MDOT report)</i>				
<i>less than \$45,000</i>	5			
<i>\$45,001 - \$60,000</i>	4	4	5	20
<i>\$60,001 - \$75,000</i>	3			
<i>\$75,001 - \$90,000</i>	2			
<i>greater than \$90,000</i>	1			
<i>Total Possible Points = 25</i>				

*Mr. McGlynn reported that the Committee concluded that while a non-MDOT contract could result in a less expensive barrier, it would not change the wall rankings as it would reduce the cost of each barrier by equal percentages.*

<b>Item 4 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Number of first floor home sites within 500 feet of M-59</i>				
<i>50 or greater</i>	5			
<i>40 to 49</i>	4	3	4	12
<i>30 to 39</i>	3			
<i>20 to 29</i>	2			
<i>less than 20</i>	1			
<i>Total Possible Points = 20</i>				

<b>Item 5 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Public areas within 500 feet of M-59 (multi count possible, max 5 items)</i>				
<i>School or Licensed Daycare</i>	2			
<i>Church</i>	1	2	4	8
<i>Clubhouse or Swimming Pool</i>	1			
<i>Common Area/Park/Pavilion/Event Center</i>	1			
<i>Tennis Courts</i>	1			
<i>Walking/Bike Trail</i>	1			
<i>Total Possible Points = 20</i>				

<b>Item 6 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Elevation difference between first homes and M-59 (plurality)</i>				
<i>M-59 is typically lower than home ground elevations by 6 feet</i>	5			
<i>M-59 is typically within 6 feet of home ground elevations</i>	3	1	3	3
<i>M-59 is typically higher than home ground elevations by 6 feet</i>	1			
<i>Total Possible Points = 15</i>				

<b>Item 7 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Is a berm or other alternative feasible?</i>				
Yes - full berm	5			
Yes - partial berm	3	3	2	6
No	0			

Total Possible Points = 10

<b>Item 8 of the Rating Formula</b>	<b>Score Range</b>	<b>Rater Score</b>	<b>Weight</b>	<b>Total Points</b>
<i>Maintenance access rating for the proposed wall location</i>				
Good - road access from both sides	5			
Fair - easy access from M-59, but no road access behind	3	5	2	10
Poor - difficult from both sides	0			

Total Possible Points = 10

Mr. McGlynn reported the Committee's rankings:

<b>Noise Barrier Designation</b>	<b>MDOT Ranking</b>	<b>Committee Ranking</b>
NB-8	1	1
NB-6A	2	3
NB-4	3	8
NB-5	4	5 (tie with NB-3)
NB-10	5	2
NB-13	6	7
NB-3	7	5 (tie with NB-5)
NB-12	8	13
NB-11	9	9
NB-1	10	11
NB-9	11	10
NB-2	12	12
Chateau Avon	n/a	4

**Paul Davis**, City Engineer, reviewed the rankings and noted that the criteria for NB-10 was revised in MDOT's Table 7 as the number of benefitting units increased to 44. He stated that MDOT found all wall locations to be feasible; however, only two wall locations were deemed reasonable, with a cost per benefitting unit under \$38,060. He commented that the Committee increased its criteria to \$45,000, which is higher than the MDOT amount; however, this allowed the ranking scores to be better spread and adjusted.

**Mr. McGlynn** noted several differences in the Committee's ranking versus MDOT's ranking, and stated that these differences were due to additional homes and public areas being included in the Committee's criteria for several of the locations. He noted that NB-12 included St. Paul's Albanian Church's parking lot and benefitted no homes; consequently, the Committees ranking for that wall was lower than MDOT's ranking. He commented that Chateau Avon's location ranked high due



to its population density and resulting low cost per benefitting unit. He noted that actual barrier construction costs overall could be substantially lower than MDOT estimates.

Chateau Avon Noise Barrier:

- MDOT 1993 Draft Environmental Assessment Noise Study Information:
  - \* 215 feet from the near lane of M-59 - estimated that the noise would be 69 decibels in 2015 after the Adams Road interchange was built
  - \* 320 feet from the near lane of M-59 - estimated that the noise would be 67 decibels in 2015 after the Adams Road interchange was built
- Conceptual Design Assumptions:
  - \* Since the resident unit elevation is typically at least six feet lower than the elevation at M-59, a uniform nine-foot high and 2,600-foot barrier is assumed.
- Cost Estimate:
  - \* Using the MDOT criteria of \$25.50 per square foot and \$250 per foot of length, an estimated cost of \$1,246,700 is determined.

Conclusions and Recommendation to City Council:

- The highest ranking unfunded noise barrier based on the Committee's rating formula is NB-10 which is located on the north side of M-59 between Joshua and John R Roads.
- The 2011-2016 Capital Improvement Project (CIP) for the unfunded noise barriers (MR-42E) should be revised to add the Chateau Avon option and also indicate each barrier's ranking in the project description according to the order determined by the Technical Review Committee. The combined listing will mimic the local road project need included in the CIP (LS-01).

Public Comment:

**Olaf Nitsche**, 3753 Everett, expressed his thanks to Council for forming this Committee. He suggested that projects be submitted to the CIP individually and utilize actual construction quotes. He commented that even more trees have been damaged by construction activities.

Council Discussion:

**President Hooper** commented that this was one of the more enjoyable committees he had served on and stated that Mr. McGlynn did a great job chairing the Committee.

Council questioned the following:

- Has MDOT changed the \$38,060 criteria for determining if a wall location is reasonable?
- Will Council be provided a breakdown of all rankings?
- Has MDOT been made aware of the Committee's rankings?

**Mr. Davis** responded as follows:

- MDOT's criteria of \$38,060 to determine reasonableness has not changed.
- He will e-mail the individual rankings to Council.
- MDOT is aware that the City formed the Committee. He commented that he will send the Committee's final report and rankings to Mark Sweeney at MDOT.
- A Public Meeting will be held at the end of this month by MDOT regarding the two funded walls. He commented that he will provide information as soon as it is received; however, he believes it will be held on March 31, 2010.

**President Hooper** commented that notice of the informational meeting should be sent to residents within 500 feet of the two funded walls.

**Mr. Davis** stated that he will request that this notice be provided.

**Mayor Barnett** commented that construction activities should be completed in time for the City to review tree planting options for Spring 2011.

**Mr. Klomp** extended his thanks to everyone involved in the committee, stating that the Committee undertook constructive debate and objectivity in arriving at a determination that was fair for all involved. He stated that he was confident that the result is an objective tool that can be used as the City moves forward.

Presented.

## CONSENT AGENDA

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

- 2010-0105** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for crack sealant material in the amount not-to-exceed \$88,000.00; National Highway Maintenance Systems, LTD, Akron, OH

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

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

Enactment No: RES0070-2010

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to National Highway Maintenance Systems, LTD, Akron, Ohio for crack sealant material in the amount not-to-exceed \$88,000.00 through December 31, 2010.

- 2010-0113** Request for Purchase Authorization - BLDG: Blanket Purchase Order for weed mowing and lawn maintenance for Ordinance compliance in the amount not-to-exceed \$65,000.00; D & W Services LLC, Ortonville, MI

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

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

Enactment No: RES0071-2010

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to D & W Services LLC, Ortonville, Michigan for weed mowing and lawn maintenance for Ordinance compliance in the amount not-to-exceed \$65,000.00 through December 31, 2010.

### Passed the Consent Agenda

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

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

### The following consent agenda item was discussed and adopted by separate motion.

**2010-0111** Request for Purchase Authorization - FIRE: Contract for paging services in the amount not-to-exceed \$31,000.00 through December 1, 2014 and waiver of Section 2-273(b), the 3-year requirement for long term contracts under Section 2-281; American Messaging, Lewisville, TX

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

**Mr. Yalamanchi** questioned whether the company selected, based in Texas, had a Michigan location.

**Vince Foisy**, Supervisor of Communication Systems, responded that the City has utilized this company for twelve years, and noted that while the parent company is in Texas, the local office is in Farmington Hills.

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

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

Enactment No: RES0063-2010

**Resolved**, that the Rochester Hills City Council authorizes a contract to American Messaging, Lewisville, Texas, for paging services in the amount not-to-exceed \$31,000.00 through December 1, 2014 and authorizes the Mayor to execute a contract on behalf of the City.

**Further Resolved**, that the Rochester Hills City Council waives Section 2-273(b), the 3-year requirement for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

## NOMINATIONS/APPOINTMENTS

**2010-0119** Acceptance of Resignation from Peggy Schodowski from the Historic Districts Study Committee

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

**Mr. Yalamanchi** expressed his thanks to Ms. Schodowski for her service on the Historic Districts Study Committee.

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

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

Enactment No: RES0064-2010

**Resolved**, that the Rochester Hills City Council hereby accepts the resignation of Peggy Schodowski as a member of the Historic Districts Study Committee effective March 4, 2010 and requests a letter of appreciation be sent thanking Ms. Schodowski for her service and dedication to the community.

**2010-0074** Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Commission to fill the unexpired term of Melissa Luginski ending December 31, 2011

**Attachments:** [Agenda Summary.pdf](#)  
[Steven Branstner CQ.pdf](#)  
[Melinda Hill CQ.pdf](#)  
[022210 Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[Nomination Form.pdf](#)  
[Notice of Vacancy.pdf](#)  
[Luginski resignation.pdf](#)  
[Membership Criteria.pdf](#)  
[Alice Benbow CQ.pdf](#)  
[Ryan Deel CQ.pdf](#)  
[Corey Oliver CQ.pdf](#)  
[Linda Raschke CQ.pdf](#)  
[Resolution.pdf](#)

**President Hooper** noted that nominations were made at the February 8, 2010 Regular Council Meeting and noted that Council would vote for one of the two nominees, Steven Branstner or Melinda Hill.

**Mr. Rosen** commented that he had nominated Ms. Hill because of her history with the City and involvement with the Michigan Historic Preservation Network. He stated that she was a member of the Avon Historical Society, active in Museum issues, and lives in the Stoney Creek Historic District. He stated that while Mr. Branstner is also a good candidate, it is not often that the opportunity exists to benefit from someone's extensive background.

The nominees received the following votes:

**Steven Branstner:** President Hooper, Mr. Brennan, Mr. Klomp, Mr. Pixley and Mr. Webber

**Melinda Hill:** Mr. Rosen and Mr. Yalamanchi

**A motion was made by Webber, seconded by Pixley, that this matter be Adopted by Resolution to Appoint Steven Branstner to fill the unexpired term of Melissa Luginski ending December 31, 2011. The motion CARRIED by the following vote:**

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

Enactment No: RES0065-2010

**Resolved**, that the Rochester Hills City Council appoints Steven Branstner to serve as Historic Districts Commission Representative to fill the unexpired term of Melissa Luginski ending December 31, 2011.

- 2010-0117** Request to Confirm the Mayor's re-appointments of Deborah Brnabic, Dale Hetrick and Nicholas Kaltsounis to the Planning Commission for three (3) year terms expiring March 31, 2013

**Attachments:** [Agenda Summary.pdf](#)  
[Brnabic CQ.pdf](#)  
[Hetrick CQ.pdf](#)  
[Kaltsounis CQ.pdf](#)  
[Resolution.pdf](#)

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

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

Enactment No: RES0066-2010

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's re-appointments of Deborah Brnabic, Dale Hetrick and Nicholas Kaltsounis to the Planning Commission for three-year terms to expire on March 31, 2013.

- 2010-0112** Appointment of Planning Commission Representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2011

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

**A motion was made by Brennan, seconded by Klomp, that this matter be Adopted by Resolution to Appoint Deborah Brnabic as the Planning Commission Representative to the Zoning Board of Appeals for a term to expire March 31, 2011. The motion CARRIED by the following vote:**

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

Enactment No: RES0067-2010

**Resolved**, that the Rochester Hills City Council hereby concurs with the recommendation of the Planning Commission and appoints Deborah Brnabic to the Zoning Board of Appeals/Sign Board of Appeals for a one (1) year term to expire March 31, 2011.

- 2010-0116** Request to Confirm the Mayor's re-appointment of Michael Ellis to the Local Development Finance Authority for a four (4) year term expiring March 31, 2014

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

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

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

Enactment No: RES0068-2010

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's re-appointment of Michael Ellis to the Local Development Finance Authority for a four-year term to expire on March 31, 2014.

**2010-0122** Request to Confirm the Mayor's appointment of Carlana Janiak to the Brownfield Redevelopment Authority to fill the unexpired term of Thomas Stevenson which will expire on November 13, 2010

**Attachments:** [Agenda Summary.pdf](#)  
[Janiak CQ.pdf](#)  
[Stevenson Resignation Letter.pdf](#)  
[Resolution.pdf](#)

**Mr. Webber** commented that he served with Thomas Stevenson on the Brownfield Redevelopment Authority for the past two years, and thanked him for his service.

**President Hooper** noted that Mr. Stevenson has served on the Authority since its inception.

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

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

Enactment No: RES0069-2010

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Carlana Janiak to the Brownfield Redevelopment Authority to fill the unexpired term of Thomas Stevenson which will expire November 13, 2010.

**2010-0097** Nomination/Appointment of one (1) Citizen Representative to the Zoning/Sign Board of Appeals for a three-year term to expire March 31, 2013

**Attachments:**

[031510 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Ryan Deel CQ.pdf](#)  
[Kenneth Koluch CQ.pdf](#)  
[Bryan Monaghan CQ.pdf](#)  
[Phillip Hurst CQ.pdf](#)  
[Matt Koziarz CQ.pdf](#)  
[Jens Kusk CQ.pdf](#)  
[Michael McGuire CQ.pdf](#)  
[Alexios Pathenos CQ.pdf](#)  
[Joe Pullukat CQ.pdf](#)  
[Notice of Vacancy.pdf](#)  
[Resolution.pdf](#)

**Public Comment:**

**Kenneth Koluch**, 3474 Salem, introduced himself as a new resident of District One, having recently moved to the area from Troy.

**President Hooper Opened the Floor for Nominations:**

**Mr. Brennan** nominated Bryan Monaghan.

**Mr. Yalamanchi** nominated Kenneth Koluch.

**President Hooper Closed the Floor for Nominations**, and noted that as there were two nominees, this item would be set over for two weeks.

**Discussed.**

**NEW BUSINESS**

**2010-0104** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for water meters and equipment in the amount not-to-exceed \$150,000.00 through December 31, 2010; Etna Supply Company, Grand Rapids, MI

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

**President Hooper** stated that while he works in the construction industry, he has had no involvement in this contract and sees no reason to recuse himself.

**Roger Rousse**, Director of DPS/Engineering, stated that a number of water meters are slated for replacement each year after the warranty period, as the meters lose one-percent (1%) accuracy per year. Larger meters are targeted first.

**President Hooper** questioned whether the company selected has agreed to hold prices for any length of time.

**Mr. Rousse** responded that prices are adjusted on a year-to-year basis.

**Mr. Yalamanchi** questioned what determines how often a meter needs replacement, whether residents are charged for replacement, what the life span of a meter is, and how many meters have been replaced over the past five years. He questioned whether there would be a year when the City does not need to undertake this expense.

**Mr. Rousse** responded that each year, those meters that have exceeded both a certain age, usually 15 years, and volume of water are replaced. He noted that the City has 32,000 meters in service and stated that a number of meters were replaced when the AMR Radio Read System installation was undertaken. He commented that each year the City will replace a number of meters and likened this to replacing the tires on a car. He noted that the life span of a 5/8-inch meter is 15 years, or one million cubic feet of water. He reported that the meter in Lifetime Fitness has been replaced twice to date, as Lifetime is the single highest user in the City. He stated that the cost is included in the Customer Charge.

**Mr. Rosen** questioned whether meter-life could be extended beyond 15 years.

**Mr. Rousse** responded that volume is a better indicator than age in determining replacement time. He commented that the City still has a few D-meters, which are older and are not compatible with the AMR system. He stated that the water meters are essentially the City's cash registers, and replacement ensures that they are accurately billing for water used.

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

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

Enactment No: RES0072-2010

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Etna Supply Company, Grand Rapids, Michigan for the purchase of water meters and equipment in the amount not-to-exceed \$150,000.00 through December 31, 2010.

**2010-0102** Request to Schedule a Public Hearing regarding a request to vacate a section of the right of way for Bendelow Road east along Graham Drive in Section 35, south of Auburn Road and west of John R. Road



**Attachments:** [Agenda Summary.pdf](#)  
[Memo to Clerk.pdf](#)  
[Engineering Report.pdf](#)  
[Location map.pdf](#)  
[Aerial Map.pdf](#)  
[Legal description and sketch.pdf](#)  
[Application.pdf](#)  
[031510 Resolution.pdf](#)

**Roger Rousse**, Director of DPS/Engineering, noted that when Country Club Village was developed, the roadway was revised and that the City no longer has a use for that portion of roadway. He stated that if that portion is retained, the City has a maintenance requirement for the area and commented that the City will still maintain sewer and water easements in that area.

**City Attorney John Staran** noted that if after the Public Hearing, Council votes to abandon the roadway, by operation of law it will become part of the adjoining lots.

**Mr. Webber** questioned whether the residents initiated the request.

**Mr. Rousse** responded that they had.

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

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

Enactment No: RES0085-2010

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

**Whereas**, Mr. and Mrs. Norman Romstad of 3065 Bendelow Road have requested that the City approve the vacation of the unimproved right of way of Bendelow Road east along Graham Drive, south of Auburn Road and east of John R. Road, in section 35 between the parcels 15-35-226-001 and 15-35-226-007, in the Brooklands Subdivision,

Description - The part of the Bendelow Road Right of Way east along Graham Drive in Section 35, south of Auburn Road and west of John R Road, between parcels 15-35-226-001 and 15-35-226-007

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

1. That it is hereby deemed advisable to vacate, discontinue or abolish the above-described street, alley, public ground or part thereof, and the City Council hereby declares its intention to do so.
2. That a Public Hearing is scheduled for Monday, April 12, 2010 at 7:00 p.m., Michigan Time, at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan for the City Council to hear and consider comments and objections submitted in writing or orally pertaining to the proposed

vacation, discontinuance or abolition.

3. That the City Clerk is hereby directed to give notice of the public hearing in the time and manner specified in Section 94-175 of the Code of Ordinances

**2010-0121** Request for Adoption of the Tree Fund Policy

**Attachments:** [Agenda Summary.pdf](#)  
[Tree Fund Policy.pdf](#)  
[Memo Add'l info Tree Fund.pdf](#)  
[Tree Fund Fund Balance.pdf](#)  
[Projection Data -Tree Fund.pdf](#)  
[Year to Year Projected Fund Balance.pdf](#)  
[Resolution.pdf](#)

**President Hooper** questioned whether there had been any change to the proposed Policy from that which was presented at the December 14, 2009 Regular City Council Meeting.

**Keith Sawdon**, Director of Finance, stated that the proposed Policy is the same as what was proposed December 14, 2009.

**Mr. Klomp** questioned the number of trees per year noted in the projected fund balance computations and questioned what was included in the \$46,000 per year annual tree purchase cost.

**Mike Hartner**, Director of Parks and Forestry, noted that 200 trees were included as a standard amount planted each year. He noted that with the cooperative program, the City has planted more than 200 in past years. He stated that \$46,000 includes 200 trees purchased by the City, with the full cost paid by the Tree Fund. He commented that with the 50/50 Cooperative Planting Program, the cost would be less. He stated that the estimate included a complete planting cost, installation and a one-year guarantee.

**Mr. Sawdon** noted that the spreadsheet included contains two components: the expenditure to buy the trees, and an estimate of income. He noted that the City will expend \$46,000, but income will be received as well.

**Mr. Rosen** questioned whether the Tree Fund includes interest earnings. He noted that three-percent (3%) interest on the Fund could generate \$60,000 to \$70,000 per year and be self-sustaining. He commented that he was not certain that the policy decision to transfer interest is the way to go.

**President Hooper** noted that at one time, the Administration proposed to take a percentage of the Fund itself to fund operations and Council opted to limit the transfer to interest earnings only.

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

**Aye** 6 - Brennan, Hooper, Klomp, Pixley, Webber and Yalamanchi

**Nay** 1 - Rosen

Enactment No: RES0074-2010

**Whereas**, the City Council for the City of Rochester Hills recognizes that the Tree Fund has been in use since 1988 and that a more formulized approach to the use of the fund appears to be appropriate as the City moves to a maintenance environment.

**Therefore, Be It Resolved**, that the attached Tree Fund Policy be adopted.

## COUNCIL COMMITTEE REPORTS

### Older Persons' Commission:

**Mr. Webber** reported that the Older Persons' Commission Board met on March 4, 2010 and adopted a policy regarding employees participating in campaign activities.

### Advisory Traffic and Safety Board:

**Mr. Webber** reported that the Advisory Traffic and Safety Board discussed the status and funding options for the Dequindre Road and Avon Bridge projects and also discussed that it should be suggested that Council investigate the adoption of a Plowing Ordinance which would mirror State Law.

### Sister City Committee - Rochester:

**Mr. Webber** noted that a Joint Meeting is planned between the City Councils of Rochester and Rochester Hills, currently scheduled for April 13, 2010. He reported that the City of Rochester's State of the City Address would be held on March 29, 2010 at 7:00 p.m. at the Rochester Community House.

### Cemetery Citizens Advisory Technical Review Committee:

**Mr. Pixley** reported that as the Cemetery Chapel project is being completed, the Committee will be looking into new activities.

## ANY OTHER BUSINESS

**Mayor Barnett** reported that U.S. Congressional Representative Gary Peters has decided against submitting any appropriation projects for 2011 for the District and noted that this would include funding for the Avon Bridge Replacement and Dequindre Road projects. He distributed a brief synopsis of the Administration's activities toward a Proposal for Emergency Dispatch Services, and noted that a final recommendation should be presented to Council by the April 30, 2010 timeline that Council proposed.

## NEXT MEETING DATE

*Regular Meeting - Monday, March 22, 2010 - 7:00 PM*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 8:42 p.m.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

*Approved as presented at the May 17, 2010 Regular City Council Meeting.*