



Rochester Hills

Minutes

City Council Regular Meeting

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

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

Vision Statement: The Community of Choice for Families and Business

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

Monday, March 16, 2009

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

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

Others Present:

*Ed Anzek, Director of Planning and Development
Bryan Barnett, Mayor
Clarinda Barnett-Harrison, Economic Development Assistant
Dan Casey, Manager of Economic Development
Scott Cope, Director of Building/Ordinance Compliance
Paul Davis, City Engineer
Kurt Dawson, Director of Assessing/Treasury
Derek Delacourt, Deputy Director of Planning
Mike Hartner, Director of Parks and Forestry
Jane Leslie, City Clerk
Roger Rousse, Director of DPS/Engineering
Keith Sawdon, Director of Finance
John Staran, City Attorney*

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 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

PUBLIC COMMENT

Lee Zendel, 1575 Dutton, commenting on the Single Trash Hauler program, stated that as of March 30, 2009, the trucks that Allied Waste will use to pick up trash, recycleables and yard waste are, by contract, not allowed to be used to pick up waste in any other community. He questioned whether any Allied Waste truck traveling on Dutton Road on any day other than the scheduled pickup day of Monday would be violating the City's Ordinance as Dutton is posted for no truck traffic and marked for local deliveries only. He questioned who paid for the recent mailings to residents regarding the Single Waste Hauler program. In conclusion, he reported that the Drudge Report website featured a story about a protest against Canada's annual seal hunt.

Alice Benbow, 1582 Northumberland, commented that Jim Duistermars, a current member of the Zoning Board of Appeals (ZBA), was a member of the Strong Leadership Fund, which promoted several Council candidates at the last City Council and Mayoral election. She questioned how Mr. Duistermars could be on the ZBA and not be a property taxpayer in Rochester Hills and suggested that others be considered for the ZBA. She stated that she observed that the City has an all-male Council, and predominantly male committees. She referenced a recent letter to the editor written by Ernest Colling, Jr., stating that his letter attacked those with differing opinions.

Leonard Raffler, 921 W. Auburn, stated that he attended a meeting between himself, the Mayor and Mr. Dawson, City Assessor/Treasurer, where he raised several questions regarding the Board of Review's appointments. He stated that he had gone before the Board of Review in the past with information, and that the Board of Review refused to look at it; and further commented that he felt the Board of Review was not there for the reason it was intended to be. He encouraged all residents to review their assessment records at the City to ensure they are correct.

Monique Balaban, 1487 N. Livernois, stated that she was proud to be a resident of Rochester Hills, and noted that Rochester Hills has a character like no other city, citing the Clinton River, the trails, parks, nature preserves and Oakland University. She stated that she was not in favor of any project that would expand Tienken Road to five lanes. She stated that the taxpayers who live in the City should make the decision on the scope of a road widening project.

Harper West, 155 Arizona, complimented the Mayor and City Staff regarding the State of the City, commenting that it was an informative and positive evening. She also complimented City Council and Staff for the new Solid Waste Program. She questioned whether the Hamlin Road project could include a median landscaping option to use a Xeriscape concept with native landscaping, as medians landscaped with grass required great long-term expense for watering and maintenance. She suggested that any proposals for median landscape include an option for Xeriscaped medians and not only include the initial costs, but ongoing cost projections over thirty years, including volume of water and gallons of fuel needed for maintenance.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Hooper stated the following:

- Responding to Ms. Balaban, he stated that no decision has been made as to the Tienken Road Widening Project. He commented that the Master Thoroughfare Plan recommends three lanes, and noted that Tienken Road is owned by the Road Commission of Oakland County (RCOC), and not by the City. He stated that RCOC has completed their Environmental Impact Statement (EIS) and is currently gathering public input and noted that the project would return to City Council in the future for discussion.
- Responding to Ms. Benbow, he stated that individuals serving on City Boards and Commissions must be City residents, but are not required to be property owners.
- Requested that Mayor Barnett address Mr. Raffler's comments regarding the City's Board of Review, as well as Mr. Zendel's questions regarding Dutton Road truck traffic.
- Responding to Ms. West, he stated that he would look into scheduling a Council study session on boulevard landscape options.

Mr. Brennan stated that he appreciated the public input regarding Tienken Road, however, it is an RCOC project and no decision on the project has been made. He also expressed his congratulations to the Rochester High School (RHS) Competitive Cheer Team, which came in First Place at the Division One Michigan High School Athletic Association Competition. He noted that this is the team's 12th State Title since the tournament started in 1994, and 17th Title overall.

Mr. Ambrozaitis stated that he concurred with comments made by Ms. West regarding boulevard landscape options. He wished everyone a happy and safe St. Patrick's Day.

Mr. Pixley stated the following:

- Extended his congratulations to the RHS Cheer Team as well, stating that he and Coach Wood attended Rochester High School together, where she was a cheerleader.
- Congratulated Sam Kilberg, RHS Student, who was recently awarded Prudential Financial's Spring Community Award. Mr. Kilberg was one of eight individuals in Michigan receiving this Award, and was recognized by Prudential Financial for his work supporting the Brain Injury Association of Michigan (BIAMI) Veteran's Program. He noted that Mr. Kilberg coordinated a Home Run for Heroes baseball tournament last summer to benefit the Association.
- Announced that the Rochester Hills Government Youth Council (RHGYC) is sponsoring a 5k Run/Walk to benefit BIAMI on Saturday, June 27, 2009 at 10:00 a.m. in Bloomer Park.

Mr. Rosen, addressing his request for a Special Budget Workshop, expressed that his intent was not to reopen the 2009 Budget, but rather to look at the potential difficulties for 2010, 2011, 2012 and 2013, and review projective revenues and major budget items based on the Capital Improvement Project, Michigan

Department of Transportation, and the Road Commission of Oakland County. He stated that he wished to get a better understanding of where the City is headed, and suggested that this work session be similar to the update presented to Council last March by Julie Jenuwine, former Fiscal Director. He stated that he would send an e-mail to President Hooper and other Council Members better explaining his request.

Mr. Webber noted that there was a tremendous turnout at the Mayor's State of City Address on March 5, 2009. He congratulated the RHGYC for assisting at this event.

Mayor Barnett stated the following:

- He wished to recognize not only RHS Cheer Team but also the Rochester Robotics Team, which finished in second place at a competition in Traverse City and will be going on to the State Finals.
- Andrew Pixley, son of Council Member Vern Pixley, is the newly-elected "Governor" of the Youth in Government Group, a leadership organization of students throughout the State.
- Residents are encouraged to review the City's assessment records for their properties, as many of the City's records consist of older documents.
- Regarding Tienken Road, he stated that the RCOC is in the process of completing the Environmental Impact Statement (EIS), and is considering three-lane, four-lane and five-lane options. He commented that the results of the EIS were expected to be completed and brought to Council for discussion some time in May.
- The Environmental Education Center would be holding a Sap-To-Syrup Pancake Breakfast on Saturday, March 21, 2009, from 9:00 a.m. to 12:00 noon. City Staff will be making syrup from trees in Rochester Hills and would be serving pancakes.
- A Press Conference would be held this coming Friday, March 20, 2009, regarding an economic development item of interest.
- The City received a contribution of \$20,000 raised by the Rochester Youth Soccer League to be used for repair work on soccer fields at Borden Park.
- The Single Trash Hauler program, including the Recycle Bank Recycling program, will begin on March 30, 2009. He then showed a video compiled from news reports appearing on Fox-2 News and WDIV Local-4 television stations about the new Recycle Bank program. He noted that since these reports aired, the City has been contacted by a dozen municipalities for more information on the Recycle Bank program.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

CONSENT AGENDA

2009-0110 Approval of Minutes - City Council Regular Meeting - December 8, 2008

Attachments: [CC Min 120808.pdf](#)
[CC Min 120808 Revised.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0072-2009

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

2009-0037 Approval of Minutes - City Council Regular Meeting - December 15, 2008

Attachments: [CC Min 121508.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0073-2009

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

2009-0111 Approval of Minutes - City Council Special Meeting - December 22, 2008

Attachments: [CC Special Meeting Min 122208.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0074-2009

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

2009-0114 Request for Adoption of a Resolution in Support of the Michigan Safe Routes to School Program

Attachments: [Agenda Summary.pdf](#)
[School Notice Letter 082707.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0075-2009

Whereas, the Michigan Department of Transportation (MDOT) is accepting applications for the Safe Routes to School Program; and

Whereas, the Department of Public Services has identified the Hampton Elementary School neighborhood as a viable candidate for improvements; and

Whereas, up to 100% of the construction costs associated with improvements would be eligible for Federal funding under said program; and

Whereas, the City Council is supportive of submitting applications for said Safe Routes to School funding.

Now, Therefore, Be It Resolved, that Rochester Hills City Council is supportive of undertaking the application for Safe Routes to School funding through MDOT; and

Be It Further Resolved, that the Mayor or the appropriate Department of Public Services representative is authorized to make application for said Safe Routes to School Program funding for and on behalf of the City of Rochester Hills.

2009-0099 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 22A Gravel in the amount not-to-exceed \$36,000.00; Tri-City Aggregates, Inc., Holly, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0076-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Tri-City Aggregates, Inc., Holly, Michigan for the purchase of 22A Gravel in the amount not-to-exceed \$36,000.00 through December 31, 2009.

2009-0100 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 22X Slag in the amount not-to-exceed \$5,000.00; Gary's Transport, Inc., Macomb, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0077-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Gary's Transport, Inc., Macomb, Michigan for the purchase of 22X Slag in the amount not-to-exceed \$5,000.00 through December 31, 2009.

2009-0101 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for asphalt paving materials in the amount not-to-exceed \$28,500.00; Ajax Materials Corporation, Troy, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0078-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Ajax Materials Corporation, Troy, Michigan for asphalt paving materials in the amount not-to-exceed \$28,500.00 through December 31, 2009.

- 2009-0102** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Bituminous Cold Patching Materials in the amount not-to-exceed \$15,500.00; Ajax Materials Corporation, Troy, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0079-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Ajax Materials Corporation, Troy, Michigan for Bituminous Cold Patching Materials in the amount not-to-exceed \$15,500.00 through December 31, 2009.

- 2009-0106** Request for Purchase Authorization - DPS/GAR: One (1) John Deere 410J Backhoe Loader in the amount of \$97,258.00; JDE Equipment Company, New Hudson, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0080-2009

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) John Deere 410J Backhoe Loader from JDE Equipment Company, New Hudson, Michigan in the amount of \$97,258.00.

- 2009-0108** Request for Purchase Authorization - DPS/GAR/PARKS: Purchase of one (1) new John Deere 5085m Utility Tractor in the amount of \$44,406.07

Attachments: [Agenda Summary \(revised\).pdf](#)
[Agenda Summary.pdf](#)
[State Pricing.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0081-2009

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) new John Deere 5085m Utility Tractor from John Deere Company, Cary, North Carolina in the amount of \$44,406.07.

Passed the Consent Agenda

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

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

PUBLIC HEARINGS

2009-0091 Request to establish an Industrial Development District at 1935-1955 Enterprise Dr., Rochester Hills, MI 48309

Attachments: [Agenda Summary.pdf](#)
[030209 Agenda Summary.pdf](#)
[030209 Resolution.pdf](#)
[Resolution.pdf](#)

Dan Casey, Manager of Economic Development, stated that the City received a request to establish an Industrial Development District (IDD) from First Industrial Realty Trust, owner of a building located at 1935-1955 Enterprise Drive. The City has also received a tax abatement application from Magna Electronics/BluWav Systems for the facility. He provided the following details of the proposed project:

- The building is currently occupied by DAYCO Products. DAYCO will be leaving when their lease expires at the end of this year and the building will become vacant.
- Magna's will occupy one-third of the 53,000 square foot building initially, with plans to expand to the entire building by the end of the year.
- Magna International is the largest automotive supplier in the world.
- Magna produces driver assistance products, cameras and lane departure warning systems.
- BluWav Systems, recently purchased by Magna, develops electronic propulsion and energy management systems for hybrid electronic and all-electronic vehicles.
- Magna International and BluWav Systems have applied for a Michigan Economic Growth Association (MEGA) tax credit.
- The Rochester Hills site is in competition with a site in Alabama.
- The MEGA Board will be meeting tomorrow, March 17, 2009 in Lansing. By State Law, the company must request a match, typically tax abatements, from the local community.
- Magna Electronics/BluWav Systems' proposal is to invest \$4.7 million. The majority of this amount would be new Personal Property, and a small portion Real Property.
- Magna is requesting an abatement of both Real and Personal Property. The Real Property portion would only include what is being invested in the building. Existing taxes on the building would not be abated.
- Twenty current BluWav employees would be retained.
- Approximately 55 employees would be transferred from Magna Electronic to this facility.

- Up to 90 new jobs are proposed within five years.
- Approximately 111 spin-off jobs in the community are projected as a result of this investment.
- Total investment over five years is approximately \$20 million.
- The abatement request is for \$4.7 million in initial investment.

Kevin Pavlov, Vice President of Intelligent Power Systems, Magna Electronics, explained that the Rochester Hills location was initially selected in 2003 by WavCrest Laboratories for its proximity to the auto industry. As the company grew, facilities in Virginia and Florida were closed, employees were moved to Rochester Hills, and the company became BluWav Systems. Their current facility has a 31 person limit and they have outgrown it, spilling into the buildings around them. The company has a hiring rate of 10-to-15 individuals per month.

He stated that Magna, whose headquarters are in Canada, is one of the leading hybrid electronic vehicle companies in the world, with 34 facilities and 3,000 employees globally. The Rochester Hills facility is the center for their hybrid platform growth.

BluWav Systems was founded in 2004 and has made over thirty hybrid electric vehicle platforms. Magna purchased BluWav Systems in October of 2008 to enhance Magna's position in developing and supplying components and systems to the emerging automotive market for electric and hybrid vehicles.

New Corporate Research and Development Facility:

This project is being undertaken to integrate the alternative vehicle operations of BluWav Systems into Magna Electronics and to expand the alternative vehicle resources for design, development, testing, implementation and commercialization of new propulsion and energy systems product technologies for the automotive industries.

- Planned move-in: April 2009.
- 53,000 square foot facility.
- Approximately \$20 million investment over the next five years.
- New Michigan Green Jobs: 90 employees.

Global Capability:

- Engineering and Engineering Services.
- Product Systems.
- Vehicle Assembly - Prototypes.

Magna Electronic Product Capabilities:

- Intelligent Power Systems for Hybrid Electric Vehicles.
- Smart Actuators.
 - * Redesigning motors on a vehicle to be more energy efficient

EV Product Portfolio; Alternative Propulsion Systems:

- Magna has created an EV platform which has become the heart of their technology; this is a vehicle designed around electric drive.
- Magna also has the technology to put electric drives into gasoline vehicles along with developing the accompanying systems and modules.

Ford Focus Battery EV:

- On January 11, 2009, Ford Motor Company and Magna Electronics announced an "Electrifying Alliance" to partner to introduce a zero-emission battery electric vehicle.
- The prototype, a Ford Focus, is slated for production in 2011.
- With 23 kilowatt hours of battery, the vehicle currently has a 100-mile range.
- Fifty percent of the sales price of the vehicle is the electric drive, and the other fifty percent is the cabin and steel that makes up the vehicle.

Battery Electric Smart Demonstrator:

- Technology Solution
 - * Hub Motor Vehicles: No motor in the front of the vehicle
 - * Performs exactly as the gasoline version
 - * Safer, and quieter
 - * Only vehicle in existence right now to have the hub-drive system
 - * Braking on this vehicle is all done with motors

X4 Wheel Motor Diesel Series Hybrid:

- Working with Raytheon Missile Systems for a military vehicle.
- Four electric motors, one in each wheel.
- Will pull One-"G" straight forward.

Mr. Casey reviewed the proposed tax abatement amounts, based on a \$4.7 million investment in personal and real property:

Taxes paid without the abatement:	\$285,800
With the abatement:	\$146,610
The City's share would be:	\$ 52,017

President Hooper Opened the Public Hearing at 8:33 p.m. Seeing no public input, President Hooper Closed the Public Hearing at 8:34 p.m.

Council Discussion:

Mr. Yalamanchi questioned which jobs would be moved to Rochester Hills.

Mr. Pavlov responded that thirty jobs would be moved out of Troy and sixty would be moved out of Holly. He stated that during this budget year, he expected there to be thirty to forty new hires and additional hires would be made in 2010 to cover expected business with Chrysler.

Frank Ervin, Manager of Government Affairs, Magna Electronics, commented that these estimates are minimum job numbers and further explained that if the market continues to grow toward alternative energy vehicles, the company might expect to add additional positions.

Mr. Yalamanchi questioned how the decline in auto sales might affect these projections.

Mr. Pavlov responded that this is an emerging market and expected that these projections are actually conservative. He stated that two divisions, entailing the hybrid and driver assistance programs, will be moving into the building. He

noted that a proposed Legislative Program called "Kids and Cars" could require the further development of backup camera systems.

Mr. Yalamanchi stated that he would recommend waiving City Council's Tax Abatement Policy to include an abatement for a Real Property investment of less than \$500,000.

Mr. Ambrozaitis concurred that he would also support including Real Property.

Mr. Rosen questioned when the company might expect to outgrow this location.

Mr. Pavlov responded that he could not give a projected date that might occur, and stated that the company would have to intelligently manage growth, utilizing realistic hiring targets. He stated that one new program could fill a building.

Mr. Rosen questioned whether the company had tax abatements for their facilities in Troy or Holly.

Mr. Pavlov stated that the company had some abatements in Holly, but had no abatements in Troy. He stated that the company was not moving out of Holly, but merely moving their Engineering division to Rochester Hills.

Mr. Rosen stated he thought it would be prudent to leave the Real Property out of the abatement.

Mr. Casey stated that the Development Agreement would protect the City, stipulating that if Magna moves out of the City before the eighth year, they would have to pay back the abated taxes. If Magna needs a larger building, the abatement could be transferred to another building in the City.

See also Legislative File 2009-0092.

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

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

Enactment No: RES0082-2009

Whereas, First Industrial Realty Trust has requested that an Industrial Development District be established at 1935-1955 Enterprise Dr., further known as:

Lots 1, 2 and the West 96' of Lot 3 of "T.A.N. Industrial Park," a subdivision of part of the North 1/4 of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 184 of Plats, Pages 16 through 18 of the Oakland County Records; and

Whereas, the Rochester Hills City Council held a Public Hearing regarding this request at the Regular Meeting of March 16, 2009 at 7:30 p.m. in the Council Chambers, at 1000 Rochester Hills Dr., Rochester Hills, Michigan, during which the owner of the property, taxing authorities, and all interested parties were given the opportunity to be heard; and

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

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

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

2009-0092 Request to approve an Industrial Facilities Exemption Certificate for Magna Electronics

Attachments: [Agenda Summary.pdf](#)
[Analysis.pdf](#)
[Development Agreement.pdf](#)
[Application.pdf](#)
[Suppl Presentation.pdf](#)
[030209 Agenda Summary.pdf](#)
[030209 Resolution.pdf](#)
[Resolution.pdf](#)

See also Legislative File 2009-0091.

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

Aye 6 - Ambrozaitis, Brennan, Hooper, Pixley, Webber and Yalamanchi

Nay 1 - Rosen

Enactment No: RES0093-2009

Resolved, that the Rochester Hills City Council hereby waives City Council Policy on Tax Abatement to include Real Property for the Industrial Facilities Exemption Certificate for Magna Electronics.

2009-0092 Request to approve an Industrial Facilities Exemption Certificate for Magna Electronics

Attachments: [Agenda Summary.pdf](#)
[Analysis.pdf](#)
[Development Agreement.pdf](#)
[Application.pdf](#)
[Suppl Presentation.pdf](#)
[030209 Agenda Summary.pdf](#)
[030209 Resolution.pdf](#)
[Resolution.pdf](#)

See also Legislative File 2009-0091.

President Hooper Opened the Public Hearing at 8:50 p.m.

Seeing no public input, President Hooper Closed the Public Hearing at 8:51 p.m.

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

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

Enactment No: RES0094-2009

Whereas, Magna Electronics, as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, is located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Acts of 1974," as amended; and

Whereas, the Industrial Development District is that property located at 1935-1955 Enterprise Dr., further identified as:

Lots 1, 2 and the West 96' of Lot 3 of "T.A.N. Industrial Park," a subdivision of part of the North 1/4 of the Southwest 1/4 of Section 28, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 184 of Plats, Pages 16 through 18 of the Oakland County Records; and

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

Whereas, a Public Hearing regarding this request was held at City Council's Regular Meeting of March 16, 2009 in which the taxing authorities, applicant and public were given an opportunity to be heard; and

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

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, does not have the effect of substantially impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.
- b. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.
- c. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of providing a new facility on industrial property.
- d. The construction of the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.

Resolved, that pursuant to Section 9, (1) and (2) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the request of Magna Electronics for an Industrial Facilities Exemption Certificate for a period of eight (8) years after project completion for real and personal property, and

Be It Further Resolved, that the accompanying agreement between Magna Electronics and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution no later than October 20, 2009; and

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

ORDINANCE FOR INTRODUCTION

2008-0581 Acceptance for First Reading - Approval of a new Zoning Ordinance and Zoning Map of the City of Rochester Hills

Attachments:

[Zoning Ordinance \(Revised\).pdf](#)
[031609 Agenda Summary.pdf](#)
[030209 Agenda Summary.pdf](#)
[Memo Breuckman 022009.pdf](#)
[Zoning Ordinance.pdf](#)
[Map Amendments.pdf](#)
[New Zoning Map.pdf](#)
[Proposed Zoning Chgs Map.pdf](#)
[Existing Zoning Map.pdf](#)
[Sample Letters.pdf](#)
[Minutes PC 111808.pdf](#)
[Minutes PC 121608.pdf](#)
[Minutes PC 012009.pdf](#)
[Minutes PC 012709.pdf](#)
[Minutes PC 021709.pdf](#)
[Suppl Presentation.pdf](#)
[031609 Resolution.pdf](#)

Derek Delacourt, Deputy Director of Planning, stated that he had received no additional comments from residents, Staff or City Council since the last Council meeting where the proposed Zoning Ordinance was discussed.

Council Discussion:

Mr. Ambrozaitis questioned whether utilizing new GIS Mapping Systems to encourage geothermal applications could be incorporated into the Zoning Ordinance.

Mr. Delacourt stated that Bill Sauer, GIS Manager, could discuss the GIS System, however, it would not be incorporated into the Zoning Ordinance at this time.

Ed Anzek, Director of Planning and Development, stated that geothermal is encouraged by policy applications in building design. He noted that the proposed Zoning Ordinance does have provisions for wind and solar power.

Mr. Yalamanchi questioned whether the proposed Zoning Ordinance could be easily amended at a later date.

Mr. Anzek responded that changes were anticipated to fine-tune the Ordinance.

Mr. Rosen stated that he supported proceeding with acceptance of this Ordinance for First Reading, with the proviso that he would bring additional questions as he reviewed the Ordinance further.

President Hooper indicated that as his employer has a minor interest in property listed in Map Amendment 9, he would recuse himself from a vote on that Map Amendment.

A motion was made by Ambrozaitis, seconded by Webber, that the proposed new Zoning Ordinance and Zoning Map (excluding Map Amendment 9) be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:

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

Whereas, in preparing a new Zoning Ordinance and Zoning Map, the Planning Commission has met extensively and completed a careful and comprehensive study of the proposed Ordinance; and

Whereas, the Planning Commission held Public Hearings on the proposed new Zoning Ordinance and Zoning Map on December 16, 2008 and January 27, 2009, pursuant to Section 306 of Public Act 110 of 2006, known as the Michigan Zoning Enabling Act, MCL 125.3101 et seq.; and

Whereas, the Planning Commission has provided a final report to the City Council recommending adoption of the proposed new Zoning Ordinance and Zoning Map.

Resolved, that the Rochester Hills City Council hereby accepts the Zoning Ordinance and Zoning Map, excluding Map Amendment 9, for First Reading.

2008-0581 Acceptance for First Reading - Approval of a new Zoning Ordinance and Zoning Map of the City of Rochester Hills

Attachments:

[Zoning Ordinance \(Revised\).pdf](#)
[031609 Agenda Summary.pdf](#)
[030209 Agenda Summary.pdf](#)
[Memo Breuckman 022009.pdf](#)
[Zoning Ordinance.pdf](#)
[Map Amendments.pdf](#)
[New Zoning Map.pdf](#)
[Proposed Zoning Chgs Map.pdf](#)
[Existing Zoning Map.pdf](#)
[Sample Letters.pdf](#)
[Minutes PC 111808.pdf](#)
[Minutes PC 121608.pdf](#)
[Minutes PC 012009.pdf](#)
[Minutes PC 012709.pdf](#)
[Minutes PC 021709.pdf](#)
[Suppl Presentation.pdf](#)
[031609 Resolution.pdf](#)

A motion was made by Webber, seconded by Pixley, that Zoning Ordinance Map Amendment 9 be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:

Aye 6 - Ambrozaitis, Brennan, Pixley, Rosen, Webber and Yalamanchi

Abstain 1 - Hooper

Resolved, that the Rochester Hills City Council hereby accepts Zoning Map Amendment 9, for First Reading.

NOMINATIONS/APPOINTMENTS

2009-0113 Nomination/Appointment of three (3) Citizen Representatives to the Zoning/Sign Board of Appeals for a three-year term to expire March 31, 2012

Attachments: [031609 Agenda Summary.pdf](#)
[Notice of Vacancies.pdf](#)
[Nomination Grid.pdf](#)
[Jim Duistermars CQ.pdf](#)
[Philip Hurst CQ.pdf](#)
[Jason Long CQ.pdf](#)
[Michael McGunn CQ.pdf](#)
[Joe Pullukat CQ.pdf](#)
[Gerard Verschueren CQ.pdf](#)
[Murray Woolf CQ.pdf](#)
[Resolution.pdf](#)

President Hooper Opened the Floor for Nominations.

Mr. Ambrozaitis nominated Jason Long, Michael McGunn and Gerard Verschueren.

Mr. Webber nominated Jim Duistermars.

Seeing no further nominations, **President Hooper** Closed the Floor for Nominations. He stated that since four nominations were received for three vacancies on the Zoning Board of Appeals, this item would return for a vote at the March 30, 2009 City Council Meeting.

Discussed.

(Mr. Ambrozaitis exited at 9:04 p.m. and re-entered at 9:06 p.m.)

2009-0061 Discussion regarding the membership composition of the Deer Management Advisory Committee.

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

Mr. Yalamanchi stated that those who are not appointed to this committee should still consider attending meetings and actively participate. He suggested that the committee should consist of nine citizen members.

Mr. Rosen stated that this is not an issue where an all-citizen advisory board would function well. He stated that the Mayor could be included as either an official or ex-officio committee member and commented that he supported having seven citizens and two Council members.

Mr. Pixley commented that while many different committee structures could be possible, he supported the Committee structure remaining as seven citizens and two Council members.

President Hooper stated that he wished this to be a citizen-driven committee.

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

Aye 3 - Ambrozaitis, Hooper and Yalamanchi

Nay 4 - Brennan, Pixley, Rosen and Webber

Enactment No: RES0090-2009

Resolved, that the Rochester Hills City Council hereby directs that the membership of the Deer Management Advisory Committee be changed to include Nine (9) Citizen Representatives and no City Council Members.

2009-0094 Nomination/Appointment of seven (7) Citizen Representatives to the Deer Management Advisory Committee each for a term to expire December 2009

Attachments:

[031609 Agenda Summary.pdf](#)
[031609 Appointment Form.pdf](#)
[030209 Agenda Summary.pdf](#)
[030209 Resolution.pdf](#)
[Nomination Form.pdf](#)
[Monique Balaban CQ.pdf](#)
[Martha Black CQ.pdf](#)
[Don Booth CQ.pdf](#)
[William Carlson CQ.pdf](#)
[William Davidson CQ.pdf](#)
[Giuliana Deaconu CQ.pdf](#)
[Allen Decker CQ.pdf](#)
[Carol Donovan CQ.pdf](#)
[Dina Douthitt CQ.pdf](#)
[Jerome Gross CQ.pdf](#)
[Susan Jaracz CQ.pdf](#)
[Damian Kassab CQ.pdf](#)
[Jim Kubicina CQ.pdf](#)
[Thomas McDonald CQ.pdf](#)
[Erik Olson CQ.pdf](#)
[Joseph Podvin CQ.pdf](#)
[Linda Raschke CQ.pdf](#)
[Frank Seleno CQ.pdf](#)
[Siegrid Stern CQ.pdf](#)
[Kathryn Wojcik CQ.pdf](#)
[Suppl Info Deanna Hilbert CQ.pdf](#)
[Suppl Info Ruth Vince CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[031609 Resolution.pdf](#)

Public Comment:

Kathryn Wojcik, 864 Peach Blossom, stated she is a 24-year resident of Rochester Hills, and commented that she was pleased that City Council voted to suspend the cull and establish the Deer Management Advisory Committee. She stated that she was optimistic that the City could reduce the number of deer/vehicle collisions without utilizing taxpayer money and hopefully without having a cull of deer.

Erik Olson, 974 Hillsborough, stated that he had a prepared presentation that would take more than three minutes to present, therefore, could only present highlights of research he has done in other cities. He commented that another car/deer accident had occurred this morning on Tienken Road.

Martha Black, 2408 Jackson, stated that she was hopeful and encouraged by Council's decision to form the Committee. She stated that Mayor Barnett could bring unity to the Committee and could serve as the Chairperson.

Harper West, 155 Arizona, stated that as an environmentalist, she cares for all aspects of the natural world. While deer are what naturalists call a charismatic large mammal, they tend to forget that when those animals overpopulate other

creatures are then damaged and this affects the entire ecosystem in Rochester Hills and elsewhere. Damage from the deer overpopulation erodes streams and harms fish and other animals. The overpopulation of coyotes are a result of deer overpopulation, and she noted that Bloomfield Hills recently announced a cull of coyote. She stated that members who would take the entire ecosystem into consideration should be included on the Deer Management Advisory Committee.

Mayor Barnett responded to Ms. Black, indicating that he would be happy to serve as an ex-officio member of the Committee, however, he did not feel it appropriate that he act as Chair.

President Hooper indicated that Council members should vote for seven individuals. Those individuals receiving a majority of votes would be appointed to the Deer Management Advisory Committee. If seven individuals did not receive a majority of votes, the individuals with the lowest votes would drop off the list and voting would continue with the remaining individuals until seven individuals receive a majority of votes.

The individuals nominated at the March 9, 2009 City Council meeting received the following votes:

Monique Balaban: Ambrozaitis, Brennan, Pixley, Rosen, Webber and Yalamanchi

Martha Black: Ambrozaitis, Rosen and Yalamanchi

William Carlson: Hooper, Ambrozaitis, Brennan and Pixley

William Davidson: Hooper

Giuliana Deaconu: Rosen

Allen Decker: Ambrozaitis, Brennan, Pixley, Webber and Yalamanchi

Jerome Gross: Hooper

Deanna Hilbert: Ambrozaitis, Rosen and Yalamanchi

Susan Jaracz: Ambrozaitis and Rosen

Damian Kassab: Brennan, Pixley, Webber and Yalamanchi

Jim Kubicina: Ambrozaitis, Brennan, Pixley, Webber and Yalamanchi

Thomas McDonald: Hooper, Brennan, Pixley and Webber

Erik Olson: Hooper and Webber

Joseph Podvin: Rosen and Yalamanchi

Linda Raschke: Hooper, Brennan, Pixley and Webber

Ruth Vince: Hooper

Kathryn Wojcik: Rosen

President Hooper indicated that Monique Balaban, William Carlson, Allen Decker, Damian Kassab, Jim Kubicina, Thomas McDonald and Linda Raschke received a majority of votes.

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

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

Enactment No: RES0091-2009

Resolved, that the Rochester Hills City Council appoints Monique Balaban, William Carlson, Allen Decker, Damian Kassab, Jim Kubicina, Thomas McDonald, and Linda Raschke to the Deer Management Advisory Committee to serve a term to expire December 2009.

2009-0095 Appointments of two (2) City Council Members to the Deer Management Advisory Committee for terms to expire December 2009

Attachments: [Appointment Form.pdf](#)
[030209 Appointment Form.pdf](#)
[030209 Resolution.pdf](#)
[Resolution.pdf](#)

Mr. Yalamanchi withdrew his name from consideration.

The remaining Council Members nominated received the following votes:

Vote #1:

J. Martin Brennan: Ambrozaitis, Brennan, Hooper, Pixley and Yalamanchi

Greg Hooper: Webber

James Rosen: Ambrozaitis, Brennan, Rosen and Yalamanchi

Michael Webber: Hooper, Pixley, Rosen and Webber.

President Hooper indicated that J. Martin Brennan would be Appointed. He then called for a run-off vote between James Rosen and Michael Webber.

Vote #2:

James Rosen: Ambrozaitis, Rosen and Yalamanchi

Michael Webber: Brennan, Hooper, Pixley and Webber

President Hooper indicated that Michael Webber would be Appointed.

A motion was made by Webber, seconded by Pixley, that Council Members J. Martin Brennan and Michael Webber be Appointed. The motion CARRIED by the following vote:

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

Enactment No: RES0092-2009

Resolved, that the Rochester Hills City Council appoints Council Members J. Martin Brennan and Michael Webber to the Deer Management Advisory Committee, each for a term expiring December 2009.

NEW BUSINESS

2009-0121 Request for Nonprofit Designation for a Charitable Gaming License from the State of Michigan - Oakland Live Y'ers (OLY), applicant

Attachments: [Agenda Summary.pdf](#)
[OLY Letter 030509.pdf](#)
[IRS Nonprofit.pdf](#)
[Sample Flyer for Raffle.pdf](#)
[OLY Bylaws.pdf](#)
[Resolution.pdf](#)

Nancy Goins, representative of the Oakland Live Y'ers (OLY), indicated that this raffle would raise funds for OLY's higher-level swimmers to attend out-of-state swim meets. She reported that twelve OLY members were currently in Orlando competing at the Junior Nationals Swim Meet. She stated that thirty members would be traveling to Indianapolis next weekend. She stated that OLY has been a non-profit organization for a number of years.

Mr. Pixley expressed his support for the OLY organization, stating that this was a dedicated group of swimmers and parent volunteers. He noted that Peter Vanderkaay, Olympic Gold Medalist, was a member of OLY.

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

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

Enactment No: RES0083-2009

Resolved, that the request from Oakland Live Y'ers (OLY) located at 3128 Walton Boulevard #123, Rochester Hills, Michigan 48309, Oakland County, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval.

2009-0103 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for calcium chloride in the amount not-to-exceed \$104,000.00; South Huron Industrial, Inc., Flat Rock, MI

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

Roger Rouse, Director of DPS/Engineering, stated that five chloride applications were budgeted for this year. He noted that the rate of application would be 1,500 gallons per mile applied for through-streets and 1,000 gallons per mile applied for dead-end streets. He commented that if conditions were extremely dry, the application rates could vary.

Mr. Ambrozaitis requested that Mr. Rouse address a water problem in front of the first two homes on Stellma Lane, west of Livernois, created by asphalt fill and gravel road grading activities.

Mr. Rouse responded that he would investigate this.

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

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

Enactment No: RES0084-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to South Huron Industrial, Inc., Flat Rock, Michigan for calcium chloride in the amount not-to-exceed \$104,000.00 through December 31, 2009.

- 2009-0104** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Ready Mix Concrete Materials in the amount not-to-exceed \$131,000.00; Primary Vendor: Arlington Transit Mix, Shelby Township, MI; Secondary Vendor: Superior Materials, Farmington Hills, MI

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

President Hooper disclosed that while he works in the construction industry and knows the parties involved, he has no connection to this purchase and, therefore, did not feel it was necessary that he recuse himself from this issue.

Roger Rousse, Director of DPS/Engineering stated that the City will concentrate this year on repairs in areas with drainage problems, focusing on failing catch basins, sanitary sewer manholes and areas of water migration.

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

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

Enactment No: RES0085-2009

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Arlington Transit Mix, Shelby Township, MI as primary vendor and Superior Materials, Farmington Hills, MI as secondary vendor for Ready Mix Concrete Materials in the amount not-to-exceed \$131,000.00 through December 31, 2009.

- 2009-0105** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Water Meters for new residential/commercial construction, existing residential connections to municipal water and updating meters in the amount not-to-exceed \$220,000.00; Etna Supply Company, Grand Rapids, MI

Attachments: [Agenda Summary.pdf](#)
[Etna Pricing Sheets.pdf](#)
[Resolution.pdf](#)

President Hooper disclosed that while he works in the construction industry and knows the parties involved, he has no connection to this purchase and, therefore, did not feel it was necessary that he recuse himself from this issue.

Roger Rousse, Director of DPS/Engineering, stated that this purchase was a part of the City's Meter Rehabilitation Program. He stated that the City has reduced lost water amounts from fifteen percent in 2006 to ten percent in 2007 as a result of meter replacement and new meter accuracy.

Mr. Yalamanchi questioned whether this was a yearly purchase and questioned how costs were being recovered.

Mr. Rousse responded that this is a rolling replacement program and stated that each year a certain number of meters are exchanged. He noted that

meters are warranted for a certain time period and volume of water, and as these period and volumes are exceeded, the meters lose their accuracy. He commented that a rule of thumb was to replace residential meters after fifteen years or one million cubic feet of water, as each year after that period, the meters lose one percent of accuracy. He explained that the replacement costs were included in the rate structure and that there was no additional charge to residents. He stated that meter replacement is a means to generate revenue without raising rates and noted that the City has reduced lost revenue by five percent. He noted that the MXU meter reading program was initiated at the same time that this replacement program was started.

Mr. Yalamanchi questioned whether a tracking mechanism was in place for the meter replacement.

Mr. Rouse indicated that DPS was in the process of entering meter replacement into the City's Asset Management System. He stated that this year meters three-inches and above were targeted.

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

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

Enactment No: RES0086-2009

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order to Etna Supply Company, Grand Rapids, Michigan for water meters for new residential/commercial construction, existing residential connections to municipal water and updating meters in the amount not-to-exceed \$220,000.00 through December 31, 2009.

2009-0107 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance and repairs or upgrades of existing traffic signals and SCATS costs in the amount not-to-exceed \$100,000.00; Agreement for the operations, maintenance and inspection of the existing overhead pedestrian crossing traffic sign and mast arm located on the east side of Adams Road; Road Commission for Oakland County, Waterford, MI

Attachments: [Agenda Summary.pdf](#)
[Traffic Control Device Agreement.pdf](#)
[Signal Listing.pdf](#)
[Resolution.pdf](#)

Public Comment:

Lee Zendel, 1575 Dutton, commented that frequently earmarks in appropriations bills can cost the communities that receive them in the long run. He noted that the SCAT system was installed with Federal funds, however, the communities are now stuck with the system's maintenance. He commented that he did not believe that the City would have spent the money to put this system in on its own.

Roger Rouse, Director of DPS/Engineering, stated this was the annual proposal for the maintenance of the SCAT system. He stated that this system alleviates traffic congestion by monitoring traffic and changing the signals accordingly and that this offers an alternative to widening roads.

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

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

Enactment No: RES0087-2009

Resolved, that the Rochester Hills City Council authorizes the issuance of a blanket purchase order to the Road Commission for Oakland County for the maintenance and repairs or upgrades of existing traffic signals and SCATS costs in the amount not-to-exceed \$100,000.00.

Resolved, that the Rochester Hills City Council approves the agreement between the Road Commission for Oakland County and the City of Rochester Hills for the operations, maintenance and inspection of the existing overhead pedestrian crossing traffic sign and mast arm located on the east side of Adams Road within the City of Rochester Hills; and authorizes the Mayor to execute the agreement and the Clerk to issue a certified resolution on behalf of the City.

2009-0118 Request for Purchase Authorization - DPS/ENG: Payment for right-of-way acquisition on Crooks Road, South Blvd. to Auburn Road in the amount of \$575,422.42; Road Commission for Oakland County, Beverly Hills, MI

Attachments: [Agenda Summary.pdf](#)
[RCOC Invoice.pdf](#)
[Tri-Party Agreement.pdf](#)
[Sawdon Memo \(Suppl\).pdf](#)
[Resolution.pdf](#)

Rouse Rouse, Director of DPS/Engineering, stated that this item was payment to Oakland County in response to a settlement with a property owner on the Crooks Road project. He also noted that under the Agreement between the City and the Road Commission of Oakland County for this project, the City has agreed to share in costs above what was budgeted for the project.

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

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

Enactment No: RES0088-2009

Resolved, that the Rochester Hills City Council approves the payment to the Road Commission for Oakland County, Beverly Hills, Michigan for right-of-way acquisition on Crooks Road, South Blvd. to Auburn Road in the amount of \$575,422.42.

2009-0120 Discussion regarding a change to the time the Regular City Council Meetings commence

Attachments:[031609 Agenda Summary.pdf](#)[Memo from Mayor.pdf](#)[031609 Resolution.pdf](#)

Mr. Ambrozaitis proposed a 7:00 p.m. start time for City Council meetings and questioned what would occur if Council needed to schedule a closed session. He commented that Council should avoid scheduling closed sessions for 5:30 p.m. due to Council Members' work schedules.

President Hooper responded that closed sessions could start at either 5:30 p.m. or 6:00 p.m. He noted that if City Council meetings were moved to a 6:30 p.m. start time, closed sessions would most likely be held after Council meetings.

Mr. Pixley agreed that a 7:00 p.m. meeting start time would be acceptable.

Mr. Brennan also concurred with 7:00 p.m. as a meeting start time.

Mr. Staran stated that the rules regarding the Amendment of City Council Rules and Procedures require that a vote not be taken at the same meeting that the Amendment was proposed. He indicated that a motion made to amend the start time would be voted on at the next regular meeting.

Mr. Webber indicated his support for an earlier start time and questioned how residents will be notified of a new start time.

President Hooper indicated that the March 23, 2009 and March 30, 2009 meetings would be held at 7:30 p.m. If a new start time were adopted, the first meeting beginning at 7:00 p.m. would be the meeting scheduled for April 20, 2009. He indicated that this would be sufficient time to publicly announce a new start time.

Mr. Rosen expressed that a one-hour time period for a closed session prior to a meeting might not be sufficient. He stated that he did not support having closed sessions after Council meetings.

Mr. Ambrozaitis stated that he was not opposed to starting closed sessions requiring additional time at 5:30 p.m.

Mr. Staran stated that the timeframe allowed for each closed session could be set on a case-by-case basis, by reviewing each item ahead of time. In the event that one hour would not be enough, the start time for a particular closed session could be adjusted or the closed session could be scheduled for a different night.

A motion was made by Brennan, seconded by Ambrozaitis, that this matter be Adopted by Resolution to Vote to Amend the City Council Rules of Procedure, Article III, Sections .02 (b) and .03 (b), to change the time the Regular City Council Meetings commence at their next Regular Meeting on March 30, 2009. The motion CARRIED by the following vote:

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

Enactment No: RES0089-2009

Resolved, to Vote to Amend the City Council Rules of Procedure, Article III, Sections .02 (b) and .03 (b), to change the time the Regular City Council Meetings commence at their next Regular Meeting on March 30, 2009.

COUNCIL COMMITTEE REPORTS

Cemetery Citizens Advisory Technical Review Committee:

Mr. Pixley reported that Request for Proposals for a Cemetery Chapel have been received and are being reviewed by the City's Purchasing Department and the Cemetery Citizens Advisory Committee. He noted that contributions for a Chapel have been accepted by the Greater Rochester Area Community Foundation to date and fund raising activities are continuing.

Police and Road Funding Technical Review Committee:

Mr. Webber reported that the Police and Road Funding Technical Review Committee will be meeting again on March 25, 2009, and that a status report was expected to be given to Council sometime in the spring.

Advisory Traffic and Safety Board (AT&S):

Mr. Webber reported that the AT&S met to discuss a safety issue on Cone Road near Avondale Middle School.

Strategic Planning and Policy Review Technical Review Committee:

Mr. Webber reported that the Strategic Planning and Policy Review Technical Review Committee would be meeting again on April 1, 2009, and would be most likely recommend the 2010 Goals and Objectives to City Council by mid-April.

Water and Sewer Technical Review Committee:

President Hooper reported that a rate subcommittee of the Water and Sewer Technical Review Committee met again today to discuss water rates from the Detroit Water and Sewerage Board, and noted that the Committee was close to finalizing a contract for water rates. He commented that the Committee was analyzing different alternatives to save money for the residents. He stated that a full Water and Sewer Technical Review Committee meeting would be held soon.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Special Meeting with the Historic Districts Commission and the Historic Districts Study Committee - March 23, 2009 - 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 10:06 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

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

Approved as presented at the May 4, 2009 Regular City Council Meeting.