



# Rochester Hills Minutes City Council Regular Meeting

1000 Rochester Hills Drive  
Rochester Hills, MI 48309  
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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

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

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Wednesday, June 27, 2007

7:30 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Rosen called the Regular Rochester Hills City Council Meeting to order at 7:33 p.m. Michigan Time.*

## ROLL CALL

**Present:** Erik Ambrozaitis, Jim Duistermars, Greg Hooper, Linda Raschke, James Rosen and Ravi Yalamanchi

**Absent:** Barbara Holder

## Others Present:

*Bryan Barnett, Mayor  
Ron Crowell, Fire Chief  
Paul Davis, City Engineer  
Derek Delacourt, Deputy Director of Planning  
Jean Farris, Supervisor of Procurement  
Susan Galeczka, Deputy Clerk  
John Staran, City Attorney*

*Council Member Barbara Holder provided previous notice she would be unable to attend and asked to be excused.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

**A motion was made by Raschke, seconded by Yalamanchi, to Approved.  
The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

## PUBLIC COMMENT

*Mr. Lee Zendel, 1575 Dutton, stated he was not in favor of turning over the City's 911 Dispatch Service to the Oakland County Sheriff's Department just to save "pennies on a dollar".*

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Mayor Barnett* stated storms in the area earlier in the day caused technical difficulties for the City offices. He recognized the City's employees for their efforts in raising almost \$14,000 for Relay for Life; an event that took place on Saturday, June 23, 2007 at the Hart Middle School to raise money for the American Cancer Society. He stated the Festival of the Hills Firework Show would be at Borden Park.

*Mr. Yalamanchi* stated he would like a Resolution prepared to express Council's sympathies and condolences to the families of the Firefighters who lost their lives in Charleston, South Carolina.

*Mr. Duistermars* commended the City employees for their efforts in raising money for the American Cancer Society through the Relay for Life event.

*Mr. Ambrozaitis* acknowledged everyone who petitioned to run for Public Office in Rochester Hills.

## ATTORNEY MATTERS

## RECOGNITIONS

2007-0419

Proclamation in Recognition for outstanding acts of heroism by Mike McClelland and Jeff Christie.

**Attachments:** Agenda Summary.pdf; Jeff Christie Proclamation.pdf; Mike McClelland Proclamation.pdf; Resolution.pdf

*Mayor Barnett* read a Proclamation acknowledging the heroic efforts of Jeff Christie and Mike McClelland who saved Cory Trimble and her daughter from a burning building.

*On June 11, 2007, at approximately 12:30 P.M. a structure fire broke out at 327 Longford in the City of Rochester Hills. Occupant Cory Trimble and her daughter were in the house, unaware that a fire was blazing above them in the attic. Mike McClelland and Jeff Christie took immediate action to help a fellow resident safely escape a burning building.*

**WHEREAS,** *On the night of June 11, 2007, Jeff Christie and Mike McClelland were driving down Longford Street when they noticed flames and smoke coming from the top of a house; and*

**WHEREAS,** *Mike immediately stopped and alerted the occupant, Cory Trimble, that the house was on fire; and*

**WHEREAS,** *Mike was able to help Cory, her daughter, and a pet safely out of the burning structure; and*

**WHEREAS,** *While Mike was helping with the evacuation, Jeff called 911 Emergency to get public safety personnel on the scene as soon as possible.*

**NOW, THEREFORE, BE IT KNOWN,** *that the Mayor and City Council of Rochester Hills hereby recognize Jeff Christie for his act of heroism in helping Cory Trimble and her daughter safely escape the burning home and for his quick thinking and action in alerting emergency personnel.*

**Presented**

## 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.

- 2007-0408** Approval of Minutes - City Council Work Session Meeting - May 16, 2007  
**Attachments:** CC Min 051607.pdf; Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**  
**Resolved that the Minutes of a Rochester Hills City Council Work Session Meeting held on May 16, 2007 be approved as presented.**  
**Enactment No:** RES0204-2007
- 2007-0236** Confirmation of the Mayor's reappointments of Scott Hunter, Carl Moore and Allan Schneck and appointments of Frank Cardimen and Paul Franklin to the Advisory Traffic and Safety Board for three (3) year terms expiring June 30, 2010.  
**Attachments:** Agenda Summary.pdf; Frank Cardimen CQ.pdf; Paul Franklin CQ.pdf; Scott Hunter CQ.pdf; Carl Moore CQ.pdf; Allan Schneck CQ.pdf; Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**  
**Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointments of Scott Hunter, Carl Moore and Allan Schneck and appointments of Frank Cardimen and Paul Franklin to the Advisory Traffic and Safety Board for three (3) year terms expiring June 30, 2010.**  
**Enactment No:** RES0205-2007
- 2007-0412** Request for Purchase Authorization - MAYOR/PURCHASING: Citywide microfilming services, blanket purchase order not-to-exceed amount of \$93,100 for a one (1) year period; Advance Microfilm Service Company, Port Huron, MI.  
**Attachments:** Agenda Summary.pdf; Bid Tabulation.pdf; Resolution.pdf  
**This Matter was Adopted by Resolution on the Consent Agenda.**  
**Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Advance Microfilm Service Company, of Port Huron, Michigan, as the lowest, responsive, responsible proposal submitted for the purchase of microfilming services - citywide, in the amount not-to-exceed \$93,100 for a one (1) year period.**  
**Further Resolved that the Mayor is authorized to execute the contract on behalf of the City.**  
**Enactment No:** RES0206-2007
- 2007-0413** Request for Purchase Authorization - DPS/ENG: 2007 Cold-Plastic (Pavement Legend) Program, blanket purchase order in the amount of \$36,064 with a 10% contingency of \$3,606 for a total not-to-exceed amount of \$39,670; R.S. Contracting, Inc., Casco, Michigan.

**Attachments:** Agenda Summary.pdf; Price Extension Ltr.pdf; RCOC Bid Tabulation.pdf; RH Bid Tabulation.pdf; Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to R.S. Contracting, Inc., Casco, Michigan for the 2007 Cold-Plastic (Pavement Legend) Program in the amount of \$36,064 with a 10% contingency of \$3,606 for a total not-to-exceed amount of \$39,670 through December 31, 2007.**

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

**Enactment No:** RES0207-2007

**2007-0389**

Request for Waiver of Ordinance - Mill Race Road Extension

**Attachments:** Agenda Summary.pdf; Ordinance.pdf; Road and Parcels.pdf; Mill Race Pics.pdf; Resolution.pdf

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

**Whereas, a property owner is proposing splitting four residential lots along an existing portion of Mill Race Road that is not currently constructed to a Class C Standard; and**

**Whereas, the existing Mill Road Road is approximately 15 feet wide with no aggregate shoulder or defined adjacent drainage ditch; and**

**Whereas, approximately 160 feet of additional roadway improvement beyond the existing cul-de-sac will also be built; and**

**Whereas, final approval of the land divisions can be pursued after the road section is upgraded and extended; and**

**Whereas, in order to construct the road section that is cheaper, less upsetting to the adjacent trees, and more in character with the existing narrower roadway the requirement to construct the road to a Class C Standard would have to be waived by City Council;**

**Resolved, that the Rochester Hills City Council waives City Ordinance Sections 122-30 and 122-31 requiring the proposed extension to Mill Race Road be constructed to meet a Class C Standard.**

**Enactment No:** RES0229-2007

**2007-0282**

Request for Purchase Authorization - DPS/Engineering: Professional Construction Engineering Services for the Shadow Woods Subdivision Road Rehabilitation Project, increase blanket purchase order in the amount of \$63,800.00 for a new not-to-exceed amount of \$91,700.00 to Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

**Attachments:** Agenda Summary.pdf; Amended Proposal.pdf; HRC Proposal.pdf; Agenda Summary 042507.pdf; Resolution 042507.pdf; Resolution.pdf

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

**Resolved that the Rochester Hills City Council hereby authorizes the amendment**

of an existing Blanket Purchase Order for Professional Construction Engineering Services to Hubbel, Roth & Clark, Inc. for the Shadow Woods Subdivision Road Rehabilitation Project, by the increased amount of \$63,800.00 for the new total amount not-to-exceed \$91,700.00 and authorize the Mayor to execute the amended proposal on behalf of the City.

Enactment No: RES0133-2007

### Passed The Consent Agenda

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

**Aye:** Ambrozaitis, Duisternars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

## ORDINANCE FOR ADOPTION

**2007-0386**

Acceptance for Second Reading and Adoption - An Ordinance to amend Section 6-1 and 6-38 of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to substitute the Liquor Technical Review Committee for the former Administration and Information Services Committee, prescribe penalties for violations, and to repeal conflicting Ordinances

**Attachments:** Agenda Summary.pdf; E-mail Staran.pdf; chapter 6 - Alcoholic Liquor (6-1 and 6-38).pdf; Ordinance 05/23/07.pdf; Resolution 061307.pdf; Resolution.pdf

A motion was made by Yalamanchi, seconded by Ambrozaitis, that this matter be Accepted for Second Reading and Adoption by Resolution.

Resolved that an Ordinance to amend Section 6-1 and 6-38 of Chapter 6, Alcoholic Liquor, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to substitute the Liquor Technical Review Committee for the former Administration and Information Services Committee, prescribe penalties for violations, and to repeal conflicting Ordinances, is hereby accepted for Second Reading and Adoption and shall become effective on July 6, 2007, the day following its publication on Thursday, July 5, 2007 in the Rochester Eccentric newspaper.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duisternars, Rosen and Yalamanchi

**Nay:** Hooper and Raschke

**Absent:** Holder

Enactment No: RES0208-2007

**2007-0366**

Acceptance for Second Reading and Adoption - An Ordinance to amend Sections 54-741 through 54-743 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify Water and Sewer Rates and Fees, Repeal Conflicting

Ordinances, and Prescribe a Penalty for Violations.

**Attachments:** Agenda Summary.pdf; Presentation.pdf; Exhibits A-E.pdf; Ordinance.pdf; Agenda Summary 060607.pdf; Resolution 061307.pdf; Resolution.pdf

**A motion was made by Yalamanchi, seconded by Raschke, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved that an Ordinance to amend Sections 54-741 through 54-743 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify Water and Sewer Rate and Fees, Repeal Conflicting Ordinances, and Prescribe a Penalty for Violations, is hereby accepted for Second Reading and Adoption and shall become effective on July 6, 2007, the day following its publication on Thursday, July 5, 2007 in the Rochester Eccentric newspaper.**

**The motion carried by the following vote:**

**Aye:** Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Nay:** Ambrozaitis

**Absent:** Holder

**Enactment No:** RES0209-2007

**2006-0052**

Acceptance for Second Reading and Adoption - An Ordinance to amend Chapter 138 of the Code of Ordinances and create Section 138-1082 for the purpose of regulating alteration, construction activity, or any other activity that would alter the natural contour of steep slopes within the City limits, to prescribe a penalty for violations, and to repeal inconsistent or conflicting ordinances.

**Attachments:** Agenda Summary.pdf; PC Minutes.pdf; Agenda Summary 061307.pdf; Letter McKenna 050907.pdf; Steep Slope Ord 052507.pdf; Resolution 061307.pdf; Resolution.pdf; Suppl Info Email Folland.pdf; Suppl Info Letter Rizzo.pdf; Suppl Info Letter Randzaao.pdf; Suppl I

**PUBLIC COMMENT**

*Mr. Dan Keifer, 719 Fieldstone Dr., stated he was in favor of the Steep Slope Ordinance. He further stated this Ordinance defines rules and regulations for developers to follow. He commented that it not only protects wildlife, but it also retains property values for residents downstream.*

*Ms. Lynn Rizzo, 1360 New Life Lane, thanked Mr. Yalamanchi for visiting the Steep Slopes area by Sargeants Creek to understand water issues, which the residents who live in this area have experienced for many years. She asked Council to deny any grandfathering requests made by developers. She emphasized the need for this Ordinance and asked Council to vote in favor of it.*

*Mr. Sam LoChirco, 3151 Mariett Ct., Shelby Township, stated he was against the Steep Slope Ordinance, and if approved, his current development on Harding Street would be reduced from 62 units to 27 units.*

*Mr. Robert Lindh, 8800 23 Mile Rd., Shelby Township, Engineer, Urban Land Consultants, stated he is an Engineer for Sam LoChirco, who is currently constructing a development on Harding Street. He stated he is not in favor of the Steep Slope Ordinance. He requested Council to allow this project to be grandfathered in, as this project has been evolving since the 1990's.*

**COUNCIL DISCUSSION**

**Mr. Ambrozaitis** thanked Mr. Keifer for all he does for our City and stated his support of the Steep Slope Ordinance.

**Mr. Duistermars** questioned if Mr. LoChirco's project had submitted revised plans as of January 2007.

**Mr. Derek Delacourt**, Deputy Director of Planning, replied he was unsure of the exact date, but knew Mr. LoChirco had submitted plans sometime within the last year and a half.

**Mr. Duistermars** asked how far along the project had progressed before the Moratorium became effective.

**Mr. Delacourt** advised the project had already been through several reviews, and that there would be several months in between reviews before resubmittals would be brought to the Planning Commission. He further advised this project currently has several outstanding issues that occurred before the introduction of the Steep Slope Ordinance.

**Mr. Duistermars** questioned if Mr. LoChirco's project still had continuing issues, and if Council were to adopt the Steep Slope Ordinance, would they have an appeal process available to them if they requested one.

**Mr. Delacourt** stated that within the Ordinance itself it does not prohibit or reduce the number of lots that Mr. LoChirco can develop. He further stated the Ordinance would require conformance of the stipulations as to what a development can, or cannot be, when a Steep Slope is involved.

**Mayor Barnett** stated he was pleased that the Council supported the Moratorium, and was hopeful the Council voted in favor of the Steep Slope Ordinance.

**A motion was made by Hooper, seconded by Ambrozaitis, that this matter be Accepted for Second Reading and Adoption by Resolution.**

**Resolved, that an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, and add a new Section 138-1082 for the purpose of regulating alteration, construction activity, or any other activity that would alter the natural contour of steep slopes within the City limits, and to prescribe penalties for the violation thereof, is hereby accepted for second reading and adoption and shall become effective on Friday, July 6, 2007 following its publication on Thursday, July 5, 2007 in the Rochester Eccentric Newspaper.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0210-2007

**UNFINISHED BUSINESS**

**2007-0372**

Request for Approval of a tax exemption for Maple Mold Technologies

**Attachments:** Agenda Summary.pdf; Agenda Summary 062007.pdf; Letter Maple Mold 052307.pdf; T&D Community Approvals.pdf; 2007 MMA T&D Members.pdf; Tax Chart 2008.pdf; Revised Financial Analysis.pdf; 0372 Suppl Info Reschedule.pdf; Resolution.pdf

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

Whereas, the City of Rochester Hills desires to promote economic activity and maintain/increase the number of jobs available to residents of the area, and;

Whereas, certain industries in the state are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity;

Whereas, the designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by Maple Mold Technologies enabling it to reposition itself to compete globally, and;

Whereas, Maple Mold Technologies has entered into a collaborative agreement with other business entities having the appropriate North American Industry Classification System (NAICS) codes, and;

Whereas, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations;

Whereas, should the area be designated a Renaissance Recovery Zone, property within that zone will be exempt from taxes levied by the city, county, and other units of government as provided under this Act, and;

Whereas, we estimate that the tax revenue lost would be a small fraction of the benefits the designation of a Renaissance Recovery Zone will bring the community.

Therefore Be It Resolved that the City of Rochester Hills requests that the State of Michigan designate Maple Mold Technologies, located at 1985 Northfield Dr., and further described as parcel 70-15-28-352-007, a Renaissance Recovery Zone under Public Act 376 of 1996 for a duration of up to eleven years.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke and Yalamanchi

**Nay:** Rosen

**Absent:** Holder

**Enactment No:** RES0211-2007

**2007-0382**

Request for Approval to prepare and submit an RFP for the the purchase of fire apparatus consisting of two Rescue/Pumpers and one Ladder Truck

**Attachments:** Agenda Summary.pdf; Apparatus Presentation.pdf; Resolution.pdf

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

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0212-2007

2007-0373

Request for Purchase Authorization - FIRE: Project Budget for Fire Apparatus Exhaust Extraction Systems for City Fire Stations 1, 2, 3 and 4 in the amount not-to-exceed \$175,000; Nederman, Inc., Westland, Michigan and other contractors, as required.

**Attachments:** Agenda Summary.pdf; Proposal Tabulation.pdf; Resolution.pdf

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

**Resolved, that the Rochester Hills City Council hereby approves a project budget for Fire Apparatus Exhaust Extraction Systems for City Fire Stations 1, 2, 3 and 4 in the amount not-to-exceed \$175,000 to Nederman, Inc., Westland, Michigan and other contractors, as required.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0213-2007

2007-0342

Request for Approval of Washington Road Paving (East of Tienken to Dequindre) Preliminary Engineering Tri-Party Agreement

**Attachments:** Agenda Summary.pdf; Tri-Party Agreement.pdf; E-mail Shumejko 062007.pdf; Resolution.pdf

**Mr. Paul Davis, City Engineer, stated Washington Road is maintained by the Road Commission of Oakland County (RCOC). He noted the following RCOC requirements for paving Washington Road:**

- 1) Two 12 ft lanes
- 2) Curb and gutter along the entire road
- 3) Two feet of curbing on each side
- 4) Ten ft clear zone
- 5) Pave the road

**Mr. Davis stated that this was the first step in a three-step process. He advised this is the "initial design", and when completed, will identify which trees would be slated for removal; at that time Council could decide not to pursue the project.**

**Mr. Ambrozaitis inquired if the City could use the funds offered by Oakland County for any other road projects within the City.**

**Mr. Davis replied that the County Funds could only be used for County gravel roads that need to be paved. He noted the following roads within our City that would be applicable to the County's requirements:**

- 1) Livernois Road, north of Tienken Road
- 2) Washington Road
- 3) Dutton Road
- 4) Winkler Mill Road

**He stated he has attended Oakland County Strategic Planning Meetings for many years and one of the items that stays consistent with the County's Strategic Plan is the paving of all gravel roads in Rochester Hills.**

**Mr. Duistermars stated that the RCOC does work well with the municipalities, and the road construction would reflect the wishes of the local residents.**

**President Rosen** stated Council may want to add verbiage to the Resolution to minimize the loss of trees. He further stated if there is a need to remove numerous trees, then Council can choose not to approve the project.

**PUBLIC COMMENT**

**Mr. Gerald Behaylo**, 1805 Washington Road, Winkler Mill Homeowners Association, stated he lives within a Historic District; and that the Black Walnut trees in the area are on a preserved list. He further stated he would like to keep the character of the road looking like Dutton Road and Butler Road.

**Mr. Carl Richardson**, 1266 Washington Road, stated he was in favor of the paving, but would like the Dutton Road effect, and requested that the beauty of the area remain the same. He commented that he witnessed Grand Sakwa removing an entire run of trees. He advised City staff that they had the ability to control what was happening with the road.

**Ms. Carmen Thomas**, 1957 Washington Road, stated she is in favor of paving the road, but requested the road be carefully constructed. She further stated she has had to cut back her landscaping to be able to look for oncoming traffic before she can proceed out of her driveway into the road. She also commented that cars go too fast around the corner where she resides.

**Mr. Matt Dolmage**, 1291 Washington Road, stated he was in favor of the road being paved as he felt Washington Road was currently not properly maintained. He asked Council if all residents would be required to have water and sewer installed.

**Ms. Melinda Hill**, 1481 Mill Race, stated that Oakland County should be working with the residents to make this an area that the community can be proud of, and keep the character to mimic that of Dutton Road. She advised Council that there are two Historic Districts in this location. She stated some Washington Road residents have the highest assessed properties in the City. She informed that telephone poles were closer to the road than some of the trees, and she felt that Oakland County would not choose to remove them. She requested a speed limit of 35 mph be enforced when this road is paved.

**Dr. John "Jack" Solverson**, 6255 Winkler Mill Road, expressed concerns for the condition of the road and noted the significant amount of dust that residents have to deal with when traveling on this road. He advised Council to use the funds available to them and have the road paved.

**Mr. David Cockey**, 6250 Winkler Mill Road, stated concerns regarding the trees being cut, noting he would like to see the character of the road preserved. He further stated that currently the road was in poor condition, and he is concerned that an emergency vehicle would not be able to respond in a timely manner if needed.

**Mr. James B. Hall**, 1720 Washington Road, stated the proposal to widen the road would drastically change the character of the area where he lives. He asked that Council and the RCOC consider what the residents are requesting.

**Ms. Veronica Hall**, 1720 Washington Road, stated she was not in favor of the road being paved, as she would like to keep the country setting of the area. She further stated this was a Historic District and would like it respected as such; but if the road is paved, requests it to be small and not wide as has been proposed.

**Ms. Cindy Young**, 1740 Washington Road, stated her home is very close to the road, and with the large amount of dust on the road, she needs to take asthma medication. She commented that cars traveling down the road exceed the speed limit, and she has

called 911 on numerous occasions to report them to the police.

**Mr. Alan Sheidler**, 1650 Washington Road, stated concerns as to how the speed limit will be enforced if the road is paved. He further stated the traffic on the road currently travels beyond the speed limit. He commented the condition of the road is poor, and dust control is a problem in the spring.

**Ms. Beth Bartos**, 1461 Mill Race, stated the dust is a big problem on this poorly maintained road. She commented she is in favor of the road being paved but would like to see the character maintained.

**Mr. William Kruse, Jr.**, 1775 Washington Road, stated he wants Council to oversee any construction on this road, and to stay abreast of all of the RCOC's plans until the road is completed. He commented he would like to see the integrity of the road maintained.

**Ms. Sue Kennedy**, 1815 Washington Road, stated there is a real speed issue on the road where her home is located. She asked Council if Washington Road was a collector road. She had concerns that large vehicles would be traveling in front of her home if this road is paved.

**Mr. Davis** advised in the Capital Improvement Plan (CIP) there is a project to install water and sewer on Washington Road. He further advised in an effort to preserve the trees the utilities would be placed under the road, or immediately adjacent to it. He stated if this project stays according to schedule, as initially proposed, it will come to fruition in 2011.

**President Rosen** asked if Washington Road will be a collector road.

**Mr. Davis** replied that according to the Master Thoroughfare Plan it is planned to be a minor arterial road.

**Mr. Yalamanchi** stated that from the comments made by the residents, they are not against paving the road but would like the character of the road preserved. He noted the following items Council should acknowledge in making their final decision concerning the paving of this road:

- \* Safety issues
- \* Dust accumulating
- \* Council and City staff works closely with residents
- \* Keep residents informed
- \* Communicate to the RCOC all concerns of the residents

**Mr. Ambrozaitis** inquired if after the road is paved, and the speed limit is set at 35 mph, could the speed limit be decreased to 25 mph.

**Mr. Davis** advised when the road is paved there will be a speed study completed to designate an actual speed limit. He referenced Butler Road that was designed for 35 mph, but is posted at 25 mph.

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

**Resolved, that the Rochester Hills City Council approves the Cost Participation Agreement for Preliminary Engineering for the Washington Road Paving Project, between the City of Rochester Hills and the Board of Road Commissioners for the County of Oakland and authorizes the Mayor and Clerk to execute the agreement on behalf of the City. In addition, that City Council authorizes the payment of the City's share, identified in the Cost Participation Agreement, in the amount of \$28,333.00 and any additional cost that accrues through the terms of the**

agreement, if budgeted.

With the following conditions:

1. That the Oakland County Road Commission shall

- a. Retain the character of the current road and preserve the trees;
- b. Design similar to cross section of Dutton Road west of Adams or Butler west of Adams;
- c. Take into consideration a design speed not to exceed 35 mph.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duisternars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0214-2007

**(Recess at 9:42 p.m. to 9:54 p.m.)**

**2007-0409**

Request for Purchase Authorization - DPS/ENG: Livernois Boulevard Irrigation System Project in the amount of \$150,000; Michigan Automatic Sprinkler, Inc., Commerce Twp, MI and Michigan Lawn Maintenance, Inc. d/b/a/ Sherman Nursery Farms, Columbus, MI

**Attachments:** Agenda Summary.pdf; Proposal Tabulation.pdf; Resolution.pdf

**Mayor Barnett** advised that he sought professional opinions regarding landscaping plans for the Livernois Road boulevard.

**Mr. Roger Rouse**, Director of DPS/Engineering, stated that due to the lack of no irrigation on the Livernois Road boulevard, the plants that were originally planted did not survive. He further stated the City has lost a substantial amount of money as they have sought numerous times to find vegetation that could survive without being watered on a regular basis.

#### **PUBLIC COMMENT**

**Mr. Paul Miller**, 1021 Harding Ave., stated concerns regarding the cost of water the City would have to spend to keep the plants and grasses alive on the boulevard. He further stated that many trees have been planted on the boulevard, and with no irrigation were not able to survive. He felt the City could find a better means of beautifying the boulevard at a lower cost.

**Ms. Melinda Hill**, 1481 Mill Race, stated the City could find drought resistant native plantings that have deep roots and would grow with low maintenance, and there would not be costs associated with mowing or watering.

#### **COUNCIL DISCUSSION**

**Mr. Rouse** stated whatever decision Council made concerning the beautification of the boulevard, there would be water costs associated with it to establish the vegetation. He advised Council the price for a well would cost approximately \$8,000 to \$10,000 and the City would need at least two; then the total cost for wells to water this boulevard would be approximately \$20,000. He further advised the wells would have different depths due to the change in elevation in the area. He stated in areas where it would be difficult to

*put concrete in, he proposed using stamped, colored concrete.*

*Mr. Yalamanchi commented he would prefer the City to consider putting in brick pavers on the boulevard, rather than stamped concrete.*

*Mr. Rousse stated the proposal calls for putting in top soil and planting a grass seed mixture that would survive in the constant sun on the boulevard. He further stated the grass seed that would be used is the same type of seed the Road Commission and MDOT uses.*

*Mr. Ambrozaitis stated he would like the boulevards improved but is unsure that this is the correct way to use the Metro Funds at this time.*

*Mayor Barnett suggested that Council should develop a Boulevard Policy that not only involves irrigation and plantings, but also addresses lighting on the boulevards.*

*Mr. Rousse noted that in anticipation of the Crooks Road boulevard needing irrigation; a four-inch conduit had been installed between the islands to accommodate irrigation lines.*

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

**Resolved, that the Rochester Hills City Council authorizes the project budget in the amount of \$150,000.00 for the Livernois Boulevard Irrigation System Project and authorizes the Mayor to sign the relevant contracts on behalf of the City.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper and Raschke

**Nay:** Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0215-2007

**2007-0411**

Request for a "New from Quota" Class C Liquor License from Los Cuatro Amigos, Inc. to be located at 870 S. Rochester Road, Rochester Hills, Michigan 48307

**Attachments:** Agenda Summary.pdf; Application Info.pdf; Letter from Attorney 051107.pdf; Los Cuatro Amigos - Dept. Reports.pdf; Resolution.pdf

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

**Resolved that the request from Los Cuatro Amigos, Inc. for a New Class C License to be located at 870 S. Rochester Road, Rochester Hills, MI, 48307, Oakland County, Michigan be considered for approval "Above All Others" by Michigan Liquor Control Commission.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke and Yalamanchi

**Nay:** Rosen

**Absent:** Holder

**Enactment No:** RES0230-2007

**2007-0421**

Request for Approval of Class C license transfer from Lone Star Steakhouse, Inc. to Brinker Michigan, Inc. (Chili's), 3512 Marketplace Circle, Rochester Hills, Michigan

**Attachments:** Agenda Summary.pdf; Application Info.pdf; State of MI Resolution.pdf; Resolution.pdf

*Mr. Yalamanchi questioned Mr. Staran, City Attorney, if this Liquor License, being transferred from the City of Ann Arbor to Rochester Hills, would have any obligations or restrictions connected to it.*

*Mr. John Staran, City Attorney, replied there are no restrictions, as this license is coming from another community, and it does not subtract from the City's quota; but rather it is an extra license coming into the community.*

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

**Resolved that the request from Brinker Michigan, Inc. to transfer ownership of 2006 Class C licensed business (MCL 436.1513(2)) located in escrow at 903 W. Eisenhower Parkway, Ann Arbor, MI 48103, Washtenaw County, from Lone Star Steakhouse & Saloon of Michigan, Inc. to Brinker Michigan, Inc.(a Delaware corporation); and transfer location (governmental unit) to 3512 Marketplace Circle, Rochester Hills, Oakland County, Michigan 48309 be considered for approval.**

**The motion carried by the following vote:**

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

**Abstain:** Hooper

**Absent:** Holder

**Enactment No:** RES0216-2007

**It was the consensus of Council to address Non-Administrative items first due to the late hour.**

## **NEW BUSINESS**

**2007-0076**

Request for Approval of Conditional Land Use - Gethsemane Lutheran Church Addition, a 4,150 square-foot, one-story addition to the existing 5,632 square-foot church building, and other site improvements, located on 2.19 acres on the south side of Auburn, west of Dequindre zoned C-1, Commercial Improvement, and R-4, One Family Residential, Gethsemane Lutheran Church, applicant.

**Attachments:** Agenda Summary.pdf; Map.pdf; Staff Report.pdf; Site Plans.pdf; Resolution.pdf

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

**Resolved, that the Rochester Hills City Council hereby approves the Conditional Land Use - City File No. 72-200.2 - Gethsemane Lutheran Church, to add a 4,150**

square-foot addition to the existing 5,632 square-foot church building and other site improvements, located on 2.19 acres on the south side of Auburn, west of Dequindre, zoned C-1, Commercial Improvement and R-4, One Family Residential, Parcel Nos. 15-36-228-054, -063 and -067 based on plans dated received by the Planning and Development Department dated April 12, 2007, with the following findings.

#### Findings

1. Places of Worship are permitted in any zoning district; the addition is consistent with the intent and purpose of the Zoning Ordinance in general, and of Section 138-1337 in particular.
2. The proposed addition to the Gethsemane Lutheran Church is designed and will be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing character of the general vicinity, the capacity of public services and existing facility affected by the use, and the community as a whole.
3. The site is currently developed and minimal grading will occur. The church addition should provide minimal traffic aspects.
4. The proposed development will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
5. The proposed church addition has been designed so as to not be detrimental, hazardous, or unreasonably disturbing to existing land uses, persons, property, or the public welfare.
6. The proposed church addition will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0217-2007

#### 2007-0324

Request for Approval of an Extension of Tentative Preliminary Plat - Rochester Meadows, a proposed 47-lot subdivision development on approximately 22 acres, located east of Rochester Road and south of Avon, zoned R-3, One Family Residential, Rochester Meadows LLC, applicant.

**Attachments:** Agenda Summary.pdf; Map.pdf; Site Plans.pdf; Memo Delacourt 051507 Mtg..pdf; Letter Rathka 042307.pdf; PC Minutes.pdf; Resolution.pdf

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

**Resolved, that the Rochester Hills City Council hereby approves an Extension of the Tentative Preliminary Plat for Rochester Meadows Subdivision, City File No. 99-011, a 47-lot subdivision on approximately 22 acres located east of Rochester Road and south of Avon, Parcel Nos. 15-23-201-006, -010, -011, and -012 until May 17, 2008.**

The motion carried by the following vote:

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0218-2007

**2007-0325**

Request for Final Site Condominium Plan Approval - Legacy Site Condominiums, a proposed 11-unit development on five acres, located north of Hamlin, east of Livernois, zoned R-3, One Family Residential, Paul Rosati, applicant.

**Attachments:** Agenda Summary.pdf; Map.pdf; Staff Report 051507.pdf; Site Plans.pdf; PC Minutes 040406.pdf; Resolution.pdf

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

**Resolved, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan for Legacy Site Condominiums, 11 units on five acres located on the north side of Hamlin, east of Livernois, zoned R-3, One Family Residential, Parcel No. 15-22-351-004, based on plans dated received by the Department of Planning and Development on February 27, 2007 with the following findings and conditions.**

**Findings:**

- 1. All applicable requirements of the One-Family Residential Detached Condominiums Ordinance and Zoning Ordinance can be met.**
- 2. Adequate public utilities are currently available to properly service the proposed development.**
- 3. The Final Plan represents a reasonable and acceptable plan for developing the property.**
- 4. The Final Plan is in conformance with the Preliminary Plan approved by City Council on May 3, 2006.**

**Conditions:**

- 1. The applicant submit a Performance Bond for proposed trees and landscaping of \$72,148.00, as adjusted if necessary by the City, prior to issuance of a Land Improvement Permit.**
- 2. Tree protective fencing be installed, inspected and approved by the City's Landscape Architect prior to the issuance of the Land Improvement Permit for this development.**
- 3. The applicant must post a bond for any monuments and irons not set, prior to issuance of the Land Improvement Permit.**

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0219-2007

**2007-0314**

Request for Financial Support in the amount of \$5,000.00 for Rochester Regional Chamber of Commerce (RRCC) to update their website

**Attachments:** Agenda Summary.pdf; RRCC Letter 021607.pdf; RRCC Email 042607.pdf; City of Rochester Ltr 042407.pdf; Determining Lawful Exp-MI Treasurer.pdf; Home Rules Cities Act MCL 117.4k.pdf; Lawful Expenditures-MML Info.pdf; Heiney Email.pdf; Resolution.pdf

*Ms. Sheri Heiney, Executive Director, Rochester Regional Chamber of Commerce, requested \$5,000 in support from the City of Rochester Hills to update their website. She stated this was a Non-Profit Organization which serves the Rochester Hills and Oakland Township area.*

*Mr. John Staran, City Attorney, stated that this raised an issue regarding lawful expenditures for the City and what is an allowable expense. He noted information from such resources as the State Department of Treasury and the Michigan Municipal League that suggests it would be an improper use of taxpayers' dollars to give a donation to a nonprofit community organization.*

*Mr. Hooper stated he does support the Chamber of Commerce, but feels it is illegal to use General Fund tax dollars for this project.*

**A motion was made by Duistermars, seconded by Ambrozaitis, that this matter be Denied by Resolution.**

**Resolved that the Rochester Hills City Council hereby denies the request for financial support in the amount of \$5,000 for the Rochester Regional Chamber of Commerce (RRCC).**

**Be It Further Resolved that funds will be dedicated to updating the BRCC's website.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0220-2007

**2006-0746**

Request for Removal of Review Rights on 920 South Boulevard W. previously extended to July 18, 2007

**Attachments:** Agenda Summary.pdf; Ltr Hildebrandt Trust 041107.pdf; HDSC Minutes 030807.pdf; CC Minutes 101806.pdf; 920 South Blvd Preliminary Report.pdf; Survey Sheets.pdf; Architectural Review.pdf; Building Inspection.pdf; Preliminary Report.pdf; Survey Sheets.pdf; L

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

**Whereas, 920 South Boulevard W. is an identified Potential Historic District in the City of Rochester Hills; and**

**Whereas, an Intensive Level Survey conducted in 2002 by Dr. Jane Busch at the request of the City of Rochester Hills identified this property as needing "extensive survey and additional research" in order to provide contextual information before the historical significance of the property could be evaluated;**

and

Whereas, the property owner had requested review and approval of a demolition permit for the structures on the subject site; and

Whereas, on October 18, 2006, City Council granted review rights regarding 920 South Boulevard W. (Parcel Identification Number 15-34-352-012) for a period not to exceed six (6) months; and

Whereas, since the review rights were granted, the Historic Districts Study Committee (HDSC) conducted extensive research regarding the architecture, family names and events associated with the property; and

Whereas, on April 25, 2007, Council granted an extension of the review rights through July 18, 2007; and

Whereas, at its June 14, 2007 meeting, the Rochester Hills HDSC, reviewed the research that had been conducted regarding the property, the architecture of the house, family names and events associated with the property, and determined that the information gathered was not sufficient to meet the National Register criteria for designation, and that no recommendation for designation would be made; and

Whereas, although it will take the HDSC additional time to complete its Final Report on the property, the HDSC requests that Council immediately rescind the extended review rights on the property.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby acknowledges that the Historic Districts Study Committee will complete the Final Report on the property known as 920 South Boulevard W. (Parcel Identification Number 15-34-352-012) and forward same to City Council in the near future, and that City Council hereby rescinds the additional review rights previously extended through July 18, 2007 regarding 920 South Boulevard W., and such review rights are hereby terminated.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0141-2007

**2007-0416**

Request to change membership of Environmental Oversight Committee to include one Brownfield Redevelopment Authority Member

**Attachments:** Agenda Summary.pdf; Resolution.pdf

***Mr. Hooper*** stated he was not in favor of a an Environmental Oversight Committee.

***Mr. Yalamanchi*** stated the Environmental Oversight Committee was in partnership with the Brownfield Redevelopment Authority (BRA) and would offer aid for the concerns the BRA were dealing with.

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

Whereas, City Council at its regular meeting of June 7, 2006 determining that is was in the best interest of the neighbors, the immediate area, and the community as a whole to oversee the environmental cleanup at the Adams/Hamlin and

Madison Park/REI sites adopted Resolution RES0208-2006 created the Environmental Clean-up and Oversight Committee (EOC);

Whereas, the membership of the EOC was established to include

Two Members of City Council

Members of the City Administration as designated by the Mayor

Whereas, the EOC has been meeting on a regular basis to provide City Council oversight with respect to specific consent judgments, to provide an opportunity to explore policy initiatives in order to prevent similar situations in the future; to oversee and monitor the remediation and clean up of the sites by reviewing the results of testing programs; to review the plans for remediation and clean up, to determine if best practices are being used and ascertain if plans meet environmental requirements of the State and Federal Governments and provide input and/or comments to EPA and/or MDEQ as appropriate; to monitor actual clean up and remediation efforts to assure that execution is according to approved plans.

Whereas, the EOC has determined based on its work that the Committee and City would be well served with the input and insight of a Brownfield Redevelopment Authority (BRA) Member and recommends City Council add BRA Member to the EOC membership;

Now Therefore Be It Resolved, that City Council concurs with the recommendation of the EOC and adds to the membership of the EOC one (1) Brownfield Redevelopment Authority (BRA) Member selected by the BRA.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Rosen and Yalamanchi

**Nay:** Hooper and Raschke

**Absent:** Holder

**Enactment No:** RES0221-2007

**Council continued with the remainder of the Agenda as approved.**

## **UNFINISHED BUSINESS (continued)**

**2007-0399** Salary Recommendation for Directors' General Adjustment - 2008

**Attachments:** Agenda Summary.pdf; Meeting Memo 042407.pdf; CPI Data.pdf; Dir & Mayor 2008 Salary Rec.pdf; EE Group Wage Adjustments.pdf; General Adjustments Survey 2007.pdf; Resolution.pdf

**Mr. Ambrozaitis** asked the Administration to re-examine the City's Longevity Policy.

**Ms. Pam Lee**, Director of Human Resources, stated that Longevity is applied to the base of an employee's salary.

**Ms. Melinda Hill**, 1481 Mill Race, questioned if the Administration should be giving Longevity Benefits to employees automatically during the troubled economic state the City is in presently.

**Ms. Lee** stated offering Longevity Benefits for long-term employees is a common

*practice among municipalities. She further stated it was voted as part of the 2491 Contract which is currently in place for City employees.*

*Mr. Ambrozaitis suggested the City look at changing the scale for giving Longevity premiums to long-term employees.*

*Mr. Yalamanchi stated he was not in favor of bonuses because of the economic constraints the City is facing.*

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

**Whereas, pursuant to Article III, Section 5 of the City Council Policy for Salaries for Department Directors, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the total equity, general, and performance adjustments, if any, for the compensation for the Department Directors as a group for the succeeding fiscal year"; and**

**Whereas, the Human Resources Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a general salary adjustment for Directors and recommends a General Salary Adjustment of a 2.3 % increase to budgeted funds for Department Directors' base salaries for the Fiscal Year 2008**

**Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Committee and approves a General Salary Adjustment of 2.3 % increase to budgeted funds for Department Directors' base salaries for Fiscal Year 2008, bringing it to \$930,522.40**

**The motion carried by the following vote:**

**Aye:** Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Nay:** Ambrozaitis

**Absent:** Holder

**Enactment No:** RES0222-2007

**2007-0398**

**Salary Recommendation for Directors' Equity Adjustment Pool - 2008**

**Attachments:** Agenda Summary.pdf; Meeting Memo 042407.pdf; RH Director Desc.pdf; 2007 Director\_Deputy Comparison.pdf; MML Descriptions.pdf; Assessor.pdf; Building.pdf; City Clerk.pdf; Finance.pdf; Fire.pdf; Human Resources.pdf; MIS.pdf; Planning & Econ Devel.pdf; Publi

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

**Whereas, pursuant to Article III, Section 5 of the City Council Policy for Salaries for Department Directors, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the total equity, general, and performance adjustments, if any, for the compensation for the Department Directors as a group for the succeeding fiscal year"; and**

**Whereas, the Human Resources Technical Review Committee has review and discussed the information provided by the Administration regarding equity pay for Directors and recommends to City Council that no equity adjustments as a**

group to be budgeted for Fiscal Year 2008 to the Department Directors Equity Pool.

**Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Review Committee to make no equity adjustments as a group to be budgeted for Fiscal Year 2008 to the Department Directors Equity Pool.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0223-2007

**2007-0400**

Salary Recommendation for Directors' Variable Performance (Discretionary) Pool - 2008

**Attachments:** Agenda Summary.pdf; Meeting Memo 042407.pdf; Resolution.pdf

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

**Whereas, pursuant to Article III, Section 5 of the City Council Policy for Salaries for Department Directors, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the total equity, general, and performance adjustments, if any, for the compensation for the Department Directors as a group for the succeeding fiscal year"; and**

**Whereas, The Human Resources Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a Variable Performance (Discretionary) Pool for Directors and recommends \$20,000 be established to provide for bonus pay, separate from base pay, the Fiscal Year 2008**

**Be It Resolved that the Rochester Hills City Council hereby approves that there be no Variable Performance (Discretionary) Pool for Directors for the Fiscal Year 2008.**

**The motion failed by the following vote:**

**Aye:** Ambrozaitis, Hooper and Yalamanchi

**Nay:** Duistermars, Raschke and Rosen

**Absent:** Holder

**Attachments:** Agenda Summary.pdf; Meeting Memo 042407.pdf; Resolution.pdf

***Mr. Ambrozaitis stated the taxpayer in essence is affording the salary increases.***

***Mr. Yalamanchi stated he would like more time to examine the information given to Council regarding contracts. He further stated Council should consider re-addressing this policy before making any decisions. He commented that even though the current policy has been in place for many years, it does not have to dictate the decision Council would make on the same policy in the future.***

Adopted by Resolution.

Whereas, pursuant to Article III, Section 5 of the City Council Policy for Salaries for Department Directors, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the total equity, general, and performance adjustments, if any, for the compensation for the Department Directors as a group for the succeeding fiscal year"; and

Whereas, The Human Resources Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a Variable Performance (Discretionary) Pool for Directors and recommends \$20,000 be established to provide for bonus pay, separate from base pay, the Fiscal Year 2008

Be It Resolved that the Rochester Hills City Council hereby approves a Variable Performance (Discretionary) Pool for Directors of \$10,000 be established to provide for bonus pay, separate from base pay, for the Fiscal Year 2008.

The motion carried by the following vote:

**Aye:** Duistermars, Hooper, Raschke and Rosen

**Nay:** Ambrozaitis and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0232-2007

**2007-0401**

Salary Recommendation for Mayor - 2008

**Attachments:** Agenda Summary.pdf; Meeting Memo 042407.pdf; Dir & Mayor 2008 Salary Rec.pdf; Mayor.pdf; Resolution.pdf

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

Whereas, pursuant to Article IV, Section 3 of the City Council Policy for Salary and Fringe Benefits for Mayor, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the base annual salary and fringe benefits for the Mayor for the succeeding fiscal year"; and

Whereas, the Human Resources and Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a salary recommendation for the Mayor and recommends a 2.3 % salary adjustment in the amount of \$2,294.47 to the Mayor's salary for the Fiscal Year 2008, for a total amount of \$102,055.50 and that fringe benefits continue to apply

Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Review Committee and approves a 2.3% salary adjustment in the amount of \$2,294.47 to the Mayor's salary for the Fiscal Year 2008, for a total amount of:

**\$102,055.50**

Be It Further Resolved that fringe benefits continue to apply.

The motion carried by the following vote:

The motion carried by the following vote:

**Aye:** Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Nay:** Ambrozaitis

**Absent:** Holder

**Enactment No:** RES0226-2007

**2007-0402**

Salary Recommendation for City Council - 2008

**Attachments:** Agenda Summary.pdf; Meeting Memo 051507.pdf; 2006 CC Comp.pdf; CC and B&C Survey 2007.pdf; CC Compensation Survey 2007.pdf; CC Wage Adjustments.pdf; Resolution.pdf

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

Whereas, pursuant to Article V, Section 3 of the City Council Policy for Compensation for Members of City Council, "at the last regular meeting of the City Council in the Month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the compensation for the members of Council for the succeeding fiscal year"; and

Whereas, the Human Resources and Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a salary adjustment for members of Council and recommends that the compensation for the Rochester Hills City Council, in the form of a yearly salary for Fiscal Year 2008 remain the same as Fiscal Year 2007 and that the per diem compensation for attendance at meetings in excess of thirty-two (32) meetings per year, pursuant to City Council Attendance / Per Diem Compensation Policy, be increased from \$60.00 per meeting to \$65.00 per meeting.

Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Review Committee and approves the compensation for the Rochester Hills City Council, in the form of a yearly salary for Fiscal Year 2008 to remain the same as Fiscal Year 2007 in the amount of:

City Council President - \$7,850.48 per year

City Council Member - \$6,577.43 per year

Be It Further Resolved that the per diem compensation for attendance at meetings in excess of thirty-two (32) meetings per year, pursuant to City Council Attendance / Per Diem Compensation Policy, be increased from \$60.00 per meeting to \$65.00 per meeting.

The motion failed by the following vote:

**Aye:** Hooper, Raschke and Rosen

**Nay:** Ambrozaitis, Duistermars and Yalamanchi

**Absent:** Holder

**Attachments:** Agenda Summary.pdf; Meeting Memo 051507.pdf; 2006 CC Comp.pdf; CC and B&C Survey 2007.pdf; CC Compensation Survey 2007.pdf; CC Wage Adjustments.pdf; Resolution.pdf

*Mr. Hooper requested a workshop for Council to discuss a "pay per performance" option instead of a base salary per meeting pay schedule for Council members.*

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

**Whereas, pursuant to Article V, Section 3 of the City Council Policy for Compensation for Members of City Council, "at the last regular meeting of the City Council in the Month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the compensation for the members of Council for the succeeding fiscal year"; and**

**Whereas, the Human Resources and Technical Review Committee has reviewed and discussed the information provided by the Administration regarding a salary adjustment for members of Council and recommends that the compensation for the Rochester Hills City Council, in the form of a yearly salary for Fiscal Year 2008 remain the same as Fiscal Year 2007 and that the per diem compensation for attendance at meetings in excess of thirty-two (32) meetings per year, pursuant to City Council Attendance / Per Diem Compensation Policy, remain the same at \$60.00 per meeting.**

**Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Review Committee and approves the compensation for the Rochester Hills City Council, in the form of a yearly salary for Fiscal Year 2008 to remain the same as Fiscal Year 2007 in the amount of:**

**City Council President - \$7,850.48 per year  
City Council Member - \$6,577.43 per year**

**Be It Further Resolved that the per diem compensation for attendance at meetings in excess of thirty-two (32) meetings per year, pursuant to City Council Attendance / Per Diem Compensation Policy, remain the same at \$60.00 per meeting.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0233-2007

**2007-0403**

**Salary Recommendation for Boards & Commissions - 2008**

**Attachments:** Agenda Summary.pdf; 2006\_2007 B&C Comp.pdf; 2007 City Council B&C Survey.pdf; Cover Memo for May 15.pdf; Resolution.pdf

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

**Whereas, pursuant to Article VI, Section 3 of the City Council Policy for Per Diem Pay for Boards and Commissions, "at the last regular meeting of the City Council in the month of June, the Human Resources Technical Review Committee shall make a written recommendation to the Council concerning the compensation for**

the members of Boards & Commissions for the succeeding fiscal year"; and

Whereas, the Human Resources Technical Review Committee has reviewed and discussed the information provided by the Administration regarding the rate of per diem pay for members of Boards & Commissions and recommends to City Council that the rate of per diem pay for members of Boards & Commissions for the Fiscal Year 2008 remain the same as Fiscal Year 2007.

Be It Resolved that the Rochester Hills City Council hereby concurs with the recommendation of the Human Resources Technical Review Committee and approves the per diem rate of pay for members of Boards & Commissions and recommends to City Council that the rate of per diem pay for members of Boards & Commissions for the Fiscal Year 2008 remain the same as Fiscal Year 2007 and be set at Seventy-five dollars (\$75.00) for the Chairperson, and Sixty-five dollars (\$65.00) for the Members per meeting attended, for the following Boards and Commissions:

Building Authority  
Construction/Fire Prevention Code Board of Appeals  
Economic Development Corporation  
Historic Districts Commission  
Planning Commission  
Zoning Board of Appeals/Sign Board of Appeals

Further Resolved that the per diem fee for Fiscal Year 2008 for Members of the Board of Review remain the same as Fiscal Year 2007 and be set at One Hundred dollars (\$100.00) per meeting attended.

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0224-2007

**2007-0298**

Request to Discontinue the Defined Contribution Retirement Plan for all new City Council Members effective November 2007.

**Attachments:** Agenda Summary.pdf; 062707 Agenda Summary.pdf; 050207 Agenda Summary.pdf; CC Minutes 050207 .pdf; Memo P. Lee 041007.pdf; Resolution.pdf

*Ms. Raschke stated that there should be a full Council in attendance to discuss this issue, or possibly this item could be addressed by the new Council that will be sworn in after the November Election.*

*Discussion ensued regarding the appropriateness of debating this issue without a full Council being in attendance.*

**Attachments:** Agenda Summary.pdf; 062707 Agenda Summary.pdf; 050207 Agenda Summary.pdf; CC Minutes 050207 .pdf; Memo P. Lee 041007.pdf; Resolution.pdf

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

**Resolved by the Rochester Hills City Council to hereby Call the Question to Close Debate on the Motion currently on the Floor to discontinue the Defined Contribution Retirement Plan for new City Council members effective November 2007.**

**The motion failed by the following vote:**

**Aye:** Ambrozaitis, Rosen and Yalamanchi

**Nay:** Duistermars, Hooper and Raschke

**Absent:** Holder

**Attachments:** Agenda Summary.pdf; 062707 Agenda Summary.pdf; 050207 Agenda Summary.pdf; CC Minutes 050207 .pdf; Memo P. Lee 041007.pdf; Resolution.pdf

***Mr. Hooper*** agreed with Ms. Raschke that a full Council was needed to decide this issue.

***Mr. Staran*** informed that by State Law you cannot reduce the compensation of any elected official during their term of office. He stated if this issue was left for the new Council to decide, the effective date could be put off for at least two years.

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

**Resolved that the Rochester Hills Council discontinues the Defined Contribution Retirement Benefit Plan for all new City Council Members effective November 2007.**

**The motion carried by the following vote:**

**Aye:** Ambrozaitis, Duistermars, Hooper, Raschke, Rosen and Yalamanchi

**Absent:** Holder

**Enactment No:** RES0231-2007

**2007-0200**

Approval of the ballot language for the Police II Millage Renewal proposal to be placed on the September 11, 2007 City Primary Election ballot

**Attachments:** Agenda Summary.pdf; Ballot Language.pdf; Deadlines.pdf; Response from State.pdf; 060607 Agenda Summary.pdf; 042607 Ballot Language.pdf; Add'l Election Info.pdf; Resolution.pdf

***Mr. Yalamanchi*** stated he was in favor of putting this issue on the November Ballot. He further stated after communicating with many residents that it seems they are supportive of it, and there is a high probability it will pass in the November Election.

***Mr. Hooper*** commented there would be a large turnout at the September Primary Election, and that he is very confident that all residents would be in favor of this Police Millage proposal.

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

**Resolved that the Rochester Hills City Council hereby approves the placement of**

the following Police II Millage Renewal proposal to be placed on the September 11, 2007 City Primary Election ballot:

#### BALLOT QUESTION

##### Police II Millage Renewal

Shall the City of Rochester Hills renew a tax levy of up to 0.4260 mill (\$0.4260 per \$1,000) on the taxable value of all property assessed for taxes in the City for 7 years, beginning in 2007 and continuing through 2013, inclusive, which will provide an estimated revenue of \$1,587,700 if levied in full in the first year of such levy, to be used to continue to fund police protection, services and operations?

Yes

No

The motion carried by the following vote:

**Aye:** Ambrozaitis, Duisternars, Hooper, Raschke and Rosen

**Nay:** Yalamanchi

**Absent:** Holder

**Enactment No:** RES0225-2007

## NEW BUSINESS (continued)

- 2007-0067** Creation of the Police Funding & Millage Technical Review Committee
- Attachments:** Agenda Summary.pdf; 071807 Agenda Summary.pdf; 060807 Agenda Summary.pdf; 012407 Agenda Summary.pdf; Excerpt CC Minutes 012407.pdf; Potential Tech Cmte Worksheet.pdf; Rosen's Disc Points.pdf; 060807 Resolution.pdf; Resolution.pdf

**Set Over to Future Meeting to the City Council Work Session**

- 2007-0396** Discussion of the potential of Council Members participating in a Political Action Committee (PAC) to advocate and support sustainable police funding in Rochester Hills

**Attachments:** Agenda Summary.pdf

**Set Over to Future Meeting to the City Council Work Session**

## COUNCIL COMMITTEE REPORTS

## BUDGET DISCUSSIONS

- 2007-0079** Discussion of City Council Goals and Objectives for 2007 / 2008
- Attachments:** Agenda Summary.pdf; Goals & Object Vers 1.pdf; Goals & Object Vers 2.pdf; Goals & Object Vers 3.pdf; Goals & Object Vers 4.pdf; Goals & Object Vers 5.pdf; 071807 Agenda Summary.pdf; 062207 Agenda Summary.pdf; 052307 Agenda Summary.pdf; 042707 Agenda Summa

**Set Over to Future Meeting to the City Council Work Session**

## ANY OTHER BUSINESS

*President Rosen* advised Council that there would not be a meeting on July 4th, or July 11th, but Council would resume its regular meeting schedule on July 18th with a Work Session.

## NEXT MEETING DATE

*Work Session - Wednesday, July 18, 2007 at 7:30 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Rosen adjourned the meeting at 12:08 p.m.*

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*JAMES ROSEN, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*SUE SMITH  
Administrative Secretary  
City Clerk's Office*

*Approved as presented at the August 22, 2007 Regular City Council Meeting.*