



Rochester Hills

Minutes

City Council Regular Meeting

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

*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel,
Michael Webber and Ravi Yalamanchi*

Vision Statement: The Community of Choice for Families and Business

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

Monday, August 13, 2012

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:02 p.m. Michigan Time.

ROLL CALL

Present 7 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel, Michael Webber and Ravi Yalamanchi

Others Present:

*Ed Anzek, Director of Planning and Economic Development
Bryan Barnett, Mayor
Ron Crowell, Fire Chief/Emergency Management Director
Kurt Dawson, Director of Assessing/Treasury
Susan Galeczka, Deputy Clerk
Pamela Gordon, Director of Human Resources
Bob Grace, Director of MIS
Mike Hartner, Director of Parks and Forestry
Captain Michael Johnson, Oakland County Sheriff's Office
Jane Leslie, City Clerk
Tara (Beatty) Presta, Chief Assistant
Keith Sawdon, Director of Finance
Allan Schneck, Director of DPS/Engineering
Leanne Scott, City Council Coordinator
Bob White, Supervisor of Ordinance Services
Christine Wissbrun, Administrative Aide*

PLEDGE OF ALLEGIANCE

*Mr. Tisdel introduced **City Clerk Jane Leslie** and **Deputy City Clerk Susan Galeczka**. He stated that the Clerk's Office is responsible for seeing that all 32 voting precincts are manned on Election Day. He noted that the election process begins eight to nine weeks before the actual election date and involves over 200 election workers on Election Day. He thanked the Clerk's Office for their service and expressed his hopes that all will go smoothly for the Presidential Election in November.*

***Clerk Leslie** and **Deputy Clerk Galeczka** led the Pledge of Allegiance.*

APPROVAL OF AGENDA

A motion was made by Klomp, seconded by Kochenderfer, that the Agenda be Approved as Presented. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

PUBLIC COMMENT

Bruce Fealk, 1474 Oakstone, requested Council consider a Human Rights Ordinance. He noted that he received an automated phone call at his home from an organization in support of House Bill 5039 which upset him.

Tim Maurer, 854 Ravine Terrace, stated that the automated phone calls made to residents in the community were from a hate group. He expressed support for a Human Rights Ordinance.

Stevie Morris, 1276 Pembroke Drive, expressed concern over development activities by Rochester Meadows LLC on the property adjacent to the Eddington Farms subdivision. She stated that plans have not yet been approved; however, construction activities have begun on the property and trees are being removed. She commented that her subdivision already has drainage problems and the new development will adversely affect their homes.

James Coon, 207 Tewksbury Court, stated that the Rochester Meadows development will result in the installation of a gravel road and the construction of a detention pond behind his house. He commented that the pond will be a hazard for children in the area and will be a breeding ground for mosquitoes.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett requested a moment of silence be observed for Army Sergeant Kyle B. McClain of Rochester Hills, who died August 1, 2012 in Salim Aka, Afghanistan.

He asked that everyone keep County Executive L. Brooks Patterson and his driver in their thoughts and prayers. The two were injured Friday afternoon in a car accident in Auburn Hills and are recovering in the hospital. He made the following announcements:

- Twenty-five percent of the registered voters in the City turned out to cast ballots in the Primary Election held August 7th, with 7,700 individuals voting in person and 5,600 voting by absentee ballot. The Clerk's Department team did a fantastic job.

- The Livernois Road Bridge project is moving forward.
- The Crooks Road Project has begun. Drivers will experience intermittent road closures over the next several months while that project moves to completion.
- The Main Street Rehabilitation Project is progressing; cross streets are now open to traffic.
- The City's Purchasing Department received the Achievement of Excellence in Procurement Award again this year, one of only 54 awards given to cities in the United States, and one of only four cities in Michigan.

In response to Public Comment, Mayor Barnett stated that he was not aware of any automated telephone calls being made regarding the consideration of a Human Rights Ordinance. He stated that he will continue to keep Council apprised of any developments in this area.

Mr. Tisdell expressed his appreciation to the Police and Road Funding Technical Review Committee (PRTRC) for their work, and to their families for allowing PRTRC activities to occupy so much of their time.

Mr. Rosen commented that while he was hopeful that the Police Millage would pass, he had his doubts that it would. Since the election, he has spoken with residents who believe Council will not raise taxes. He stated that he is glad to see no tax increase in the budget coming to Council.

Mr. Kochenderfer expressed his thanks to the voters for the passage of the Police Millage. He commented that Council could have offered a straight renewal, but instead went with a fairly complex proposal that provided a real solution. In response to Public Comment, he stated that he had some concerns after reviewing a draft Human Rights Ordinance. He noted that he has stated strongly that there should be no tolerance for discrimination in any form in this city.

Mr. Klomp expressed his wishes for a speedy recovery for County Executive Patterson. In response to Public Comment regarding development activities abutting Eddington Farms Subdivision, he stated that he will look into the matter and report back to the residents. Regarding a Human Rights Ordinance, he stated that he is listening to residents and reading emails constantly on this issue, and has not endorsed any automated phone calls. He thanked the Clerk's Department for their efforts in the recent Primary Election. He expressed his sympathy for the family of Sgt. McClain, stating that it is a somber reminder of the sacrifice everyone has to pay for freedom.

Mr. Webber echoed his appreciation for the work of the PRTRC members, commenting that the millage's passage provides a long-term plan for funding police services.

President Hooper stated that his thoughts and prayers are with Sgt. McClain and his family. He commented that the Primary Election was well-run, and he expressed his appreciation that 70 percent of the voters supported a ballot proposal that solves a 30-year funding problem for Police Services. In response to Public

Comment regarding the Rochester Meadows development, he commented that while he is certain that the City's Engineering Department would not have issued a permit for the commencement of construction without proper approvals, he would have the matter investigated further. He noted that concerned residents are welcome to come in during business hours to discuss the development with the City's Engineering and Planning Departments. He commented that he does not support a Human Rights Ordinance at the local level, as any violations are investigated at the Federal and State level. He stated that the City does not have the staff or the expertise to monitor businesses, nor should the City's residents be subjected to the cost of enforcing such an ordinance.

ATTORNEY MATTERS

None.

PRESENTATIONS

2012-0279 Proclamation in Recognition of Raymond "Bud" Leafdale for 40 years of dedicated service to our community

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

Mayor Barnett introduced a video which highlighted **Raymond "Bud" Leafdale's** 40 years of service to the community. He commented that Mr. Leafdale is a man of integrity and he earned the trust of the men and women he represented as General Superintendent. He read a proclamation honoring Mr. Leafdale.

Bud Leafdale stated that what makes a very rewarding career is having the support of the people he had the pleasure to work with.

Mayor Barnett announced that the City has dedicated the administrative office wing of its DPS Facility in Mr. Leafdale's honor.

Council congratulated Mr. Leafdale on his retirement.

Presented.

Whereas, in 1972, Bud Leafdale began his career with Avon Township in a two-car garage on Harding Road. Through his hard work and dedication, Bud obtained the position of General Superintendent of the Rochester Hills Department of Public Services Facility, and has played an integral role in shaping the entire culture of the DPS Department; and

Whereas, in addition to being instrumental in the design and building of the new state-of-the-art DPS Facility, Bud helped build Spencer Park and helped design and build our beautiful and patriotic Veterans Memorial Pointe; and

Whereas, Bud helped to establish the original Holiday Helpers in Rochester Hills, and is active in the city's annual Relay for Life event; and

Whereas, Bud and his wife Sharon plan to spend time enjoying their home, family and cottage in northern Michigan. Bud also plans to spend time restoring his 1955 Chevy.

Now, Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills, hereby recognize and congratulate Bud Leafdale on his retirement after 40 years of dedicated service to our community, and commend him on his unique and lasting contribution to our city.

Be It Further Resolved, that on behalf of all city employees and residents, the Mayor and City Council of Rochester Hills wish Bud Leafdale the very best health and happiness during his retirement.

2012-0282 2011/2012 Rochester Hills Government Youth Council (RHGYC) Final Report to City Council

Attachments: [Agenda Summary.pdf](#)

Susanna Jang, Chairperson, and **Amith Diwakar**, Vice Chairperson, Rochester Hills Government Youth Council (RHGYC), presented the year-end report for the RHGYC. They noted the following activities and projects:

- An Orientation Session in August of 2011 included lunch with the Mayor and Department Directors.
- Regularly-scheduled meetings, with bright minds in the City working towards the same goal.
- Participation at City Council meetings as representatives of the youth in Rochester Hills.
- Participation on various Technical Review Committees. RHGYC members on the Police and Road Funding Technical Review Committee were in charge of the social media part of the educational campaign regarding the recent Police Millage.
- RHGYC members were also named the Youth Advisory Committee for the Community Foundation of Greater Rochester.
- Mr. Tisdell joined the group as Council Liaison in 2012.
- Provided volunteer manpower at the Brookside Way Half Marathon.
- Welcomed guests and incoming Council Members at the Oath of Office Ceremony in November of 2012.
- Marched in the Rochester Home Town Christmas Parade, where the group dressed as different toys from each time period, in keeping with the theme celebrating "Six Decades of Christmas Joy".
- Spread holiday cheer as they helped City families celebrate the season at the Holiday Family Fun Night.
- Sang holiday carols at Mercy Bellbrook Senior Home.
- Hosted a Youth Summit in March. The Summit was a conference for teenagers to learn about the workings of the City, participate in breakout sessions, learn about career paths and participate in a mock council meeting. Over 100 students attended.
- Undertook Beautification Projects at City Hall and the Van Hoosen Jones-Stoney Creek Cemetery.
- This year's 5K Run/Walk was one of the group's greatest successes. Over the last four years, the project has grown.

Ms. Jang and Mr. Diwakar thanked Council for their support in the past year.

Mr. Tisdell reported that on June 20th and 21st, a selection committee comprised of Jane Leslie, City Clerk, Leanne Scott, City Council Coordinator, four-year member Rachel Schlagel and graduating senior Farha Hanif sat down and interviewed 37 prospective candidates. The committee read the applicants' essays, letters of recommendation, and independently scored answers and tallied scores. He mentioned that many hours went into the process and commented that there is a degree of honor associated with the incoming members' appointments.

Leanne Scott, City Council Coordinator, and Adult Advisor to the RHGYC, reflected on her deep appreciation of what the City has been able to offer youth in the city. She commented that the RHGYC is an avenue for students to get involved, providing a benefit to them and to the community as a whole. The RHGYC conveys an awareness of municipal government to their fellow students and gives a youth perspective. She requested everyone in attendance join her in giving a hand in appreciation to City Council and the Mayor for their encouragement and support of the program.

Ms. Scott gave a powerpoint presentation that highlighted the outgoing members' activities in the past year.

Mr. Tisdell invited the graduating seniors to the front to receive congratulations and announced their future plans.

- Amith Diwakar will attend Oakland University.
- Farha Hanif will attend Oakland University.
- Susanna Jang will attend Northwestern University.
- Laisa Magucha will attend Oakland University.

He then congratulated the outgoing undergraduate members and noted that several of them will be returning for next year. He introduced the incoming RHGYC members for 2012-2013.

Clerk Leslie administered the Oath of Office.

Presented.

2012-0283 Swearing In Ceremony - 2012/2013 Rochester Hills Government Youth Council (RHGYC)

Attachments: [Agenda Summary.pdf](#)

See Legislative File 2012-0282.

Presented.

(Recess 8:12 p.m. to 8:40 p.m.)

CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

- 2012-0249** Request for Approval of the proposed Flood Plain Use Permit related to proposed driveway construction work at 1597 Adams Road

Attachments: [Agenda Summary.pdf](#)
[Environmental Impact Stmt.pdf](#)
[MDEQ Permit.pdf](#)
[Pond Plan Sheet.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0157-2012

Whereas, the property owner at 1597 Adams Road, Rochester Hills, Michigan is proposing to install a driveway crossing an existing floodplain within the Dutton Drain; and

Whereas, the Department of Public Service recommends approval of the Floodplain Use Permit for 1597 Adams Road.

Resolved, that the Rochester Hills City Council approves the Floodplain Use Permit for 1597 Adams Road.

- 2012-0285** Request for Purchase Authorization - DPS/GAR: Increase of Blanket Purchase Order for water service repair parts in the amount of \$20,000.00 for a new not-to-exceed amount of \$45,000.00; ETNA Supply Company, Grand Rapids,

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0158-2012

Resolved, that the Rochester Hills City Council authorizes the increase of a Blanket Purchase Order for water service repair parts to ETNA Supply Company, Grand Rapids, Michigan in the amount of \$20,000.00 for a new not-to-exceed amount of \$45,000.00 through December 31, 2012.

- 2012-0287** Request for Purchase Authorization - PARKS/FORESTRY: Blanket Purchase Order for 2012 Fall and 2013 Spring Street Tree Planting in the amount not-to-exceed \$85,000.00; Michigan Lawn Maintenance, Inc. dba Sherman Nursery Farms, Columbus, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0159-2012

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order for 2012 Fall and 2013 Spring Street Tree Planting to Michigan Lawn Maintenance, Inc. dba Sherman Nursery Farms, Columbus, Michigan in the amount not-to-exceed \$85,000.00

and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

Passed the Consent Agenda

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

NOMINATIONS/APPOINTMENTS

2012-0290 Acceptance of Resignation from Terry Scott Bain from the Deer Management Advisory Committee

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

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0160-2012

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Terry Scott Bain as a member of the Deer Management Advisory Committee effective August 6, 2012.

2012-0236 Nomination/Appointment to the Historic Districts Commission to fill the unexpired term of Micheal Kilpatrick ending December 31, 2012

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Davidson CQ.pdf](#)
[Deel CQ.pdf](#)
[Granthen CQ.pdf](#)
[073012 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[HDC Appt Memo 2012.pdf](#)
[Booth CQ.pdf](#)
[Cobb CQ.pdf](#)
[Golden CQ.pdf](#)
[Marries CQ.pdf](#)
[Miller CQ.pdf](#)
[Raschke CQ.pdf](#)
[Shurkus CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[061812 Agenda Summary.pdf](#)
[Kilpatrick Resignation Letter.pdf](#)
[061812 Resolution.pdf](#)
[Resolution.pdf](#)

President Hooper noted William Davidson, Ryan Deel and Julie Granthen were nominated at the July 30, 2012 Regular City Council Meeting to fill the vacancy on the Historic Districts Commission. He instructed Council to vote for one of the nominees.

The nominees received votes as follows:

William Davidson - Mr. Rosen

Ryan Deel - Mr. Klomp

Julie Granthen - President Hooper, Mr. Kochenderfer, Mr. Tisdell, Mr. Webber and Mr. Yalamanchi

Julie Granthen was appointed to the Historic Districts Commission.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0161-2012

Resolved, that the Rochester Hills City Council hereby appoints Julie Granthen to the Historic Districts Commission to fill the unexpired term of Micheal Kilpatrick ending December 31, 2012.

NEW BUSINESS

2012-0297 Discussion on proposed ballot language to repurpose expired or expiring debt millage for local roads

Attachments: [Agenda Summary.pdf](#)
[Proposed Ballot Language.pdf](#)
[P&RFTRC Resolution.pdf](#)

President Hooper stated that during discussions of the recently-passed Police ballot proposal, it was suggested that upcoming expiring debt millages be repurposed for Police or Roads. He mentioned that a Parks Millage was repurposed in 2010 to fund Roads. He explained that a Drain Millage will be expiring and a proposed ballot question was prepared to repurpose this expiring millage for Roads. He stated that the Police and Road Funding Technical Review Committee (PRTRC) has recommended identical language to that which was previously successful for repurposing this Drain Millage. He pointed out that the proposal will repurpose a millage currently being levied and will not be a tax increase. The PRTRC recommends the term of the proposed millage be seven years, to coincide with the previously-approved repurposed millage from 2010.

Mr. Yalamanchi stated that he has always been a strong advocate for repurposing millages. He commented that he would also concur with a seven-year term as both millages could come together in the future at the time they expire. He questioned whether the Headlee Amendment will have any affect or impact on the millage.

Mayor Barnett responded that the City is not expecting a Headlee impact this year, nor is it expected for several years.

Mr. Yalamanchi questioned whether the intention tonight is to discuss the proposal and vote at a later meeting.

President Hooper responded that if the majority of Council wished to move forward, he would set a Public Hearing for one of the next two remaining August meetings to take public comment and adopt proposal language. He stated that a proposal must be adopted by the August 27th meeting to make the deadline for the November ballot.

Mr. Kochenderfer noted that as he campaigned, he heard from residents that their number one concern was roads. He stated that if the City has a chance to put more money toward roads without raising taxes, it would be an easy decision to make.

Mr. Webber agreed, noting that when he first became a Council member, the City did not have money dedicated to Local Roads. He commented that the PRTRC identified these expiring millages to be repurposed to Local Roads; and with everyone's leadership, money has been allocated to Local Roads in the budget in the last couple of years. He stated that if a proposal does not raise taxes and keeps the bottom line the same, he would be in full support. He suggested that the Public Hearing be held at the August 27th Special Budget Meeting, to provide time for proper public notice.

President Hooper noted Council's support and stated that the item will be placed on the August 27th Special Meeting agenda for a Public Hearing and potential adoption of language for the November ballot.

Discussed.

2012-0281 Request for Nonprofit Designation for a Charitable Gaming License from the State of Michigan - Crittenton Hospital Medical Center Foundation

Attachments: [Agenda Summary.pdf](#)
[Cover Letter.pdf](#)
[Bylaws.pdf](#)
[Articles of Incorporation.pdf](#)
[IRS Determination Letter.pdf](#)
[Form 990.pdf](#)
[Board of Directors.pdf](#)
[Organization Summary.pdf](#)
[Proposed Charitable Gaming Activity.pdf](#)
[Board Resolution.pdf](#)
[Resolution.pdf](#)

Sara Palazzolo, Special Events and Donor Relations Coordinator for the Crittenton Hospital Medical Center Foundation was in attendance.

President Hooper requested Ms. Palazzolo recap the various charities that the Foundation works with.

Ms. Palazzolo stated that the Foundation has worked with the Rochester Junior Woman's League and the Older Persons' Commission. She noted that the license will be used to raise funds for the advancement of medical technology to further Crittenton Hospital Medical Center.

Mayor Barnett stated that most are aware of the mission and purpose of Crittenton. He commented that the Foundation is a long-time partner of the City, is a giant supporter of the Festival of the Hills and is a substantial contributor to the expansion of the Hospital.

Mr. Rosen commented that sometimes when these types of requests come to Council, it is difficult to make a judgment call to vouch for a particular organization. He stated that in this case, it is quite easy.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0162-2012

Resolved, that the request from the Crittenton Hospital Medical Center Foundation, located at 1101 W. University Drive, Rochester Hills 48307, Oakland County, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval.

2008-0663 Discussion relative to a request to remove a portion of the National Twist Drill site from the potential historic district designation list

Attachments: [Agenda Summary.pdf](#)
[Mozer Request 072612.pdf](#)
[2008 Draft Preliminary Report Twist Drill.pdf](#)
[Proposed Reduced District Map.pdf](#)
[Proposed District Map.pdf](#)
[Twist Drill Survey Sheets.pdf](#)
[Minutes HDSC 060911.pdf](#)
[Minutes HDSC 120910.pdf](#)
[Minutes HDSC 031110.pdf](#)
[MEMO 030310 HDSC Action Taken.pdf](#)
[Minutes HDSC 011410.pdf](#)
[MEMO 010410 Kidorf Opinion.pdf](#)
[Minutes HDSC 121009.pdf](#)
[Minutes HDSC 111209.pdf](#)
[Minutes HDSC 091009.pdf](#)
[Minutes PC 061609.pdf](#)
[Minutes HDC HDSC CC 032309.pdf](#)
[Minutes HDSC 031209.pdf](#)
[HDSC Update Mem 110409.pdf](#)
[HDSC Memo 030509.pdf](#)
[Mozer Letter 101507.pdf](#)

Ed Anzek noted that the applicant has made a request to have the southern parcel of the former National Twist Drill site removed from the list of properties slated for potential historic designation. He pointed out that a potential list of properties has been maintained since Historic District preservation efforts have been started in the city. Properties remain on this list until an analysis is completed to either recommend designation or removal from the list. He stated that Council is requested to determine whether the property should be sent to the Historic Districts Study Committee (HDSC) for review or to remove the property from the list.

Eric Mozer, Trustee, stated that he represents the Reinhold Mozer Trust, property owner of the portion of the site which is 6875 North Rochester Road. He explained that his father, Rein Mozer, purchased the property in 1980. He stated that the property has been on the market since last year and mentioned that the real estate broker representing the property has informed him that potential buyers have been scared away from purchasing the property due to its inclusion on the list of potential historic sites. He requested Council consider expeditiously removing the property this evening, noting that the HDSC has cancelled seven of its meetings so far this year.

Public Comment:

Fred Ferber, owner of 6811 North Rochester Road, stated that there are many plans in the works that would be of great potential to the City of Rochester Hills. He commented that as the property is currently in use as third-party warehousing, property taxes are negligible. He stated that different entities have reviewed the site for possible development, including a health insurance company and a hospital; and commented that brokers have been turned away by the site's inclusion on the potential historic list.

Council Discussion:

President Hooper noted the inclusion in the meeting packet of a draft report dated 2008.

Mr. Anzek responded that the HDSC had requested the City's consultant begin preliminary review; however, nothing more was done as the Ordinance was in the process of being modified at that time.

President Hooper questioned whether a Public Hearing was held. He suggested that the property could be referred to the HDSC to complete a final report, which would be sent to the State for review; and he questioned how much time would be needed for that process to occur.

Mr. Anzek commented that approximately 90 percent of the legwork has already been done. He stated that there would not be much time needed at the City's end; however, the State Historic Preservation Office (SHPO) timing for review is out of the City's control. He mentioned that numerous members of the SHPO staff have been laid off. He stated that the City could request an expedited review.

President Hooper questioned whether it would be prudent to put a timeframe on the process.

Mr. Anzek responded that there is an urgent request from the applicant, and he would suggest three or four months. He stated that the Preliminary Report could be sent to SHPO.

Mr. Kochenderfer stated that he understands and sympathizes with the applicant and commented that it would make sense for the HDSC to conduct a Public Hearing and prepare a final report on an expedited basis for the State.

Mr. Anzek suggested that the entire property be reviewed, rather than separating the request into the southern parcel.

Mr. Kochenderfer concurred that the entire property should be reviewed.

Mr. Yalamanchi suggested that the request should be referred to the HDSC and a 120-day timeframe be given.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0163-2012

Resolved, that the Rochester Hills City Council refers the applicant's request to remove the National Twist Drill Site from the potential historic district designation list to the Historic Districts Study Committee for review, and provide Council with a complete report of their findings and recommendations within a maximum of 120 days.

2012-0047 Liquor License Technical Review Committee report and recommendations to City Council

Attachments: [Agenda Summary.pdf](#)
[Liquor Cmte Report.pdf](#)
[Backup Information.pdf](#)
[021312 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Application.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Mr. Webber, Mr. Klomp and Mr. Rosen represented Council on the Liquor License Technical Review Committee.

Mr. Webber noted that the Committee's report was included in the meeting packet and explained that the Committee undertook an exhaustive process, meeting five times and meeting with all four applicants for the Quota License. He explained that all four applicants met and satisfied the minimum criteria, which was compiled by the Committee to give guidance for the future. He commented that the interview process was an important step to take; and the Committee was able to learn much about the applicants and their goals. He noted that the Committee discussed at length holding on to the license at this point in time and not awarding the license to any of the applicants. He stated that it was a majority decision to grant the license to Gold Star Family Restaurant.

He noted that discussions with City Attorney John Staran and individuals at the State determined that if a business failed within three years of receiving a license, the license would not revert back to the City. He commented that while the Committee wished it had four licenses to grant, it came down to a consideration of the applicants' longevity and building ownership. He thanked Council Members Rosen and Klomp, and City Clerk Jane Leslie, for their time and efforts.

President Hooper noted that this item is to accept the Committee's report.

Mr. Klomp stated that the applicants represent four strong businesses looking to invest in the community. He commented that the interview process was very important, along with a review of the applicants' financial statements. He stated that the objective of the Committee was to review the economic impact to the community, the long-standing nature of the businesses, and their business plans. He mentioned that the committee debated all four applicants, along with the option of not awarding the license, and noted that there would be risk in not granting the license. He stated that the license can be considered a stimulus or a gift that has the potential for improving a business in the community. The Committee had a compelling obligation to consider all four applicants; and there was consensus to award the license.

Mr. Rosen noted that he was the individual who discussed not granting the license at this time. He stated that this is a gift to a business worth in the order of \$75,000 to \$100,000. He commented that he feels an obligation to proceed slowly, noting that the Committee originally hoped to arrive at fairly clear criteria that would allow a selection of one of the four applicants. He mentioned that there was no clear consensus, only a majority.

Mr. Kochenderfer thanked the Committee for its work and noted that the awarding of a license can be considered an economic development tool.

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 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0164-2012

Resolved, that the Rochester Hills City Council hereby accepts the report and recommendations from the Liquor License Technical Review Committee.

2012-0295 Request for a "New from Quota" Class C Liquor License from Uncle Sam's, Inc. (Gold Star Family Restaurant) to be located at 650 S. Rochester Road, Rochester Hills, Michigan 48307

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

Paul Harris, representing Gold Star Family Restaurant, stated that he has been with the restaurant since 1996. He stated that at this time in order to continue to be a viable entity in the community and help the business move forward, the restaurant would benefit greatly from the liquor license.

Public Comment:

Marty Dadou, representing The Godfather Cigar and Martini, stated that he recently invested much money in his location. He noted that he is a Cigar Panelist and travels around the world doing cigar tasting. He stated that he currently uses Papa Joe's and LaSala's license; however, he has experienced problems in receiving his orders through them. He stated that he has been in the City since 1999. He requested Council consider his location for the license and stated that he is a high-end establishment.

Council Discussion:

Mr. Klomp stated that while all four applicants were great, the Committee placed an emphasis on a business with a long track record of being invested in the community. He noted that Gold Star has been open since 1976 and is near the downtown area of Rochester.

Mr. Harris commented that the restaurant was close to closing the second half of the day, and noted that this would reduce its employees by five to seven. He stated that his restaurant cannot compete with all the diners and sandwich shops opening in downtown Rochester, and cannot compete with the establishments that do sell alcohol.

Mr. Klomp stated that the Committee looked at the proximity to downtown Rochester and the events that take place. In the interview with Gold Star, it was indicated that they were not in a position to purchase a liquor license. He noted that it is expected that the average meal ticket will increase, and license will allow the restaurant to stay open later and continue to employ individuals in Rochester Hills. He commented that the Committee reviewed a multitude of

criteria, conducted productive interviews, and reviewed financial statements.

Mr. Kochenderfer commented that whomever receives the license, they will see a positive impact. He stated that it is hard to sort out who is more deserving. He pointed out that the application indicates that revenues from alcohol would only be 10 to 15 percent of the total. He commented that it is difficult for him to pick this applicant out to support over the others.

Mr. Harris responded that while alcohol would be 10 to 15 percent of the sales, it is difficult for him to estimate what the effect having alcohol would have on total sales. He stated that the restaurant is looking for survival when everyone surrounding has alcohol.

Mr. Tisdell stated that while he is not certain that awarding the license to Gold Star would make the best economic impact to the community, it would show that the City supports a long-time business.

Mr. Webber noted that it was not an easy decision; however, consideration was given to the fact that Gold Star owns its property on Rochester Road. He commented that the addition of Bistro Licenses in downtown Rochester have an effect on the community. He questioned how Gold Star's remodeling is progressing.

Mr. Harris responded that every few years, the business refreshes and reinvigorates in order to evolve and not stagnate.

President Hooper stated that granting the liquor license is an economic tool. He mentioned recipients of previous quota licenses, and noted that some have done well and others have closed or taken their licenses out of the city. He stated that he supports granting the license to Gold Star and commented that he wished Council had three more licenses to grant.

Mr. Kochenderfer questioned whether Gold Star had additional expansion plans.

Mr. Harris responded that it is difficult to say until the restaurant sees the economic impact of having the license. He stated that while they looked at enlarging the restaurant at one time, it was determined that they would not carry that much of an investment based on its current ticket. He pointed out that the restaurant will not change its identity and wishes to remain a part of the community.

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

Aye 5 - Hooper, Klomp, Tisdell, Webber and Yalamanchi

Nay 2 - Kochenderfer and Rosen

Enactment No: RES0165-2012

Resolved, that the request from Uncle Sam's, Inc. dba Gold Star Family Restaurant for a New Class C License to be located at 650 S. Rochester Road, Rochester Hills, MI, 48307, Oakland County, Michigan be considered for approval "Above All Others" by Michigan Liquor Control Commission.

- 2010-0181** Request for Purchase Authorization - BLDG/FAC: Increase to Blanket Purchase Order for janitorial services in the amount of \$10,000.00 for a new not-to-exceed amount of \$200,800.00; Thundermop Maintenance Company, Hartland, MI

Attachments: [Agenda Summary.pdf](#)
[042610 Agenda Summary.pdf](#)
[Extension Letter.pdf](#)
[Proposals Tabulation.pdf](#)
[042610 Resolution.pdf](#)
[Resolution.pdf](#)

Bob White, Supervisor of Ordinance Services, stated that the request is to extend the Blanket Purchase Order for janitorial services from Thundermop Maintenance for three months during the transitional period to the new contract with DuAll. He explained that staff has been meeting with the new company.

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 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0166-2012

Resolved, that the Rochester Hills City Council authorizes the increase of the Blanket Purchase Order for janitorial services to Thundermop Maintenance Company, Hartland, Michigan in the amount of \$10,000.00 for a new not-to-exceed amount of \$200,800.00 through October 1, 2012.

- 2012-0284** Request for Purchase Authorization - DPS/GAR: One (1) Four Ton Asphalt Patching Unit in the amount of \$24,347.00; Falcon Road Maintenance Equipment, Midland, MI

Attachments: [Agenda Summary.pdf](#)
[RFP Tabulation.pdf](#)
[Cost Proposal.pdf](#)
[Resolution.pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the four-ton asphalt patching unit has a new roller and basket assembly which will eliminate the "throw-and-go" method of distributing the patching material. He noted that while the purchase is overbudget, \$20,000 in funding will be obtained by deferring the replacement of a roller unit.

Mr. Rosen questioned whether this equipment is pulled behind a truck and will require only one person to operate the unit.

Mr. Schneck responded that it will be used behind a truck and can be run by one worker.

Mr. Webber expressed his appreciation that another purchase will be deferred to obtain funding.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0167-2012

Resolved, that the Rochester Hills City Council authorizes the purchase of one (1) Four Ton Asphalt Patching Unit to Falcon Road Maintenance Equipment, Midland, Michigan in the amount of \$24,347.00.

2012-0286 Request for Purchase Authorization - DPS/GAR: Increase of Blanket Purchase Order for collision repair services in the amount of \$15,000.00 for a new not-to-exceed amount of \$40,000.00; A-Auto Pointe Collision, Inc., Rochester Hills, MI

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

Allan Schneck, Director of DPS/Engineering, stated that the increase to collision repair services is necessary as the City is reaching its approved upper limit. He noted that this is due to one crash, where an ambulance was broadsided at Walton and Livernois, with repair costs of \$21,000. The increase will provide adequate coverage to the end of the year.

President Hooper questioned whether the repair amount will be reimbursed by the insurance carrier.

Mr. Schneck responded that it will be. He commented that according to the City's Purchasing Ordinance, purchases cannot exceed \$25,000 without approval. Any additional repairs will exceed that ceiling.

Mr. Yalamanchi questioned whether anyone was injured in the accident.

Mr. Schneck responded that he did not believe so.

Mayor Barnett stated that he did not believe so, and mentioned that the accident occurred when a motorist ran a red light.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0168-2012

Resolved, that the Rochester Hills City Council authorizes the increase of the Blanket Purchase Order for collision repair services to A-Auto Pointe Collision, Inc., Rochester Hills, Michigan in the amount of \$15,000.00 for a new not-to-exceed amount of \$40,000.00 through December 31, 2013.

2012-0288 Request for Purchase Authorization - DPS/ENG: Increase contract for engineering services for the Avon-Livernois Enhancement Grant Improvement Project in the amount of \$38,400.00 for construction engineering services for a new not-to-exceed amount of \$77,141.00; Spalding DeDecker Associates, Inc., Rochester Hills, MI

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

Allan Schneck, Director of DPS/Engineering, explained that the City successfully applied for and was provided a Transportation Enhancement Grant for improvements at Avon and Livernois. He noted that the preliminary engineering has been completed and was bid through the Michigan Department of Transportation (MDOT). He requested Council approve the construction engineering portion for oversight of the project.

Mr. Yalamanchi questioned whether construction engineering is covered under the grant and what the services will entail.

Mr. Schneck responded that it is not and would be the City's responsibility. He explained that services will include construction oversight, project estimates, and the firm will be the City's eyes and ears on the job.

Mr. Yalamanchi questioned whether MDOT could provide these services.

Mr. Schneck responded that they could not.

President Hooper noted that the project funding is not in the current Budget.

Mr. Schneck responded that they hope to generate bid savings and find contingency amounts from other projects. He explained that the Administration budgets fairly conservatively. The project would be funded from either bid savings or from Fund Balance.

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 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0169-2012

Resolved, that the Rochester Hills City Council authorizes the increase to the contract for engineering services for the Avon-Livernois Enhancement Grant Improvement Project to Spaulding DeDecker Associates, Inc., Rochester Hills, Michigan, in the amount of \$38,400.00 for construction engineering services for a new not-to-exceed amount of \$77,141.00.

2012-0294

Mayor's 2013 Proposed Budget

a. Presentation

b. Adoption of Resolution acknowledging receipt of the 2013 Proposed Budget and 2014 and 2015 Projected Budget and setting the Budget Public Hearing for September 10, 2012

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

Mayor Barnett presented the Proposed 2013 and Projected 2014 and 2015 Budget:

He noted that the City has experienced tough economic challenges in the past several years; however, the past 12 to 18 months have shown signs of recovery. He expressed his thanks to the residents of Rochester Hills who overwhelmingly supported the Police Millage question on the August 7th Primary Election ballot, noting that the residents' trust in Council and the Administration and support of the Oakland County Sheriff's Office will allow the flexibility to structurally fund police services while not changing the overall tax rate. He reiterated the City's Vision and Mission Statements and stated that concern for delivering quality services has been the focus in preparing budgets. He summarized the proposed Budget:

- The total tax millage rate is recommended to be set at 9.7060, the same rate used in Fiscal Year 2012, and the 14th consecutive year that the City's millage rate has not increased, without a vote of the residents. This makes Rochester Hills the lowest millage rate of all cities in Oakland County.
- No administrative fee for the City's assessing and tax collection services is proposed. Seventy-five percent of Oakland County cities currently levy an administrative fee.
- The net effect of declining residential and commercial property values has resulted in taxable values declining approximately 1.17 percent for Fiscal year 2013, with taxable values just over \$2.9 billion. No Headlee roll back of the City's millage will occur, as the rate of inflation exceeded taxable value growth.

Expenditures:

- The Budget proposes city-wide expenditures of \$109,685,430, an increase of 1.6 percent from the current 2012 Amended Budget. Most of the increases are in the area of commodity services, transfers out and capital projects.
 - * \$23.7 million or 22 percent for personnel costs
 - * \$23.5 million of 21 percent for professional services, including contracted police services of \$8.5 million
 - * \$19.9 million or 18 percent for transfers-out to other city funds
 - * \$18.9 million or 17 percent for commodity charges including water purchases and sewage disposal charges
 - * \$8.8 million or 8 percent for capital projects an capital equipment
 - * \$6.0 million or 5 percent toward asset depreciation
 - * \$4.5 million or 5 percent for other services and supplies
 - * \$4.4 million or 4 percent for debt service

He displayed a table which isolated governmental funds, the funds where tax dollars are spent and where the City has the greatest discretion in budgetary decision-making:

Fiscal Year	Millions	Percent Change
2010 Actual	\$71.2	
2011 Actual	\$55.6	-22.0%
2012 Amended Budget	\$59.1	6.3%
2013 Proposed Budget	\$61.7	4.4%
2014 Projected Budget	\$59.6	- 3.4%
2015 Projected Budget	\$60.9	2.2%

He noted that since 2006, the City has reduced its full-time personnel by 20 percent. For Fiscal Year 2013, 205 full-time positions are proposed, below 1998 levels.

He stated that capital projects are proposed based on available funding levels. The \$8.8 million proposed for capital projects are recommended to be funded by funds on hand for Fiscal Year 2013.

He noted that the Fiscal Year 2013 Budget proposes to fund Local Streets reconstruction at \$3 million. Major Road improvements of \$2.9 million reflect the high priority with City residents. He displayed a list of Local Street and Major Road projects proposed for Fiscal Year 2013, along with Fire Capital replacements, Pathway System improvements, Capital Improvement Fund projects, Water and Sewer improvements, Facility improvements, Management Information Technology improvements and Fleet replacements.

Revenues:

Mayor Barnett highlighted the proposed City-wide Revenues, and commented that the Administration has taken a conservative approach to forecasting revenues. City-wide revenues are proposed at \$105,628,470, a 1.0 percent increase from the current 2012 Amended Budget. The Administration proposes to use \$4,056,960 from Fund Balance largely for the \$8.8 million in capital related projects. He highlighted the significant project revenue sources:

- \$46.9 million or 43 percent from service charges
- \$26.3 million or 24 percent derived from taxes
- \$18.4 million or 17 percent representing transfers from other funds
- \$10.2 million or 9 percent from State, Federal and other sources
- \$2.3 million or 2 percent from licenses and permits
- \$1.5 million or 1 percent from investment earnings, fines and other revenue

He noted that property taxable values are projected to decline 1.17 percent, translating to a decline of just over \$436,000 in Fiscal Year 2013. State Shared Revenue is proposed to increase by approximately \$100,000 or 1.9 percent in 2013. Act 51 revenue is proposed to decline slightly in 2013. Licenses and Permits are projected to increase in Fiscal Year 2013 by just over \$100,000 based on increased activity levels the City is experiencing. He pointed out that the Administration is not proposing the use of Fund Balance as a revenue source to balance the General Fund Operating Budget. Any proposed use of Fund Balance is related to improve the City's infrastructure through capital projects.

He highlighted a list of 2012 accomplishments, including the following:

- The City has raised over \$300,000 in grant funding so far for a three-year total of \$2.5 million. Grants included a Michigan Department of Transportation Transportation Enhancement Grant for \$250,000, a MMRMA Risk Avoidance Grant for \$13,000 and the MillerCoors Partnership Grant with the Clinton River Watershed Council for \$25,000.

- The City has been the recipient of several awards, including the 2012 Climate Protection Award, the 16th consecutive Governmental Finance Officers Association Distinguished Budget Award, and the ninth consecutive Achievement of Excellence in Procurement Award.
- The Rochester Hills Museum at Van Hoosen Farm has privately raised nearly \$550,000 of funds to complete Phase 1 of the Calf Barn Adaptive Reuse, as well as establishing an endowment fund.
- For the third year in a row, the Parks and Trails hit over one million visitors.
- Human Resources and the Rochester Hills Fire Department settled the first labor contract with Michigan Association of Fire Fighters Local 50, representing 81 Paid-on-Call Fire Fighters.
- Human Resources kicked off the fourth year of Healthy Hills Wellness Program.
- The Planning Commission approved the M-59 Corridor Plan.
- Rochester Hills co-hosted the Second Annual Oakland Job Hub, with over 80 companies looking to fill 1,500 jobs in the Oakland County area.
- The Clerk's Office successfully completed the redistricting for the City.
- The Rochester Hills Fire reduced their average response time by 1.1 minutes to less than 5 minutes.
- The MIS Department implemented the new City Website with improved navigation, enhanced content and function ability.
- The Building Department established an expedited permit process for small residential projects.
- The City added several new shared service and collaborative agreements.

He noted that 2012 has been a very successful year full of proud accomplishments and ambitious plans. He stated that despite some tough economic years, the Administration remains very optimistic about the future, its proposed plan and the community. He thanked Council for its dedication in communicating its past goals and objectives that have guided the Administration in preparing this budget.

A motion was made by Klomp, seconded by Kochenderfer, that this matter be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0170-2012

Whereas, the City of Rochester Hills City Council have worked to develop City goals for the Fiscal Year 2013; and

Whereas, based on these City goals, the Mayor's Fiscal Year 2013 Proposed Budget and 2014 and 2015 Projected Budget was developed; and

Whereas, at the August 13, 2012 City Council Meeting, the Mayor delivered the 2013 Proposed Budget Plan for the Fiscal Year beginning January 1, 2013

Be It Resolved, that the Rochester Hills City Council acknowledges receipt of the 2013 Proposed Budget and the 2014 and 2015 Projected Budget and hereby gives notice of Public Hearing to be held at 7:00 p.m. on Monday, September 10, 2012 at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the 2013 Budget

and providing opportunity to all interested parties to present comments thereon prior to formal adoption by the Rochester Hills City Council.

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

COUNCIL COMMITTEE REPORTS

Deer Management Advisory Committee (DMAC):

Mr. Webber announced that the DMAC is scheduled to meet on Wednesday, August 15, 2012 at 7:00 p.m., and will bring its report to Council at a future meeting.

ANY OTHER BUSINESS

Mr. Rosen requested that the Administration provide an update to its five-year projections subsequent to the passage of the Police Millage.

Mr. Sawdon noted that Fiscal Year 2015 has been included in the proposed Budget. He commented that the only difference is that General Fund will not be the funding source for Police Services in FY 2015. He stated that the projection of three percent increases to the Sheriff's Contract going forward remains the same, and no additional officers are proposed.

Mr. Rosen stated that he would like to see continued projections going forward.

Mr. Sawdon noted that the Police funding portion of the proposed Budget is scheduled to be presented at the next meeting, and stated that he will include a slide in their presentation with projections.

Mayor Barnett requested Council transmit any questions in advance in order to allow the Administration to prepare information.

NEXT MEETING DATE

Special Budget Meeting - Monday, August 20, 2012 - 5:30 p.m.; Special Budget Meeting - Monday, August 27, 2012 - 5:30 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 10:32 p.m.

GREG HOOPER, President
Rochester Hills City Council

*JANE LESLIE, Clerk
City of Rochester Hills*

*MARY JO WHITBEY
Administrative Secretary
City Clerk's Office*

Approved as presented at the September 10, 2012 Regular City Council Meeting.