

## **City Council Agenda Summary Sheet (Non Purchases)**

**Agenda No:** 2005-0053 – Older Persons Commission  
**Date:** January 11, 2004  
**Prepared By:** John D. Staran, City Attorney  
**City File No:** N/A

**Meeting Date:** Wednesday, January 19, 2005 Regular City Council Meeting

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### **PURPOSE:**

City Council should consider whether to accept the Rochester City Council's invitation to join it and Oakland Township to select a subcommittee consisting of elected officials from the 3 communities to have discussions in an effort to resolve the issue over age of persons authorized to use the OPC Activity Center.

### **DISCUSSION:**

Last November 3, the City Council disapproved a proposed Third Amendment to the Amended and Restated Interlocal Agreement for the Older Persons Commission which, had it been adopted, would have prohibited participation by persons under 60 in OPC programs unless approved otherwise on a program-by-program basis by all 3 communities. The Rochester City Council, thereafter, by Resolution adopted on December 13, 2004, invited Rochester Hills and Oakland Township to join Rochester in selecting a subcommittee, comprised of elected officials from the 3 communities, in order to have discussions in an effort to resolve the age at which persons are authorized to use the Older Persons Activity Center.

Together with their City Council Resolution, Rochester has provided Rochester Hills City Council members with information including their City Attorney's legal opinion, copies of millage proposals, and Act 39 of 1976. The Rochester Hills City Council has previously received Rochester Hills' City Attorneys' legal opinion. In short the Rochester Hills City Attorney's opinion is that although the state law, the millages and the interlocal agreement contemplated funding and services for older persons (defined in state law as persons 60 and older), the law, the millage proposals and the interlocal agreement do not say the OPC facilities may be used only by persons 60 or older or that all persons under 60 must be excluded.

### **BUDGET AND STAFF IMPACT:**

No direct impact

### **SUMMARY:**

City Council must decide whether to join Rochester and Oakland Township to select a subcommittee consisting of elected officials from the 3 communities to have discussions in an effort to resolve the issue over age of persons authorized to use the OPC Activity Center.

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Reviewed by:

Clerks: *Susan Koliba-Galeczka*

Approved by: *Pat Somerville*

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**RESOLUTION**

**NEXT AGENDA ITEM**

**RETURN TO AGENDA**