



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

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Monday, August 4, 2008

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

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

## Others Present:

*Bryan Barnett, Mayor  
Fred Carter, Beach Front Supervisor  
Julie Jenuwine, Director of Finance  
Jane Leslie, City Clerk  
Roger Rousse, Director of DPS/Engineering  
John Staran, City Attorney*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

A motion was made by Brennan, seconded by Pixley, the Agenda be Approved as Amended to Add to Consent Agenda the following Legislative Files: 2008-0405 - Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Icikson Investment Company, LLC for Parcel H-16, Sidwell No. 15-21-477-020; 2008-0406 - Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Joyce A. Bonacci for Parcel H-23, Sidwell No. 15-27-101-038; and 208-0407 - Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Douglas R. and Shirley A. Metzler for Parcels H-24 through H-26, Sidwell No. 15-28-226-025; and to move Public Comment and Legislative & Administrative Comments after New Business. The motion CARRIED by the following vote:

**Aye** 5 - Brennan, Hooper, Pixley, Webber and Yalamanchi

**Nay** 2 - Ambrozaitis and Rosen

## ATTORNEY MATTERS

2008-0404 Litigation - City of Rochester Hills v. Heinrich, et al

Attachments: [Resolution.pdf](#)  
[Resolution \(Revised\).pdf](#)

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

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

Enactment No: RES0251-2008

**Whereas**, the Rochester Hills City Council has received and discussed in closed session a written confidential attorney/client privileged communication from its attorney concerning trial or settlement strategy in City of Rochester Hills v Heinrich, Oakland County Circuit Court Case No. 07-080233-CC, which is a condemnation lawsuit instituted by the City to acquire necessary property interests from the owner of Adams Road parcel no. 1 (NW corner of Auburn/Adams) for the recent reconstruction of Adams Road.

**Therefore**, the City Council resolves to accept the City's attorney's recommendation and hereby authorizes him and the City Administration to proceed in accordance therewith.

## RECOGNITIONS

2008-0385 Proclamation in Recognition for outstanding act of heroism in saving the life of a seven-year-old girl

Attachments: [Agenda Summary.pdf](#)  
[Howdysshell Proclamation.pdf](#)

**Fred Carter**, Beach Front Supervisor, stated that Spencer Park has had 25 years without a drowning. He reported that during Spencer Park's existence, fifteen-to-twenty rescues have been performed. Leah Howdysshell, Lifeguard Captain, performed a rescue that was quite incredible. A seven-year-old girl

*was having troubles in the water. Leah saw her, reacted quickly, and was able to rescue the girl as she went underwater. Mr. Carter related that once a young child goes under water, the chance of rescue becomes quite difficult. He stated the City is proud of Leah, who is Captain of her staff and has been at Spencer for six years. She helps train the other guards.*

**Mayor Barnett** read a proclamation in recognition for the outstanding act of heroism by Leah Howdyshell for her effort in saving the life of a seven-year-old girl.

**This matter was Presented.**

**Whereas**, Leah Howdyshell is a 22-year-old lifeguard who has worked at Spencer Park for six years while she continues her studies in the field of medicine; and

**Whereas**, Spencer Park Beachfront Supervisor Fred Carter stated, "Little kids in danger of drowning are the hardest to recognize because they don't often show the lifeguard an obvious struggle and only remain on the surface about half the time of a struggling adult."; and

**Whereas**, Leah Howdyshell is known as one of the best lifeguards to come through the City of Rochester Hills highly skilled, award winning lifeguard training program.

**Now, Therefore, Be It Known**, that the Mayor and City Council of Rochester Hills hereby recognize Lifeguard Captain Leah Howdyshell for her outstanding skill and professionalism in saving the life of a seven-year-old child.

## 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.

**2008-0392** Approval of Minutes - City Council Special Meeting - June 16, 2008

**Attachments:** [CC Min Special Mtg 061608.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0252-2008

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on June 16, 2008 be approved as presented.

**2008-0393** Approval of Minutes - City Council Regular Meeting - June 16, 2008

**Attachments:** [CC Min 061608.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0253-2008

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on June 16, 2008 be approved as presented.

**2008-0395** Approval of Minutes - City Council Special Meeting - June 23, 2008

**Attachments:** [CC Min Special Mtg 062308](#)  
[Resolution.pdf](#)

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

Enactment No: RES0254-2008

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on June 23, 2008 be approved as presented.

**2008-0396** Approval of Minutes - City Council Regular Meeting - June 23, 2008

**Attachments:** [CC Min 062308](#)  
[Resolution.pdf](#)

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

Enactment No: RES0255-2008

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on June 23, 2008 be approved as presented.

**2008-0271** Request for Approval of Traffic Control Order YS-100, Streets within Hillwood Subdivision - Section #2: Little Creek Road Yield to Blue Beech Road

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[TCO YS-100.pdf](#)  
[Traffic Study.pdf](#)  
[Crash Report.pdf](#)  
[AT&S Draft Minute Excerpt 061008.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0256-2008

**Whereas**, Traffic Control Order No. YS-100 has been issued by the Acting City Traffic Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98,

Michigan Vehicle Code, MCL 257.1 et seq.; and

**Whereas**, said Traffic Control Order covers:

Streets within the Hillwood Subdivision, section 2.

**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 and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of Traffic Control YS-100 to be in effect until rescinded or superseded by subsequent order; and

**Now Therefore Be It Resolved**, 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.

**2008-0272** Request for approval of Traffic Control Order No. SS-139, Streets within Hillwood Subdivision - Section #2: Blue Beech Court STOP for Blue Beech Road

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[TCO SS-139.pdf](#)  
[Traffic Study.pdf](#)  
[Crash Report.pdf](#)  
[AT&S Draft Minute Excerpt 061008.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0257-2008

**Whereas**, Traffic Control Order No. SS-139 has been issued by the Acting City Traffic Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

**Whereas**, said Traffic Control Order covers:

Streets within the Hillwood Subdivision, section 2.

**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 and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of Traffic Control SS-139 to be in effect until rescinded or superseded by subsequent order; and

**Now Therefore Be It Resolved**, 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.

- 2008-0276** Request for Approval of Traffic Control Order No. SL-15, Market Place Circle from S Adams Road to S Adams Road, Section 30: Speed Limit Thirty (30) miles per hour along Marketplace Circle at its easterly intersection with S. Adams Road to its westerly intersection with S. Adams Road

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[TCO SL-15.pdf](#)  
[Speed Study #1.pdf](#)  
[Speed Study #2.pdf](#)  
[Speed Study #3.pdf](#)  
[Study Summary.pdf](#)  
[AT&S Draft Minutes Excerpt 061008.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0258-2008

**Whereas**, Traffic Control Order No. SL-15.1 has been issued by the Acting City Traffic Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

**Whereas**, said Traffic Control Order covers:

Market Place Circle from S. Adams Road to S. Adams Road, Section 30

**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 and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of Traffic Control SL-15.1 to be in effect until rescinded or superseded by subsequent order; and

**Now Therefore Be It Resolved**, 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.

- 2008-0388** Request for Purchasing Authorization - DPS/ENG: Blanket Purchase Order for "2008" Cold-Plastic (Pavement Legend) Program in the amount of \$59,323.30 with a 5% contingency of \$2,966.17 for a total not-to-exceed amount of \$62,289.47; R.S. Contracting, Inc., Casco, MI

**Attachments:** [Agenda Summary.pdf](#)  
[RS Letter of Extension.pdf](#)  
[RH Bid Tabulation.pdf](#)  
[RCOC Bid Tabulation.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0259-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to R.S. Contracting, Inc., Casco, Michigan for the "2008" Cold-Plastic (Pavement Legend) Program in the amount of \$59,323.30 with a 5% contingency of \$2,966.17 for a total not-to-exceed amount of \$62,289.47.

- 2008-0405** Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Icikson Investment Company, LLC for Parcel H-16, Sidwell No. 15-21-477-020

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

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

Enactment No: RES0260-2008

**Whereas**, an Offer to Purchase for the acquisition of the necessary right-of-way property in conjunction with the Hamlin Road, Crooks to Livernois Construction Project has been offered and accepted for Parcel 15-21-477-020, an acreage parcel, also known as the "Icikson Investment Company LLC Property" as described on the attached Exhibit A.

**Resolved**, that the Rochester Hills City Council hereby approves the Offer to Purchase by and between the City of Rochester Hills and Icikson Investment Company, LLC, for Parcel 15-21-477-020 an acreage parcel;

**Further Resolved**, that the Mayor is authorized to release a check for payment to Greco Title Company in the estimated amount of \$73,100.00 in accordance with the Statement of Compensation for right-of-way acquisition.

**Passed the Consent Agenda**

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

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

**The following Consent Agenda Items were discussed and adopted by separate Motion.**

- 2008-0406** Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Joyce A. Bonacci for Parcel H-23, Sidwell No. 15-27-101-038

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

**Mr. Ambrozaitis** requested a voice vote on this Item.

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

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Nay** 1 - Ambrozaitis

Enactment No: RES0261-2008

**Whereas**, an Offer to Purchase for the acquisition of the necessary right-of-way property in conjunction with the Hamlin Road, Crooks to Livernois Construction Project has been offered and accepted for Parcel 15-27-101-038, Lot 1 of the Starr Estates Subdivision, also known as the "Bonacci Property".

**Resolved**, that the Rochester Hills City Council hereby approves the Offer to Purchase by and between the City of Rochester Hills and Joyce A. Bonacci, for Parcel 15-27-101-038;

**Further Resolved**, that the Mayor is authorized to release a check for payment to Greco Title Company in the estimated amount of \$98,900.00 in accordance with the Statement of Compensation for right-of-way acquisition and temporary construction easement.

**2008-0407** Request for Approval of the Right-of-Way Acquisition Purchase Agreement between the City of Rochester Hills and Douglas R. and Shirley A. Metzler for Parcels H-24 through H-26, Sidwell No. 15-28-226-025

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

**Mr. Ambrozaitis** requested a voice vote on this Item.

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

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Nay** 1 - Ambrozaitis

Enactment No: RES0262-2008

**Whereas**, an Offer to Purchase for the acquisition of the necessary right-of-way property in conjunction with the Hamlin Road, Crooks to Livernois Construction Project has been offered and accepted for Parcel 15-28-226-025, an acreage parcel, also known as the "Metzler Property".

**Resolved**, that the Rochester Hills City Council hereby approves the Offer to Purchase by and between the City of Rochester Hills and Douglas R. Metzler and Shirley A. Metzler, for Parcel 15-28-226-025, an acreage parcel;

**Further Resolved**, that the Mayor is authorized to release a check for payment to Greco Title Company in the estimated amount of \$258,000.00 in accordance with the Statement of Compensation for right-of-way acquisition.

## NEW BUSINESS

**2008-0397** Appointment of Youth Members to the 2008/2009 Rochester Hills Government Youth Council (RHGYC)

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



**Mr. Pixley** stated that as the Council's Liaison to the Rochester Hills Government Youth Council (RHGYC), working with the RHGYC has been an incredible opportunity for him to experience an outstanding demonstration of the tremendous youth the community has. He reported that the interviewing and evaluation process had been very intensive and the selection committee was proud to bring their recommendations to Council for the 2008-2009 term.

**Mr. Yalamanchi** stated that although Mr. Staran had previously indicated that he did not, he inquired as to whether Council agreed that he did not need to recuse himself, as his daughter was being nominated for a position on the RHGYC.

Council concurred that there was no need for Mr. Yalamanchi to recuse himself.

**President Hooper** stated that the RHGYC is a premier Youth Council in the state; and that when other cities want to create a youth council, they have looked toward Rochester Hills for guidance.

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

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

Enactment No: RES0263-2008

**Resolved**, that the Rochester Hills City Council hereby concurs with the recommendation of the Rochester Hills Government Youth Council (RHGYC) Interview Team and Waives Article II, Membership and Terms, Section 1.a. of the RHGYC Bylaws and Rules of Procedure to allow the appointment of fifteen (15) members to the RHGYC for the 2008/2009 term;

**Be It Further Resolved**, the Rochester Hills City Council concurs with the recommendation of the RHGYC Interview Team and appoints the following students to the RHGYC for the 2008/2009 term beginning September 1, 2008 and ending August 31, 2009:

<b>Name</b>	<b>High School</b>	<b>Council District</b>
Karan Ahluwalia	Stoney Creek	2
Sara Etienne	Rochester	4
Aly Difilippo	Rochester	1
Kaitlyn Forbes	Notre Dame Prep	2
Valdeta Gjini	ACE	4
Jonathan Han	Rochester	3
Susanna Jang	Adams	2
Samuel Kilberg	Rochester	4
Amith Nagesh	International Academy	4
Leo Oriet	Avondale	3
Ishan Patel	Avondale	3
Rachel Schlagel	Rochester	3
Regina Wong	Cranbrook	1
Pratyusha Yalamanchi	International Academy	1
Richard Yoon	Rochester	3

**Be It Further Resolved**, that the RHGYC terms shall be one (1) year beginning September 1, 2008 and ending August 31, 2009.

- 2008-0390** Mayor's Proposed 2009 Proposed Budget
- a. Presentation
  - b. Adoption of Resolution acknowledging receipt of 2009 Proposed Budget and setting the Budget Public Hearing for Monday, September 15, 2008

**Attachments:** [Agenda Summary.pdf](#)  
[Budget Message Powerpoint.pdf](#)  
[Proposed Budget Message.pdf](#)  
[Resolution.pdf](#)

**Mayor Barnett** introduced the 2009 Budget Document.

*He stated that the FY2009 Proposed Budget process is guided by two principles recently passed by City Council: The Vision Statement: The Community of Choice for Families and Business; and the Mission Statement: "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." He stated that these two principles must continue to guide the City as it moves forward.*

*Mayor Barnett stated that the City administration continues to be faced with demands for service with the limited tax base of a maturing community. Current economic conditions pose all new budgeting and forecasting challenges and have led to a conservative approach as the City moves into FY2009.*

*He highlighted the following details of the FY2009 Budget:*

- *The City of Rochester Hills' total tax (millage) rate remains at 9.7060, the same as FY2008. This would be the third lowest rate of the thirty cities/villages in Oakland County and the lowest millage rate of any City in Oakland County with a population over 5,000. If approved, this would mark the tenth consecutive year that the millage rate has not increased without the vote of the residents.*
- *The millage rate proposed is below the City's authorized amount. An administrative fee is not proposed to be levied for the City's tax collection services. Seventy-five percent of Oakland County cities currently charge an administrative fee.*
- *Taxable value remains relatively flat at approximately \$3.7 billion. There will not be a Headlee rollback of the City's millages.*
- *The FY2009 proposed budget manages inflationary cost increases with the same amount of funds, by way of increased efficiencies.*

**Expenditures:**

*Citywide expenditures amount to \$119.6 million, an eight percent decrease from the 2008 Amended Budget. Reductions are in the areas of capital projects and personnel.*

**Personnel:**

- *The proposed budget provides for a 2.8 percent/\$750,000 decrease in total personnel costs.*
- *Eliminated positions include Accounting & Elections Clerk, Dispatcher, Customer Service Clerk, Building Permit Technician, Grade Technician, Ordinance Technician, Landscape Architect, Contract Specialist, DPS Permit*

Clerk, Pump Maintenance Mechanic, Facilities Clerk, Facilities Manager and Mechanic position.

- One Facilities Crew Leader position is proposed to be added.

**Capital Projects:**

- \$12.8 million for capital projects are proposed to be funded by cash on hand, with the issuance of debt for only \$1.4 million.

- Proposed Capital Projects from the FY2009-2014 Capital Improvement Plan (CIP) include:

\* Storm Water/Drain improvements for the Rewold/Karas Drain II extension and Water Quality Basin.

\* Pathway improvements along John R Road, Hamlin Road, Adams Road, Rain Tree Drive, Avon Road, bank stabilization for the Clinton River Trail as well as city-wide pathway rehabilitation.

\* Water and Sewer infrastructure work including the purchase of right-of-way on Washington Road for water main and sanitary sewer extensions and engineering for potential water storage.

\* Major road work projects proposed include Crooks Road, Hamlin Road, Walton Road, Technology Drive, Dutton Road, John R Road, Dorset Road, Hampton Boulevard rehabilitation, Tienken Corridor improvement study, new traffic calming program, and Adams Boulevard irrigation. Major road concrete slab replacement is included.

- \$5.2 million is proposed to be transferred from the General Fund to the Local Street Fund to support both local street operations and capital projects. Asphalt overlays for Juengel Orchards, Eyster Avon Gardens and Glidewell Subdivisions are proposed.

- Building Improvements include a new Cemetery chapel, HVAC improvements to Station Number 1, and improvement to various Parks' facilities.

- New copier replacements are proposed for various areas of the City.

- Five Fire Department apparatus are requested, along with two replacement ambulances and three fire administration vehicles.

- Eight general vehicles, one backhoe, one single axle dump truck and one vector are proposed.

- Mowers, a tractor, a trailer and various smaller fleet equipment.

- Information technology upgrades proposed include Vital Statistics software, financial software system enhancements, computer network upgrades and a replacement plotter.

**Other Costs:**

- Professional Services increase of 3.7 percent due to an anticipated increase in the Oakland County Sheriff contract.

- A Detroit water rate increase of nearly twelve percent and an Oakland County Drain Commission sewage disposal rate increase of nearly twenty percent.

- Total Operating Supplies decreased 2.1 percent.

- Debt Service payments increase 2.1 percent.

- Transfers out are proposed to increase 3.2 percent.

- The GASB-45 (Governmental Accounting Standards Board) Other Post-Employment Benefits actuarial valuation for the City's only defined contribution program (Supplemental Retiree Health Care benefit) has been completed and there are sufficient monies designated in the General, Fire and

*Water & Sewer Funds to cover the accrued liability should a trust be established.*

**Revenues:**

- *Citywide revenues are estimated to be \$119.600 million to balance expenditures, including:*
  - \* *\$43.7 million/36 percent from City service charges*
  - \* *\$33.2 million/28 percent derived from taxes*
  - \* *\$18.4 million/15 percent transfers from other funds*
  - \* *\$10.2 million/nine percent from State and Federal sources*
  - \* *\$7 million/five percent from investment earnings, licenses, fines and other revenue*
    - \* *\$1.4 million/one percent from bond proceeds*
- *Total tax revenues are budgeted to remain relatively constant although the general millage levy is proposed to decrease from 3.8 to 3.7, due to the need to increase the City's unlimited General Obligation Bond 1998 Series millage levy to cover a higher debt payment.*
- *State Shared Revenue is budgeted to remain relatively flat.*
- *Act 51 revenue is budgeted to decrease five percent.*
- *Licenses/Permits are projected to decline slightly.*
- *Investment earnings are projected to decrease due to a decline in projected interest rates and decreases in fund balances based on withdrawals to fund capital projects.*

*No use of fund balance as a revenue source to balance operating expenditures is proposed.*

**2008 Accomplishments:**

*Mayor Barnett related a partial list of 2008 accomplishments:*

- *Over \$2.6 million of concrete road replacement is underway throughout the City.*
- *The rehabilitation of John R Road, Brewster Road and Meadowfield Drive has commenced.*
- *Heritage Oaks Sub, Birch Tree Lane and Court, Mount Oak, Sherwood Forest and Sherwood Drive rehabilitation are also proceeding.*
- *Austin Drive watermain and road extension are aggressively moving forward.*
- *The Spencer Park trail loop around the lake and the handicapped parking are have been paved with aggregate from the John R reconstruction project.*
- *The draft Master Thoroughfare Plan and the Facilities Master Plan are being implemented.*
- *An Excavator and five dump trucks have been replaced in the Fleet.*
- *The Fire Department placed sixty-two new Self Contained Breathing Apparatus with locator devices into service.*
- *An EMS computer system was purchased with a Department of Homeland Security Grant. This electronic EMS reporting system eliminates paper copies and will reduce the Fire Department's billing service costs by thousands of dollars each year.*
- *By purchasing two stock (instead of custom) replacement Rescue Pumpers, the City saved over \$100,000.*
- *The Fire Department saved \$20,000 by hosting the State's mandatory Emergency Medical Technician (EMT) training with neighboring departments.*

- A trailer stocked with generators and emergency equipment was obtained through a CERT grant.
- Rochester Hills is the first city in Michigan to implement an internet payment option for all City fees and services.
- Began participation in paymode configuration, which will allow the City to electronically receive payments made through bank online bill payment services.
- New customer service inquiry software was implemented, integrated with the City's GIS system.
- Successful hosting of the 2008 Festival of the Hills Fireworks event, one of the largest fireworks displays in the State and completely funded by private donations.
- The "Sound the Alarm" campaign was initiated entirely with donations from City employees, businesses and elected officials.
- A workforce reduction was successfully coordinated resulting in the elimination of thirteen positions while minimizing layoffs.
- The labor contract with the City's Fire Fighters was settled, avoiding binding arbitration.
- The employees' Safety Committee was resurrected and implemented safety program improvements.
- An employee Wellness Committee was formed.
- The City received the Government Finance Officers Association's Distinguished Budget Presentation Award for the City's 2008 Budget Document, only one of twenty cities in Michigan to receive this award.
- The Department of Public Services successfully transitioned into the new and more efficient Department of Public Service building.
- The City's Building Department became the first in the State and the eighth in the nation to receive departmental accreditation from the International Accreditation Service.
- Economic Development continues to keep Rochester Hills in the headlines.

Mayor Barnett stated that he appreciated Council's support, creative thinking, debate and dialogue; and he invited Council's participation in crafting the FY2009 budget. He requested Council review a memo that Ms. Jenuwine submitted to Council requesting any questions on the proposed FY2009 budget be submitted by August 13, 2008 in advance of the Budget Work Sessions.

**President Hooper** announced that Budget Work Sessions would be held on August 18, 2008 and August 25, 2008. Both sessions would begin at 5:30 p.m. and run through 10:30 p.m.

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

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

Enactment No: RES0264-2008

**Whereas**, the City of Rochester Hills City Council have worked to develop City goals for the Fiscal Year 2009; and

**Whereas**, based on these City goals, the Fiscal Year 2009 Mayor's Proposed Budget was developed; and

**Whereas**, at the August 4, 2008 City Council meeting, the Mayor delivered the 2009 Proposed Budget Plan for the Fiscal Year beginning January 1, 2009.

**Be It Resolved**, that the Rochester Hills City Council acknowledges receipt of the 2009 Proposed Budget Plan and hereby gives notice of Public Hearing to be held at 7:30 p.m. on Monday, September 15, 2008, at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the 2009 Budget and providing opportunity to all interested parties to present comments thereon prior to the adoption by the Rochester Hills City Council.

**Be It Further Resolved**, that the publication of the Notice of Public Hearing is hereby authorized.

- 2008-0078** Request for Purchase Authorization - DPS/ENG/BUILDING: Increase of Blanket Purchase Orders for weed mowing services for private vacant lots and shoulder right-of-way, detention basin and pathway mowing in the amount of \$30,000.00 for a new not-to-exceed amount of \$115,750.00; Kleen Kut, Washington, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
[022508 Suppl Info Rev. Agenda Summary.pdf](#)  
[022508 Resolution \(Revised\).pdf](#)  
[022508 Agenda Summary.pdf](#)  
[022508 Bid Tabulation.pdf](#)  
[022508 Resolution.pdf](#)

**Roger Rouse**, Director of DPS/Engineering, stated that it was a particularly wet spring and the grass grew accordingly. He explained that more complaints were received and many more cuts were needed than were budgeted. The Building Department also experienced increased complaint numbers on vacant lots. He further stated that he had information on the number of vacant lots the City had to mow compared to prior years if Council desired additional details.

**Mr. Yalamanchi** asked if the mowing services included private and City-owned lots.

**Mr. Rouse** responded that the weed mowing services include both City and private lots.

**Mr. Ambrozaitis** cited the example of the vacated alley behind King's Pizza, and inquired whether Mr. Rouse could look at turning some vacated alleys over to adjacent homeowners.

**Mr. Brennan** inquired if the increases in foreclosures impacted the need for these weed mowing services, and whether this could be recovered as liens on these foreclosed properties. He also asked if interest accrued on these amounts, and whether these amounts could be negotiated away once a property is sold.

**Mr. Rouse** responded yes, the Ordinance requires the City to cut grass over

eight inches in height. He explained that unpaid bills go on the tax rolls and at that time they accrue interest; these amounts must be paid off when the property is sold.

**Mayor Barnett** stated that the City adds a thirty percent administrative fee on top of the mowing bill, making it very expensive for an owner to let the City cut the grass.

**President Hooper** stated that since this amount was over budget, it would be a part of the Third Quarter Budget Amendment.

**Mr. Ambrozaitis** asked how this would be addressed in next year's budget.

**Mr. Rouse** stated that the Administration looks at the prior year's budget to set the coming year. He stated that this year was unusual, with increased foreclosures and abandoned homes, and large rainfall amounts necessitating this increase.

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

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

Enactment No: RES0265-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes the increase of the Blanket Purchase Orders for weed mowing services for private vacant lots and shoulder right-of-way, detention basin and pathway mowing in the amount of \$30,000.00 for a new total not-to-exceed amount of \$115,750.00 to Kleen Kut, Washington, Michigan through December 31, 2008.

**2008-0255** Request for Purchase Authorization - DPS/ENG: Increase contract for 2008 Local Street Concrete Slab Replacement Program in amount of \$546,700.26 plus a 10% contingency of \$54,670.03; Six-S, Inc., Waterford, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[2008 Concrete Slab Replacement Program.pdf](#)  
[Six-S Quote.pdf](#)  
[Resolution.pdf](#)  
[060908 Agenda Summary.pdf](#)  
[060908 Bid Tabs.pdf](#)  
[060908 Budget Costs.pdf](#)  
[060908 Resolution.pdf](#)

**President Hooper** made the disclosure that although he works in the Construction industry and knows this company, he has no financial interest in this project, therefore, he sees no reason to recuse himself.

**Mr. Rouse**, Director of DPS/Engineering, stated that the Department of Public Services requests authorization to repave a portion of Drexelgate. The boulevard portion of this project was rehabilitated approximately three years ago. This proposed project includes approximately 2,700 feet, from the point of the boulevard to where the concrete transitions to asphalt. The concrete is in very poor condition and receives numerous complaints.

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

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

Enactment No: RES0266-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes the increase of the contract for 2008 Local Street Concrete Slab Replacement Program to Six-S, Inc., Waterford, Michigan, in the amount of \$546,700.26 plus a 10% contingency of \$54,670.03 for a new not-to-exceed total of \$2,351,119.64 and authorize the Mayor and Clerk to execute a contract on behalf of the City.

**2008-0389** Request for Purchase Authorization - DPS/ENG: Engineering services for Austin Avenue Extension Project in the amount not-to-exceed \$365,804.00; Hubbell, Roth & Clark, Inc., Pontiac, MI

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

**President Hooper** reiterated his disclosure that he works in the Construction industry and knows members of Hubbell, Roth and Clark (HRC), but has no financial interest in this project, and therefore, sees no reason to recuse himself.

**Mr. Rouse**, Director of DPS/Engineering, stated that this project has been on the drawing board for a number of years. He introduced Mr. Walter H. Alix, P.E., P.S., and Daniel Mitchell, P.E., of Hubbell, Roth and Clark (HRC). He stated that this project is on the fast track, with some preliminary engineering completed. Authorization is being sought to do the design engineering and to begin preparation for construction to facilitate an early-spring move-in for the company identified for this location.

**President Hooper** asked Mr. Rouse to elaborate on the timing of the project, and to confirm that this would include construction inspection, which may or may not be a part of HRC's contract.

**Mr. Alix, P.E., P.S.**, of HRC, stated that the target date to open the Austin Road extension for construction access is May 2009.

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

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

Enactment No: RES0267-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes engineering services for the Austin Avenue Extension Project to Hubbell, Roth & Clark, Inc., Pontiac, Michigan in the amount not-to-exceed \$365,804.00 and authorizes the Mayor to execute a contract on behalf of the City.

**2007-0880** Request for Purchase Authorization - DPS/ENG: First Amendment to the Contract for acquisition of right-of-way services for the reconstruction and



widening work along Hamlin Road from Crooks Road to Livernois Road in the amount of \$74,909.99 for a new not-to-exceed total of \$199,909.99; Hubbell, Roth & Clark, Inc., Pontiac, MI

**Attachments:** [Agenda Summary.pdf](#)  
[HRC Proposal.pdf](#)  
[MDOT Amendment Approval.pdf](#)  
[Resolution.pdf](#)  
[010708 Agenda Summary.pdf](#)  
[010708 MDOT approval.pdf](#)  
[010708 Contract.pdf](#)  
[010708 Resolution.pdf](#)

**Mr. Rousse**, Director of DPS/Engineering, explained that this project originally commenced in 1996. He stated the Administration would like to move forward with the project for next year, contingent upon acquiring the right-of-way. An amendment is requested to the original plan to purchase the right-of-way based on changes in the proposal. An additional \$75,000 is being requested that was not included in the original agreement. Eighty percent of this amount is reimbursable by Federal dollars, making the City's outgoing expenditures approximately \$15,000.

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

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Nay** 1 - Ambrozaitis

Enactment No: RES0268-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes the First Amendment to the Contract for right-of-way acquisition services for the reconstruction and widening work along Hamlin Road from Crooks Road to Livernois Road to Hubbell, Roth & Clark, Pontiac, Michigan, in the amount of \$74,909.99 for a new not-to-exceed total of \$199,909.99 and authorizes the Mayor to execute the First Amendment to the Contract on behalf of the City.

## PUBLIC COMMENT

**Lee Zendel**, 1575 Dutton, presented some information on how errant arrows could travel during deer hunting. He stated that based on an arrow shot from a fifteen foot tree stand, thirty-five feet away from a deer, and missing a deer by a height of one foot above the deer, the arrow would travel only thirteen feet or less beyond the deer. He stated that tree stand bow hunting is a viable solution to deer overpopulation in terms of resident safety. Regarding the Single Trash Hauler issue, he recalled that when the issue was studied in years' past, the number one reason to consider the Single Trash Hauler was to save the residents' money. He commended Mr. Yalamanchi for taking the time to survey residents' opinions on the Single Trash Hauler. Of seventy-five respondents in the survey in favor of a single hauler, only nine were in favor of a millage and only eleven were in favor of the City doing the billing. Only five of the 95 respondents responded to the question of how much they currently paid for trash hauling services. He stated his opinion that the haulers could soon raise

prices by up to twenty percent, based on staffing and equipment requirements for a four-day-a-week pickup. He further stated that in reviewing the consultant's information from 2003, if the City or the hauler did the billing, it would reduce the average savings by thirty-five percent.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Hooper** stated that Mayor Barnett would provide an update on progress regarding the proposed T-Mobile cellular tower for West Middle School property.

**Mr. Brennan** encouraged voters to cast their votes in the election tomorrow.

**Mr. Ambrozaitis** reported that John R Road south of Auburn to South Blvd will be closed to through traffic until approximately November. He reiterated Mr. Brennan's comments and encouraged residents to take the time to vote.

**Mr. Pixley** offered his congratulations to Mayor Barnett for the tremendous press conference and announcement on the Mayor's trip to Montenegro. He also reaffirmed how proud he was to be involved with the Rochester Hills Government Youth Council, and that it was a tremendous showing of students and youth in the community. He mentioned that local resident Peter Vanderkaay will be competing in the swimming events for the United States at the Olympics in Beijing, China. He stated that the .08 Benefit announced at the prior meeting was postponed until later in the year, and he would return at a later date with more information.

**Mr. Rosen** inquired when the suggested revisions to the Watering Ordinance would return to Council.

**President Hooper** indicated that this would return to Council at the August 11, 2008 meeting.

**Mr. Webber** echoed Council's comments about encouraging residents to exercise their right to vote. He also announced that Stefan Anderson and Mike Monahan, baseball players and graduates of Adams High School, were recipients of the First Annual Derek Giordano Memorial Scholarship. Derek Giordano was a dear friend of his, and a member of the Adams High School Class of 1996 who passed away suddenly early last year. This scholarship is in his honor. Both Stefan Anderson and Mike Monahan will be attending Michigan State University, and Mr. Webber wished them success.

**Mr. Yalamanchi** stated that he had received numerous phone calls regarding the deer control issue. Regarding the Single Trash Hauler issue, he reported that work is progressing in evaluating the proposals. He stated that residents have indicated to him that they would like a single hauler system if the rate is substantially less than they are currently paying and if the City does not bill them or add these amounts to taxes.

**President Hooper** indicated that the Single Trash Hauler proposals are

currently under evaluation and will return before Council shortly.

**Mayor Barnett** related the following:

- He expressed his appreciation for Mr. Yalamanchi's efforts in gathering a substantial amount of information from residents regarding the Single Trash Hauler issue.
- He echoed comments in expressing his congratulations to the Vanderkaays as the Olympics begin. He stated that Rochester Hills resident Brian Sell is also competing in the Olympics in the Marathon and Half-Marathon events. Sell is sponsored by Hanson's Running Shop.
- He announced winners of the Neighborhood Beautification Program. In its second year, a team evaluated subdivision entrances and common areas submitted for consideration. The First Place winner is Rookery Woods Subdivision, receiving a \$300 gift certificate from Bordines and a catered picnic from Hollywood Market; Second Place goes to Brookwood Subdivision, receiving a \$100 gift certificate from Bordines; and Third Place goes to Avon Meadows, also receiving a \$100 gift certificate from Bordines.
- He drew Council's attention to a recent Crain's Detroit Business article, *The Hills are Alive*, detailing Rochester Hills' attraction of new businesses.
- He stated the John R project is proceeding on schedule. Paving is scheduled to begin next Wednesday, and a completion date is estimated for early November. The watermain is eighty percent complete, the East Ferry Drain is eighty percent complete, and the work at Spencer Park is ninety percent complete.
- He reported that regarding the 911 issue, the TRAC Committee has met, including Captain Mike Johnson and Christine Russell from the Oakland County Sheriff's Department, Fire Chief Ron Crowell and Vince Foisy from the Rochester Hills Communication Center, along with the Mayor to discuss a series of information and reports received from County. The committee received assurance from Fire Chief Crowell and from Captain Johnson that all the concerns have been addressed and the committee is ready to move on Council's direction to consolidate those calls.
- Whole Foods will be doing a "Bread Breaking" on Wednesday, August 6 at 8:45 a.m.
- Regarding the proposed T-Mobile cellular tower issue, he stated he was happy to report wonderful progress and that things were moving in the City's favor. He stated he received a letter from Superintendent of Schools David Pruneau regarding this issue and had requested that Mr. Pruneau also communicate this with Council. Mr. Pruneau indicated in a letter that also went out to several hundred residents in the West Middle School area including those abutting the area that thanks to the cooperation of the Mayor, City Council and the Rochester Board of Education, he believes that they have the framework for resolving this issue to the satisfaction of all concerned. Mr. Pruneau's letter also stated that the Rochester Board does not contemplate moving forward on the cellular tower issue at West Middle School at this time. Mayor Barnett indicated that the issue has been taken off of the School Board's August 11 agenda.

## COUNCIL COMMITTEE REPORTS

**Planning Commission:**

**President Hooper** indicated that Crittenton Hospital had come before the Commission to present a proposed expansion of their parking deck. He stated this was postponed and would return after Crittenton sought input from residents of the City of Rochester on Alice Street that abut the property and have concerns on buffering, noise and light.

**Zoning/Sign Board of Appeals:**

**Mr. Brennan** reported that Chase Bank is getting ready to begin construction at its new location at the corner of Crooks Road and South Boulevard. Chase came before the Zoning/Sign Board of Appeals to request a variance for an extra sign with their name on the building. The building will be set diagonal to the intersection. A gateway sign to the City will be constructed on the corner which will be very prominent, and Chase Bank will be funding construction of the sign.

**ANY OTHER BUSINESS**

**Mr. Yalamanchi** requested an update on the progress toward reconstruction of Crooks Road from Hamlin to the Burger King.

**Mayor Barnett** stated that the Crooks Road project is a high priority, but he had received no new information since his last update to Council.

**Mr. Yalamanchi** thanked the Mayor for working with the School Superintendent toward a resolution of the proposed T-Mobile cellular tower concerns.

**Mr. Ambrozaitis** asked Mr. Rousse to address the sump pump discharge occurring on Parsons Lane. He inquired whether the City should investigate rewriting its ordinance to disallow the discharge.

**Mr. Rousse** responded that under the current Ordinance, the City is not responsible, nor has the authority to control any private property drainage. The City is responsible for drainage on the road. The City currently allows discharge onto the road right-of-way, however the Ordinance is written that the discharge cannot create a road hazard. He indicated that Heatherwood has a private property storm water collection system, available through backyard drainage in areas. Some residents are hooked into this system and some are not. When Whitney was reconstructed, edge drains were constructed and all homes have access to this drainage system.

**Mr. Ambrozaitis** stated that water in the roadway is near one of the houses in question.

**Mr. Rousse** stated that a long term solution is to rewrite the Drainage Ordinance to give the City the authority for enforcement. He explained that it is difficult to determine the exact location of the source of water problems in that area.

**Mr. Ambrozaitis** stated that he would like to see the process of changing the Drainage Ordinance begin.

**Mr. Rousse** concurred stating that new MS4 Requirements (regulated small municipal separate storm sewer systems) now mandate a number of maintenance requirements. The City must perform these maintenance requirements, and Council will see costs in the Budget for these items. These requirements should be reflected in the City's Ordinances. The process of revising this Ordinance could take six months. This option was reviewed in 2003, but the response from the Committee at that time was to increase enforcement. The City should be given the authority to enforce violations.

**President Hooper** indicated that sump discharge is on Council's list of priority items for the coming year.

**Mr. Ambrozaitis** also wanted to publicly thank Mr. Rousse and the Department of Public Services for assisting in resolving a water bill problem with a condominium association owner, where an owner personally received a \$5,000.00 water bill.

**2008-0409** Proclamation In Recognition of the Sister City Relationship Between Rochester Hills, Michigan and Tuz, Montenegro

**Attachments:** [Proclamation](#)

**Mayor Barnett** requested Council consider a Proclamation presented in recognition of the Sister City relationship between the City of Rochester Hills and Tuz, Montenegro. He stated that he was traveling to Tuz, meeting with the President of Montenegro, and would be addressing their Parliament. He announced that in addition to contributions of sporting goods and equipment for the children of Tuz, a contribution from Rochester College would provide for a four-year full-ride scholarship, valued at over \$100,000, to one student from Tuz beginning with the 2010-2011 school year.

**Mr. Yalamanchi** stated he was in support of the Mayor's Proclamation.

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

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

Enactment No: RES0269-2008

**Whereas**, The City of Rochester Hills has enjoyed a Sister City relationship since March 10, 2007 when Bryan K. Barnett, Mayor of Rochester Hills and Smail-Maliq Cunmulaj, the President of the Urban Municipality of Tuz, Montenegro formally signed a Sister City Agreement; and

**Whereas**, on March 14, 2007, the City Council of Rochester Hills voted by Resolution to support the Sister City relationship between Rochester Hills and Tuz, Montenegro; and

**Whereas**, the Municipality of Tuz, Montenegro and the City of Rochester Hills, Michigan, through its established governmental body, recognize and endorse this program as a means of establishing a lasting friendship between the people of Tuz and the people of Rochester Hills; and

**Whereas**, the greater Rochester Hills community has indicated their support of this relationship through the generous donations of gifts, including a four-year, full-ride scholarship from Rochester College for one student from Tuz.

**Now, therefore, be it resolved**, that the City Council and Mayor of Rochester Hills seek to solidify our growing friendship by the signing of this Proclamation.

**Be it further resolved**, that members of City Council wish the citizens of Tuz the very best as we seek to support and strengthen our Sister City relationship through the visit by Mayor Barnett to the Municipality of Tuz.

## NEXT MEETING DATE

*August 11, 2008 - 7:30 PM*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 8:58 p.m.*

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*GREG HOOPER, 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 December 15, 2008 Regular City Council Meeting.*