



Rochester Hills

Minutes

City Council Regular Meeting

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

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

Wednesday, December 12, 2007

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:32 p.m. Michigan Time.

ROLL CALL

Present 6 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, James Rosen, Michael Webber and Ravi Yalamanchi

Absent 1 - Vern Pixley

Council Member Vern Pixley provided previous notice that he would be unable to attend and asked to be excused.

Others Present:

*Bryan Barnett, Mayor
Dan Casey, Manager of Economic Development
Julie Jenuwine, Director of Finance
Jane Leslie, City Clerk
John Staran, City Attorney
Regina Wong, Youth Council Representative*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Yalamanchi, seconded by Webber, to Approve the Agenda as Presented. The motion CARRIED by the following vote:

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

Absent 1 - Pixley

PUBLIC COMMENT

President Hooper gave a brief explanation as to the rules of public comment. He thanked everyone for allowing him to conduct an orderly meeting to the

betterment of the City of Rochester Hills.

Melinda Hill, 1481 Mill Race, shared two spectacular things to see this evening; the first being the incredible moon; the second is the beautifully decorated homes at Tienken and the Washington, Runyon roundabout.

Deanna Hilbert, 3234 Quail Ridge Circle, expressed her disappointment regarding the disagreement between Council members at the previous City Council meeting.

Harper West, 155 Arizona Avenue, welcomed President Hooper. She encouraged all new and present Council members to respect the deliberative process and to maintain decorum that permits and encourages a free and open exchange of ideas.

David Kibby, 558 Whitney, welcomed the new President of Council. He expressed his confidence in the new President insisting that positive action is the City's solution to the issues it faces in the future.

Lee Zendel, 1575 Dutton, referred to the previous meeting when it was reported that Fire Department call responses were up approximately six hundred calls over last year. He stated that not only does the fire service need more full time firefighter/paramedics, but it needs to place additional full time personnel at the outlying stations to further reduce the department's average response time. He suggested that Council get any questions they may have answered prior to the night of the meeting, thus shortening the length of the meetings.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett expressed his gratitude to all who participated in the Holiday Helpers event. He stated that there are still approximately a dozen or so names on the tree and noted that it would be great if those were taken care of in the next couple of days. He reminded the residents about the snow plow policies and to not park in the street during inclement weather. He noted that there will be a snow plow video on the cable channels indicating some of the snow plowing routes and schedules. Mayor Barnett extended his wishes that everyone have a happy Holiday Season and a prosperous New Year.

Regina Wong, Youth Council Representative, reported that the Youth Council had planned to deliver the school supplies to Whitman Elementary School in Pontiac but due to a schedule conflict, they had to reschedule the delivery date.

Mr. Yalamanchi wished everyone a Merry Christmas and Happy Holidays.

Mr. Webber echoed Mr. Yalamanchi's wishes and reported that the Holiday Shopping Tour with the Rochester Area Jaycees last Saturday was a great success. The organization and the families went to Meijers at 7:30 a.m. and took kids shopping for their families for the holidays. Many area businesses donated over \$3,800.00 to help accomplish this.

Mr. Rosen wished everyone a Happy Holiday Season.

Mr. Ambrozaitis extended his wishes to all for a Merry Christmas and a Happy New Year.

Mr. Brennan expressed his regret for what took place during the last Council meeting. He wished everyone a safe and happy Holiday Season and encouraged everyone to get off to a great start in 2008.

President Hooper thanked all of his colleagues for electing him to be President of City Council for 2008. He mentioned he has had some preliminary discussions with the Mayor to conduct a team building session with all Council Members, the Mayor and Department Directors. He urged his fellow council members, Mayor Barnett, the administration and the residents to all move forward in a positive manner.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

CONSENT AGENDA

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

Mr. Yalamanchi asked to recuse himself from Legislative File Number 2007-0845. *President Hooper* responded that he did not see this as a conflict of interest.

2007-0779 Request for Purchase Authorization - MAYOR: Blanket Purchase Order for offices supplies and equipment in the amount not-to-exceed \$90,000; Office Depot Business Services Division, Plymouth, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0372-2007

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Office Depot Business Services Division, Plymouth, Michigan for the purchase of office supplies and equipment in the amount not-to-exceed \$90,000 through December 31, 2008.

2007-0845 Designation of City Depositories for 2008

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0369-2007

Whereas, there now may be and hereafter from time to time come unto the hands of the Treasurer of the City of Rochester Hills, Michigan, certain public monies belonging to or held for the State, County or other political units of the State or otherwise according to the law; and

Whereas, under the Laws of Michigan and the City's Investment Policy, the Rochester Hills City Council is required to provide by resolution for the deposit of all public monies coming into the hands of said Treasurer, in one or more bank(s).

Now Therefore Be It Resolved, that the following financial institution(s) be added as a depository for City funds and other public monies coming into the hands of said Treasurer during the Fiscal Year beginning January 1, 2008 and ending December 31, 2008.

Bank of Rochester/The Private Bank
Chase Bank(aka Bank One) a/c J.P. Morgan Securities Inc.
Citizens Banking Corporation
Charter One Bank
Comerica Bank
Community Central Bank
Federated Securities Corp.
Fifth Third Bank
Flagstar Bank
Franklin Bank
Huntington Bank
LaSalle Bank/Wealth Management
MBIA Municipal Investors Service Corporation
Morgan Keegan & Company, Inc.
National City Bank
Salomon Smith Barney/Citigroup
Southwest Securities, Inc.
TCF Bank
UBS Financial Services, Inc.

Be It Further Resolved, that the above depository(ies) so designated is/are hereby requested, directed and authorized to honor all checks for payment of monies drawn on the various accounts when bearing the actual or facsimile signature of persons authorized by the City of Rochester Hills to sign said checks and orders

2007-0858 Request for Approval of Agreement with Oakland County for Ballot Layout and Programming.

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0373-2007

Whereas, the Rochester Hills City Council accepts the Agreement for Ballot Layout and Programming Services between the City of Rochester Hills and Oakland County,

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

- 2007-0859** Request for Purchase Authorization - CLERK'S: Election Materials, increase to blanket purchase order in the amount of \$9,434.00 for a new not-to-exceed amount of \$33,000.00; Printing Systems, Inc., Taylor, MI

Attachments: [Agenda Summary.pdf](#)
[Memo from State of MI.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0374-2007

Resolved that the Rochester Hills City Council hereby authorizes the amendment of an existing Blanket Purchase Order to Printing Systems, Inc. of Taylor, Michigan, for the purchase of election materials, by the increased amount of \$9,434.00 for the new total amount not-to-exceed \$33,000.00.

Passed the Consent Agenda

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

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

Absent 1 - Pixley

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

- 2007-0798** FY2007 4th Quarter Budget Amendments

Attachments: [Agenda Summary.pdf](#)
[Public Hearing Notice -.pdf](#)
[2007 - City Budget Amendments.pdf](#)
[2007 - RARA and OPC Budget Amendments.pdf](#)
[2007 - Year End Fund Balances.pdf](#)
[120507 Resolution.pdf](#)
[Revised 2007 - Fund Balance Projection.pdf](#)
[Resolution.pdf](#)

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

Aye 5 - Rosen, Hooper, Brennan, Yalamanchi and Webber

Nay 1 - Ambrozaitis

Absent 1 - Pixley

Enactment No: RES0368-2007

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III, Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, the proposed 2007 4th Quarter Budget Amendment was available for public viewing starting November 15, 2007; and

Whereas, at its December 5, 2007 meeting City Council held a Public Hearing on the proposed 4th Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following 2007 fund totals as amended:

101 - General Fund	\$26,381,470
202 - Major Road Fund	\$5,864,130
203 - Local Street Fund	\$6,873,310
206 - Fire Operating Fund	\$7,886,170
207 - Special Police Fund	\$8,134,910
211 - Perpetual Care Fund	\$119,140
213 - RARA Millage Fund	\$696,360
214 - Pathway Maintenance Fund	\$870,200 *
232 - Tree Fund	\$130,000
244 - Drain Maintenance Fund	\$920,850
265 - OPC Millage Fund	\$1,175,040
299 - Green Space Fund	\$1,151,390
313 - 2001 Street / Debt Service Fund	\$235,870 *
314 - 2001 Street SAD / Debt Service Fund	\$234,800 *
325 - 2002 Street / Debt Service Fund	\$385,400 *
331 - Drain Debt Service Fund	\$2,244,870
337 - 1994 Street SAD / Debt Service Fund	\$201,300 *
338 - 1995 Street SAD / Debt Service Fund	\$191,050 *
368 - OPC Building / Debt Service Fund	\$745,540
391 - 1998 Refunding / Debt Service Fund	\$196,140
392 - 2002 Refunding / Debt Service Fund	\$1,379,140
402 - Fire Capital Fund	\$1,194,570
403 - Pathway Construction Fund	\$756,920
420 - Capital Improvement Fund	\$1,119,750
592 - W&S Operating Fund	\$26,362,090
593 - W&S Capital Fund	\$16,649,100
631 - Facilities Fund	\$4,548,150
636 - MIS Fund	\$2,114,760
661 - Fleet Equipment Fund	\$2,830,390
677 - Insurance Fund	\$733,000
843 - Brownfield Redevelopment Fund	\$32,790

848 - LDFA Fund	\$966,640
851 - SmartZone Fund	\$213,160
808 - RARA Operating Fund	\$2,071,602
820 - OPC Operating Fund	\$4,087,146

* = Signifies that Total Fund Budget does not change

ORDINANCE FOR ADOPTION

2006-0722 Acceptance for Second Reading and Adoption - An Ordinance to repeal Section 138-47 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to repeal the expired temporary moratorium on the processing and acceptance of applications and plans for development or alteration of lands with steep slopes, repeal conflicting ordinances, and prescribe a penalty for violations

Attachments: [Agenda Summary.pdf](#)
[Ordinance to Repeal.pdf](#)
[Resolution.pdf](#)
[011007 Agenda Summary.pdf](#)
[121306 Agenda Summary.pdf](#)
[100406 Agenda Summary.pdf](#)
[092706 Letter Staran.pdf](#)
[Ordinance Amendment.pdf](#)
[092706 Mayor Memorandum.pdf](#)
[100406 Resolution.pdf](#)
[112106 Memo Anzek.pdf](#)
[112106 Planning Commission Minutes.pdf](#)
[121306 Resolution.pdf](#)
[Suppl - 01-10-07 Agenda Summ & ordinance.pdf](#)
[011007 Resolution.pdf](#)
[112807 Resolution.pdf](#)

A motion was made by Erik Ambrozaitis, seconded by Ravi Yalamanchi, that this Ordinance be Accepted for Second Reading and Adoption by Resolution. The motion CARRIED by the following vote:

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

Absent 1 - Pixley

Enactment No:

Resolved that an Ordinance to repeal Section 138-47 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to repeal the expired temporary moratorium on the processing and acceptance of applications and plans for development or alteration of lands with steep slopes, prescribe penalties for violations, and to repeal conflicting Ordinances, is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, December 21, 2007, the day following

its publication in the Rochester Eccentric on Thursday, December 20, 2007

NOMINATIONS/APPOINTMENTS

2007-0783 Nomination/Appointment for four (4) Citizen Representatives to the Green Space Advisory Board each for three-year terms to expire December 31, 2010.

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

PUBLIC COMMENT:

Lynn Loebs, 2845 Portage Trail, stated that she has always has been very proud of the values and qualities of this City and that she appreciates being considered for this very important Advisory Board.

Tom Zelinski, 1127 Kingsview, urged the reappointment of William Windscheif, Lorraine McGoldrick, Paul Funk and Jack Robinson.

Stephanie Morita, 2881 Portage Trail, gave a glowing referral to Lynn Loebs. She had worked with her on the Clinton River Valley Homeowners Association and stated that she is pleasant to work with and would be an attribute to any board that Council would consider placing her on.

Pamela Wallace, 168 Cloverport Avenue, speaking as a current member of the Green Space Advisory Board, stated she would like to see the current Board Members get Green Space more fully established in the community. She also reminded the residents and Council that their Board Meetings are open, anyone can play a pivotal and deciding role. She stated that the highly qualified Board Members have an extensive background in Green Space and preservation issues. She thanked Council Member Yalamanchi for his support.

Andrew Krupp, 168 Cloverport Avenue, voiced his support for Mr. Funk and Ms. McGoldrick. He stated that Mr. Windscheif has been vice chair for two years and has done extensive work in the search of new properties to be

nominated. He also stated that Mr. Robinson has been instrumental in creating the vision for the Green Space Advisory Board Group.

Paul Miller, 1021 Harding, gave his support for the existing Board to be re-appointed. He stated that he is not a member but attends the meetings as often as possible. He stated that this Board is in the middle of some very important proceedings right now and emphasized the importance of institutional memory; especially in this case where it is important.

Melinda Hill, 1481 Mill Race Road, stated that there is a great deal of talent in this community. She stated that it is her hope that it can be shared across the horizon whether it is as an appointment or even if people just come and attend the open meetings. She commented that there were some very good comments made the week before about people coming to meetings and participating, even if they are not a Member.

Dahlvin Peterson, 1147 Grandview Drive, shared that he has attended some of the meetings and has been following the minutes through the City's web site. He stated that with his background and experience, he would be an asset to the Green Space Advisory Board. He gave a basic overview of his resume and career related projects that would tie in to be a Member of the Green Space Advisory Board.

COUNCIL DISCUSSION:

Mr. Ambrozaitis questioned if it would be permissible to extend the number of people on the Board due to the interest expressed.

City Attorney Staran responded that the Green Space Advisory Board (GSAB) is a creation of the City Council, and the parameters of this board were prescribed by resolution. Council can reconsider the composition of this board, but it will have to do so by resolution first.

Mr. Ambrozaitis requested they proceed with the nominations and look into the possibility of adding members to this Board in the near future.

Mr. Yalamanchi stated he would like to see the current members sustained so that they can finish what they have set out to do in building this Board. In addition to this, he would also like to look at expanding the membership of this Board in the near future.

Mr. Webber noted that he does not want the current Board to lose momentum, but would like Council to look at expanding the membership in the near future.

The six nominees for the Citizen Representatives to the Green Space Advisory Board received the following votes:

Vote #1:

Paul Funk - Mr. Ambrozaitis, Mr. Brennan, President Hooper, Mr. Rosen, Mr.

Webber, Mr. Yalamanchi

Lynn Loebs - *Mr. Brennan, Mr. Webber*

Jack Robinson - *Mr. Ambrozaitis, Mr. Brennan, President Hooper, Mr. Rosen, Mr. Webber, Mr. Yalamanchi*

William Windscheif - *Mr. Ambrozaitis, President Hooper, Mr. Rosen, Mr. Yalamanchi*

Lorraine McGoldrick - *Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi*

Dahlvin Peterson - *Mr. Brennan, President Hooper, Mr. Webber*

*Ms. Loeb*s, having received the least number of votes, was eliminated from further consideration and a second vote was taken for the two remaining nominees as follows:

Vote #2:

Dahlvin Peterson - *Mr. Brennan, Mr. Webber, President Hooper*

Lorraine McGoldrick - *Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi*

A motion was made by Ravi Yalamanchi, seconded by Erik Ambrozaitis, that Paul Funk, Jack Robinson and William Windscheif be Appointed. Further, that the fourth appointment will be set over to the January 7, 2008 City Council Meeting. The motion CARRIED by the following vote:

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

Absent 1 - Pixley

Enactment No: RES0393-2007

Resolved that the Rochester Hills City Council appoints Paul Funk, Jack Robinson and William Windscheif to the Green Space Advisory Board to serve three-year terms to expire on December 31, 2010.

Further Resolved, that the fourth appointment will be set over to the January 7, 2008 City Council Meeting.

2007-0784 Nomination/Appointment for four (4) Citizen Representatives to the Historic District Commission each for a three-year term to expire December 2010.

Attachments: [Agenda Summary.pdf](#)
[HDC Appointment Form 121207.pdf](#)
[112807 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Dunphy CQ.pdf](#)
[Dziurman CQ.pdf](#)
[Miller CQ.pdf](#)
[Resolution.pdf](#)
[Suppl Info Addl Cand Questionnaires.pdf](#)
[Suppl Info - Cozzolino CQ.pdf](#)
[Suppl Info - Kibby CQ.pdf](#)
[Suppl Info - Mueller CQ.pdf](#)

PUBLIC COMMENT:

Paul Miller, 1451 Harding Avenue, talked about the importance of this Board and how the decisions they make have very real and lasting consequences and impacts the owners of these homes. He stated his opinion that one member on this commission should live in a designated home as he feels regulation should not happen without representation.

Melinda Hill, 1481 Mill Race Road, stressed the importance that the make up of this commission consists of individuals that are representative of preservation. She also stated that there is certain criteria that one has to meet in order to be appointed to this commission. She explained that they are trying to become a certified local government which would allow them to have the opportunity to receive grant monies from the State. She noted that all four members are asking to be re-appointed and she feels that it is important to the Board and the City that they are.

President Hooper stated Maria-Theresa Cozzolino, Brian Dunphy, John Dziurman, David Kibby, Paul Miller and Dennis Mueller were nominated from a previous meeting.

The five nominees for the four Citizen Representatives to the Historic District Commission received the following votes:

Vote #1:

Maria-Teresa Cozzolino - Mr. Ambrozaitis, Mr. Rosen, Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan\

Brian Dunphy - Mr. Ambrozaitis, Mr. Rosen, Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan

John Dziurman - Mr. Ambrozaitis, Mr. Rosen, Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan

David Kibby - Mr. Webber, President Hooper, Mr. Brennan

Paul Miller - Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi

Mr. Miller and Mr. Kibby were tied and a second vote was taken as follows:

Vote #2:

David Kibby - Mr. Weber, President Hooper, Mr. Brennan

Paul Miller - Mr. Rosen, Mr. Yalamanchi, Mr. Ambrozaitis

Mr. Kibby withdrew his name.

A motion was made by Ravi Yalamanchi, seconded by James Rosen, that Maria-Theresa Cozzolino, Brian Dunphy, John Dziurman and Paul Miller be Appointed. The motion CARRIED by the following vote:

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

Absent 1 - Pixley

Resolved that the Rochester Hills City Council appoints Maria-Theresa Cozzolino, Brian Dunphy, John Dziurman and Paul Miller to the Historic Districts Commission to serve three-year terms to expire on December 31, 2010.

2007-0785 Nomination/Appointment for four (4) Citizen Representatives to the Historic Districts Study Committee each for a two-year term to expire December 31, 2009.

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

Melinda Hill, 1481 Mill Race Road, mentioned that this body is primarily a research and report-writing body.

The five nominees for the four Citizen Representatives to the Historic Districts Study Committee received the following votes:

Vote #1:

David Kibby - Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan, Mr. Ambrozaitis

Dennis Mueller - Mr. Webber, President Hooper, Mr. Brennan

Dr. Richard Stamps - Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan, Mr. Ambrozaitis, Mr. Rosen

R. LaVere Webster - Mr. Webber, Mr. Yalamanchi, President Hooper, Mr. Brennan, Mr. Ambrozaitis, Mr. Rosen

Rev. Dr. Pamela L. Whately - Mr. Yalamanchi, Mr. Ambrozaitis, Mr. Rosen

There was a tie vote between Dennis Mueller and Dr. Rev. Pamela L. Whately and a second vote was taken as follows:

Vote #2:

Rev. Dr. Pamela L. Whately - Mr. Ambrozaitis, Mr. Rosen, Mr. Yalamanchi

Dennis Mueller - President Hooper, Mr. Brennan, Mr. Webber

Mr. Ambrozaitis requested that more information be obtained from Dr. Whately as to her interest prior to the next meeting at which they vote.

A motion was made by Erik Ambrozaitis, seconded by J. Martin Brennan, that R. LaVere Webster, Dr. Richard Brown Stamps and David Kibby be Appointed. Further, that the fourth appointment will be set over to the January 7, 2008 City Council Meeting. The motion CARRIED by the following vote:

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

Absent 1 - Pixley

Enactment No: RES0392-2007

Resolved that the Rochester Hills City Council appoints R. LaVere Webster, Dr. Richard Brown Stamps and David Kibby to the Historic Districts Study Committee to serve two-year terms to expire on December 31, 2009.

Further Resolved, that the fourth appointment will be set over to the January 7, 2008 City Council Meeting.

2007-0786 Nomination/Appointment for two (2) Citizen Representatives to the Human Resources Technical Review Committee for a one-year term to expire December 31, 2008.

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

[Suppl Info - Mueller](#)

President Hooper stated Donald Atkinson, David Kibby, Dennis Mueller and Jason Weir were all nominated.

Vote #1:

Donald Atkinson - President Hooper, Mr. Brennan, Mr. Ambrozaitis, Mr. Rosen, Mr. Webber, Mr. Yalamanchi

Dennis Mueller - Mr. Ambrozaitis, Mr. Yalamanchi

Jason Weir - President Hooper, Mr. Brennan, Mr. Webber

Vote #2:

Jason Weir - Mr. Brennan, Mr. Webber, President Hooper

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

The second appointment between Dennis Mueller and Jason Weir was set over to the January 7, 2008 City Council Meeting.

A motion was made by Ravi Yalamanchi, seconded by Erik Ambrozaitis, that Donald Atkinson be Appointed. Further, that the second appointment will be set over to the January 7, 2008 City Council Meeting.

The motion CARRIED by the following vote:

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

Absent 1 - Pixley

Enactment No: RES0391-2007

Resolved that the Rochester Hills City Council appoints Donald Atkinson to the Human Resource Technical Review Committee to serve one-year terms to expire on December 31, 2008.

Further Resolved, that the second appointment will be set over to the January 7, 2008 City Council Meeting.

2007-0866 Request to confirm the Mayor's re-appointment of Eugene Mroz to the Board of Review for a three-year term expiring December 31, 2010.

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

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

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

Absent 1 - Pixley

Enactment No: RES0005-2008

Resolved that the Rochester Hills City Council hereby confirms the Mayor's re-appointment of Eugene Mroz to the Board of Review for a three-year term to expire on December 31, 2010

UNFINISHED BUSINESS

2007-0867 Adoption of Amendments to *City Council Rules of Procedure*

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

Mr. Rosen referred to the meeting from the previous week in which a motion was made to accomplish the following: (1) changing the City Council meeting day from Wednesday to Monday; and (2) to make all meetings regular meetings. He stated these proposed changes are much more extensive than that.

President Hooper responded that he thought the items in the packet do reflect the motion that was made the prior week.

City Attorney Staran responded that he prepared the documentation with the consultation of Deputy Clerk Galeczka; making the changes consistent with what Council was attempting to do. He stated Council will retain the ability to schedule work sessions at any time, but they are not mandated.

Mr. Rosen inquired if each December, Council would simply list a calendar for the next year which could be amended at any time.

City Attorney Staran responded that City Council does have the ability to do this, by a majority vote.

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

Aye 4 - Hooper, Brennan, Yalamanchi and Webber

Nay 2 - Rosen and Ambrozaitis

Absent 1 - Pixley

Enactment No: RES0370-2007

Resolved that the Rochester Hills City Council amends its City Council Rules of Procedure as follows:

Article III. Meetings of Council

Section .01 Meeting Schedule:

(a) At the first Regular Meeting in December of each year, the Council shall by resolution set the Regular Meeting Schedule of Council for the following calendar year. The Regular Meeting Schedule shall consist of Regular Meetings and shall include any scheduled Work Sessions.

(i) The Clerk shall post the calendar year schedule within ten (10) days after the first meeting of the Council in each calendar year. A Public Notice shall state the dates, times and places of the Meetings.

Section .02 Regular Meetings:

(a) Regular Meetings of the Council shall be held in accordance with the adopted Regular Meeting Schedule.

Section .03 Work Sessions:

(a) The Council may hold Work Sessions which will be study meetings. No vote will be taken at Work Sessions, except if there is a need to adjourn to Closed Session at which time Council may consider a resolution at the beginning of the Work Session to adjourn to Closed Session at the conclusion of the Work Session.

(b) Work Sessions shall be held in the Rochester Hills City Hall, 1000 Rochester Hills Drive, commencing at 7:30 p.m., unless the time and/or place is changed by Council resolution and notice of such change, as required by the Open Meetings Act, is given.

(c) Additional Work Sessions of the Council may be held as necessary and as scheduled by the Council.

(d) The Clerk will prepare and post an Agenda for these Meetings in accordance with the Open Meetings Act.

Article V. Order of Business and Agenda

(a) Regular Meeting Agenda:

(ii) The City Clerk shall be responsible for causing an Agenda Packet to be prepared, which shall be available to each Council Member for pickup at a place designated by the Council by five (5) calendar days preceding each Regular Meeting. A copy of the Agenda Packet shall be forwarded to the Rochester Hills Public Library, and the Mayor's Office. The City Clerk shall also make copies available to the news media.

(b) Work Session Agenda:

(ii) The City Clerk shall be responsible for causing an Agenda Packet to be prepared, which shall be available to each Council Member for pickup at a place designated by the Council five (5) days preceding each Work Session. A copy of the Agenda Packet shall be forwarded to the Rochester Hills Public Library and the Mayor's Office. The City Clerk shall also make copies available to the news media.

2007-0813 Adoption of 2008 City Council Meeting Schedule

Attachments: [Agenda Summary.pdf](#)
[Resolution.pdf](#)
[120507 Agenda Summary.pdf](#)
[Wednesday Meeting Calendar.pdf](#)
[Monday Meeting Calendar.pdf](#)
[Memo from Mayor 113007.pdf](#)
[120507 Resolution.pdf](#)

PUBLIC COMMENT:

Jim Hudson, 2566 Powderhorn Ridge, stated that he does not have an issue with moving Council meetings from Wednesdays to Mondays other than for the fact that it would not allow him to be as active on the School Board. His only

concern is that by making all of the meetings regular meetings in which Council can vote, the resident may not have an opportunity to be part of a discussion topic prior to it being voted on.

Lee Zendel, 1575 Dutton, suggested that residents review both the School Board and the City Council agendas to determine which meeting they should follow. He also stated that this change will result in larger attendance at Council Meetings.

Melinda Hill, 1481 Mill Race Road, stated she is not opposed to change, but she is opposed to the way this was handled. Noting that several Council members indicated they were fine with holding their meetings on either day, she suggested keeping the meetings on Mondays, seeing how the first quarter goes and then review it in March 2008. She stated Council needs to come prepared to gain the residents' trust; change comes easily with trust.

Deanna Hilbert, 3234 Quail Ridge Circle, spoke as a parent of a student and the dilemma of having to choose between the City Council Meeting or a School Board Meeting. She also stated that she was not happy about the rush decision of this change.

COUNCIL DISCUSSION:

Mr. Webber stated he was fully aware that his schedule for the week would be booked solid with City Council and Board meetings. He inquired if City Attorney Staran would be available on Mondays for City Council Meetings. He expressed his understanding that it may pose a conflict for some having the Council meetings the same night as the School Board meetings and offered that one meeting could be attending while the other could be watched on cable or via the web. He respectively disagreed with Mr. Rosen and stating that no deliberation took place at orientation.

Mr. Yalamanchi referred to Mr. Hudson's concern regarding work sessions, stating that the work session discussions were very educational for him as well but this would help things move forward when there is no need to postpone the vote for a week. He suggested they move forward and give this a try.

Council discussed whether or not they should have December 15, 2008 as part of their regular meeting schedule. It was the consensus of Council to not schedule December 15, 2008 as part of their regular meeting schedule as it could always be added if necessary.

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

Aye 4 - Hooper, Brennan, Yalamanchi and Webber

Nay 2 - Rosen and Ambrozaitis

Absent 1 - Pixley

Enactment No: RES0506-2007

Resolved that the Rochester Hills City Council establishes the Year 2008 Regular Meeting

Schedule for City Council on Monday evenings as follows:

Work Sessions	Regular Meeting
January 7	January 14, 28
February 4	February 11, 25
March 3, 17	March 10, 24
April 7, 21	April 14, 28
May 5, 19	May 12
June 2, 16	June 9, 23
July 7, 21	July 14, 28
August 4, 18	August 11, 25
September 15	September 8, 22
October 6, 20	October 13, 27
November 3, 17	November 10
December 8	December 8

Further Resolved that the Rochester Hills City Council Meetings will begin at 7:30 PM, Michigan Time and will be held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan.

Further Resolved that the City Clerk shall provide proper notice of the 2008 Meeting Schedule pursuant to 15.265, Section 5(3) of the Michigan Open Meetings Act, Public Act No. 267 of 1976 as amended.

NEW BUSINESS

- 2006-0716** Request for Approval for Avon Gear Company to relocate equipment subject to Industrial Facilities Exemption Certificate #2006-567 to Shelby Township.

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

101807 Agenda Summary.pdf
Financial Analysis.pdf
Development Agreement.pdf
Public Hearing Notice.pdf
Tax Abatement Packet.pdf
100406 Agenda Summary.pdf
Public Hearing Resolution.pdf
101807 Resolution.pdf

Mr. Dan Casey, Manager of Economic Development, stated that in October 2006 City Council approved a tax abatement for Avon Gear. He stated it was known at that time that Avon Gear was looking for a new facility of approximately 120,000 square feet and there was a concern that it may be outside of Rochester Hills. Avon Gear has been on the City's tax rolls, under abatement, for about one year. Mr. Casey explained that it is standard procedure to have the development agreement provide a provision for situations like this where the company chooses to relocate outside of the Industrial Development District where they are located, or as in this case, outside of the City. The specific section of the Development Agreement that provides City Council with two options is Section 9. Those options are:

1. To approve the company's relocation outside of the City; or if not approved
2. To require the repayment of the abated taxes, plus interest at eight percent compounded annually.

Mr. Casey stated that Avon Gear has requested and received a transfer of the Industrial Facilities Exemption Certificate to Shelby Township.

Mr. Yalamanchi stated he would like to activate Section 9 so that the City can recover the taxes.

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

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

Absent 1 - Pixley

Enactment No: RES0354-2006

Whereas, The City of Rochester Hills and Avon Gear Co. entered into a Development Agreement ("the Agreement") on October 23, 2006 regarding the approval and conditions thereof for an Industrial Facilities Exemption Certificate (IFT), and

Whereas, Section 9 of the Agreement provides for penalties should Avon Gear leave the community or remove the equipment from the facility prior to the expiration of the IFT, and

Whereas, Public Act 198 of 1976, as amended, requires that communities and companies that receive approval for IFT's enter into an agreement that identifies the responsibilities of each party.

Resolved, to exercise Section 9 of the Development Agreement between the City of Rochester Hills and Avon Gear Co. should the equipment subject to the IFT be removed from the facility and/or Avon Gear Co. relocates the operation at 2770 Research Dr. to another community, and

Be It Further Resolved, that should it become necessary to exercise Section 9 of the Development Agreement, the City will require full repayment of the abated taxes in the amount of \$15,098.07 plus an additional \$1,207.84 in interest for the 2007 tax year, and

Be It Finally Resolved, that should Avon Gear Co. not repay the abated taxes and interest as required by Section 9 of the Development Agreement, the City will place a lien on the tax rolls of the City and/or County, which lien may not be discharged until the payment thereof and which lien shall be treated in the same manner as delinquent taxes

COUNCIL COMMITTEE REPORTS

Mr. Webber reported on the Advisory Traffic and Safety Board Meeting stating that two constituents discussed the increase of cut-through traffic at Tienken and Adams. He stated that staff is discussing the possibility of conducting a study there.

Mr. Rosen reported that at the Environmental Clean-Up & Oversight Technical Review Meeting substantially more information was made available regarding the Adams - Hamlin site. He stated a letter was provided by STS, the City's

Engineering Consultant regarding the revised 381 Plan and stated he would provide Council members with a copy. He then reported on the Transportation Committee Meeting, stating that the consultant is arriving at the same conclusions that were arrived at in 1989/1990 and in 1998; which states that once Crooks Road is completed, it boils down to Rochester and Dequindre as being the main north and south routes and that will do the most for the least money.

ANY OTHER BUSINESS

***President Hooper** requested that Mayor Barnett investigate whether the City's voice mail system can send an e-mail message to the City Council Members when they receive a message in their respective voice mail boxes.*

***Mr. Yalamanchi** suggested a Council member chair the technical review committees in order to bring more structure to the meetings.*

***Mayor Barnett** responded that it was staff's desire that a City Council Member chair these technical committees. The City's staff was put in a difficult position at times having to chair some of these meetings. He stated that if Council will chair these committees, staff would be happy to provide support as needed.*

***Mr. Rosen** stressed the importance that the individual that handles the specific issues on a daily basis be the lead person so as not to overload the Clerk's Office with the staff work that may be involved. He advised that the selection of the staff members be planned out carefully so that people are not randomly assigned this task.*

NEXT MEETING DATE

- Monday, January 7, 2008.

ADJOURNMENT

- There being no further business before Council, President Hooper adjourned the meeting at 9:40 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*JANE LESLIE, Clerk
City of Rochester Hills*

CHRISTINE A. WISSBRUN
Administrative Secretary
City Clerk's Office

Approved as presented at the May 12, 2008 Regular City Council Meeting.