



Rochester Hills

Minutes

City Council Regular Meeting

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

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

Vision Statement: The Community of Choice for Families and Business

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

Monday, January 26, 2009

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:31p.m. Michigan Time.*

ROLL CALL

Present 6 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen
and Michael Webber
Absent 1 - Ravi Yalamanchi

Others Present:

*Ed Anzek, Director of Planning and Development
Bryan Barnett, Mayor
Ron Crowell, Fire Chief/Emergency Management Director
Scott Cope, Director of Building/Ordinance
Kurt Dawson, Director of Assessing/Treasury
Bob Grace, Director of MIS
Mike Hartner, Director of Parks and Forestry
Julie Jenuwine, Director of Finance
Captain Mike Johnson, Oakland County Sheriff's Department
Pamela Lee, Director of Human Resources
Jane Leslie, City Clerk
Roger Moore, Professional Surveyor
Roger Rousse, Director of DPS/Engineering
Amith Nagesh, Youth Council Representative
Jack Sage, Ordinance Inspector
Joseph Snyder, Senior Financial Analyst
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Ambrozaitis, seconded by Pixley, to Approve the Agenda as Presented. The motion CARRIED by the following vote:

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

Absent 1 - Yalamanchi

PUBLIC COMMENT

Alice Benbow, 1582 Northumberland Drive, stated that she is against the deer culling and requested City Council to have a motion to end the deer culling.

Dan Keifer, 719 Fieldstone Drive, expressed his appreciation for the City's snow removal work, the single hauler waste contract and the deer management program. He stated that there are five parts to the deer management program and that the deer culling was only one component of that program. It was his opinion that the residents need to know the progress being made on the other components of the deer management program.

Bruce Fealk, 1474 Oakstone Drive, commented that the deer culling has been a divisive issue and a negative reflection on the community. He stated that he would like the documentation of the services provided by the Oakland County Sheriffs' Office to be readily available upon request.

Cynthia Lynne, 1007 W. Third Street, Rochester, noted that everyone is seeking to decrease deer vehicle collisions. She shared her experience of a head-on deer collision accident two years ago and considers the deer culling to be a lose-lose method because of the deer population rebound effect. She described research being tested in Yellowstone Park and in the State of Indiana on a new motorist alarm method that uses motion sensors to trigger high power flashing lights when large animals enter the danger zone.

Marilyn Childers, 7178 Bluebell, spoke as an Oakland University Professor who enjoys having the deer as visitors on the campus. She encouraged City Council to find a way to cohabit with the deer.

Craig Bauman, 2440 Jackson Drive, requested City Council vote to suspend the deer culling and commence discussions to create a proactive management plan that is positive to the community.

Jane Giblin, 1651 N. Bretton, questioned why the first response to a problem is a violent one. She shared her experience on the Indiana Turnpike of being prompted to slow their vehicle by a motion sensor indicating the presence of a large animal, though they never saw the animal. She expressed her love of the wildlife in the City.

Monique Balaban requested permission to read a letter on behalf of **Douglas Kress**, 1910 North Livernois, because due to physical conditions, he could not be present at the meeting. He acknowledged the seriousness of the car/deer accidents, however, felt the majority of the accidents are the driver's fault.

He stated his support for reflectors, suggested stronger enforcement of traffic laws and the use of education as means to reduce these incidents. He requested to be on record as opposing the shooting of the deer within the City limits.

Monique Balaban, 1487 N. Livernois, mentioned that the deer/vehicle accidents in 2007 were 220 and have been reduced to 148 in 2008. She questioned the method of determining the number of deer in the City. She urged the lowering of traffic speed limits in the densely populated deer crossing areas and encouraged the use of roadside reflectors, stating that a \$20,000.00 donation had been offered for its cost. She requested City Council and the City Administration to promote and execute a proven, safe and effective solution to reduce deer vehicle accidents.

Sean Donovan, 1394 Springwood Lane, requested that the City stop the deer culling and evaluate more effective, safe and peaceful alternatives.

Carol Donovan, 1394 Springwood Lane, stated her concern about the deer culling being conducted in the City and shared that she is more afraid of a collision with a speeding motorist, possibly under the influence of drugs and alcohol, talking on a cell phone than she is colliding with a deer.

Kaelen Donovan, 1394 Springwood Lane, introduced himself as being 10 years old and recounted last Wednesday evening's peaceful protest against the deer culling in front of the Environmental Education Center. He stated they were moved a mile away to continue their protest and asked for the culling to stop.

Bill Bidwell, 2055 Avoncrest Drive, appealed to Council and the City Administration to stop the deer culling. He stated that no recent deer count had been conducted after the death of many deer this past summer.

Lynn Toussaint, 1005 Bloomer Road, talked about her grandparents selling their farm land to the State in 1925 and which is today known as Bloomer Park. She expressed the deer culling as an emotional issue for her and described the growth from Avon Township to the City it is today. She requested Council to investigate other means of deer management than culling.

Jean Lusher, 1238 Mead Road, requested that City Council and the City Administration put a hold on the current deer culling, sit down with knowledgeable and interested residents to explore better alternatives.

Theresa Roberts, 340 Booth, Troy, Michigan, stated the residents of Rochester Hills should be able to vote on the deer culling. She shared her concern that the deer cull could result in a serious accident.

Judy Pinckes, 1878 Fairford Drive, Bloomfield Township, speaking as a realtor and former Rochester Hills' resident, urged City Council to reconsider the deer culling decision.

Joseph Podvin, 825 Dunedin Drive, stated he had approached City Council and the City Administration with a proposal outlining multiple anti-deer culling solutions, complete with explanation and details. He had hoped for more than great conversations and inquired about transparency in government.

William Black, 2408 Jackson Drive, thanked all the residents for appearing before City Council speaking their opinion and expressed his opposition to the culling of the deer herd. He requested that City Council make a motion to cease the culling and to participate in a bi-partisan group to discuss the deer matter.

Martha Black, 2408 Jackson Drive, described the debate of the deer issue as a community issue and urged City Council and the City Administration to leave the deer alone.

Italia Milan, 3744 Bald Mountain Road, Auburn Hills, urged the investigation of improved signage, speed limit reduction, roadside foliage removal and the use of deer reflectors as an alternative to the culling of the deer herd. She urged City Council and City Administration to stop the cull.

Jon Block, 273 Vreeland Drive, shared his concerns about the negative publicity the City is experiencing regarding the deer cull and the impact on the community's youth. He urged City Council and City Administration to implement a more creative solution to the deer management issue.

Susan Fougousse, 1956 Hutchins Drive, speaking as a 20-year resident of the Heritage Oaks Subdivision, near the Clinton River, asked for the deer culling to stop.

John Fougousse, 1956 Hutchins Drive, shared that he walks on a daily basis and is concerned about the culling of the deer. He spoke of the negative publicity and requested that City Council stop the cull and explore a better solution.

Giuliana Deaconu, 3190 Fallen Oaks Court, requested City Council to respond to the various public comments. She stated that culling has proven ineffective, unsafe and costly. She questioned the cost of the culling operation to taxpayers and beseeched City Council to stop killing the deer.

Agnes Domanska, 1530 Streamwood, stated that there had been no clarification of who is paying the cost of the ammunition, the special equipment, the night vision goggles, tree stands, the blinds, permits and bait as well as the helicopters that are being used for the culling operation. She stated that the residents deserve honesty and transparency and requested that the culling cease.

Deanna Hilbert, 3234 Quail Ridge Circle, commented that there must be a better way for deer management and inquired how many deer have been eliminated in the culling operation. She then stated that it would be difficult to determine if the culling was successful because there is not an accurate deer population count, especially after the results of the virus. She requested that the City reconsider their actions and work with the citizens for an effective solution.

Lee Zendel, 1575 Dutton, shared a television news story about a rare condition that affects new mothers resulting in cardiac arrest within the first couple of weeks after the birth of their babies. He noted that it took Fargo, North Dakota paramedics sixteen minutes to respond to a particular case highlighted in the program. He stated that for 2008, the City's fire rescue service responded to 3,321 medical emergency calls, with an average response time of under 5 1/2 minutes. He cautioned residents from taking the City's emergency services for granted and

suggested that "thank you's" would be a nice gesture at Fire Station 1 and the Oakland County Sheriff's Substation.

Bob Grace, 2199 Warrington, speaking on behalf of the Board of the Grangers Baseball Club, extended an invitation to play a game of baseball the way it was meant to be played on Saturday, May 23, 2009 during the Heritage Festival. Interested players should contact Pat McKay or himself.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett made the following announcements:

- The City's Single Hauler Waste Program begins March 30, 2009 with Allied Waste commencing trash pick-up for the City. He noted that residents should not prepay current waste haulers past March 30th. Information will be forthcoming to the residents. Residents with questions should contact the City's Ordinance Department at (248) 656-4615.
- The 2009 Community Outlook Luncheon is Thursday, February 26, 2009 at 11:30 AM - 2:00 PM at Oakland University with participation by the City of Rochester, City of Rochester Hills and Oakland Township.
- The State of the City is Thursday, March 5, 2009 at 7:00 PM at Rochester College.

Mayor Barnett described a meeting he attended Friday, January 23, 2009 sponsored by Congressman Gary Peters. Congressman Peters put together a meeting of city leaders located in his congressional district to discuss the economic recovery plan. He stated this meeting was held the day after the United States Congress released plans for the expenditure of allocated funds. In response to this meeting, the City prepared a proposed stimulus project plan package, should funds become available, and it was presented to Congressman Peters. He stated that more information will be forthcoming as it becomes available. He announced that the City is accepting Capital Improvement Project suggestions for the 2010 Budget Year immediately and will be accepted for the next 30 days.

Amith Nagesh, Rochester Hills Government Youth Council Representative, announced that the Youth Council is planning a 5K Run/Walk event to be held at Bloomer Park. He stated the Youth Council will be raising funds for local charities and for Veterans with Traumatic Brain Injuries.

Mr. Webber thanked all of the residents for speaking during Public Comment.

Mr. Pixley echoed Councilmember Webber's sentiments. He announced The Souperbowl Event this Saturday, January 31, 2009 at the Rochester High School Football Field at 12:00 noon. He explained that the City of Rochester Hills' City Council will play football with the City Council of the City of Rochester to raise funds for Neighborhood House and the Food Pantry.

Mr. Ambrozaitis expressed his appreciation for the residents' comments and concerns during Public Comment. He indicated that interested residents should stay for the budget and the first quarter amendment discussions.

In response to the Public Comments, **President Hooper** referred to the fact that a lawsuit has been filed against the City, and because of this, Council cannot talk about the deer issue until that lawsuit has been resolved. He noted that it is Council's intent to resume with their agenda and cautioned that if there are continued outbursts, he will have to adjourn the meeting.

(Recess - 8:56 p.m. - 9:27 p.m.)

ATTORNEY MATTERS

City Attorney Staran reported that a lawsuit had been filed against the City, the Mayor, City Council, Oakland County, Oakland County Sheriffs Office and the Michigan Department of Natural Resources by two City residents relative to the controlled cull component of the City's Deer Management Plan against the City.

(President Hooper apologized, then stated due to the inability to maintain public order, he was adjourning the meeting.)

ADJOURNMENT

President Hooper adjourned the meeting at 9:31 p.m.

RECOGNITIONS

- 2009-0032 Recognition in honor of Richard Rowe for his many years of outstanding service on the Rochester Hills Water & Sewer Board

Attachments: [Agenda Summary.pdf](#)
[Recognition Certificate Rowe.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

- 2009-0049 Recognition of J. Martin Brennan, Jr. for serving as Board President for the Community Media Network from 2005 through 2008

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

This matter was Set Over to a Future Meeting.

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.

- 2009-0034 Approval of Minutes - City Council Special Budget Work Session - August 18, 2008

Attachments [CC Min Special Budget Work Session 081808.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

- 2008-0506 Approval of Minutes - City Council Special Budget Work Session - August 25, 2008

Attachments: [CC Special Budget Work Session 082508.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

- 2009-0035 Approval of Minutes - City Council Special Budget Work Session - September 3, 2008

Attachments: [CC Min Special Budget Work Session 090308.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2008-0507 Approval of Minutes - City Council Regular Meeting - September 8, 2008

Attachments: [CC Min 090808.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2009-0039 Approval of Minutes - City Council Regular Meeting - September 15, 2008

Attachments: [CC Min 091508.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2009-0012 Request for Purchase Authorization - MIS: Yearly GIS software maintenance fee in the amount of \$31,461.93; Environmental Systems Research Institute, Redlands, CA

Attachments: [Agenda Summary.pdf](#)
[ESRI Maintenance Quote.pdf](#)
[ESRI Sole Source Memo.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2008-0534 Request for Purchase Authorization - DPS/FACILITIES: Increase to Blanket Purchase Order for snow removal services for the 2008-2009 winter season at the City Hall, Precinct #5, 52/3rd District Court and Oakland County Sheriff Department Substation in the amount of \$50,000.00 for a new not-to-exceed total of \$100,000.00; Advanced Services Landscape, LLC, Sterling Heights, MI

Attachments: [Agenda Summary.pdf](#)
[102708 Agenda Summary.pdf](#)
[Proposals Tabulation.pdf](#)
[102708 Resolution.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2009-0019 Request for Acceptance of a watermain easement granted by Rayconnect, Inc., a Michigan Corporation

Attachments: [Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Exhibit.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

- 2009-0020** Request for Approval of the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Rayconnect for Parcel Nos. 15-29-452-028 and 15-29-452-027

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

This matter was Set Over to a Future Meeting.

- 2009-0026** Request for Purchase Authorization - CLERKS: Blanket Purchase Order for Postage by Phone in the amount not-to-exceed \$50,000.00 through December 31, 2009; Pitney Bowes, Inc., Louisville, KY

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

This matter was Set Over to a Future Meeting.

- 2009-0044** Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for the 2009 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$90,000.00; Oakland County Waste Resource Management Division

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

This matter was Set Over to a Future Meeting.

- 2009-0045** Request for Discontinuance Authorization - BLDG: Discontinuation of payment to SOCRRA for Saturday openings of the SOCRRA Composting Site for Rochester Hills residents

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

This matter was Set Over to a Future Meeting.

PUBLIC HEARINGS

- 2009-0031** 2009 1st Quarter Budget Amendment / Appropriations

Attachments: [Agenda Summary.pdf](#)
[2009 - 1st Qtr BA \(Detail\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

ORDINANCE FOR INTRODUCTION

2009-0046 Acceptance for First Reading - An Ordinance to amend Section 106-125 of Chapter 106, Article III, Weed Control, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Adjust the amount charged to owners and occupants of land for weed cutting by the City, repeal conflicting Ordinances and prescribe a penalty for violations

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

This matter was Set Over to a Future Meeting.

2009-0047 Acceptance for First Reading - an Ordinance to amend Section 54-531 and repeal Section 54-532 of Article X, Solid Waste, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify solid waste transporting unit license fees, repeal conflicting Ordinances, and prescribe a penalty for violations

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

This matter was Set Over to a Future Meeting.

NEW BUSINESS

2009-0025 Request for Approval of the creation and granting of the "Agreement for Conservation Easement" for the south side of Hamlin Road, west of Crooks Road

Attachments: [Agenda Summary.pdf](#)
[Map.pdf](#)
[MDEQ Permit.pdf](#)
[Agreement.pdf](#)
[Resolution.pdf](#)

This matter was Set Over to a Future Meeting.

2009-0048 Request for Authorization to enter into the Oakland County Building Officials Association Damage Assessment Mutual Aid Agreement

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

This matter was Set Over to a Future Meeting.

COUNCIL COMMITTEE REPORTS

ANY OTHER BUSINESS

**NEXT MEETING DATE - Regular Meeting - Monday, February 2, 2009 -
7:30 PM (Cancelled)
- Regular Meeting - Monday, February 9, 2009 -
7:30 PM**

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

*CHRISTINE A. WISSBRUN
Administrative Secretary
City Clerk's Office*

Approved as presented at the April 20, 2009 Regular City Council Meeting.