



Rochester Hills Minutes City Council Regular Meeting

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*Erik Ambrozaitis, Jim Duistermars, Barbara Holder,
Linda Raschke, James Rosen, Ravi Yalamanchi*

Wednesday, May 3, 2006

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:34 p.m. Michigan Time.

ROLL CALL

Present: Erik Ambrozaitis, Barbara Holder, Linda Raschke, James Rosen and Ravi Yalamanchi

Absent: Jim Duistermars

Others Present:

*Bryan Barnett, Mayor
Judy Bialk, Recording Secretary - Planning
Derek Delacourt, Deputy Director of Planning
Susan Galeczka, Deputy Clerk
Jane Leslie, City Clerk
Roger Rousse, Director of DPS/Engineering
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council hereby approves the Wednesday, May 3, 2006 City Council Agenda with the following addition:

Add to CONSENT AGENDA:

Legislative File 2006-0307 - Amendment to Procedure for Appointment of City Council Member

A motion was made by Raschke, seconded by Yalamanchi, to Approve Agenda as Amended.

The motion carried by the following vote:

Aye: Ambrozaitis, Holder, Raschke, Rosen and Yalamanchi

Absent: Duistermars

PUBLIC COMMENT

None.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Yalamanchi questioned whether the City has a commercial property maintenance ordinance and, if so, he asked that it be enforced, noting that many properties are not being properly maintained. Noting the environmental issues brought to light by various developments in the City, he requested that the administration be proactive in pursuing assessment grants from the Environmental Protection Agency (EPA).

Mr. Ambrozaitis concurred with Mr. Yalamanchi's comments and requested an update of the residential blight ordinance. He referenced the previous day's election and the very limited school items on the ballot and expressed his hope that the school district would agree to include their issues on the City ballots in the fall in an effort to save tax dollars.

Ms. Holder announced that the City was recruiting applicants for the 2006-2007 Rochester Hills Government Youth Council (RHGYC) and urged interested parties to submit their applications by May 26th. She then described an upcoming fundraiser for the American Cancer Society on May 21st. She provided an update of Shelby Township's single waste hauler contract and the resulting savings to their residents. Finally, Ms. Holder expressed her continuing support for a strong mayor form of government for Rochester Hills contrary to a recent claim in a local newspaper.

Mayor Barnett thanked City Clerk Jane Leslie, her staff and the poll workers "for another flawless election." He noted that he and Mr. Ambrozaitis had attended an awards ceremony for Rochester Area Youth Assistance (RAYA) honoring local students for selfless acts. He announced that the Parks Department had received two Keep American Beautiful awards for 2006. He reminded Council of their football game played against the City of Rochester's City Council, and informed them that the vintage baseball team, The Grangers, had challenged both Councils to a game in the near future. He reminded residents of his "open office" hours each Thursday between 1:30 p.m. and 3:00 p.m. Finally, Mayor Barnett indicated he would be preparing a presentation regarding all of the "extremely positive things happening with our SmartZone" including the creation of over 600 jobs in 2006. With regard to Mr. Yalamanchi's requests, he noted that he would look into both of the matters and encouraged all Council members to spend time with the City's ordinance enforcement officers, referring to it as "a really eye opening experience."

(Mr. Duistermars Entered at 7:38 p.m.)

Present: Erik Ambrozaitis, Jim Duistermars, Barbara Holder, Linda Raschke, James Rosen and Ravi Yalamanchi

ATTORNEY MATTERS

City Attorney John Staran indicated that he would work with the Mayor's office to address the concerns raised by Mr. Yalamanchi and Mr. Ambrozaitis.

RECOGNITIONS

2006-0333

Proclamation in Recognition of the Rochester High School Competitive Cheerleading Team, Michigan High School Athletic Association 2006 State Champions

Attachments: Agenda Summary.pdf; Proclamation.pdf

Mayor Barnett presented the following proclamation to the Rochester High School Cheerleaders:

The City of Rochester Hills Honors Rochester High School 2006 Class A State Champions for Competitive Cheerleading

Whereas, the Citizens of Rochester Hills are proud of the success achieved by the students in our local schools; and

Whereas, the Rochester High School Competitive Cheerleading Team members are the best in the State of Michigan in their sport for the 2006 school year.

Now, Therefore, Be It Known, that the Mayor and City Council of the City of Rochester Hills hereby express our community's admiration for the teamwork, skill and talent of the Rochester High School Class A State Champions, and express our thanks for the dedication of their coaching staff; and

Be It Further Known, that on behalf of the Citizens of Rochester Hills, we express our pride in the accomplishments of these athletes:

Stephanie Chun	Katie Hilbert	Nicole Seyburn
Cassie Clem	Erica Hubar	Kelsey Smith
Katlynn Cowling	Jessica Kuznia	Chelsea Stange
Kelsey Doucet	Melissa LaMotte	Adrienne Szymanski
Michelle Durmisevich	Shannon Marconi	Breianne Thompson
Jenny Gibson	Holly Milhelic	Sarah Tilden
Melisa Gilbey	Dara Miller	Elizabeth Vickers
Carly Green	Lauren Murri	Alyssa Yamarino
Erica Hamling	Paige O'Shea	Katie Ziegeler
Liz Handler		
Varsity Coach	Assistant Coach	Assistant Coach
Susan Wood	Ginny Ames	Liz Gibson

Presented

2006-0318

Proclamation in Honor of Building Safety Week, May 7 - May 13, 2006

Attachments: Agenda Summary.pdf; Proclamation.pdf

Mayor Barnett read the following Proclamation:

**Building Safety Week 2006
May 7 - 13**

Whereas, through our attention to building safety we enjoy the comfort and peace of mind of structures that are safe and sound; and

Whereas, building safety and fire prevention officials are at work year round to guide the safe construction of buildings; and

Whereas, the dedicated members of the International Code Council, including building safety and fire prevention officials, architects, engineers and others in the construction industry, develop and enforce codes to safeguard Americans in the buildings where we live, work, play and learn; and

Whereas, the International Codes, used by the City of Rochester Hills include safeguards to protect the public from natural disasters that can occur, such as snowstorms, hurricanes, tornadoes, wild land fires and earthquakes; and

Whereas, Building Safety Week is an excellent opportunity to educate the public. It is a perfect time to increase public awareness of the role building safety and fire

prevention officials, local and state building departments, and federal agencies play in protecting lives and property; and

Whereas, this year, as we observe Building Safety Week, we ask all Americans to consider projects to improve building safety at home and in the community, and to recognize the local building safety and fire prevention officials and the important role that they play in public safety.

Now, Therefore, Be It Resolved, that May 7 through May 13, 2006 is recognized as Building Safety Week in the City of Rochester Hills. Accordingly, our citizens are encouraged to join their fellow Americans in participating in Building Safety Week activities and assisting efforts to improve building safety.

Presented

2006-0334 Proclamation in Recognition of Municipal Clerks Week, April 30 - May 6, 2006

Attachments: Agenda Summary.pdf; Proclamation.pdf

President Rosen presented the following Proclamation to City Clerk Jane Leslie and Deputy Clerk Susan Galeczka:

**Office of the Mayor Proclamation Honoring
Municipal Clerks Week
April 30 through May 6, 2006**

Whereas, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

Whereas, the Office of the Municipal Clerk is the oldest among public servants; and

Whereas, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills hereby recognize the week of April 30 through May 6, 2006 as the Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Jane Leslie and our Deputy Clerk, Susan Galeczka for the vital services they perform and their exemplary dedication to the community they represent.

Presented

2006-0123 2006 Earl Borden Awards

Attachments: Agenda Summary.pdf

Ms. Melinda Hill, Chairperson of the Historic Districts Commission (HDC), presented Dr. Richard Stamps with the 2006 Preservation Leadership Award.

Ms. Lyn Sieffert, member of the Historic Districts Commission, read an article she had written about Dr. Stamps that had recently been published in "Suburban Lifestyles" magazine.

Dr. Richard Stamps spoke in support of historic preservation and thanked the Mayor, the City Council and the HDC for the award.

Presented

(Recess 8:22 p.m. - 8:46 p.m.)

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.

2006-0331 Approval of Minutes - Regular City Council Meeting - November 30, 2005

Attachments: CC Min 113005.pdf; 0331 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on November 30, 2005 be approved as presented.

Enactment No: RES0137-2006

2006-0116 Approval of Traffic Control Order YS-97 (Glacial yield to Galena, Passive yield to Galena, Galena yield to Quarry, Traceky yield to Quarry, Serene yield to Passive, and Petosky yield to Traceky) for Streets within Clear Creek Subdivision No. 3 & 4 - Section #2

Attachments: Agenda Summary - YS-97 & SS-135.pdf; TCO YS-97.pdf; Clear Creek Sub 3&4.pdf; Clear Creek Sub 3&4-revised.pdf; Clear Creek 3 & 4 TC Map.pdf; 0116 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. YS-97 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

YS-97.1	Glacial	Yield to	Galena
YS-97.2	Passive	Yield to	Galena
YS-97.3	Galena	Yield to	Quarry
YS-97.4	Traceky	Yield to	Quarry
YS-97.5	Serene	Yield to	Passive
YS-97.6	Petosky	Yield to	Traceky

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. YS-97 to be in effect until rescinded or superseded by subsequent

order; and a certified copy of this Resolution be filed together with the Traffic Control Order, with the Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0138-2006

2006-0338

Approval of Traffic Control Order SS-135 (Passive stop to Traceky) for Streets within Clear Creek Subdivision No. 3 & 4 - Section #2

Attachments: TCO SS 135.pdf; 0338 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. SS-135 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

SS-135.1 Passive Stop to Traceky

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order No. SS-135 to be in effect until rescinded or superseded by subsequent order; and a certified copy of this Resolution be filed together with the Traffic Control Order, with the Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0139-2006

2006-0117

Approval of Traffic Control Order YS-98 (East Shore Drive yield to Mackwood Road) for Streets within Avon Lakes Village Subdivision No. 4 - Section #25:

Attachments: Agenda Summary.pdf; Map.pdf; TCO YS-98.pdf; DPS Report.pdf; 0117 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. YS-98 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

YS-98.1. East Shore Drive Yield to Mackwood Road

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order.

Resolved, that the Rochester Hills City Council approves the issuance of Traffic Control Order YS-98.1 to be in effect until rescinded or superseded by subsequent order; and that a copy of this Resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0140-2006

2006-0134

Approval of Traffic Control Order PK-88 for Streets located within Cumberland Hills Subdivision, Section #27 - No Stopping, Standing or Parking from 8:00 AM to 5:00 PM on School Days Only within the right-of-way on both sides of Cumberland Drive from Hamlin Road to Prospect Drive

Attachments: Agenda Summary.pdf; Map.pdf; MAP Cumberland Hills-Hamlin School Area.pdf; TCO PK-88-revised.pdf; DPS Report-revised.pdf; 0134 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order PK-88 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code) as amended; and

Whereas, said Traffic Control Order covers:

PK-88.1 "No Stopping, Standing or Parking" From 8:00 AM to 5:00 PM on School Days Only within the right-of-way on both sides of Cumberland Drive from Hamlin Road to Prospect Drive.

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order.

Resolved that the Rochester Hills City Council approves the issuance of Traffic Control Order PK-88 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this Resolution be filed together with the Traffic Control Order with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0141-2006

2006-0135

Approval of Traffic Control Order PK-87 for Streets located within Rochester Industrial Park - Section #21- No parking on the west side of Rochester Industrial Drive from Hamlin Road northerly to Rochester Industrial Lane

Attachments: Agenda Summary.pdf; Map.pdf; TCO PK-87.pdf; Rochester Industrial Complaint.pdf; DPS Report.pdf; 0135 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Traffic Control Order No. PK-87 has been issued by the Transportation Engineer under the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code), as amended; and

Whereas, said Traffic Control Order covers:

PK-87.1 No Parking on the west side of Rochester Industrial Drive from Hamlin Road northerly to Rochester Industrial Lane.

Whereas, said Traffic Control Order shall not be effective after the expiration of 90 (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order.

Resolved, that the Rochester Hills City Council approves issuance of Traffic Control Order No. PK-87 to be in effect until rescinded or superseded by subsequent order; and that a certified copy of this resolution be filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

Enactment No: RES0142-2006

2006-0297

Acceptance of a Watermain Easement granted by Curtis Properties Group, LLC, for Papa Joes, for Parcel No. 15-03-477-035

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0297 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by Curtis Properties Group, LLC, 34244 Woodward, Birmingham, Michigan 48009, for the construction, operation, maintenance, repair and/or replacement of a watermain easement over, on, under, through and across land more particularly described as Parcel No. 15-03-477-035.

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

Enactment No: RES0143-2006

2006-0301

Acceptance of a Sanitary Sewer Easement granted by Curtis Properties Group, LLC, for Papa Joes, for Parcel No. 15-03-477-035

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0301 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a sanitary sewer easement granted by Curtis Properties Group, LLC, 34244 Woodward, Birmingham, Michigan 48009 for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer easement over, on, under, through and across land more particularly described as Parcel No. 15-03-477-035.

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

Enactment No: RES0144-2006

2006-0300

Acceptance of an Easement for Ingress and Egress for Public and Emergency

Vehicles, granted by Curtis Properties Group, LLC, for Papa Joes, for Parcel No. 15-03-477-035

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0300 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an easement for Ingress and Egress for Public and Emergency Vehicles and for the performance of public and emergency services over the internal, undedicated roads and/or driveways being used in common for vehicular travel, granted by Curtis Properties Group, LLC, 34244 Woodward, Birmingham, Michigan 48009, over, on, under, through and across land more particularly described as Parcel No. 15-03-477-035.

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

Enactment No: RES0145-2006

2006-0341

Appointment of Street Administrator for the City of Rochester Hills

Attachments: Agenda Summary.pdf; Resolution 0146-2006.pdf; 0341 Amended Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Whereas, Section 13(7) of Act 51, Public Acts of 1951 provided that each incorporated city and village to which funds are returned under the provisions of this section, that, "the responsibility for street improvements, maintenance, and traffic operations work, and the development, construction, or repair of off-street parking facilities and construction or repair of street lighting shall be coordinated by a single administrator to be designated by the governing body who shall be responsible for and shall represent the municipality in transactions with the State Transportation Department pursuant to this act."

Resolved, that the Rochester Hills City Council hereby designates the Mayor, Bryan K. Barnett, as the single Street Administrator for the City of Rochester Hills in all transactions with the State Transportation Department as provided in Section 13 of the Act.

Enactment No: RES0146-2006

2006-0296

Acceptance of a Watermain Easement granted by TCF National Bank, a National Banking Association, for Parcel No. 15-03-477-036

Attachments: Agenda Summary.pdf; Map.pdf; Easement.pdf; 0296 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by TCF National Bank, a National Banking Association, 401 East Liberty Street, Ann Arbor, Michigan 48104, for the construction, operation, maintenance, repair and/or replacement of a watermain easement over, on, under, through and across land more particularly described as Parcel No. 15-03-477-036.

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

Enactment No: RES0147-2006

2006-0307

Amendment to Procedure for Appointment of City Council Member

Attachments: City Council Rules of Procedures Excerpt.pdf; Supplemental Info.pdf; 0307 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved, that Resolution No. RES0128-2006 adopted by the Rochester Hills City Council at a Regular Meeting held on Wednesday, April 13, 2006

Moved by Duistermars, Seconded by Holder,

Whereas, the City Council Rules of Procedure, Article IV, Council Officers & Duties, Section.04 (c) Filling a Council Vacancy, states that the Council shall draw up an application form that contains relevant information to answer set questions posed by the Council; and

Whereas, Section.04 of the Rules further states that the application forms will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Council Member.

Now, Therefore, Be It Resolved that the Rochester Hills City Council establishes the application process to fill the current City Council Vacancy as follows:

- 1. Interested Candidates are to submit the following application packet which must be received by the Clerk's Office by 5:00 p.m. April 28, 2006:**
 - a. New Up-to-Date Candidate Questionnaire**
 - b. Resume - maximum of two pages**
 - c. Each candidate may provide written responses to three questions to be determined by President Rosen from suggested questions submitted by City Council Members**
- 2. The interview process will consist of one or more rounds of questions where each Council Member will ask one question of all candidates.**

Be It Further Resolved that pursuant to Article IV, Council Officers & Duties, Section.04(b) the City Clerk will publish a notice of vacancy and procedure for applying;

Be It Further Resolved that the Rochester Hills City Council will conduct interviews no later than the City Council Regular Meeting of May 3, 2006.

Be amended as follows:

In last "Be It Further Resolved" delete "the City Council Regular Meeting of May 3, 2006" and insert "May 13".

Be It Further Resolved, that the resolution as amended is hereby readopted by City Council as follows:

Resolved that Resolution No. RES0128-2006 adopted by the Rochester Hills City Council at a Regular Meeting held on Wednesday, April 13, 2006

Moved by Duistermars, Seconded by Holder,

Whereas, the City Council Rules of Procedure, Article IV, Council Officers & Duties, Section.04 (c) Filling a Council Vacancy, states that the Council shall draw up an application form that contains relevant information to answer set questions posed by the Council; and

Whereas, Section.04 of the Rules further states that the application forms will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Council Member.

Now, Therefore, Be It Resolved that the Rochester Hills City Council establishes the application process to fill the current City Council Vacancy as follows:

1. Interested Candidates are to submit the following application packet which must be received by the Clerk's Office by 5:00 p.m. April 28, 2006:
 - a. New Up-to-Date Candidate Questionnaire
 - b. Resume - maximum of two pages
 - c. Each candidate may provide written responses to three questions to be determined by President Rosen from suggested questions submitted by City Council Members
2. The interview process will consist of one or more rounds of questions where each Council Member will ask one question of all candidates.

Be It Further Resolved that pursuant to Article IV, Council Officers & Duties, Section.04(b) the City Clerk will publish a notice of vacancy and procedure for applying;

Be It Further Resolved that the Rochester Hills City Council will conduct interviews no later than May 13, 2006.

Enactment No: RES0128-2006

Passed The Consent Agenda

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

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

The following Consent Agenda Item was discussed and adopted by separate Motion:

2006-0342 Request for nonprofit designation for a Gaming License from the State of Michigan - Help Cerebral Palsy Kids Corporation, applicant

Attachments: Agenda Summary.pdf; Request - Help Cerebral Palsy Kids.pdf; 0342 Resolution.pdf

Mr. Yalamanchi questioned whether the Council's approval of this gaming license would result in any responsibility on the part of the City to monitor this event or activity.

City Clerk Jane Leslie and City Attorney John Staran assured Council that no such responsibility would be incurred.

A motion was made by Yalamanchi, seconded by Ambrozaitis, that this matter be Adopted by Resolution.

Resolved that the request from Help Cerebral Palsy Kids Corporation, located at 1382 Potomac, Rochester Hills, Michigan 48306, 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.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0148-2006

ORDINANCE FOR INTRODUCTION

2006-0216

Acceptance for First Reading - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone one parcel of land totaling .25 acres, known as Parcel No. 15-31-103-002, located south of Auburn and east of Adams, from B-2, General Business, to R-4, One Family Residential, and to prescribe penalties for the violation thereof, Paul Yagiela, applicant (City File No. 06-003)

Attachments: Agenda Summary Second Reading.pdf; 050306 Agenda Summary - First Reading.pdf; Map aerial.pdf; Map zoning.pdf; Staff Report.pdf; Ordinance amendment.pdf; Letter Yagiela.pdf; First Reading Resolution.pdf; 0216 Resolution.pdf

Mr. Derek Delacourt, Deputy Director of Planning, explained that the property in question is zoned B-2 General Business, however, it was developed in the 1970s as a single family home. He noted that the current homeowner is seeking a rezoning to facilitate adding an addition to his residence. Mr. Delacourt stressed that the proposed Master Land use Plan update supports a change of zoning in this area to R-4, One Family Residential. He further noted that the Planning Commission supported the rezoning request unanimously.

Mr. Paul Yagiela, 3021 St. Clair, applicant, was present to answer any questions posed by City Council.

Council members discussed the following issues:

- Application for a use variance is not an option in this matter.
- Although one neighbor did express some concern as to how this rezoning would impact his property, the Planning Commission determined it would have no impact as the rezoning request brings the property in question into land use conformance.
- The other non-conforming property owners have been made aware of the situation but have not contacted the City to take any action.
- That entire area along Auburn Road is being reevaluated by the Master Land Use Plan Update Technical Committee.

A motion was made by Duistermars, seconded by Raschke, that this matter be Accepted for First Reading by Resolution.

Resolved that an Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone one parcel of land totaling .25 acre, known as parcel No. 15-31-103-002, located south of Auburn and east of Adams, from B-2, General Business, to R-4, One Family Residential, and to prescribe penalties for the violation thereof is hereby accepted for First Reading.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

NOMINATIONS/APPOINTMENTS

2006-0264 Nomination / Appointment to the Zoning / Sign Board of Appeals to fill one (1) three-year term to expire March 31, 2009

Attachments: Agenda Summary.pdf; McGunn Candidate Questionnaire.pdf; Robbins Candidate Questionnaire.pdf; 050306 Agenda Summary.pdf; Lancar Candidate Questionnaire.pdf; 040506 Agenda Summary.pdf; Questionnaires on file 031506 updated.pdf; 0264 Resolution.pdf

President Rosen indicated that three Rochester Hills citizens had expressed interest in serving on the Zoning Board of Appeals: **Mr. Alan Lancar, Mr. Michael McGunn and Mr. Gerald Robbins.**

President Rosen opened the floor for nominations.

Mr. Yalamanchi nominated Mr. McGunn.

Ms. Holder nominated Mr. Robbins.

*There being no further nominations, **President Rosen** closed the floor for nominations.*

It was briefly discussed that Council waive their Rules of Procedure regarding waiting two weeks following a nomination to take a vote; however, it was determined that Council members unfamiliar with one or both of the nominees should take the time to speak with them and evaluate their qualifications.

Discussed

NEW BUSINESS

2006-0229 Request for Preliminary Site Condominium Plan Approval - City File No. 05-031 - The Legacy Site Condominiums, a proposed 11-unit development on five acres, located north of Hamlin, east of Livernois, zoned R-3, One Family Residential, Parcel No. 15-22-351-004, Joseph S. Novitsky, applicant

Attachments: Agenda Summary.pdf; Map aerial.pdf; Report Staff 20060404.pdf; Preliminary Plans.pdf; 0229 Resolution.pdf

Mr. Derek Delacourt, Deputy Director of Planning, briefly described the eleven-unit, upscale condominium development located on Hamlin Road, noting that the preliminary site condominium plan had been recommended by the Planning Commission for approval.

Mr. Joseph Novitsky, JSN Architecture, 30100 Telegraph Road, Bingham Farms and **Mr. Ed Purcell**, EJP Enterprises, 560 Sedgefield Drive, Bloomfield Hills, were present to answer questions on behalf of the applicant.

Mr. Yalamanchi expressed his appreciation for the design of the development and that the developer would be living in the new subdivision. He questioned whether there had been any discussion regarding this development being included with another development that had proposed a day care center in the area.

Mr. Delacourt explained that there would be no link between this development and any other. He indicated that there had been no concerns expressed by neighboring property owners.

President Rosen noted for the record that the City normally encourages interconnection of small subdivisions such as this one and the existing subdivision to the east, however, interconnection is not feasible in this instance.

A motion was made by Raschke, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for the Legacy Site Condominiums, City File No. 05-031, an 11-unit development on five acres located east of Livernois and north of Hamlin, zoned R-3, One Family Residential, Parcel No. 15-22-351-004, based on plans dated received by the Department of Planning and Development on March 8, 2006, Joseph Novitsky, 30100 Telegraph Road, Suite 350, Bingham Farms, Michigan 48025, applicant, with the following findings and conditions:

Findings:

1. Upon compliance with the following conditions, the preliminary plan meets all applicable requirements of the Zoning Ordinance and One-Family Residential Detached Condominiums Ordinance.
2. Adequate utilities are available to properly service the proposed development.
3. The preliminary plan represents an acceptable comprehensive development plan that connects to Livernois Road and Hazelton Avenue.
4. The preliminary plan represents a reasonable street layout and lot orientation.
5. The Environmental Impact Statement shows that this development will have no substantially harmful effects on the environment.

Conditions:

1. All required easement agreements and exhibits in recordable form, including Warranty Deed for the north half of Hamlin Road, shall be provided by the applicant and approved by the City prior to City Council consideration of the Final Plan.
2. Submit all condominium documents prior to final approval.
3. Provide proposed street name for the development, as approved by Staff, prior to Final Plan approval.
4. Change various pages of EIS to reflect eleven units rather than twelve.
5. The access drive to be covered by grass over aggregate, as approved by Staff. (Mr. Schroeder noted that the base was important).
6. Transplanted trees not to be located in the access drives to the ponds.
7. Prior to Final Site Condominium Plan Recommendation, Traffic Engineer must verify that no passing lane will be required for the project.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0149-2006

2006-0343

Approval of Amendments to Green Space Advisory Board (GSAB) Guidelines for Operating Procedures

Attachments: Agenda Summary.pdf; Supplemental info.pdf; 0343 Resolution.pdf

A motion was made by Duistermars, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved: That the Rochester Hills City Council amends the Green Space Advisory Board (GSAB) Guidelines for Operating Procedures as follows:

1. All recommendations regarding the expenditure of millage funds to purchase are property interests are to be brought forward in the form of a written report document with supporting documents. All other expenditures from the Fund are to follow the established purchasing policies and procedures of the City of Rochester Hills.
2. Report may include, when deemed relevant, recommendations from the following:
 - Financial Services Committee
 - Leisure Activities Committee
 - Community Development & Viability Committee
 - Planning Commission
- ~~3. Prior to approving any recommendation for expenditure of millage funds, the City Council shall conduct a Public Hearing regarding the report document recommendation in order to obtain comments from residents of the community.~~
- ~~4.3. Input and recommendations from the public hearings relevant to the GSAB activities shall be reviewed by the Board and become a part of the final report document submitted to Council for approval.~~

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0150-2006

2006-0065

Approval of Green Space Advisory Board (GSAB) Bylaws

Attachments: FINAL Draft Bylaws.pdf; 020806 Memo Galeczka Bylaws.pdf; Draft 2 Bylaws.pdf; 013006 Memo Galeczka Bylaws.pdf; Draft 1 Bylaws.pdf; Supplemental info.pdf; 0065 Resolution.pdf

President Rosen noted that these changes reflect changes approved to the Operating Procedures.

City Attorney John Staran assured Council that he had reviewed these changes and provided input.

Mr. Yalamanchi noted that Green Space Advisory Board Chairperson Gerald Carvey had also approved these changes.

A motion was made by Yalamanchi, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Green Space Advisory Board and approves the City of Rochester Hills Green Space Advisory Board Bylaws and Rules of Procedure as presented.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0151-2006

2006-0274

Request for Purchase Authorization DPS/Engineering - John R Road and East Ferry Drain Right-of-Way Acquisition Services in the amount not-to-exceed \$166,515.00; Hubbell, Roth & Clark, Inc., Pontiac, MI

Attachments: Agenda Summary Work Session.pdf; John R Council Presentation.pdf; CIP 2006 John R Reconstruction.pdf; 050306 Agenda Summary.pdf; HRC Proposal.pdf; 0274 Resolution.pdf

Mr. Roger Rouse, Director of DPS/Engineering, explained that the request before Council was for the right-of-way acquisition for the first phase of a multi-phase project involving road and drain improvements, pathway construction, Spencer Park parking lot improvements and the relocation of the Michelson pump station. He noted that the right-of-way acquisition would likely take approximately nine months.

PUBLIC COMMENT:

Ms. Melinda Hill, 1481 Mill Race, noting that she was not concerned with the cost of the project, but rather expressed her concern that this project was being identified as a carryover from the 2005 budget when it was not included as such in the 2006 budget. She stressed that it should have been clearly indicated by staff during the previous year's budget process that the project was delayed and funds should be earmarked for the following year.

Mr. Rouse explained that as late as October of 2005 the City administration believed the project would move forward in 2005. He noted that, as it is a "multi-leg" project, unexpected changes to the scope of the Michelson pump station portion resulted in an unanticipated delay.

Mr. Duistermars confirmed that a budget amendment reversing these funds had been passed by Council members, and, thus proper steps had been taken to account for these dollars.

Mr. Ambrozaitis called for greater transparency with regard to City funds.

It was stressed by **Mr. Duistermars** and **Ms. Holder** that nothing dishonest had occurred in this circumstance.

Ms. Hill stated that she had not intended to accuse anyone of doing something "underhanded." She did not approve of the budgeting process in this instance and asked that, in the future, these types of project delays be identified as carryovers in the budget.

President Rosen, returning to the issue of the project itself, noted that the City's Master Thoroughfare Plan (MTP) does not call for widening of John R Road at any point in the near future.

Mr. Rouse noted that the traffic and right-of-way warrants meet the criteria established in the MTP to expand John R to three lanes. He further noted that the MTP is nearly seven years old and traffic patterns and road improvements in neighboring communities such as Troy should also be taken into consideration.

President Rosen stressed the many thousands of dollars had been spent employing a consultant to assist with the formulation of the MTP and that the results of that study

cannot be overridden in an ad hoc manner. He noted that John R, in effect, is a dead end road and it would be preferable to concentrate the City's efforts and dollars on Dequindre Road, "because it actually allows people to go someplace."

Mr. Rouse noted the improved safety that would result from this project and also stressed the savings associated with combining various projects such as the pathways construction and relocation of the pump station. He also indicated that this entire project would save in "mobilization fees."

Mr. Duistermars indicated that the MTP is not "etched in stone", noting that it would be prudent to reassess the City's priorities.

President Rosen stressed that he does not oppose the right-of-way acquisition, but rather, "the fundamental question of not following through with the planning process." He expressed his disapproval of "deciding to go to three lanes without going through the Planning Commission, the transportation planning process and, frankly, not much in the way of public hearing."

A motion was made by Raschke, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council approves the proposal between Hubbell, Roth & Clark, Inc. and the City of Rochester Hills for Right-of-Way Acquisition Services for the John R Road Widening and East Ferry Drain Improvements in the amount not-to-exceed \$166,515.00, and authorizes the Mayor and Clerk to execute a contract on behalf of the City.

The motion failed by the following vote:

Aye: Duistermars, Holder and Raschke

Nay: Ambrozaitis, Rosen and Yalamanchi

(Recess 10:08 p.m. - 10:18 p.m.)

2006-0293

Request for Purchase Authorization - DPS: Storage for two (2) City vector trucks, a street sweeper, crew truck, asphalt roller and various other pieces of equipment, blanket purchase order in the amount not-to-exceed \$45,984.00 through May 31, 2008; R & G Development, Rochester Hills, MI

Attachments: Agenda Summary.pdf; Tabulation.pdf; 0293 Resolution.pdf

Mr. Roger Rouse, Director of DPS/Engineering, assured Council that the contract could be cancelled at any time without further financial obligation. He explained that the vehicles carry water and, thus, need to be stored in a heated environment. He further noted that these vehicles are very wide and this storage location has the door width to accommodate them.

A motion was made by Raschke, seconded by Yalamanchi, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to R & G Development, of Rochester Hills, Michigan, as the lowest, responsive, responsible bidder that met all the City requirements for the rental of vehicle storage unit, in the amount not-to-exceed \$45,984.00 through May 31, 2008.

The motion carried by the following vote:

Aye: Duistermars, Holder, Raschke, Rosen and Yalamanchi

Nay: Ambrozaitis

Enactment No: RES0152-2006

2006-0299

Postponement of the Cost Participation Agreement for the Tienken Road Bridge Replacement over Paint Creek between the City of Rochester Hills and Board of Road Commissioners for Oakland County

Attachments: Agenda Summary Work Session.pdf; Tienken Road Bridge and Signal Presentation.pdf; CIP 2006 Tienken Rd & Bridge Rehabilitation.pdf; Tienken Rd & Kings Cove Traffic Study 2002 Excerpt.pdf; 050306 Agenda Summary.pdf; Cost Participation Agreement.pdf; 0299 Re

Mr. Roger Rouse, Director of DPS/Engineering, explained that this request represented the first phase in a multi-phase project. He indicated that this project would include the new five-lane bridge striped for three lanes, a traffic signal at Kings Cove and Oakbrook, and pathway improvements. At President Rosen's request, he listed some of the recommendations from the Tienken Road Corridor study:

- Conversion of the intersection at Tienken Road and Rochester Road to a six-lane boulevard.
- Improvements to the Sheldon intersection.
- Bridge replacement.
- A traffic signal at Kings Cove.
- Widening of the entire road.

Mr. Rouse noted that the Tienken Road improvements are listed in the Capital Improvement Plan (CIP), representing a multi-phase project with phased-in improvements at various locations along the corridor.

President Rosen noted that the Tienken Road Corridor Study was never reviewed or approved by the Planning Commission as a revision to the Master Thoroughfare Plan. He stated, "You can't go around the transportation plan." He noted that the plan for a five-lane bridge was never reviewed with the community and noted, "The most we're ever going to get out of that road is three lanes without completely destroying that entire corridor."

Mr. Rouse stressed that each step of the project will be brought forward to the Planning Commission and City Council for approval. He further noted that some improvements have already taken place, specifically noting the intersection improvements at Tienken Road and Rochester Road funded by private developers.

Mr. Ambrozaitis noted his opposition to widening Tienken Road to five lanes and indicated that there should be a public hearing on this matter to receive comments from residents, especially those who will be directly impacted.

Ms. Holder made a motion to postpone the decision on this item until more detailed information can be provided to Council.

A motion was made by Holder, seconded by Duistermars, that this matter be Postponed by Resolution.

Whereas, there are several funding sources proposed to fund the Tienken Road Bridge Replacement and Traffic Signal Project that include Tri-Party funds, federally appropriated Michigan transportation funds, RCOC construction engineering and City major road funds; and

Whereas, the proposed Cost Participation Agreement is a mechanism to program the Tri-Party funds through the Board of Road Commissioners for the County of Oakland (BOARD); and

Whereas, upon execution of this Agreement, the BOARD shall submit an invoice to the City in the amount of \$590,810.50, which is 50% of the City's share; and

Whereas, the BOARD may invoice the City periodically as additional costs accrue, after the initial payment has been expended; and

Whereas, upon completion of the project construction, the BOARD shall submit an estimated final invoice to the City for the remainder of the City's share of the total estimated final project cost.

Resolved that the Rochester Hills City Council hereby postpones approval of all conditions of the Cost Participation Agreement between the Road Commission for Oakland County and the City of Rochester Hills for the Tienken Road Bridge Replacement over Paint Creek and the Traffic Signal Installation until Council members have thoroughly reviewed all previous studies relating to this project, as well as the current Master Thoroughfare Plan, and a work session is held to review and discuss this project in detail.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

DISCUSSION CONTINUED

City Attorney John Staran advised Council that the discussion could continue in an effort to ascertain what information Council required to make a final decision.

PUBLIC COMMENT:

Ms. Melinda Hill, 1481 Mill Race, expressed her opposition to a five-lane bridge noting that not even the Tienken Road Corridor Study recommended five lanes. She stated it would be "irresponsible spending" to widen Tienken Road to five lanes as it would also increase the costs to maintain the road. She called for a reevaluation of the City's Master Thoroughfare Plan, as well as public hearings on the matter.

Mr. Duistermars indicated that the previous Council was aware that the new bridge would be engineered for five lanes and stressed that the City would incur additional design costs if it were necessary to redesign the bridge for three lanes.

Mr. Rousse discussed the various issues that led to the design of a five-lane bridge, including the following:

- The five lanes left open the option of Tienken Road becoming a boulevard.
- The center lane accommodates "turning movements" at the intersection.
- The City could still maintain a boulevard with one bridge rather than two bridges side-by-side.
- The project was discussed each year as part of the CIP process.
- The project was reviewed in light of the Tienken Road Corridor Study as well as other traffic improvements in the area.

- Tienken is a County road and, thus, the City is participating in this project as part of a Tri-Party Fund Agreement.

- There is an accident history in that area.

- Residents spend an excessive amount of time trying to make left turns out of the Kings Cove subdivision.

- The bridge had to be widened to provide stacking lanes for a new traffic signal.

Mr. Duistermars confirmed that the reasoning behind the five-lane bridge was to provide more versatility in the future.

Ms. Holder indicated that if the Tienken Road barricade in Auburn Hills is eventually removed, it will result in a considerable increase in traffic on Tienken Road.

President Rosen listed information that should be provided to Council prior to the future meeting at which this matter would be discussed again:

- The Tienken Road Corridor study.

- The Master Thoroughfare Plan update from December 1999.

- Minutes from any public discussion, especially those linking the Tienken Road Corridor Study to the Tienken Road/Rochester Road intersection improvements.

- Minutes regarding the two PUD agreements that resulted in the Tienken Road/Rochester Road intersection improvements.

- Information on the warrants for a traffic signal at Kings Cove.

Mayor Barnett suggested that a Work Session be held near the end of the month and noted that all relevant information would be provided to Council members prior to that meeting.

Discussed

2006-0308

Request for Purchase Authorization - DPS/Engineering, Facilities Division: Blanket Purchase Order for Roofing Projects at Various City Buildings in the not-to-exceed total amount of \$35,074.00; Butcher and Baecker Construction Company, Rochester Hills, MI

Attachments: Agenda Summary.pdf; Tabulation.pdf; 0308 Resolution.pdf

Mr. Roger Rouse, Director of DPS/Engineering, explained that this request represented routine improvements to some City-owned buildings, particularly the roofs, in an effort to preserve the City's investment in these buildings and avoid further damage.

Mr. Ambrozaitis requested reassurance that the DPS salt storage barn roof would be repaired regardless of whether the new DPS Facility was built or not.

Mr. Rouse explained that the original plan for the new DPS Facility called for the salt storage barn to be demolished and a new one built in its place. He noted that, as Council is reevaluating the scope of the DPS Facility project, this request is for rehabilitation of the existing salt storage barn in an attempt to "get more years out of the existing facility."

Mr. Yalamanchi requested a list of all City-owned properties.

Mr. Rousse indicated that such a list could be found in the Budget Plan Book or the Capital Improvement Plan.

While **Mr. Yalamanchi** noted that he would access the list using either of those two sources, **Mayor Barnett** assured **Mr. Yalamanchi** that his office would provide any further information upon request.

Ms. Holder made the observation that as the City's contracted architectural and construction management firms had already provided plans for the reconstruction of a new salt storage barn, prior to the plan to reevaluate the scope of the DPS Facility project, the cost of those plans should be included with the cost of repairing the roof of the existing salt storage barn.

A motion was made by Raschke, seconded by Duistermars, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Butcher & Baecker Construction Company, of Rochester Hills, Michigan, as the lowest cost proposal for the purchase of roofing projects at various City buildings, in the amount not-to-exceed \$35,074.00 through December 31, 2006.

Further Resolved that the Mayor is authorized to execute the contract on behalf of the City.

The motion carried by the following vote:

Aye: Ambrozaitis, Duistermars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0153-2006

2005-0345

Adoption of City Council Policy for Attendance/Per Diem Compensation

Attachments: Agenda Summary.pdf; FINAL DRAFT Policy.pdf; 030706 AIS - DRAFT 3 Policy.pdf; 020706 AIS - DRAFT 2 Policy.pdf; 010406 Referral from CC.pdf; 010406 CC Reg Mtg DRAFT Min EXERPT.pdf; 122805 Agenda Summary.pdf; 110205 Agenda Summary.pdf; 080205 AIS - DRAFT 1

President Rosen read the proposed Per Diem Compensation policy noting the meetings for which Council members will be compensated.

Mr. Ambrozaitis noted that he did not feel there should be an increase to Council members' per diem compensation and requested a policy change in 2007 that would eliminate the participation in the City's pension plan for Council members.

Ms. Holder clarified that the policy changes before Council regarding per diem compensation did not represent an increase in pay for Council members.

Mr. Duistermars noted that the pension dollars earned by Council members "is peanuts." He indicated he would likely donate the funds back to the City when he leaves Council.

President Rosen suggested that the pension matter be considered at a later date.

A motion was made by Holder, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee and adopts the City Council Attendance/Per Diem Compensation Policy as presented.

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0154-2006

2005-0346

Adoption of City Council Policy for Use of Electronic Devices during City Council Meetings

Attachments: Agenda Summary.pdf; FINAL DRAFT Policy.pdf; 030706 AIS - DRAFT 2 Policy.pdf; 010406 Referral from Council.pdf; Troy E-Rule article dtd 2-16-06.pdf; 010406 CC Reg Mtg DRAFT Min EXERPT.pdf; 122905 Agenda Summary.pdf; 110205 Agenda Summary.pdf; 080205 AIS -

President Rosen and Ms. Holder explained that the policy regarding use of electronic communication devices during City Council meetings requires that, although these devices can be used during meetings, the user should use common sense to not disrupt the meeting and the devices should never be used to communicate between Council members, as this could be considered a violation of the Open Meetings Act.

A motion was made by Yalamanchi, seconded by Raschke, that this matter be Adopted by Resolution.

Resolved that the Rochester Hills City Council concurs with the recommendation of the Administration & Information Services Committee and adopts the Policy for Use of Electronic Devices during City Council Meetings as presented.

The motion carried by the following vote:

Aye: Ambrozaitis, Duisternars, Holder, Raschke, Rosen and Yalamanchi

Enactment No: RES0155-2006

COUNCIL COMMITTEE REPORTS

Leisure Activities Committee

Mr. Ambrozaitis, Chair of the Leisure Activities Committee, noted that Mike Hartner, Director of Parks & Forestry, had provided the Committee with a presentation regarding the update to the Parks & Recreation Master Plan. He also requested that the City spend \$5,000 to test the Riverbend Park water table.

Planning Commission

Ms. Holder, City Council representative to the Planning Commission, briefly noted that they had unanimously approved a revised preliminary site condominium plan for a development south of Auburn Road and east of Livernois Road. She also announced that a Public Hearing would be held for the proposed Capital Improvement Plan on May 16th at 7:30 p.m.

ANY OTHER BUSINESS

Mr. Yalamanchi requested a process be put in place wherein ongoing issues, such as local roads and the City's tax structure, be noted if not addressed or discussed at each Council meeting. He expressed concern that Council may lose focus on these pressing items if they are not part of the agenda for each meeting. Second, Mr. Yalamanchi questioned whether

the City has any relationship with the local school district, similar to the Sister City committees for Rochester and Auburn Hills. He suggested that the City work to establish better communication with the schools but not necessarily in a formal manner, such as a committee.

President Rosen noted that he is working in conjunction with the Clerk's Department to establish a list of ongoing issues that can be distributed to Council members separate from their meeting agendas.

Mayor Barnett explained that he sits on many committees with school representatives and is working to build better communication with the new superintendent. He indicated that he would support Council involvement in this process.

President Rosen briefly described the process by which applicants to fill Mayor Barnett's vacant Council seat would be interviewed during the May 4th Special Council meeting. He noted that Council members will be given the opportunity to ask each applicant one or two questions. Following their responses, Council will make their nominations. Voting will follow the nominations and will continue until a new Council member is chosen or until the hour grows too late and it becomes necessary to adjourn the meeting and hold another Special Meeting on Saturday, May 6th to continue the voting process. He further explained that, during the initial interview process, the applicants will be seated at the Council dais, while the six Council members will be seated at the presenters table.

NEXT MEETING DATE

Special Meeting - Thursday, May 4, 2006 at 7:30 p.m.

Special Meeting - Saturday, May 6, 2006 at 9:30 a.m.

ADJOURNMENT

There being no further business before Council, President Rosen adjourned the meeting at 11:28 p.m.

*JAMES ROSEN, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARGARET A. MANZ
Administrative Secretary
City Clerk's Office*

Approved as presented at the September 6, 2006 Regular City Council Meeting.