

MINUTES of the **Regular Rochester Hills City Council Meeting** held at 1700 W. Hamlin Road, Rochester Hills, Michigan, on Wednesday, September 3, 2003 at 7:30 p.m.

1. CALL TO ORDER

President Dalton called the Regular Rochester Hills City Council Meeting to order at 7:35 p.m. Michigan Time.

2. ROLE CALL

Present: President John Dalton; Members Bryan Barnett, Jim Duistermars, Lois Golden (8:15 p.m.), Melinda Hill, Barbara Holder, Gerald Robbins

Absent: None

QUORUM PRESENT

Others Present: Pat Somerville, Mayor
Beverly A. Jasinski, City Clerk
John Staran, City Attorney
Ed Anzek, Director of Planning/Zoning
Ron Crowell, Assistant Fire Chief
Paul Davis, City Engineer/DPS
Roger Rouse, Director of DPS
Bob Spaman, Director of Finance
Greg Walterhouse, Fire Chief

Council Member Lois Golden gave previous notice that she would be late in attending the meeting.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA (Members received a copy of a City Council Regular Meeting Action Summary Sheet dated August 29, 2003 from Susan Galeczka, City Council Liaison).

Resolution A0001-2003-R0296

MOTION by Duistermars, seconded by Robbins,

Resolved, that the Rochester Hills City Council hereby approves the Agenda, of the Regular Rochester Hills City Council Meeting of September 3, 2003 as presented.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

5. CHAIRPERSON'S REPORT

President Dalton reminded residents that the City primary election will be held next Tuesday, September 9, 2003 and the polls are open from 7:00 a.m. until 8:00 p.m.

He also noted that the Arts and Apples Festival commences the weekend of September 6, 2003 and that the Older Persons Commission (OPC) will be selling pies to raise funds for their organization.

6. MAYOR'S REPORT

Mayor Somerville had nothing to report .

7. COUNCIL COMMENTS

Hearing none, Council moved on to the next agenda item.

8. ATTORNEY'S REPORT

City Attorney John Staran stated he had nothing to report. However, **Mr. Robbins** inquired as to whether Mr. Staran had any information regarding the Supreme Court's refusal to take up the Appeals Court's ruling on the Ferndale gun ban. Mr. Staran indicated he would investigate and report back to Council on this matter.

9. INTRODUCTION -Youth Representatives to City Council Communication Committees

Having completed their orientation and taken their oath of office for each of their respective committee appointments prior to the commencement of the City Council meeting, the youth representatives were introduced individually and are as follows:

Administration and Information Services Committee

- Andrew Kenzie
- Katie Hauswirth

Community Development and Viability Committee

- Ann Ruggiero
- Sahar Emambakhsh
- Kathryn Tignanelli

Financial Services Committee

- Rajeev Gudipati
- Lang Liu

Leisure Activities

- Ashleigh Iserman
- Sarah Warnick

Public Safety Committee

- Andrew Roscoe
- Victoria Gates

10. **CONSENT AGENDA** (All matters listed 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 the Consent Agenda for separate discussion.)

Approved by a single motion Items **10a, 10b, 10c, 10d, 10e, 10f and 10g** from the Consent Agenda.

- 10a. **Approval of Minutes** - Regular Work Session, May 28, 2003 (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 22, 2003 from Margaret Strate, Administrative Secretary)

Resolution A0005-2003-R0297

MOTION by Barnett, seconded by Duistermars

Resolved That the Minutes of a Regular Rochester Hills City Council Work Session held on Wednesday, May 28, 2003 be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- 10b. **Approval of Minutes** - Special Work Session, August 13, 2003 (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 22, 2003 from Margaret Strate, Administrative Secretary)

Resolution A0005-2003-R0298

MOTION by Barnett, seconded by Duistermars,

Resolved that the Minutes of a Special Rochester Hills City Council Work Session held on Wednesday, August 13, 2003 be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- 10c. Approval of Minutes** - Regular Meeting, August 20, 2003 (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 29, 2003 from Margaret Strate, Administrative Secretary)

Resolution A0005-2003-R0299

MOTION by Barnett, seconded by Duistermars,

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on Wednesday, August 20, 2003 be approved as presented.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- 10d. Easements/Agreements** - Rochester Community Schools

- i. North Hill Elementary School** - Parcel No. 15-11-101-018 (Members received a copy of a City Council Regular Meeting Summary Sheet dated July 15, 2003 from Josy Foisy, Clerk III, DPS)

- a. Acceptance of Watermain Easement

Resolution A0686-2003-R0300

MOTION by Barnett, seconded by Duistermars,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by the Rochester Community Schools, a Michigan Municipal Corporation, of 501 W. University, Rochester, MI 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain on, under through and across land more particularly described as Sidwell #15-11-101-018.

Now Therefore Be It Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- b. Acceptance of Sanitary Sewer Easement

Resolution A0686-2003-R0301

MOTION by Barnett, seconded by Duistermars,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by the Rochester Community Schools, a Michigan Municipal Corporation, of 501 W. University, Rochester, MI 48307, for the construction, operation, maintenance, repair and/or replacement of a Sanitary Sewer on, under through and across land more particularly described as Sidwell #15-11-101-018.

Now Therefore Be It Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- c. Approval of Agreement for Maintenance of Storm Water Detention System

Resolution A0686-2003-R0302

MOTION by Barnett, seconded by Duistermars,

Whereas, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby approves the Agreement for the Maintenance of the Storm Water Detention System between the City of Rochester Hills and Rochester Community Schools, of 501 W. University, Rochester, MI 48307, affecting property identified as Sidwell #15-11-101-018.

Now Therefore Be It Resolved that the Mayor and City Clerk are authorized to execute and deliver the document on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- ii. **Meadowbrook Elementary School** - Parcel No. 15-17-402-006 (Members received a copy of a City Council Regular Meeting Summary Sheet dated July 8, 2003 from Josy Foisy, Clerk III, DPS)

- a. Acceptance of Watermain Easement

Resolution A0482-2003-R0303

MOTION by Barnett, seconded by Duistermars,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by Rochester Community Schools, a Michigan Municipal Corporation, of 501 W. University, Rochester, MI 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain on, under through and across land more particularly described as Sidwell #15-17-402-006.

Now Therefore Be It Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- b. Approval of Agreement for Maintenance of Storm Water Detention System

Resolution A0482-2003-R0304

MOTION by Barnett, seconded by Duistermars,

Whereas, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby approves the Agreement for the Maintenance of the Storm Water Detention System between the City of Rochester Hills and Rochester Community Schools, of 501 W. University, Rochester, MI 48307, affecting property identified as: 15-17-402-006

Now Therefore Be It Resolved that the Mayor and City Clerk are authorized to execute and deliver the document on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- 10e. Acceptance of Amended Watermain Easement from Rochester Church of Christ, 250 W. Avon Road (Members received a copy of a City Council Regular Meeting Summary Sheet dated July 8, 2003 from Josy Foisy, Clerk III, DPS)**

Resolution A0680-2003-R0305

MOTION by Barnett, seconded by Duistermars,

Resolved, that on behalf of the City of Rochester Hills, The Rochester Hills City Council hereby accepts an easement granted by Rochester Church of Christ, 250 West Avon Road, Rochester Hills, MI 48309, for an easement for a watermain favoring the City of Rochester Hills, MI for the construction, operation, maintenance, repair and/or replacement of the watermain on, under, through and across land more particularly described as: 15-15-451-005.

Not Therefore Be It Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- 10f. **Acceptance of Watermain Easement** from Richard and Celeste A. Coyro for CMK Construction Storage Building, Parcel Nos. 15-30-451-003 & 004 (Members received a copy of a City Council Regular Meeting Summary Sheet dated July 14, 2003 from Josy Foisy, Clerk III, DPS)

Resolution A0614-2003-R0306

MOTION by Barnett, seconded by Duistermars,

Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts an easement granted by Richard and Celeste A. Coyro, of 20608 Eastwood, Harper Woods, MI 48225, for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described as: 15-30-452-003 & 004

Now Therefore Be It Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins
Nays: None
Absent: Golden

MOTION CARRIED

- 10g. **Acceptance of Warranty Deed** for Road Rights of Way for Eastern Road, Parcel Nos. 15-25-454-024, 025, 026, and 043 granted by Daly Development, Auburn Hills, MI

(Members received a copy of a City Council Regular Meeting Summary Sheet dated July 8, 2003 from Josy Foisy, Clerk III, DPS)

Resolution A0681-2003-R0307

MOTION by Barnett, seconded by Duistermars,

Now Therefore Be it Resolved, that on behalf of the City of Rochester Hills, the Rochester Hills City Council hereby accepts a Warranty Deed granted by Daly Development, whose address is 70 S. Squirrel, Unit K, Auburn Hills, MI 48326 to the City of Rochester Hills, Michigan 48309. Parcels #15-25-454-024 (Lot 1048); 15-25-454-025 (Lot 1049); 15-25-454-026 (Lot 1050); 15-25-454-043 (Lots 1051 through 1053, inclusive)

Be It Further Resolved, that the City Clerk is directed to record the Warranty Deed with the Oakland County Register of Deeds.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

11. PUBLIC COMMENTS

Hearing none, Council moved on to the next agenda item.

12. LEGISLATIVE / ADMINISTRATIVE RESPONSE

Mr. John Anderson of the Rochester Avon Recreation Authority (R.A.R.A.) addressed specific Council questions posed during the previous week's budget meetings.

Mr. Anderson noted that the Capital Improvements budget of \$35,000 would be used to purchase software to improve registration procedures, upgrade computers and obtain internet access.

He noted that local schools had substantially increased their facilities rental fees and, thus, R.A.R.A.'s budget reflected these likely increased costs. He noted that R.A.R.A. is currently in negotiations with the schools and hopes to reduce those fees.

13. PUBLIC HEARINGS

a. **Proposed 2004 Budget** (A0477)

President Dalton opened the Pubic Hearing at 7:50 p.m.

Mr. Lee Zendel, 1575 Dutton Road, noting that five (5) of the eleven (11) candidates for City Council have not held Council positions previously, expressed his concern that none of those five (5) candidates attended the City budget work sessions the previous week.

There being no further public comments, **President Dalton** closed the Public Hearing at 7:53 p.m.

COUNCIL DISCUSSION:

Ms. Holder expressed her concern with the consensus reached during the previous week's budget work sessions to remove a one-tenth (1/10th) of a (1) mill from the Fire Department budget. She noted that the Fire Department has made major changes in the last year including creating the City's own ambulance service. She feared that Fire Department services would decline and suggested that Council seek additional information about the potential impact of this budget reduction.

Ms. Hill noted that tax assessments have increased, thus the loss is not that great. She stated that the Fire Department budget has a substantial amount of money over the fund balance.

Ms. Holder indicated that if one-tenth (1/10th) of one (1) mill is removed from the budget, it will result in a savings of twelve (\$12) dollars per year on a property with a taxable value of \$120,000. She questioned whether a potential reduction in service is worth that savings to tax payers.

Ms. Hill stated that the only reduction will be in the amount over twenty percent (20%) that is of the Fire Apparatus budget, thus, services will not be impacted.

Mr. Robbins noted that once taxes are reduced it is very difficult to increase them in the future.

Mr. Barnett indicated that he had asked Fire Chief Walterhouse to present Council with more information regarding his staffing needs and requirements.

Mr. Duistermars noted the issue would be discussed at the next Public Safety Committee meeting.

14. ADMINISTRATION

14a. Request for Purchase Authorization - CITY WIDE: Microfilming Services, blanket purchase order not-to-exceed \$130,000; Advance Microfilm Service Company, Port Huron, MI (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 8, 2003 from Julie Hamilton, Purchasing Analyst)

Resolution A0693-2003-R0308

MOTION by Barnett, seconded by Duistermars,

Whereas, Sealed bids were solicited for microfilming services and the lowest responsive, responsible bidder was selected; and

Whereas, after review and consideration of the bids, Advance Microfilm Service Company was determined to be the lowest responsive, responsible bidder in the best interest of the City.

Resolved that the Rochester Hills City Council authorize a blanket purchase order for three (3) years to Advance Microfilm Service Company, Port Huron, Michigan, for microfilming services in the amount not-to-exceed \$130,000.00.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- 14b. Request for Purchase Authorization** - DPS: Engineering Service for Adams Road Relocation Project - Amended Continuing Service Agreement in the amount of \$590,008.063 for a new not-to-exceed total of \$1,068,754.47; Finkbeiner, Pettis & Strout, Inc., Novi, MI (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 20, 2003 from Kim Murphey, Administrative/Information Coordinator)

Mr. Barnett requested an explanation for the amended amount.

Mr. Ed Anzek, Director of Planning/Zoning, explained that the project was in two phases. The first phase was the early preliminary engineering and environmental work, which has now been completed. The second phase is the construction document phase. The original program was estimated at approximately one (1) million dollars. However, the second phase now includes all services needed for right-of-way acquisitions and appraisal services. He stressed that it is a good price and includes more work than was initially anticipated.

Ms. Hill noted that the environmental studies portion of the contract was being subcontracted to a firm other than Applied Science & Technology, Inc. (ASTI). She questioned whether, since the City has contracted with ASTI for this type of environmental research, ASTI should be used for this project

Mr. Anzek explained that when the first phase of the project was developed the City had no blanket purchase order or contract with ASTI. He noted that if problems of an environmental nature were to develop, the City would engage ASTI to mitigate a plan of action to solve those problems.

Ms. Hill asked if this quote was for work that has already been completed.

Mr. Anzek explained that the City had originally budgeted for \$850,000 for the early preliminary engineering. Finkbeiner, Pettis & Strout's proposal was for just under \$500,000. They have not yet exhausted that full amount, but it will be needed to complete the work.

Resolution A0109-2003-R0309

MOTION by Robbins, seconded by Barnett,

Resolved, that City Council approve the Amended Continuing Service Agreement between Finkbeiner, Pettis & Strout, Inc. (FPS) and the City of Rochester Hills to perform preliminary engineering, right-of-way plans, final design and specifications for the Adams Road relocation project in the amount not to exceed \$1,068,754.47 and authorizes the Mayor and Clerk to execute the contract on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

14c. Request for Purchase Authorization DPS: South Boulevard Sanitary Sewer and Water Main Extension

- i. Professional Services - Staking**, blanket purchase order not-to-exceed \$17,500; Spalding DeDecker Associates, Inc., Rochester Hills, MI (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 7, 2003 from Barbara Key, Contract Specialist and Paul Shumejko, Senior Engineer)

Resolution A0692-2003-R0310

MOTION by Duistermars, seconded by Barnett,

Whereas, a quality based selection process was used to determine an engineering firm best suited to provide Staking Services to the City of Rochester Hills for the South Boulevard Sanitary Sewer and Water Main Extension Project; and

Whereas, the proposal received from the Spalding DeDecker Associates, Inc. best meets the criteria used for evaluation; and

Whereas, Spalding DeDecker Associates has successfully provided services to the City over the years including the Topographic Survey and Tree Identification for this project with the sensitivity and knowledge of the City of Rochester Hills local conditions.

Resolved, that the Rochester Hills City Council award a Professional Service Agreement between Spalding DeDecker Associates, Inc. and the City of Rochester Hills for the South Boulevard Sanitary Sewer and Water Main Extension Project in the amount not-to-exceed \$17,500.00 and to authorize the Mayor and Clerk to execute a contract on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- ii **Construction Contract** - blanket purchase order not-to-exceed \$539,793.22; L.D. Agostini & Sons, Inc., Macomb Township, MI 48042 (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 7, 2003 from Barbara Key, Contract Specialist and Paul Shumejko, Senior Engineer)

Resolution A0692-2003-R0311

MOTION by Duistermars, seconded by Robbins,

Whereas, on July 1, 2003 the City received eleven (11) sealed bids for the South Boulevard Sanitary Sewer and Water Main Extension Project. L. D. Agostini & Sons, Inc. submitted the lowest responsive, responsible bid in the amount of \$539,793.22; and

Resolved, that the Rochester Hills City Council awards the contract for the South Boulevard Sanitary Sewer and Water Main Extension Project to L. D. Agostini & Sons, Inc. in the amount of \$539,793.22 and to authorize the Mayor and Clerk to execute a contract on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

- 14d. **Request for Approval** of Automation Alley SmartZone™ Cooperative Agreement (Members received a copy of a City Council Regular Meeting Summary Sheet dated August 20, 2003 from Ed Anzek, Director of Planning Department)

Mr. Anzek briefly explained the background of the Cooperative Agreement noting that it is a pledge from the City to work in good faith with the other communities identified in the agreement.

Mr. Barnett praised the agreement as presented and asked Mr. Anzek if there was a figure that represents the City's portion of the SmartZone funds.

Mr. Anzek explained that the Coordinating Council agreed to send the proposal to the Task Force, of which Mr. Anzek is also a member. He noted that each entity has one (1) vote and will share the costs equally. He estimated that the City's share in the proposal would be approximately \$6,800 the first year and approximately \$18,000 the second year. He stressed that the City is not agreeing to those specific figures, as the SmartZone plan has yet to be approved. He did note, however, that there is an end-of-the-year deadline to commit to a marketing plan in order to utilize the MEDC grant. He stated he would be returning to Council with a plan

developed by the Mayor, Kurt Dawson and himself which would identify the anticipated funds capture and how it will be spent.

Resolution A0464-2003-R0312

MOTION by Barnett, seconded by Robbins,

Whereas, the Michigan Legislature passed, and the Governor signed, Public Act 248 of 2000, to promote, inter alia, the development of high technology businesses throughout the State of Michigan; and

Whereas, the Michigan Economic Development Corporation (“MEDC”) was authorized by Public Act 281 of 1986, as amended, being MCL 125.2151 et seq. (the “Act”), to designate a certain number of certified technology parks (“Certified Technology Parks”) within the State of Michigan by December 31, 2002; and

Whereas, the MEDC, for strategic marketing purposes, chose to designate the aforementioned Certified Technology Parks as “SmartZones”; and

Whereas, the MEDC entered into agreements with the City of Southfield and the City of Rochester Hills, and their respective local development finance authorities (each a “Certified Technology Park Agreement”), to designate all or a portion of certain identified areas within each city as areas to be included in a Certified Technology Park and authorize the use of the SmartZone service mark with respect to those Certified Technology Parks; and

Whereas, the Certified Technology Park Agreements allow, by either amendment or ratification, for the addition of new parties to each Certified Technology Park Agreement upon creation of a multi-jurisdictional local development finance authority with either the City of Rochester Hills or the City of Southfield; and

Whereas, the City of Rochester Hills, the City of Southfield, the City of Troy, the Automation Alley Joint Local Development Finance Authority, the County of Oakland, Oakland University, Lawrence Technological Institute, and Automation Alley desire to enter into the Automation Alley SmartZone Cooperative Agreement.

Now Therefore Be It Resolved that the proposed Automation Alley SmartZone Cooperative Agreement between the City of Rochester Hills, the City of Southfield, the City of Troy, the Automation Alley Joint Local Development Finance Authority, the County of Oakland, Oakland University, Lawrence Technological Institute, and Automation Alley, is hereby approved, and the Mayor and the City Clerk are authorized to execute the deliver the Agreement on behalf of the City.

Ayes: Dalton, Barnett, Duistermars, Hill, Holder, Robbins

Nays: None

Absent: Golden

MOTION CARRIED

(Member Golden Entered at 8:15 p.m.)

15. COUNCIL COMMITTEE REPORTS

Hearing none, Council moved on to the next agenda item.

16. ANY OTHER BUSINESS

Resident Lee Zendel, 1575 Dutton Road, indicating that he believes the Sheriff's Department is currently understaffed, expressed his concern that the proposed 2004 City Budget plan does not include funds to add more police officers through the year 2008. Offering a resolution similar to an initiative in Livonia, Michigan, and, thus, the language of which has been approved by the State of Michigan, Mr. Zendel requested that the City Council vote to place a Police millage of 0.50 mills over ten (10) years on the upcoming November Election ballot.

President Dalton read into the record the specific rules regarding a resident addressing Council and requesting action.

Resolution A0706-2003-R0313

MOTION by Robbins, seconded by Duistermars,

Resolved, that the Rochester Hills City Council hereby adds to the Agenda of the Regular Rochester Hills City Council Meeting of September 3, 2003 the following item:

Add to Agenda category:

16. ANY OTHER BUSINESS

Agenda Item:

16b. Proposal on the November 4, 2003 City Council Election

The remainder of the Agenda remained the same

Ayes: Dalton, Barnett, Duistermars, Golden, Holder, Robbins

Nays: Hill

Absent: None

MOTION CARRIED

President Dalton, agreeing that there is a Police Department staffing problem, expressed his concern that passage of this resolution will be perceived as a "knee-jerk reaction." He stressed that this millage will not correct the problem, but instead will act as a "Band-Aid" and that it is likely to fail without citizen support.

Ms. Golden noted that the critical factor will be informing the public. She expressed her belief that the citizenry will be more accepting of a millage vote due to the loss of state-shared revenue, however, she was less sure they would accept the ten (10) year time span.

Mr. Robbins agreed that a ten (10) year span may be too long, but felt that three tenths (3/10th) of one (1) mill would be more palatable for the residents.

Mr. Barnett suggested that five (5) years may be more appropriate and asked if Mr. Bob Spaman, Director of Finance, had reviewed this resolution.

Mr. Spaman explained that this millage is significantly different from the previous year's millage and that, while it reduced the number of officers and covered a shorter time period, the "other issues still exist and must be addressed."

Mr. Barnett acknowledged that this proposal is easier to understand than the previous millage. He then asked who would "champion" this proposal to get the necessary information to the residents. He suggested that a special meeting be scheduled within the time frame of the election deadline to give Mr. Spaman an opportunity to review and approve this plan.

Mr. Duistermars expressed his support for the resolution noting that smaller millages were more acceptable to the community. He noted he would be unavailable the following week for a special meeting and asked Mr. Spaman if he feels comfortable with the proposal.

Mr. Spaman requested the opportunity to examine the proposal in conjunction with the budget model, noting that there are other expenses associated with hiring police officers other than salary.

Mr. Duistermars questioned the wording of the "bylaw language" and whether it could be changed to read "if levied in full".

Ms. Hill questioned the perceived public outcry for more police protection. She stated that more effort and discussion on the part of City Council is necessary to determine a solution other than another millage vote. She also expressed her concern that there would be no time to inform the citizens on the subject.

(Recess 8:52 p.m. – 9:10 p.m.)

Mr. Zendel, citing further discussion with Mr. Spaman during the meeting recess, noted that after considering the timing of other anticipated millage renewals, suggested that the ballot proposal be changed from 0.50 to 0.30 mills, with a reduced time frame from ten (10) years to four (4) years.

Mr. Robbins agreed with the change. He stated that he has received complaints from residents regarding crime and noted that even petty crime taxes the resources of the Police Department and can be very time consuming for police officers. He agreed that smaller millages are more likely to pass a vote of the people.

Ms. Golden questioned what would be the deadline to withdraw or change the language of the proposal prior to the election.

Mr. Staran was unsure and noted he would have to verify that information.

Ms. Golden questioned placing a 0.30 millage to a vote of the people, while Council is in discussions regarding levying a 1.1 millage for solid waste removal. She suggested that the necessary funds could be found within the proposed 2004 Budget and that the proposed millage may not be necessary.

Mr. Duistermars indicated that additional deputies could be funded without a vote of the people by increasing the General Fund by 0.30 mills and then transferring the funds over to the Police budget. He contended, however, that he preferred a vote of the people and felt it was the more responsible solution.

Mr. Barnett, noting that Mr. Zendel's brief conversation with Mr. Spaman resulted in a significant decrease in the proposed millage and time frame, indicated that more research on the part of City Council and the Administration is warranted and should include an opportunity for public comment.

Mr. Dalton concurred with Mr. Barnett and suggested that a special meeting be scheduled for Wednesday, September 10, 2003 to allow the City Administration to bring forward more substantial information and to give residents the opportunity to discuss the proposal before Council.

Mr. Robbins stated that the policing issue has been discussed and studied extensively. He contended that citizen feedback from the previous proposed millage indicated that residents would prefer a proposal for less money over a shorter time period. He indicated that, if the proposal passes, the City is not obligated to levy the full 0.30 mills.

Mr. Zendel noted that it was never the intention of the proposal to levy the entire amount immediately.

Mr. Duistermars described the loss of grant money that would have provided half the funding for a police officer because the City was financially unable to participate in the program. He contended that this millage could potentially allow the City to take advantage of other such opportunities.

Ms. Hill expressed her concern with the "last minute" nature of this proposal, stressing that no information has been provided to the public. She noted that the grant program to which Mr. Duistermars referred required that the police officer be retained for a certain number of years—likely five to seven years--or the grant money would have to be repaid.

Ms. Holder, stressing the importance of public safety and its potential impact on the City, stated that she supports a public vote on the proposal. She then noted that the Council and Administration must turn their attention to the road plan.

Mr. Barnett, again, stressed his desire to allow residents a public forum to discuss the matter.

Resolution A0706-2003-R0314

MOTION by Robbins, seconded by Holder,

Resolved, that the Rochester Hills City Council hereby places the following proposal on the November 4, 2003 City Council Election:

“Shall the City of Rochester Hills levy and collect annually for four (4) years commencing Fiscal 2004, an additional tax not exceeding 0.30 of 1 mill providing revenues for additional Oakland County Sheriff Deputies. Estimated revenue from 0.30 of 1 mill would be approximately \$919,459.00 in the first year.”

Ayes: Holder, Duistermars, Golden, Robbins

Nays: Barnett, Hill, Dalton

Absent: None

MOTION CARRIED

17. **NEXT MEETING DATE** - Wednesday, September 17, 2003 Regular Meeting.

18. **ADJOURNMENT**

There being no further business to discuss before Council, President Dalton adjourned the meeting at 11:45 p.m.

JOHN L. DALTON, President
Rochester Hills City Council

MARGARET A. STRATE
Administrative Secretary
City Clerk's Office

BEVERLY A. JASINSKI, Clerk
City of Rochester Hills