



# 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*

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Monday, January 7, 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 7:30 p.m. Michigan Time.*

#### ROLL CALL

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

#### Others Present:

*Ed Anzek, Director of Planning and Development  
Dan Casey, Manager of Economic Development  
Paul Davis, City Engineer  
Mr. Bob Grace, Director of MIS  
Jane Leslie, City Clerk  
Mr. Roger Rousse, Director of DPS/Engineering  
John Staran, City Attorney*

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

**A motion was made by Brennan, seconded by Ambrozaitis, that the Agenda be Approved as Presented. The motion CARRIED by the following vote:**

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

#### PUBLIC COMMENT

*Suzanne White, 1598 Parke Street, stated that on behalf of Holiday Helpers, she wanted to express the organization's gratitude to the Community's outpouring of support with the following events:*

*- DPS Facility adopted one family for the holidays.*

- Parisian Department Store adopted twelve families for the holidays.
- Meijers held a shopping event in which thirty-five Oakland County Sheriff's Department Officers took children to shop for their families; there was some question as to who had more fun, the children or the Officers. Meijers donated a \$50 gift card for each child to use for shopping for their family. This was to teach them about giving and to form a positive mentoring bond between the Oakland County Sheriff's Department Officers.
- Fire Department helped with the food baskets this year. She also thanked Chief Ron Crowell for his help with the Christmas Party.
- The Senior Citizens of Providence Hometown America helped buy the toys and wrapping of the gifts.
- YMCA Team.
- PetSmart.
- Rochester Elks Club.
- Theresa and Vince Mungiola.
- Sam Harris.
- Cookie bakers, delivery teams and all the volunteers that helped Holiday Helpers make special holidays for the families in need.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Mr. Webber* wished everyone a Happy New Year. He complimented the City on the quick and expedient snow removal.

*Mr. Rosen* wished everyone a Happy New Year.

*Mr. Pixley* complimented the City on terrific snow removal. He also publicly congratulated **Michael Webber** for his new position with Representative Joe Knollenberg.

*Mr. Ambrozaitis* wished everyone a Happy New Year.

*Mr. Brennan* wished everyone a Happy New Year.

## ATTORNEY MATTERS

*City Attorney Staran* had nothing to report.

## 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.

- 2007-0862** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Calcium Chloride in the amount not-to-exceed \$100,000.00; South Huron Industrial, Inc., Flat Rock, MI

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

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

Enactment No: RES0376-2007

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to South Huron Industrial, Inc., Flat Rock, Michigan, for the purchase of calcium chloride in the amount not-to-exceed \$100,000.00 through December 31, 2008.

- 2007-0864** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for Asphalt Paving Materials in the amount not-to-exceed \$28,500.00; Ajax Materials Corporation, Troy, MI

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

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

Enactment No: RES0386-2007

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Ajax Materials Corporation, Troy, Michigan for the purchase of asphalt paving materials in the amount not-to-exceed \$28,500.00 through December 31, 2008.

- 2007-0865** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 5G Slag in the amount not-to-exceed \$10,500.00; Edward C. Levy Co., Detroit, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
[010708 Agenda Summary.pdf](#)  
[010708 Extension Letter.pdf](#)  
[010708 Bid Tabulation.pdf](#)  
[010708 Resolution.pdf](#)

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

Enactment No: RES0041-2008

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Edward C. Levy Co., Detroit, Michigan for the purchase of 5G Slag in the amount not-to-exceed \$10,500.00 through December 31, 2008.

- 2007-0861** Request for Adoption of the Michigan Department of Transportation (MDOT) Annual Permit Application entitled Performance and Indemnification for Governmental Bodies, to perform various maintenance activities with the roads

under MDOT jurisdiction during the year of 2008.

**Attachments:** [Agenda Summary.pdf](#)  
[Annual Permit Application.pdf](#)  
[Letter from MDOT Oakland TSC.pdf](#)  
[Resolution..pdf](#)

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

Enactment No: RES0388-2007

PERFORMANCE RESOLUTION FOR GOVERNMENT BODIES

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Trunkline Right of Way" (form 2205) or an "Annual Application and Permit for Miscellaneous Operations Within State Trunkline Right of Way" (form 2205B).

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

NOW, THEREFORE, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

Each party to this agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law.

This Agreement is not intended to increase either party's liability for, or immunity from, tort claims.

This Agreement is not intended nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.

1. Any work performed for the GOVERNMENTAL BODY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL BODY and not as a contractor or agent of the DEPARTMENT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL BODY. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.

2. The GOVERNMENTAL BODY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the

same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

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

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

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

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

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the Michigan Department of Transportation for the necessary permit to work within State trunkline right of way on behalf of the GOVERNMENTAL BODY.

**2007-0873** Request for Purchase Authorization - MIS: Purchase Order for yearly GIS Software Maintenance Fee for 2008 in the amount of \$29,200.00; Environmental Systems Research Institute, Redlands, CA

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

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

Enactment No: RES0389-2007

Resolved that the Rochester Hills City Council hereby authorizes a Purchase Order to Environmental Systems Research Institute, Redlands, California for the yearly GIS software maintenance fee for 2008 in the amount of \$29,200.00.

**2007-0881** Request to Approve the 2008 Meeting Schedule for the Zoning Board of Appeals (per Article V, Section 1 of the By-Laws for the Zoning Board of Appeals).

**Attachments:** [Agenda Summary.pdf](#)  
[ZBA 2008 Meetings.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0390-2007

RESOLVED that the Rochester Hills City Council accepts the recommendation of the Secretary of the Zoning Board of Appeals to establish the 2008 Zoning Board of Appeals Regular Meeting Schedule as follows:

The Regular Meetings will be held on the second and fourth Wednesday of each month (except the fourth Monday in the month of December) and will be held at the Rochester Hills Municipal Offices, 1000 Rochester Hills Road, Rochester Hills, Michigan, and will begin at 7:30 PM Michigan Time.

**2008 MEETING DATES**

January 9, 2008	July 9, 2008
January 23, 2008	July 23, 2008
February 13, 2008	August 13, 2008
February 27, 2008	August 27, 2008
March 12, 2008	September 10, 2008
March 26, 2008	September 24, 2008
April 9, 2008	October 8, 2008
April 23, 2008	October 22, 2008
May 14, 2008	November 12, 2008
May 28, 2008	November 26, 2008
June 11, 2008	December 10, 2008
June 25, 2008	

**Passed the Consent Agenda**

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

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

**The following Consent Agenda Items were discussed and adopted by separate Motions:**

**2007-0874** Request for Approval of a Mechanical and Electronic Amusement Device License for Hills Bar & Grille, located at 6810 N. Rochester Road, in accordance with the City of Rochester Hills Code of Ordinances, Section 10-151.

**Attachments:** [Agenda Summary.pdf](#)  
[Hills Bar & Grille Application.pdf](#)  
[Resolution.pdf](#)

**Mr. Pixley** requested information on the nature of the application; specifically what electronic amusement devices are. He stated that as he read the permit, it did not state specifically what the device is. He also inquired what types of devices this permit would include; he did not see specified guidelines or restrictions in the ordinance.

**City Clerk Jane Leslie** explained that when an application is submitted for mechanical amusement devices, they are usually for video games of one type or another. She also explained that they are exchanged periodically for newer models throughout the year, so the Clerk's Department does not always get the exact name of a particular game. In general, ordinance enforcement will check to see the location of the equipment and that it meets the Ordinance prior to submission to Council.

**Mr. Pixley** inquired if these are gambling devices or gaming devices.

**City Clerk Leslie** clarified that the City's ordinance has some restrictions regarding pay-outs for the machines, so they are not truly gambling devices. They may pay out with some tokens or stuffed animals. She stated that it could also include a pool table, interactive television gaming system or closed circuit tv games. Because these tv games are closed circuit, they are required to have a permit as well.

**President Hooper** questioned if these devices were like Keno games.

**City Clerk Leslie** responded that would be through the lottery division of the State. She stated that Keno games would not be the same thing

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

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

Enactment No: RES0377-2007

Whereas, the applicant known as Hills Bar & Grille (Mr. Steven Palaian, Owner) has applied for a Mechanical Amusement Device License, has met the criteria for the license pursuant to Chapter 10, Amusements/Entertainment, and is in compliance with Chapter 138, Zoning Ordinance of the City of Rochester Hills Code of Ordinance.

Resolved that the Rochester Hills City Council hereby approves the Mechanical Amusement Device License as requested by Mr. Steven Palaian, owner, Hills Bar & Grille, located at 6810 N. Rochester Road, Rochester Hills, Michigan 48306, in accordance with Chapter 138, Zoning Ordinance of the Code of Ordinances of the City of Rochester Hills.

Be It Further Resolved that the City Clerk is authorized to issue the license

**2007-0875** Request for Approval of a Mechanical and Electronic Amusement Device License for East Side Mario's, located at 2273 Crooks Road, Rochester Hills, in accordance with the City of Rochester Hills Code of Ordinances, Section 10-151.

**Attachments:** [Agenda Summary.pdf](#)  
[East Side Marios application.pdf](#)  
[Resolution.pdf](#)

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

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

Enactment No: RES0378-2007

Whereas, the applicant known as East Side Mario's (Scott LePage, Owner) has applied for a Mechanical Amusement Device License, has met the criteria for the license pursuant to Chapter 10, Amusements/Entertainment, and is in compliance with Chapter 138, Zoning Ordinance of the City of Rochester Hills Code of Ordinance.

Resolved, that the Rochester Hills City Council hereby approves the Mechanical Amusement Device License as requested by Scott LePage, owner, East Side Mario's, located at 2273 Crooks Road, Rochester Hills, Michigan 48309, in accordance with chapter 138 Zoning Ordinance of the Code of Ordinances of the City of Rochester Hills.

Be It Further Resolved, that the City Clerk is authorized to issue the license

- 2007-0879** Request for Purchase Authorization - BLDG: Blanket Purchase Order for Fire Suppression and Fire Alarm Plan Review and Inspection Services in the amount not-to-exceed \$90,000.00; Fire Safety Consultants, Inc., Elgin, IL as primary vendor and TVA Fire & Life Safety Inc., Plymouth, MI as secondary vendor

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

*Mr. Yalamanchi questioned if it is the City's practice to use the secondary vendor when the primary vendor is not available.*

*President Hooper confirmed that it was his understanding in order to avoid a delay in reviewing the plans.*

*Mr. Yalamanchi inquired if this was a service that could be performed by the City's Fire Department.*

*President Hooper responded that the question could be forwarded to Mayor Barnett to receive a response from both the Fire Chief and the Building Department.*

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

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

Enactment No: RES0379-2007

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Fire Safety Consultants, Inc., Elgin, Illinois as primary vendor and TVA Fire & Life Safety Inc., Plymouth, Michigan as secondary vendor in the amount not-to-exceed \$90,000.00 through December 31, 2009

## NOMINATIONS/APPOINTMENTS

- 2007-0786** Nomination/Appointment for one (1) Citizen Representative to the Human Resources Technical Review Committee for a one-year term to expire December 31, 2008.



**Attachments:** [Agenda Summary.pdf](#)  
[HR Tech Rev Cmte Appointment Form 010708.pdf](#)  
[Resolution.pdf](#)  
[121207 Agenda Summary.pdf](#)  
[121207 HR Tech Rev Cmte Appointment Form.pdf](#)  
[112807 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Atkinson CQ.pdf](#)  
[121207 Resolution.pdf](#)  
[Suppl Info Addl Cand Questionnaires.pdf](#)  
[Suppl Info - Kibby CQ.pdf](#)  
[Suppl Info - Mueller CQ.pdf](#)  
[Suppl Info - Weir CQ.pdf](#)

**President Hooper** indicated that Mr. Jason Weir and Mr. Dennis Mueller had been nominated to serve on the Human Resources Technical Review Committee at the City Council meeting held on December 12, 2007. City Council members voted for the nominees as follows:

**Nominee Jason Weir** - President Hooper, Mr. Brennan, Mr. Pixley, Mr. Webber

**Nominee Dennis Mueller** - Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi

**A motion was made by Vern Pixley, seconded by J. Martin Brennan, that Jason Weir be Appointed. The motion CARRIED by the following vote:**

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

**Nay** 3 - Rosen, Ambrozaitis and Yalamanchi

Enactment No: RES0391-2007

Resolved, that the Rochester Hills City Council appoints Jason Weir to the Human Resource Technical Review Committee to serve a one-year term to expire on December 31, 2008.

**2007-0785** Nomination/Appointment for one (1) Citizen Representative to the Historic Districts Study Committee for a two-year term to expire December 31, 2009.

**Attachments:** [Agenda Summary.pdf](#)  
[HDSC Appointment Form 010708.pdf](#)  
[Resolution..pdf](#)  
[121207 Agenda Summary.pdf](#)  
[121207 HDSC Appointment Form.pdf](#)  
[112807 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Suppl Info - Stamps CQ.pdf](#)  
[Stamps CQ.pdf](#)  
[Webster CQ.pdf](#)  
[Whateley CQ.pdf](#)  
[121207 Resolution.pdf](#)  
[Suppl Info Addl Cand Questionnaires.pdf](#)  
[Suppl Info - Kibby CQ.pdf](#)  
[Suppl Info - Mueller CQ.pdf](#)

**President Hooper** indicated that Mr. Dennis Mueller and the Rev. Dr. Pamela

*Whateley had been nominated to serve on the Historic Districts Study Committee at the City Council meeting held on December 12, 2007. City Council members voted for the nominees as follows:*

**Nominee Dennis Mueller** - Mr. Brennan, Mr. Pixley, Mr. Webber, President Hooper

**Nominee Rev. Dr. Pamela Whateley** - Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi

**A motion was made by Michael Webber, seconded by J. Martin Brennan, that Dennis Mueller be Appointed. The motion CARRIED by the following vote:**

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

**Nay** 3 - Rosen, Ambrozaitis and Yalamanchi

Enactment No: RES0392-2007

**Resolved**, that the Rochester Hills City Council appoints Dennis Mueller to the Historic Districts Study Committee to serve a two-year term to expire on December 31, 2009.

**2007-0783** Nomination/Appointment for one (1) Citizen Representative to the Green Space Advisory Board for a three-year term to expire December 31, 2010.

**Attachments:** [Agenda Summary.pdf](#)  
[GSAB Appointment Form 010708.pdf](#)  
[Resolution.pdf](#)  
[121207 Agenda Summary - Corrected.pdf](#)  
[121207 Agenda Summary.pdf](#)  
[121207 GSAB Appointment Form.pdf](#)  
[112807 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Douglas CQ.pdf](#)  
[Funk CQ.pdf](#)  
[Robinson CQ.pdf](#)  
[Windscheif CQ.pdf](#)  
[121207 Resolution.pdf](#)  
[Suppl Info Addl Cand Questionnaires.pdf](#)  
[Suppl Info - Jacobson CQ.pdf](#)  
[Suppl Info - McGoldrick CQ.pdf](#)  
[Suppl Info - Mueller CQ.pdf](#)  
[Loebs CQ.pdf](#)  
[Peterson CQ.pdf](#)

**President Hooper** indicated that Mr. Dahlvin Peterson and Ms. Lorraine McGoldrick had been nominated to serve on the Green Space Advisory Board at the City Council meeting held on December 12, 2007. City Council members voted for the nominees as follows:

**Nominee Dahlvin Peterson** - Mr. Brennan, Mr. Pixley, Mr. Webber, Mr. Yalamanchi and President Hooper

**Nominee Lorraine McGoldrick** - Mr. Rosen and Mr. Ambrozaitis

**Mr. Yalamanchi** inquired about combining this matter along with Legislative File Number 2007-0882 and act upon them at the same time.

**President Hooper** responded that he did not want to be presumptuous. He also wanted to maintain an orderly manner in addressing each of the Legislative files.

**A motion was made by Ravi Yalamanchi, seconded by Michael Webber, that Dahlvin Peterson be Appointed. The motion CARRIED by the following vote:**

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

**Nay** 2 - Rosen and Ambrozaitis

Enactment No: RES0393-2007

Resolved that the Rochester Hills City Council appoints Dahlvin Peterson to the Green Space Advisory Board to serve a three-year term to expire on December 31, 2010.

**2007-0882** Request to change membership of the Green Space Advisory Board from having seven (7) citizen representatives to nine (9) citizen representatives.

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

**PUBLIC COMMENT:**

**Paul Funk**, 2176 Rochelle Park Drive, stated that it was the original intent of the Green Space Advisory Board to have nine citizen representatives; City Council had decided on seven. He stated that there is a rising need for subcommittee activity and additional help and that it was his hope that City Council would support this. He also stated his endorsement of Lorraine McGoldrick for one of these positions, if one is created.

**Dahlvin Peterson**, 1147 Grandview Drive, thanked Council for his nomination to the Board on December 12, 2007. He attended the Board's December 2007 meeting, and stated that he found them to be a cohesive and functional group. He concurred that nine members should be considered for this Board.

**COUNCIL DISCUSSION:**

**Mr. Ambrozaitis** encouraged more citizen involvement and stated his support for expanding the citizen representative number to nine.

**Mr. Rosen** clarified the reason City Council chose seven citizen representatives was due to concern expressed that nine would have been too large of a number. He stated his support for increasing the number to nine and suggested that the Board take it on advisement that if nine becomes an ungainly number, the Board could always allow the number to drop back to seven.

**Mr. Pixley** stated that seven seems to be a more manageable number. He expressed his concern with changing the number of the advisory board and setting precedent. He stated that because the meetings are open and residents can attend the meetings and participate in the discussion, he felt the need to caution Council against setting a precedent which could result in longer meetings and frustration due to the length of these meetings.

**Mr. Webber** expressed his understanding of Mr. Pixley's comments. He stated he supports increasing the number of citizens on this Board at this time, but also cautioned against using this practice every time a board requests an increase in citizen representation.

**Mr. Yalamanchi** stated that he attended most all of the meetings over the last two years and he has found the functionality of this group to be very impressive. He stated that residents not only attend the meetings, but tour the sites, bring back a lot of information regarding grants and land conservation. He recommended looking at them on a case by case basis. He stated that because he is been involved with this Board, he feels the number of citizen representatives should be increased to nine.

**Mr. Brennan** stated his concern with too large a number. He suggested that this Board could set up subcommittees to help with running the business affairs. He inquired about the possibility of tabling this until January 28, 2008 to allow for more deliberation and discussion.

**President Hooper** expressed his support in increasing the number of citizen representatives to nine. He stated that there a limited number of positions for residents to be appointed to. He complimented the wealth of talent within the residents of this City and stated that in this particular case, it would be a benefit.

**Mr. Rosen** stated while he agrees with the concern for setting precedent, he reminded that this is a Council-created board to advise Council on how to deal with open space property acquisitions and the like. He stated that this was the exception because the original recommendation was for nine and Council decided to reduce that number to seven for legitimate, cautionary reasons.

**Mr. Pixley** requested that Mr. Yalamanchi to share Mr. Carvey's opinion from the last meeting.

**Mr. Yalamanchi** stated that Mr. Carvey is very much in support of increasing the number of citizen representatives to nine. The Board has formed a few committees but having nine would allow all members to function in various capacities.

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

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

**Nay** 1 - Pixley

Enactment No: RES0380-2007

Whereas, at the City Council Regular Meeting of December 12, 2007 a recommendation was made to change the membership of the Green Space Advisory Board (GSAB) increasing the number of citizen representative from seven (7) to nine (9); and

Whereas, City Council had nominated exactly nine (9) interested, qualified individuals to serve on this Board; and

Whereas, City Council members and GSAB members would like to see all nine (9) appointed to serve on this Board;

Now Therefore Be It Resolved, that the Rochester Hills City Council concurs with the recommendation to change the membership of the GSAB, increasing the number of citizen representatives to nine (9).

**2007-0883** Nominations/Appointments for two (2) Citizen Representatives to the Green Space Advisory Board for three-year terms to expire December 31, 2010.

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

***Mr. Yalamanchi*** nominated Mrs. Loeb and Mrs. McGoldrick.

**A motion was made by Erik Ambrozaitis, seconded by James Rosen, that Lorraine McGoldrick and Lynn Loeb be Appointed. The motion CARRIED by the following vote:**

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

Enactment No: RES0381-2007

Resolved, that the Rochester Hills City Council appoints Lorraine McGoldrick and Lynn Loeb to the Green Space Advisory Board each to serve a three-year term to expire on December 31, 2010.

**2005-0645** Adoption of Resolution to Dissolve the DPS Facility Technical Review Committee

**Attachments:** [Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
113005 Agenda Summary.pdf  
112105 Barnett Letter.pdf  
111605 Agenda Summary.pdf  
110905 Agenda Summary.pdf  
110905 Presentation.pdf  
Rousse Work Session Memo.pdf  
Outside vehicle storage.pdf  
Site Plans.pdf  
Cost estimate.pdf  
Alternative Summary.pdf  
Notice to Proceed.pdf  
Jenuwine Work Session memo.pdf  
DPS Facility ws rate graphs and schedules.pdf  
100505 DPS memo re rates.pdf  
Bonds Resolutions.pdf  
100505 Resolution to Postpone.doc.pdf  
0645 Resolution Ver 1.pdf  
Memo Mayor to postpone.pdf  
Rescind 0645 Resolution.pdf  
Postpone 0645 Resolution.pdf  
0645 Resolution.pdf

***Mr. Rosen*** stated that his only concern about the dissolution of this committee now is if there would be a final meeting of the technical review meeting in the future after the occupancy of new facility.

***President Hooper*** stated that it would be new Members on the committee if the committee were to meet again. He inquired about the value of holding such a meeting. He questioned if there was support to postpone it.

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

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

Enactment No: RES0124-2008

Whereas, a Project Team was created that spent significant time and resources researching options for the space and upgrade needs for the DPS Facility. This Project Team gave City Council updates on the project during several work sessions; and

Whereas, the Rochester Hills City Council at its regular meeting of November 30, 2005 adopted Resolution RES0422-2005 forming a subcommittee charged with the specific reevaluation of the proposed scope of the DPS Facility; and

Whereas, the Subcommittee continued to meet and provide bi-monthly updates to City Council on the progress of the DPS Facility; and

Whereas, a recommendation was made at the Rochester Hills City Council Regular Meeting of December 5, 2007 to dissolve this committee due to the fact that the DPS Facility is just about complete and expected to be occupied in February of 2008; and

Whereas, Mr. Roger Rousse, Director of DPS/Engineering and Chair of the DPS Facility Technical Review Committee, was in attendance at this meeting and concurred with the recommendation to dissolve the meeting.

Now, Therefore, Be It Resolved that the Rochester Hills City Council concurs with the recommendation and agrees to dissolve the DPS Facility Technical Review Committee.

**2005-0617** Adoption of Resolution to Dissolve the Strategic Planning Technical Review Committee

**Attachments:** [Agenda Summary.pdf](#)  
[CC Min 092999.pdf](#)  
[Resolution.pdf](#)  
Speak Up information.pdf  
092305 Agenda Summary.pdf

**President Hooper** explained that this committee will be combined with the Policy and Review Committee under Legislative File Number 2006-0862, should this motion be successful.

**Mr. Rosen** gave some background on the old Strategic Planning Committee relating back to matters from seven to eight years ago and gave support to dissolving this.

**Mr. Webber** responded that he is supportive of this as well.

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

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

Enactment No: RES0382-2007

Whereas, the Strategic Planning Committee was formed on September 29, 1999 to implement a strategic planning document resulting from a citizen driven strategic planning process known as "Speak-Up"; and

Whereas, this committee has outgrown its need; and

Whereas, City Council members would like to combine the Strategic Planning Technical Review Committee with the Council Policy Technical Review Committee, to form one single committee to be known as the Strategic Planning and Policy Review Technical Review Committee.

Resolved, that the Rochester Hills City Council hereby dissolves the Strategic Planning Technical Review Committee.

**2006-0862** Creation of Strategic Planning and Policy Review Technical Review Committee

**Attachments:** [Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
112106 Resolution.pdf  
112106 Agenda Summary.pdf

**President Hooper** inquired if **Mr. Yalamanchi** and **Mr. Rosen** were both comfortable with the name of the committee, the purpose, the charge, the membership, and the administrative representative that is contained in the body of the motion.

**Mr. Yalamanchi** and **Mr. Rosen** stated that they were.

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

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

Enactment No: RES0414-2006

Whereas, in order to be more efficient and effective, the Rochester Hills City Council has decided to combine the Strategic Planning Technical Review Committee with the Council Policy Technical Review Committee; and

Whereas, to better address pending issues on a more focused and limited scope approach to ensure that all issues are addressed in an appropriate manner; and

Whereas, City Council has determined that from time to time it may need to review its current policies or implement new policies in regards to its operations.

Now, Therefore, Be It Resolved that the Rochester Hills City Council creates the Strategic Planning and Policy Review Technical Review Committee as follows:

Name of Committee: Strategic Planning and Policy Review Technical Review Committee

Purpose and Charge: The Committee shall be responsible for the Vision and Strategic Plan for the City, as well as considering changes to Council policies and operations and City Council Rules of Procedure as directed by Council

Membership:

City Council - Two to Three Members appointed to a one-year term to expire on December 31 of the given year or upon a Council Member's end of term of office

Administrative Representative - City Clerk or his/her designee.

## NEW BUSINESS

**2007-0863** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for Ready Mix Concrete Materials in the amount not-to-exceed \$106,000.00; Utica Transit Mix, Sterling Heights, MI (Primary); Arlington Transit Mix & Masonry Supply, Shelby Township, MI (Secondary).

**Attachments:** [Agenda Summary.pdf](#)  
[Letter to Extend.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution..pdf](#)

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

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

Enactment No: RES0383-2007

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase



Order to Utica Transit Mix, Sterling Heights, Michigan as primary vendor and Arlington Transit Mix & Masonry Supply, Shelby Township, Michigan, as secondary vendor, for Ready Mix Concrete Materials in the amount not-to-exceed \$106,000.00 through December 31, 2008.

- 2007-0871** Request for Purchase Authorization - MIS: Blanket Purchase Order for Various Equipment, Supplies, and Software in the amount not-to-exceed \$111,750.00; State Contracts and other supply sources at the best cost price

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

**Mr. Yalamanchi** inquired about the line items for PCs 01-a and 01-b, asked Mr. Bob Grace, Director of MIS.

**Mr. Grace** explained that the MIS Department replaces PCs after five or six years. He stated with monitors, the Department estimates how many are seven to ten years old, and his department budgets for a third of these and then replaces the monitors as they fail. This blanket purchase order is for all types of computer equipment and allows them to buy the same type of computer equipment at a lower price or get better prices because it is later in the year.

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

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

Enactment No: RES0384-2007

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the purchase of 2008 budgeted equipment, supplies and software for an amount not-to-exceed \$111,750.00 through December 31, 2008.

- 2007-0880** Request for Purchase Authorization - DPS/ENG: Contract for right-of-way acquisition services for the reconstruction and widening work along Hamlin Road from Crooks Road to Livernois Road in the amount not-to-exceed \$125,000.00; Hubbell, Roth & Clark, Pontiac, MI

**Attachments:** [Agenda Summary.doc](#)  
[MDOT approval.pdf](#)  
[Contract.pdf](#)  
[Resolution.pdf](#)

**President Hooper** disclosed that in his private business life, he does have business contact with the various vendors; not on a contractual basis. He expressed his desire to make this information known to the public.

**Mr. Paul Davis**, City Engineer, introduced the three main steps in this project: the ongoing engineering design; the right-of-way acquisition; and the actual construction of this project. He explained that the contract before Council this evening has been approved through Michigan Department of Transportation (MDOT) on December 28, 2007. Such approval through MDOT was necessary because there are federal funds involved in this project. He explained that the contract award recommendation is Hubbell, Roth & Clark, of Pontiac, Michigan and their portion of the project, the right-of-way acquisition preparation work would involve the following:

- Title searches to identify the current owners of certain parcels of property in order to obtain the easements or right-of-way.
- Preparation of appraisals for the proposed property; whether it is an easement or a right-of-way.
- Review of the appraisal and meetings with the property owners regarding the proposed offers.
- The actual paying money to property owners.

**President Hooper** inquired that eighty percent of this being paid for MDOT, twenty percent is being paid for by the City.

**Mr. Davis** responded that Hamlin Road is a City Major Road, therefore with the Federal funding, the City has a twenty percent local share.

**President Hooper** questioned what would happen if the City is not successful in reaching agreements on these easements or right-of-ways.

**Mr. Davis** responded that in order to stay on track with this project, his department has to follow a pretty rigid time frame. He explained that in order to secure the money and ensure that it can be used on the construction, the department has to have the right-of-way available by September 30, 2008. He stated this has been a very lengthy, involved process with MDOT and also in getting the environmental assessment approved; the time frame is more compressed than is desired. He stressed the importance of moving within this time frame otherwise the money reverts back to the Federal Government and the region loses the funding for road improvement. He explained a further delay might be if an owner of an easement or right-of-way was not cooperating on this project because perhaps they do not care for the offer, City Council might be forced pass a resolution giving permission for the City to condemn the property.

**Mr. Brennan** stated his familiarity with the condemnation process and inquired about the number of property owners that may contest this.

**Mr. Davis** responded that he could think of a couple of owners that may not want to cooperate because they do not care for the roundabout. He expected that there will be more support because it is a business corridor this road widening will be affecting the fronts of businesses and not the residents' homes.

**Mr. Brennan** questioned if the project would be overbudget if condemnation is necessary and requested clarification of any possible unanticipated costs.

**Mr. Davis** stated he did not believe so because originally this was a boulevard intersection and changing it to a roundabout intersection has decreased the cost associated with the right-of-way. He explained that sometimes MDOT will have an issue with a line item and gave the example of the work that had been done on the trail way, where a new bridge was installed over the Clinton River and an existing bridge was rehabilitated. As part of the project, there was an item for steel sheeting. MDOT questioned how the steel sheeting was paid for and at this time are denying payment by citing Federal Highway Administration rules. He further explained that an audit after a project is completed can produce

*some items that are unanticipated. Mr. Davis noted that the City is not expecting anything like this to happen with this project, but you never know.*

**Mr. Pixley** questioned if the City expended the \$125,000.00 now, could this be unnecessary funding if this project fails.

**Mr. Davis** stated if the money was used to purchase right-of-ways, the City would have those right-of-ways. If the money was used to acquire an easement, such as a temporary construction easement, then after one year the City would lose out on that money if the project did not move forward.

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

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

**Nay** 1 - Ambrozaitis

Enactment No: RES0385-2007

Resolved that the Rochester Hills City Council hereby authorizes 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 not-to-exceed \$125,000.00, and authorizing the Mayor and City Clerk to execute the contract on behalf of the City.

## COUNCIL COMMITTEE REPORTS

*None.*

## ANY OTHER BUSINESS

**President Hooper** passed out the matrix of the Boards and Commissions and Technical Review Committees to the City Council Members. He went down the list of Committees and identified which Council member would be responsible for taking the lead and reporting back to Council as to their progress.

**Mr. Rosen** confirmed that there is no City Council Meeting on January 21, 2008.

**President Hooper** made the following announcements:

- Monday, January 14, 2008 - 6:00 p.m. to 7:00 p.m. - Orientation
- 7:30 p.m. - City Council's Regular Meeting
- Following the meeting go back into another Orientation session.
- Team Building Sessions on Friday, January 25, 2008 from 6:00 p.m. to 10:00 p.m. and Saturday, January 26, 2008 from 9:00 a.m. until mid-afternoon or early evening.

**Mr. Brennan** inquired as to the availability of the Team Building agenda for his review and asked if the Team Building would be open to the public.

**President Hooper** stated that Council would have the agenda three days prior to the Team Building Session and that these meetings would be open to the

*public.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, January 14, 2008.*

## **ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 8:53 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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*CHRISTINE A. WISSBRUN, Administrative Secretary  
City Clerk's Office*

*Approved as presented at the May 19, 2008 Regular City Council Meeting.*