



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

*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, November 14, 2011

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*Vice President Pixley called the Regular Rochester Hills City Council Meeting to  
order at 7:01 p.m. Michigan Time.*

## ROLL CALL

**Present** 4 - Vern Pixley, James Rosen, Michael Webber and J. Martin "Trip" Brennan

**Absent** 3 - Greg Hooper, Nathan Klomp and Ravi Yalamanchi

## Others Present:

*Ed Anzek, Director of Planning and Economic Development*

*Bryan Barnett, Mayor*

*Tara Beatty, Chief Assistant*

*Scott Cope, Director of Building/Ordinance Compliance*

*Bob Grace, Director of MIS*

*Bruce Halliday, Fleet Manager*

*Farha Hanif, Rochester Hills Government Youth Council Representative*

*Mike Hartner, Director of Parks and Forestry*

*Captain Michael Johnson, Oakland County Sheriff's Office*

*Bud Leafdale, General Superintendent*

*Jane Leslie, City Clerk*

*Keith Sawdon, Director of Finance*

*Allan Schneck, Director of DPS/Engineering*

*President Hooper, Mr. Klomp and Mr. Yalamanchi provided prior notice that they  
would be unable to attend tonight's meeting.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

A motion was made by Webber, seconded by Brennan, that the Agenda be Approved as Amended to include a New Resolution correcting the dollar amount for Legislative File 2011-0483 under Consent Agenda to reflect \$31,000.00, and to remove Legislative File 2011-0485 Request for Approval of the proposed Amendments to the Van Hoosen Jones-Stoney Creek Cemetery Rules and Regulations. The motion carried by the following vote:

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

## PUBLIC COMMENT

*Dee Hilbert, 3234 Quail Ridge Circle, expressed her appreciation to the voters of Rochester Hills for overwhelmingly passing the Parks referendum in last week's election. She stated that the parks belong to everyone and they should be protected, and commented that taxpayers and voters should be vigilant and work together to make Rochester Hills a wonderful city.*

*Scot Beaton, 655 Bolinger Street, displayed photos of municipal monument signs in various communities and requested that Council reconsider their approval of a new sign in front of City Hall. He mentioned that Council should request that any proposed signage be reviewed by the Planning Commission, and commented that the City already has several different types of signage with different logos throughout the community.*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Vice President Pixley congratulated the successful candidates for their election wins last week. He thanked Jane Leslie, City Clerk for her and her staff's efforts in the election process. He mentioned that Veteran's Day ceremonies were held last week on November 11th and commented that the country is privileged and appreciative of our Veterans who have served, and those who currently serve in the military.*

*Mr. Brennan congratulated Mayor Barnett and the incoming Council members. He expressed his appreciation to the voters who supported the Parks referendum, noting that the election process promotes Democracy. He thanked Vice President Pixley for his service for the past four years; and he expressed his appreciation to the Mayor and to the City for allowing him the opportunity to serve on Council, noting that he would not have been able to serve with confidence if it had not been for his experience on the Rochester Hills Government Youth Council. He referenced Veteran's Day observances and commented that there will be a considerable number of Veterans coming home after the New Year.*

*Mr. Rosen expressed his congratulations to those candidates that were elected*

and also his appreciation for the efforts of those who were not. He commented that he was astounded at the margin of votes in support of the Parks Amendment.

**Mr. Webber** thanked Vice President Pixley and Mr. Brennan for their service to the City. He expressed his appreciation to the voters for casting their ballots and stated that he is honored to be a part of Council for the next four years. He announced that the Oath of Office Ceremony will be held for the Mayor and incoming Council Members on Thursday, November 17th, and encouraged anyone interested to attend.

**Farha Hanif**, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC recently participated in the Parisian Community Days fund raiser. She noted that preparations are underway for the Youth Summit to be held March 10th at City Hall, with an Advertising Subcommittee working on Summit promotional activities. She stated that the group has held two bottle and can drives, with another coming up in an effort to raise funds for the Youth Summit; and the group has been hard at work creating their costumes for the Rochester Home Town Christmas Parade. RHGYC members will also participate in the Oath of Office Ceremony on Thursday.

**Mayor Barnett** reported that he had the opportunity to meet General William Hartzog last week at the Veteran's Day Ceremony at Veteran's Memorial Pointe, noting that General Hartzog is one of only 114 Four Star Generals in the history of the United States Army. He stated that our Veterans should be recognized continuously for their commitment to our Country rather than just on Veteran's Day. He made the following announcements:

- Road Project Updates:

- \* The Rain Tree Rehabilitation Project is in its final stages, with only pavement markings remaining to be completed.

- \* Both the Adams Road and Dequindre Road Rehabilitation Projects should be finished by November 23rd.

- \* Over \$30 million in road work has been completed within the community in the past year, with the City's portion of expenditure at only \$1.7 million. The City has done a great job at leveraging its own funds along with State, County and Tri-Party monies to complete this work.

- The Oakland County Sheriff's Office is once again sponsoring the Coats for the Cold Drive. Those with gently-used coats can stop by to drop their donation into a collection barrel here at City Hall through November 29th.

- The Giving Tree, sponsored by the Holiday Helpers organization, will be up at City Hall next week as well.

- City Hall will be closed on November 24th and November 25th in observance of the Thanksgiving Holiday weekend.

- The Village of Rochester Hills Tree Lighting ceremony will be held on Friday, November 18th, at 7:00 p.m.

Mayor Barnett announced that the Livernois Bridge has received funding for 2014. He mentioned that this bridge was ahead of another bridge in St. Clair County by less than two-tenths of a point in the ranking for funds. He commented that the Administration will work to try to move the funding date up. He noted that for the

second time, Rochester Hills was recognized as one of seven communities in Michigan to receive the eCities Award, recognizing the City's efforts as a five-star top performer in fostering entrepreneurial growth and development. He reported that Oakland University recently hosted a Republican Debate, attended by eight candidates and bringing focus to the community. He noted that over 250 news organizations were in the area to cover debate activities.

Mayor Barnett expressed his appreciation to the Clerk's Department for their efforts in coordinating a smooth election, noting that results from the ballots cast representing a 21 percent turnout of the electorate were reported by 10:19 p.m. on Tuesday. He pointed out that over 200 individuals work on Election Day. He mentioned that it is estimated that approximately 35,000 flyers, many of which contained false information, were distributed throughout the community in the week before the election. He expressed his congratulations to the winners along with his appreciation to all the other candidates, noting that it takes quite a lot to put one's self and family out there for public scrutiny during a campaign.

## ATTORNEY MATTERS

None.

## RECOGNITIONS

### 2011-0482 Administration's Recognition of Council Member Vern Pixley

**Mayor Barnett** stated that it has been an absolute pleasure to work with Vice President Pixley and commented that the community is blessed to have had his service for the past four years. He expressed his appreciation to Vice President Pixley's wife Lori, his mother Ernie, and his daughter Jillian, in attendance, for their understanding of the time and commitment involved in serving on Council.

A video was played to commemorate Vice President Pixley's four years on City Council.

**Mayor Barnett** invited Department Directors to address Council.

**Keith Sawdon**, Director of Finance, stated that he has had the pleasure to work with Vice President Pixley during two separate time periods, noting that the first time was back in the 1980s and 1990s when Mr. Sawdon was the City Clerk, and now, as he is the City's Finance Director. He commented that Mr. Pixley always has the best interests of those he represents at heart, whether a grieving family or a citizen in need. He stated that it takes a lot of hard work to be away from one's family; and he noted that this hard work translates into working hard for the individuals he represents. He commented that Vice President Pixley will be leaving big shoes to fill, thanked him for his hard work and dedication, and wished him the best of luck for the future.

**Ed Anzek**, Director of Planning and Economic Development, commented that Vice President Pixley will be missed, as he has been an absolute joy to work with.

*He stated that Vice President Pixley set a high bar to strive for, and City staff appreciated his input, guidance and leadership. He wished him the best.*

***Mike Hartner**, Director of Parks and Forestry, stated that from a Director's point of view, there is a great appreciation as to how hard the position of Council Member actually is. He commented that all Directors ever ask from a Council Member is to study all sides of an issue and make an informed decision for the citizens of Rochester Hills; and he noted that Vice President Pixley has always done that.*

***Mayor Barnett** presented a photograph of the City's DPS staff in front of the new Vector Truck to Vice President Pixley, stating that he knew how important that piece of equipment was to him.*

***Susie Jang**, Chairperson of the Rochester Hills Government Youth Council (RHGYC), along with members of the RHGYC, presented a plaque to Vice President Pixley in appreciation for his years of service and support as Council Representative to the RHGYC.*

***Vice President Pixley** thanked the RHGYC members for their recognition, commenting that it is a great group and one of the highlights of his service to Council. He expressed his appreciation to his family in attendance, and to his son away at school, for the support he has received over the last four years and commented that it has been a pleasure to serve on Council. He stated that the City is very fortunate to have the individuals it has to take care of the business of the City, noting that one of the not-often publicized values that the City has is the length of experience and professionalism of all the dedicated individuals who serve as employees of the City. He stated that he leaves his position at the end of this week knowing that the City is in good hands, with great leadership and a great Council. He thanked everyone for their warm wishes.*

**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.

**2011-0462** Approval of Minutes - City Council Regular Meeting - October 3, 2011

**Attachments:** [CC Min 100311.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0225-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on October 3, 2011 be approved as presented.

2011-0463 Approval of Minutes - City Council Regular Meeting - October 17, 2011

**Attachments:** [CC Min 101711.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0226-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on October 17, 2011 be approved as presented.

2011-0465 Request for Adoption of the 2012 Annual Permit for Work on State Highways

**Attachments:** [Agenda Summary.pdf](#)  
[Letter from MDOT 092211.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0227-2011

**Resolved**, Whereas, the City of Rochester Hills hereinafter referred to as the "GOVERNMENTAL BODY" periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT," to construct, operate, use and /or maintain utility or other facilities, or to conduct other activities, on, over, and under State trunkline right of way at various locations within and adjacent to its corporate limits;

Now therefore, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL BODY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL BODY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL BODY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. The GOVERNMENTAL BODY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting



governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

4. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State trunkline right of way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL BODY's facilities according to a PERMIT issued by the DEPARTMENT.

5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL BODY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

6. The incorporation by the DEPARTMENT of this indemnification resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

7. This indemnification resolution shall continue in force from this date until cancelled by the GOVERNMENTAL BODY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL BODY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

***Be It Further Resolved***, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within State trunkline right of way on behalf of the GOVERNMENTAL BODY.

Allan E. Schneck, P.E. - DPS Director  
Paul M. Davis, P.E. - City Engineer  
Paul G. Shumejko, P.E., PTOE -Transportation Engineer  
Tracey A. Balint P.E. -Project Engineer

**2011-0466** Request for Purchase Authorization - FISCAL: Blanket Purchase Order for office supplies and equipment in the amount not-to-exceed \$65,000.00; Office Max, Warren, Michigan and other office supply vendors as appropriate

**Attachments:** [Agenda Summary.pdf](#)  
[RH Top Office Supply Items.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0228-2011

***Resolved***, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Office Max, Warren, Michigan and other office supply vendors as appropriate for the purchase of office supplies and equipment in the amount not-to-exceed \$65,000.00 through December 31, 2012.

- 2011-0467** Request for Purchase Authorization - FISCAL: Blanket Purchase Order for various maintenance, hardware and building supplies in the amount not-to-exceed \$35,000.00 through December 31, 2012; Home Depot, Rochester Hills, MI

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

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

Enactment No: RES0229-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Home Depot, Rochester Hills, Michigan for various maintenance, hardware and building supplies in the amount not-to-exceed \$35,000.00 through December 31, 2012.

- 2011-0468** Request for Adoption of Resolution authorizing the Mayor or his agents to make application to the Road Commission for Oakland County (RCOC) for the necessary permits for posting road closures and detours for the 2011 Christmas Parade to be held on Sunday, December 4, 2011

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

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

Enactment No: RES0230-2011

**Whereas**, the Cities of Rochester Hills and Rochester jointly host an annual Rochester Hometown Christmas Parade conducted under the auspices of the Rochester Regional Chamber of Commerce; and

**Whereas**, the parade route begins on Rochester Road, south of Tienken Road in the City of Rochester Hills, and proceeds south along Rochester Road to Third Street in downtown Rochester; and

**Whereas**, staging this event requires closing certain State and County routes and using others for posted detour routes; and

**Whereas**, the two cities coordinate parade planning by dividing responsibility for obtaining necessary permits, with the City of Rochester Hills applying to the Road Commission for Oakland County for the detour and the closure of Walton at Livernois, and the City of Rochester applying to the Michigan Department of Transportation for the closure of Rochester Road from Third Street to Tienken Road.

**Resolved**, that the Rochester Hills City Council authorizes the Mayor or his agents to make application to the Road Commission for Oakland County for the necessary permits for posting road closures and detours; and

**Be It Further Resolved**, that the parade detour routes be scheduled for Sunday, December 4, 2011, between the hours of 12:30 p.m. and 4:00 p.m. on Livernois, Avon, Rochester, and Tienken Roads; and



**Now, Therefore, Be It Resolved**, that the City of Rochester Hills will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board of County Road Commissioners against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued; and

**Be It further Resolved**, that a certified copy of this Resolution be filed with the City Clerk of Rochester Hills, Oakland County, Michigan and with the Road Commission for Oakland County, Waterford, Oakland County, Michigan.

- 2011-0475** Request for Purchase Authorization - DPS/ENG: Blanket Purchase order for grinder pump replacement program in the amount not-to-exceed \$90,000.00 through December 31, 2014; Du-Bois Cooper Associates, Inc., Plymouth, MI

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

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

Enactment No: RES0231-2011

**Resolved**, that the Rochester Hills City Council authorizes a blanket purchase order for grinder pump replacement program to Du-Bois Cooper Associates, Inc., Plymouth, Michigan in the amount not-to-exceed \$90,000.00 through December 31, 2014.

- 2011-0474** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Asphalt Paving Materials in the amount not-to-exceed \$25,500.00 through December 31, 2012; 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: RES0232-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for Asphalt Paving Materials to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$25,500.00 through December 31, 2012.

- 2011-0476** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Calcium Chloride in the amount not-to-exceed \$90,000.00 through December 31, 2012; Liquid Calcium Chloride Sales, Kawkawlin, MI

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

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

Enactment No: RES0233-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for Calcium Chloride to Liquid Calcium Chloride Sales, Kawkawlin, Michigan in the amount not-to-exceed \$90,000.00 through December 31, 2012.

- 2011-0477** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 22A Road Gravel in the amount not-to-exceed \$30,250.00 through December 31, 2012; Glenn Eisenhardt Excavating, Inc., Leonard, MI

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

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

Enactment No: RES0234-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for 22A Road Gravel to Glenn Eisenhardt Excavating, Inc., Leonard, Michigan in the amount not-to-exceed \$30,250.00 through December 31, 2012.

- 2011-0478** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Bituminous Cold Patching Materials in the amount not-to-exceed \$21,250.00 through December 31, 2012; Ajax Materials Corporation, Troy, MI

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

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

Enactment No: RES0235-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for Bituminous Cold Patching Materials to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$21,250.00 through December 31, 2012.

- 2011-0479** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 5G Slag in the amount not-to-exceed \$16,250.00 through December 31, 2013; Edward C. Levy Company, Detroit, MI

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

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

Enactment No: RES0236-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for 5G Slag to Edward C. Levy Company, Detroit, Michigan in the amount not-to-exceed \$16,250.00 through December 31, 2013.

- 2011-0483** Request for Purchase Authorization - MIS: Purchase authorization for yearly GIS software maintenance in the amount not-to-exceed \$31,000.00;

Environmental Systems Research Institute, Redlands, CA

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

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

Enactment No: RES0237-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of yearly GIS software maintenance to Environmental Systems Research Institute, Redlands, California in the amount not-to-exceed \$31,000.00.

**2011-0488** Request for Purchase Authorization - MIS: Purchase Order for JDE Financial System Support Services through December 31, 2012 in the amount of \$40,000.00; Rimini Street, Las Vegas, NV

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

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

Enactment No: RES0238-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Purchase Order for JDE Financial System Support Services through December 31, 2012 to Rimini Street, Las Vegas, Nevada, in the amount of \$40,000.00.

### **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** 4 - Pixley, Rosen, Webber and Brennan

**Absent** 3 - Hooper, Klomp and Yalamanchi

### **The Following Legislative File was Removed from the Agenda.**

**2011-0485** Request for Approval of the proposed amendments to the Van Hoosen Jones-Stoney Creek Cemetery Rules and Regulations

**Attachments:** [Agenda Summary.pdf](#)  
[Proposed Amended Rules and Regulations.pdf](#)  
[Resolution.pdf](#)

**Removed from Agenda.**

## NOMINATIONS/APPOINTMENTS

**2011-0451** Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Commission to fill the unexpired term of Murray Woolf ending December 31, 2013

**Attachments:** [Agenda Summary.pdf](#)  
[Appointment Form.pdf](#)  
[Davidson CQ.pdf](#)  
[Hill CQ.pdf](#)  
[Miller CQ.pdf](#)  
[Tischer CQ.pdf](#)  
[111411 Appointment Form.pdf](#)  
[101711 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Booth CQ.pdf](#)  
[Cobb CQ.pdf](#)  
[Deel CQ.pdf](#)  
[Golden CQ.pdf](#)  
[Notice of Vacancy.pdf](#)  
[Resolution.pdf](#)

*Mr. Webber* noted that with only four Council members in attendance tonight, he would suggest that this and the next item be postponed to the next Council meeting.

*Mr. Rosen* mentioned that there are specific requirements for individuals serving on both the Historic Districts Commission (HDC) and Historic Districts Study Committee (HDSC), and suggested that Council should wait until a new member is seated on the HDC before taking up recommendations for members for the HDSC. He stated that he would like to see Council return to the process of having the HDC make recommendations for individuals to serve on the HDSC.

*Mr. Webber* requested that the Clerk's Office transmit information regarding the makeup of the HDC and HDSC and guidelines for appointment to both returning and incoming Council Members.

*Vice President Pixley* concurred with postponing this item, stating that it is a good decision to have a full Council in attendance.

**A motion was made by Webber, seconded by Brennan, that this matter be Postponed by Resolution. The motion carried by the following vote:**

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

**2011-0461** Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Study Committee to fill the unexpired term of Murray Woolf ending December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Committee Appointment Memo.pdf](#)  
[Booth CQ.pdf](#)  
[Cobb CQ.pdf](#)  
[Tischer CQ.pdf](#)  
[Wylie CQ.pdf](#)  
[Notice of Vacancy.pdf](#)  
[Resolution.pdf](#)

**Public Comment:**

**Melinda Hill**, 1481 Mill Race, stated that she had sent a note to each Council Member requesting that this item be postponed. She mentioned that the makeup of the Historic Districts Study Committee (HDSC) is to include two members of the Historic Districts Commission, and noted that none of the individuals submitting their interest for the HDSC currently sit on the HDC. She suggested that the nominations to the HDSC be postponed until December as the terms for four members of the HDSC will be expiring at that time.

**Council Discussion:**

**Mr. Webber** concurred with Ms. Hill, and suggested that this item be postponed to a future meeting.

**A motion was made by Webber, seconded by Brennan, that this matter be Postponed by Resolution. The motion carried by the following vote:**

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

**2011-0472** Request to Confirm the Mayor's reappointment of Edward Alward and Stan Paurazas to the Construction/Fire Prevention Board of Appeals for three (3) year terms expiring December 31, 2014

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

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0239-2011

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Edward Alward and Stan Paurazas to the Construction/Fire Prevention Board of Appeals for three (3) year terms expiring December 31, 2014.

**2011-0473** Request to Confirm the Mayor's reappointment of Robert Justin, Mark Sera and Thomas Turnbull to the Brownfield Redevelopment Authority for three (3) year

terms to expire on November 13, 2014

**Attachments:** [Agenda Summary.pdf](#)  
[Justin CQ.pdf](#)  
[Sera CQ.pdf](#)  
[Turnbull CQ.pdf](#)  
[Resolution.pdf](#)

**Mayor Barnett** noted that he has complete confidence in the individuals recommended for reappointment to the Brownfield Redevelopment Authority (BRA), along with all other appointments under consideration this evening.

**Mr. Webber** stated that as Council's Representative to the BRA, he would concur that each individual does an outstanding job.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0240-2011

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Robert Justin, Mark Sera and Thomas Turnbull to the Brownfield Redevelopment Authority for three (3) year terms to expire on November 13, 2014.

**2011-0480**

Request to Confirm the Mayor's reappointments of Annice (Anne) Marie Dieters-Williams, Thomas Dohr, Beckie Francis, Joshua Raymond and Ronald Vogt, and the appointment of Penny Brady to the Citizens Pathway Review Committee for one-year terms to expire on December 31, 2012

**Attachments:** [Agenda Summary.pdf](#)  
[Brady CQ.pdf](#)  
[Dieters-Williams CQ.pdf](#)  
[Dohr CQ.pdf](#)  
[Francis CQ.pdf](#)  
[Raymond CQ.pdf](#)  
[Vogt CQ.pdf](#)  
[Resolution.pdf](#)

**Mayor Barnett** stated that the individuals recommended for reappointment, include a former City DPS Director along with the Head Coach of Women's Basketball at Oakland University, along with new appointee, Penny Brady, who will be a great addition to the Committee. He commented that the Administration will be leaning on this Committee for direction in the coming year and commented that this is a great group of individuals.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0241-2011

**Resolved**, that the Rochester Hills City Council confirms the Mayor's reappointments of



Annice (Anne) Marie Dieters-Williams, Thomas Dohr, Beckie Francis, Joshua Raymond and Ronald Vogt, and the appointment of Penny Brady to the Citizens Pathway Review Committee for one-year terms to expire on December 31, 2012.

## NEW BUSINESS

**2011-0429** Request for Conditional Land Use Approval - Pam's Day Care, a proposed child care facility for up to 12 children at 3057 Midvale, Rochester Hills, MI 48309, located south of Auburn and west of Crooks; Pamela Prange, Applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Staff Report 100411](#)  
[Map.pdf](#)  
[Letter Prange 090511.pdf](#)  
[Environmental Impact Statement.pdf](#)  
[Survey-Floor Plan.pdf](#)  
[Minutes PC 100411.pdf](#)  
[Ordinance Sections.pdf](#)  
[PHN CLU.pdf](#)  
[Resolution.pdf](#)

**Ed Anzek**, Director of Planning and Economic Development, noted that Pam's Day Care is currently in operation at the site, which is located south of C&C Rental and adjacent to the American House Retirement Community. He stated that the applicant, Pamela Prange, is requesting the Conditional Land Use Approval in order to expand from serving six children to seven-to-twelve children. He explained that the facility has adequate play and interior space; and the Planning Commission has reviewed the request, conducted a Public Hearing, and recommends approval.

### **Council Discussion:**

**Mr. Rosen** questioned the square footage of the house and whether the applicant currently lives in the dwelling, commenting that he was not aware of how someone can operate a day care out of their own residence.

**Pam Ayres**, in attendance to represent Ms. Prange, responded that the home has 1,288 square feet on the first floor with the same square footage of basement space. She explained that there are three bedrooms on the first level and two bedrooms in the basement level, and stated that that basement play space measures 23.5 feet by 23.5 feet. She commented that Ms. Prange lives in the home, and noted that it has big open spaces with plenty of cribs and beds for the children.

**Mr. Brennan** commented that he is aware of several individuals who operate day cares out of their homes and is confident in the Planning Commission's recommendation for approval.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0242-2011

**Resolved**, that the Rochester Hills City Council hereby approves a Conditional Land Use for Pam's Day Care, City File No. 11-010, located at 3057 Midvale, Rochester Hills, MI 48309, an in-home daycare for up to 12 children, with the following findings:

Findings

1. The use is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 134-4.300 in particular.
2. The proposed development has been designed to be compatible, harmonious, and appropriate with the existing character of the general vicinity and adjacent uses of land.
3. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
4. The development should not be detrimental, hazardous or unreasonably disturbing to existing land uses, persons, property or the public welfare.
5. The development does not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**2011-0486** Request to Transfer Ownership of 2010 Class C licensed business, located at 122 N. Adams, Rochester Hills, Michigan from Max & Erma's Restaurants, Inc. to American Blue Ribbon Holdings, LLC

Attachments: [Agenda Summary.pdf](#)  
[Max & Ermas App.pdf](#)  
[Resolution.pdf](#)

**Jane Leslie**, City Clerk, noted that tonight's request is to approve the transfer of the ownership of the 2010 Class C licensed business to American Blue Ribbon Holdings, LLC, the group who purchased the stock for Max & Erma's Restaurants, Inc. She stated that it is not a change of operation nor a change of name for the restaurant.

**J. Patrick Howe**, Attorney in attendance on behalf of the Applicant, explained that the Applicant acquired all the assets of Max & Erma's Restaurants approximately one year ago. He stated that this is only a transfer of ownership and confirmed that no change in operations or menu will be undertaken. He noted that the corporate ownership will continue to be based in Columbus, Ohio. He pointed out that all Departmental and Oakland County Sheriff's reviews have been completed.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0243-2011

**Resolved**, that the request to transfer ownership of 2010 Class C licensed business,

located at 122 N. Adams, Rochester Hills, Michigan 48309, Oakland County, from Max & Erma's Restaurants, Inc. to American Blue Ribbon Holdings, LLC (a Delaware Limited Liability Company) be considered for approval.

**2011-0420** Deer Management Advisory Committee Recommendations for 2012

**Attachments:** [Agenda Summary.pdf](#)  
[DMAC Recommendations for 2012 report.pdf](#)  
[DMAC Draft Minutes 092811.pdf](#)  
[2011 Deer Crashes and Density Trend Analysis\[1\].pdf](#)  
[Resolution.pdf](#)

**Jim Kubicina**, Chairperson, Deer Management Advisory Committee (DMAC), listed the individuals comprising the DMAC, including citizen members Terry Scott Bain, Monique Balaban, Christopher Cobb, Allen Decker, Thomas McDonald and Joseph Podvin; Rochester Hills Government Youth Council Representative Scott DiFilippo; Council Representatives Michael Webber and the late J. Martin Brennan Jr.; and staff members Michael Hartner, Director of Parks and Forestry, and Lance DeVoe, Naturalist.

**Thomas McDonald** stated that Mr. Brennan was a very loud voice on the DMAC, imparting a wonderful presence to the group and bringing both controversy and reason to the Committee. He commented that at the end of the day, behind all that bluster, Mr. Brennan was a gentleman who had the best interests of the city at heart. On behalf of the DMAC, he expressed his appreciation for Mr. Brennan's contributions.

Mr. McDonald continued with a brief historical perspective of the DMAC and its activities. He mentioned that the DMAC started in the spring of 2009, after Council charged the DMAC with the task of coming up with recommendations on how to handle the perceived deer problem in Rochester Hills. The committee started its work with some very contentious meetings and great division among its members. Outside experts were brought in to give recommendations and brief the DMAC and the community on the surrounding deer issues. Countless hours of learning and understanding the issues were expended; and at the end of the first year, the DMAC came to a consensus that it would recommend a certain level of both deer vehicle collisions (DVCs) (over 200) and also a certain level of increase in the size of the deer herd (20 percent in one year) where further action would be recommended to Council.

**Mr. Kubicina** reported that he had good news to report, with DVCs decreasing by 25 percent despite the herd numbers increasing. He pointed out that Rochester Hills' DVC numbers have decreased far more than surrounding communities, noting that Oakland County posted a 5.7 percent decrease and the entire Southeast Michigan Council of Governments (SEMCOG) region reports a 7.6 percent decrease. He stated that the DMAC wishes to see the trend continue downward. He displayed a chart reporting DVC statistics since 1999, noting that after a high in 2007, only 122 DVCs were reported in the past year. A map was displayed showing where the accidents occurred, along with where deer signage was in place to warn motorists. He continued with a display of a chart noting the deer density since 1999 in five basic areas. He mentioned that only 80 deer were spotted in the flyover in 2009, and commented that this decrease was most likely due to a spike

in Epizootic Hemorrhagic Disease (EHD) which struck the herd. He pointed out that although the herd has rebounded, population numbers are still lower compared to 2005. He stated that aerial surveys should be continued to monitor the population numbers.

**Mr. McDonald** pointed out that the survey results represent the deer population within the surveyed areas and should not be construed to be the total deer population within the city.

**Mr. Kubicina** mentioned that five additional uninhabited areas were added to the survey three years ago, and noted that the results show that population is going up in these areas as well. He outlined the DMAC's recommendations for 2012:

1. Continue the Feeding Ban Ordinance.

\* Feeding deer will alter travel patterns. The DMAC recommends continuing the ban to leave it strictly to nature where the deer will find food.

\* The public should be made aware of the ban with articles in the Hills Herald, on the City's cable channel, and with notes included in water bills.

2. Educational Component.

\* The DMAC notes that education is critical, and available programs are listed through the City's website providing information on fencing, deer resistant plants and deer repellants, along with advice to homeowners and gardeners.

\* Residents should continue to be reminded of peak deer activity months of September to December, especially at dawn and dusk.

\* Parks and Forestry should continue to assemble information regarding deer population observed during the flyover, along with crash data assembled.

\* Residents should be directed to SEMCOG's "Don't Veer for Deer" Program for additional information.

\* City staff should continue to keep a log of calls for complaints and dead deer on roadways.

3. Improved Signage and Roadside Deterrents.

\* The conversion to high-visibility deer crossing signs was completed by mid-October of 2009, and has made motorists more aware of the potential for DVCs in high crossing areas.

\* Areas should continue to be identified alongside major roads where high growth brush can be trimmed. While money is tight and maintenance activities have been reduced, the City should request that these activities continue, especially by Oakland University along Adams and Avon Roads.

\* The placement of four changeable message signs in eight high-impact areas should continue. While not included currently in the 2012 Budget, the DMAC requests that funding for these signs be placed in an amendment going forward.

\* The DMAC believes that motorists are benefitting indirectly from the radar speed signs installed near school zones as several of them are also located in areas of high deer travel. The DMAC recommends Council consider purchasing two additional signs in the future to be placed in a high collision area and suggested possible solicitation of sponsorship from a commercial entity for these signs.

4. *Recreational and Professional Hunting Ban.*

\* *The DMAC recommends the hunting ban continue for 2012 for public and private property.*

5. *Aerial Deer Count Surveys.*

\* *The DMAC recommends that the aerial surveys continue and the same parcels be surveyed each year.*

6. *Monitoring Deer/Vehicle Collisions.*

\* *The DMAC recommends that the Parks and Forestry Department continues to work with SEMCOG to obtain information on DVCs in Rochester Hills.*

7. *Deer Herd Control.*

\* *The DMAC recommends that no lethal methods of culling be undertaken in 2012. The committee notes that this option should be reconsidered for 2013 if DVCs exceed 200 and the herd increases by 20 percent or more.*

**Mr. McDonald** pointed out that the DMAC's recommendation is that both DVCs and population increases must exceed the targeted maximums to trigger consideration of herd control. He stated that if one statistic increases beyond the trigger point and one remains under, the DMAC's recommendation will remain to maintain status quo.

**Mr. Kubicina** continued with the final DMAC recommendation:

8. *Deer Management Advisory Committee:*

\* *The DMAC requests that Council consider keeping the DMAC in place.*

**Council Discussion:**

**Vice President Pixley** expressed his appreciation for all the hard work and efforts of the committee members.

**Mr. Rosen** mentioned that while he has noticed somewhat of an increase in the deer population, he has observed a considerable decrease in the number of dead deer along the side of the road. He complimented the DMAC on its analysis of the data provided. He stated that he used to assume that the number of accidents was directly proportional to the number of deer; however, the data has proven this presumption to be wrong. He commented that he believes that the signs and educational activities have made a difference and will be a real benefit to the motorists and citizens of Rochester Hills. He stated that changing the deer population will not benefit the city as much as changing driving behaviors. He questioned whether the City rents the movable signs.

**Mike Hartner**, Director of Parks and Forestry, stated that funding required is approximately \$3,600 for four signs, rented for one month and moved from one location to another after two weeks.

**Mr. Rosen** commented that \$3,600 represents approximately two accidents' worth of vehicle damage and stated that the City is on the right track. He noted that he considers the number of DVCs far more significant than the population.



**Mr. McDonald** noted that his residence is near South Boulevard and commented that he sees deer coming across the roadway from the Troy Nature Center and coming from Pine Trace Golf Club. He pointed out that the number of accidents tracked are from police reports and stated that there are most likely accidents that are not reported.

**Mr. Rosen** questioned whether the City keeps statistics of the number of deer picked up by City DPS staff and by the County from the roadways.

**Mr. Hartner** responded that the County picked up 275 deer in 2010 and 145 to date in 2011.

**Mr. Rosen** suggested that the number of deer picked up from the side of the roadways should also be tracked each year. He also commented that the chart showing where crashes occur and where the deer signs are placed is also very helpful.

**Mr. Webber** thanked the committee members and stated that it has been a privilege to sit as Council representative to the DMAC. He commented that many of the recommendations have made an impact and noted that logging complaints from residents is a critical component to show how residents work and live with the deer population. He expressed support for continuation of the aerial flyover each year and for continuing with the placement of movable signs for next fall. He pointed out that Council did vote to direct the Administration to include funding for the flyover in the First Quarter Budget Amendment and commented that he hoped that Council would support continued funding for signage as well.

**Mr. Brennan** thanked the DMAC for its efforts. He stated that while he initially questioned whether the movable signs would be effective in lowering the number of DVCs, the statistics prove that they make a difference. He commented that he is very interested in the idea of soliciting sponsorships for funding the signage.

**Mayor Barnett** stated that he has been involved in three challenging committees during his time on Council and as Mayor, including leaf burning, solid waste issues and deer. He commented that the DMAC was the most impassioned, and he extended a sincere thank you to Mr. Kubicina, Mr. McDonald and the other DMAC members for their work. He stated that good people and a good community can come to a good solution. He pointed out that very little City funding was expended and the City continues to lean on its partnerships with other organizations in the community. He reported that the City is working with Oakland University to encourage them to continue brush clearing efforts, and noted that Tara Beatty, Chief Assistant, has been engaged with Mr. Hartner to work toward putting a sponsorship program together. He mentioned that a reporter from WDIV-Channel 4 would be broadcasting live from the city tomorrow morning and had contacted him to inquire where the best location would be to view deer crossing the roadway.



*Vice President Pixley stated that he was a firm believer, especially based on the great number of e-mails he received, that heightened awareness has truly made a difference. He commented that he drives differently at night now than he ever did before, knowing that deer could be present.*

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0244-2011

**Whereas**, the Deer Management Advisory Committee (DMAC) has reviewed the 2011 Oakland County Aerial Deer Survey Information and the 2010 SEMCOG Deer-Vehicle Crash Data; and

**Whereas**, the DMAC has compiled its findings and recommendations in a report, "Deer Management Advisory Committee Recommendations for 2012;" and

**Whereas**, the 2012 recommendations and modifications were reviewed by city staff;

**Be It Resolved**, that the Rochester Hills City Council hereby accepts the report, "Deer Management Advisory Committee Recommendations for 2012," as submitted.

*Mr. Webber noted that Oakland County Commissioner Jeff Matis was in attendance and requested that he be allowed to speak at this time.*

*Oakland County Commissioner Jeff Matis, 539 Wyngate, expressed his appreciation to those Council Members who have served the City of Rochester Hills; and thanked Vice President Pixley and Mr. Brennan for their time and service on City Council.*

**2011-0481** Request to Authorize the Mayor and City Clerk to execute a one-year (FY2012) agreement with the Oakland County Sheriff's Office for Law Enforcement Services

**Attachments:** [Agenda Summary \(Revised\).pdf](#)  
[Agenda Summary.pdf](#)  
[Staran Comments.pdf](#)  
[2012 Proposed Sheriff Contract.pdf](#)  
[Resolution.pdf](#)

*Captain Michael Johnson, Oakland County Sheriff's Office, stated that the contract under consideration is very much the same as the contract in place last year. He noted that City Attorney John Staran met with the County's Corporate Counsel and made minor language changes, and pointed out that the numbers contained in the agreement are as discussed during the City's Budget Sessions.*

*Keith Sawdon, Director of Finance, pointed out that the Agenda Summary was originally prepared prior to the adoption of the Budget and was revised to adjust the adopted budget numbers and reflect the results of Council's Straw Poll, adding back the officer that was proposed to have been eliminated.*

**Council Discussion:**

**Mr. Rosen** questioned whether the process for issuing False Alarm letter notifications has changed.

**Captain Johnson** responded that False Alarm letters are still being done the same way.

**Mr. Rosen** questioned whether the decrease in car deer accidents is helping with manpower issues.

**Captain Johnson** responded that it is; however, he mentioned that with the rain and the ongoing rut, he heard of three crashes occurring tonight alone. He commented that while there is no hunting going in the City, there are hunters just to the north setting up and putting the deer on the move.

**Vice President Pixley** questioned whether Mr. Staran's comments regarding pricing consistency were addressed and whether pay increases or shift changes or promotions are accounted for.

**Mr. Sawdon** noted that when comparing pricing between 2011 and 2012 for 57 officers, the increase is approximately four percent and includes considerations for changes or promotions. He pointed out that the Financial Forecast used a three percent increase, and commented that some years the increase is slightly higher than the forecast, while other years it might be lower.

**Vice President Pixley** commented that Captain Johnson and his Officers do a great job for the community.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0245-2011

**Whereas**, the Rochester Hills City Council acknowledges the importance of public safety and benefits to contracting with the Oakland County Sheriff's Office for the City's law enforcement services.

**Resolved**, that the Rochester Hills City Council wishes to participate in a one-year (FY2012) agreement with the Oakland County Board of Commissioners to contract between the City of Rochester Hills and the Oakland County Sheriff's Office for law enforcement services.

**Be It Further Resolved**, that the Mayor and City Clerk are authorized to execute the same on behalf of the City.

**2011-0307** Request for Purchase Authorization - BLDG: Increase to Blanket Purchase Order for Fire Suppression and Fire Alarm Plan Review and Inspection Services in the amount of \$20,000.00 for a new not-to-exceed amount of \$65,000.00 through December 31, 2011; Fire Safety Consultants, Inc., Elgin, IL

**Attachments:** [Agenda Summary.pdf](#)  
[071811 Agenda Summary.pdf](#)  
[071811 Resolution.pdf](#)  
[Resolution.pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, explained that the increase requested is a pass-through cost to permit applicants for Fire Suppression and Fire Alarm Plan Review and Inspection Services resulting from the recent loss of the City's Mechanical Inspector certified to perform these inspections. He stated that a newly-hired Inspector is on the path to gain the proper certification; however, as the process is expected to take approximately two to three years, outside inspection services will be necessary for 2012, 2013 and 2014.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0246-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for Fire Suppression and Fire Alarm Plan Review and Inspection Services to Fire Safety Consultants, Inc., Elgin, Illinois, in the amount of \$20,000.00 for a new not-to-exceed amount of \$65,000.00 through December 31, 2011.

**2011-0469** Request for Purchase Authorization - BLDG/FAC: Blanket Purchase Order for the purchase and delivery of electric energy for City facilities in the amount not-to-exceed \$400,000.00 through December 31, 2012; DTE Energy, Detroit, MI and Michigan Municipal Risk Management Authority, Livonia, MI

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

**Scott Cope**, Director of Building/Ordinance Compliance, stated this annual request for electric energy covers power provided to City Hall, Fire Station 1 and the DPS facility. He pointed out that participation in this program allows the City to purchase power at a reduced rate from someone other than DTE Energy or Consumer's Energy, affording a savings of approximately 7.5 percent over last year's electric energy costs. He commented that between this purchasing program and the energy savings realized by recent improvements on the City's buildings, the cost for electricity was reduced by approximately \$25,000.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0247-2011

**Resolved**, that the Rochester Hills City Council authorize a Blanket Purchase Order for the purchase and delivery of electric energy for City facilities to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the amount not-to-exceed \$400,000.00 through December 31, 2012.

- 2011-0470** Request for Purchase Authorization - BLDG/FAC: Blanket Purchase Order for natural gas for City facilities in the amount not-to-exceed \$125,000.00; Consumers Energy, Lansing, MI

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

**Scott Cope**, Director of Building/Ordinance Compliance, stated that this annual request is for the purchase of natural gas provided to all City buildings. The City participates in a State-sponsored program which joins municipalities together to purchase natural gas at a group rate. He explained that over the past year the City realized approximately a \$20,000 savings through its participation in this program; and commented that combining this savings with the energy savings realized throughout the City reduces the overall energy budget by approximately \$35,000.

**Mayor Barnett** pointed out that the City is seeing the results of the "25 in 2" energy-savings campaign it initiated three years ago. He commented that small savings add up to make a difference.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0248-2011

**Resolved**, that the Rochester Hills City Council authorizes a Blanket Purchase Order for natural gas to Consumers Energy, Lansing, Michigan in the amount not-to-exceed \$125,000.00 through December 31, 2012.

- 2011-0471** Request for Approval of the Interlocal Service Agreement between the Cities of Rochester Hills and Rochester for Public Works Services

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

**Allan Schneck**, Director of DPS/Engineering, was joined by **Bruce Halliday**, Fleet Manager, and **Bud Leafdale**, General Superintendent.

**Mr. Schneck** stated that the City currently has Fleet Service agreements in place with various agencies, and the Administration reached out to the City of Rochester to determine whether these services could be expounded upon, sharing excess capacity and sharing needed services between the two communities. He noted that the City of Rochester has approved the proposed Interlocal Service Agreement.

**Mr. Webber** commented that the proposed Agreement is exactly what has been discussed between Auburn Hills, Rochester and Rochester Hills during the Sister City committee meetings. He noted that the City currently works with Shelby Township to share inspection services.

*Mr. Rosen* questioned whether there is an estimate of the hours required in providing these shared services.

*Mr. Schneck* responded that services provided might be as simple as sign fabrication, water meter testing, or renting some specialized equipment that the City may own. He commented that the initial approach would be conservative; however, the agreement could blossom into something that would have mutual benefit.

*Mr. Rosen* questioned whether the City would rent Rochester its vactor truck, for instance, or if employees would actually provide work to the City of Rochester.

*Mr. Schneck* responded that this could be possible, noting that a sensitive piece of equipment such as a vactor truck would be sent with an operator trained on that piece of equipment.

*Mr. Rosen* questioned whether the services might include sewer replacement.

*Mr. Schneck* responded that these types of services would be provided in an emergency. He stated that the Agreement does not obligate either community to call the other one first.

*Mr. Rosen* commented that even without the Agreement, in the event of a major waterline break, the City would provide assistance and work out the details later.

*Mr. Schneck* concurred, noting that Rochester Hills would respond in good faith. He stated that the proposed Agreement structures assistance to the next level, bringing it into the realm of those non-emergency types of needs.

*Mayor Barnett* explained that it is similar to the way that DPS currently services Rochester's vehicles and would be reciprocal as well, and is like the Shelby Township Interlocal Agreement for Inspection Services. He mentioned that the push toward cooperation is driven by an impetus toward collaboration encouraged by the State, and allows for a best practice for collaboration with the City's neighbors.

*Mr. Rosen* commented that while it is absolutely fine to help Rochester in an emergency, and he is glad to hear that the City of Rochester supports this Interlocal Agreement, he is not interested in moving toward an end result of taking over Rochester's DPS Department.

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0249-2011

**Resolved**, that the Rochester Hills City Council approves the Interlocal Service Agreement between the Cities of Rochester Hills and Rochester for Public Works Services and authorizes the Mayor to execute the agreement on behalf of the City.

**2011-0484** Request for Purchase Authorization - DPS/GAS: Purchase of three (3) tandem axle truck chassis in the not-to-exceed amount of \$273,015.00 and one (1) pre-wet tandem axle dump body system and two (2) slide-in granular and liquid anti-ice tandem axle dump body systems in the amount not-to-exceed \$309,964.00 for a combined total of three (3) complete tandem axle dump/salt/anti-ice trucks in the not-to-exceed amount of \$582,979.00; Wolverine Freightliner-Eastside, Inc., Mount Clemens, MI; Truck and Trailer Specialties, Caledonia, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Cost Proposals from Inital Submissions.pdf](#)  
[Final Costs.pdf](#)  
[Resolution.pdf](#)

*Allan Schneck, Director of DPS/Engineering, introduced **Bud Leafdale**, General Superintendent, and **Bruce Halliday**, Fleet Manager. He explained that this request is another partnering of a solicitation between communities and results in a volume discount. He noted that the two slide-in units requested are multi-functional types of equipment. These units can spread either pre-wet or dry granular material, and anti-ice, improving technology with a conservative approach. He mentioned that utilizing brine for anti-icing will help staff work smarter, as applying brine prior to a snow event can help prevent ice and snow from bonding to the pavement and allow roadways to remain wet longer into a storm, perhaps even negating the need to call anyone in to clear roadways and leading to a cost savings for both labor and material. Cleanup after pre-treatment is quicker and can return roads to normal driving conditions rapidly, reducing manhours and wear and tear on ice blades and underbody plows. He added that the slide-in units can be removed and trucks can be put into operations during more favorable times of the year.*

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

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

**Absent** 3 - Hooper, Klomp and Yalamanchi

Enactment No: RES0250-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of three (3) tandem axle truck chassis from Wolverine Freightliner-Eastside, Inc., Mount Clemens, Michigan in the not-to-exceed amount of \$273,015.00 and one (1) pre-wet tandem axle dump body system and two (2) slide-in granular and liquid anti-ice tandem axle dump body system from Truck and Trailer Specialties, Caledonia, Michigan in the not-to-exceed amount of \$309,964.00 for a combined total of three (3) complete tandem axle dump/salt/anti-ice trucks in the not-to-exceed amount of \$582,979.00.

## COUNCIL COMMITTEE REPORTS

### ANY OTHER BUSINESS

*Mayor Barnett distributed a memorandum from Mr. Anzek to update Council on the Blossom Ridge senior residential facility proposed for the corner of Dutton and Adams Roads in Oakland Township.*



*Mr. Brennan* suggested that Council review and discuss legislation which could potentially affect Civil Rights proposed by State Representative Tom McMillin.

*Vice President Pixley* noted that he would convey Mr. Brennan's concerns to President Hooper for consideration for a future agenda item.

## **NEXT MEETING DATE**

*Regular Meeting - Monday, November 21, 2011 - 7:00 PM*

## **ADJOURNMENT**

*There being no further business before Council, Vice President Pixley adjourned the meeting at 9:15 p.m.*

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*VERN PIXLEY, Vice President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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

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