



Rochester Hills Minutes City Council

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*Melinda Hill, Bryan K. Barnett, John L. Dalton, Jim Duistermars,
Barbara L. Holder, Linda Raschke, Gerald Robbins*

Wednesday, December 15, 2004

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present: Melinda Hill, Bryan Barnett, John Dalton, Jim Duistermars, Barbara Holder and Linda Raschke

Absent: Gerald Robbins

Others Present:

*Pat Somerville, Mayor
John Staran, City Attorney
Bev Jasinski, City Clerk
Ed Anzek, Director of Planning/Development
Alan Buckenmeyer, Park Operations Manager
Dan Casey, Economic Development Manager
Julie Jenuwine, Director of Finance
Roger Rousse, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Resolved that the Rochester Hills City Council hereby approves the Agenda of the Regular Rochester Hills City Council Meeting of December 15, 2004 as presented.

A motion was made by Barnett, seconded by Holder, to Approve the Agenda as Presented.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

PUBLIC COMMENT

Ms. Deanna Hilbert, 3234 Quail Ridge, Chair of Citizens Voice Rochester Hills, made the following statements regarding the REI/Madison Park development:

** The landfill has been taken off a Michigan Department of Environmental Quality (MDEQ) "hit list" of sites of high concern.*

- * *The contamination claims made by REI and the City Council have not been supported by subsequent testing of the area.*
- * *The MDEQ is concerned over the size of the remediation.*
- * *Remediation time will be longer than is claimed by REI.*
- * *An REI representative stated at a Brownfield Redevelopment Authority meeting that the methane is not a great concern.*
- * *Senator Bishop claims he was given misinformation about the hazards and conditions of the landfill site.*

Ms. Hilbert asked the following questions:

- * *Was the Suburban Sports/REI proposal justified and rushed through on false environmental information?*
- * *What is the Council's current understanding and assessment of the environmental status of the Suburban Sports property and landfill?*

Ms. Lois Golden, 645 Apple Hill Lane, presented Council with what she described as "allegedly a concept plan for the REI/Madison Park proposal" indicating that the development would be primarily a retail development with one (1) office building. She noted the plan has been "circulating in the community" and she was asked to bring it to Council's attention. She asked what Council would do if it were determined this plan were legitimate. She further requested that, in the interest of "better communication, some of the Master Plan work shop meetings be televised."

Mr. Lee Zendel, 1575 Dutton Road, using the metaphor of a toothache, warned residents that the poor condition of the City's local streets will continue to deteriorate and, in the long run, cost the City more money in the future than if the problem were addressed by approving a local roads millage.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Ms. Hill indicated that Council could not speculate on "rumored" plans for the REI development. She stressed that the proposed development is at the beginning of a long process. She stated it is unfortunate that so much "misinformation is out there." She stressed that she does not believe that anything was rushed through the process on false information and that all information has been "put out to the public." Ms. Hill thanked Council, stating she is honored to serve as Council President. She wished everyone happy holidays and thanked the Clerk's office and, in particular, the Council Liaison Team, for their assistance throughout the year.

Mayor Somerville briefly discussed the City's new snow plowing policy. She indicated that the changes were necessitated by the failure of the proposed local roads millage on the November ballot. She stressed that all roads will be plowed but at a slower rate due to budget cuts.

Ms. Holder described a flyer distributed in the community by the group Citizens Voice Rochester Hills. She praised their civic involvement but encouraged them and all citizens of Rochester Hills to get involved in local government and volunteer to serve on committees, boards and commissions. She further encouraged residents to contact their Council members directly to inquire about rumors in the community.

Mr. Barnett announced that the Community Development & Viability (CDV) Committee would be meeting the next evening to discuss the snow plowing policy. He encouraged interested residents to attend.

Mr. Dalton explained that the Financial Services Committee was exploring the possibility of using Tree Fund money to remove ash tree stumps resulting from the removal of Emerald Ash Borer-infested trees in front of residents' homes. *Mr. Dalton* further noted that, now that he is no longer Council President, he would like to encourage improved communication between himself and his constituents.

Ms. Raschke stressed that the recent failed millages "have hurt us." She further noted that, as a member of the Public Safety Committee, she will work to increase the number of firefighter/paramedics working for the City.

ATTORNEY MATTERS

City Attorney John Staran noted that he had filed a motion on behalf of the City with the Oakland County Circuit Court to dismiss recent litigation regarding the property at the northeast corner of Adams and Hamlin Roads.

2004-1212

Adoption of a Resolution to convene to Closed Session at the conclusion of tonight's meeting (December 15, 2004) to discuss an Attorney Client Privileged Communication

Attachments: Agenda Summary.pdf; 1212 Resolution.pdf

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

Resolved that the Rochester Hills City Council agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, Section 8(a), at the close of business of tonight's Regular City Council Meeting (December 15, 2004) and will not return to Open Session at its conclusion. The purpose of the Closed Session is to discuss an Attorney/Client Privileged Communication.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0420-2004

PRESENTATIONS

Council Member John L. Dalton was honored by his fellow Council members and Mayor Somerville for his three (3) years of service as Council President.

2004-1247

Presentation Regarding Open Space Issue

Attachments: Agenda Summary.pdf

Mr. Paul Funk, 2176 Rochelle Park; **Mr. Jack Robinson**, 1251 Avon Circle East; and **Mr. Jerry Carvey**, 936 Ironstone, representing Save Open Space Rochester Hills (SOSRH), presented information they have gathered by reviewing the election results precinct by precinct regarding the failed open space millage:

* The proposal passed in nine (9) precincts.

* Forty-five percent (45%) of voters voted "yes" for the proposal.

* Several other City and State proposals on the ballot may have confused some voters.

* The number of "yes" votes received represents a substantial pool of potential supporters that could more than twice exceed the number of signatures needed to place the issue on a future ballot.

* Public support and involvement is still strong following the failed vote.

* Including preservation of some active open space may make the proposal "more palatable" in the future.

Mr. Funk asked Council to consider the following requests:

- 1) Continued Council support for this proposal.
- 2) Formally consider and adopt a citizens advisory committee that would review the recent land preservation program, both in scope and approach.
- 3) Support SOSRH's research on the approaches and results pursued by other communities that have been successful in this type of endeavor.
- 4) Put the issue on a future ballot without a "proposal signature phase" following the results of community awareness, education and feedback forums.

Mr. Barnett praised their "sincere goal and realistic plan of attack" and suggested that the Community Development & Viability (CDV) Committee discuss the creation of this committee at their next meeting.

Mr. Dalton expressed enthusiastic support for sending this matter to the CDV Committee and stressed that "the sands are running out for us to save these open spaces."

Ms. Hill suggested that the Leisure Activities Committee could provide some input into the creation of an open space committee.

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.

2004-1215 Approval of Minutes - Regular City Council Meeting - October 6, 2004

Attachments: Min CC 100604.pdf; 1215 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on October 6, 2004 be approved as presented.

Enactment No: RES0421-2004

2004-1237 Approval of Minutes - Regular City Council Meeting - October 20, 2004

Attachments: Min CC 102004.pdf; 1237 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Minutes of a Regular Rochester Hills City Council Meeting held on October 20, 2004 be approved as presented.

Enactment No: RES0422-2004

2004-0929 Approval of Agreement for Maintenance of Storm Water Detention System between Singh IV Limited Partnership, a Michigan Limited Partnership and the City of Rochester Hills, Parcel No. 15-10-226-043

Attachments: Agenda Summary.pdf; Agreement.pdf; 0929 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves an Agreement for Maintenance of a Storm Water Detention System between the City of Rochester Hills and Singh IV Limited Partnership, a Michigan Limited Partnership, 7125 Orchard Lake Road, Suite 200, West Bloomfield, MI 48322, to insure that the storm system is maintained for proper operation, for land more particularly described as Parcel No. 15-10-226-043.

Further Resolved that the Mayor and City Clerk are authorized to execute and deliver the agreement on behalf of the City.

Enactment No: RES0423-2004

2004-0930 Acceptance of a Tree Preservation Easement granted by Singh III Limited Partnership, a Michigan Limited Partnership, for Waltonwood at Main, Parcel No. 15-10-226-043

Attachments: Agenda Summary.pdf; Easement.pdf; 0930 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Tree Preservation Easement granted by Singh III Limited Partnership, a Michigan Limited Partnership, 7125 Orchard Lake Road, Suite 200, West Bloomfield, MI 48322 for the construction, operation, maintenance, repair and/or replacement of a Tree Preservation Easement over, on, under, through and across land more particularly described as Parcel No. 15-10-226-043.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0424-2004

2004-0931 Acceptance of the Sanitary Sewer Easement for Waltonwood at Main, granted by Singh IV Limited Partnership, Parcel No. 15-10-226-019

Attachments: Agenda Summary.pdf; Easement.pdf; 0931 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer easement granted by Singh IV, Limited Partnership, 7125 Orchard Lake Road, Suite 200, West Bloomfield, MI 48322, for the construction, operation, maintenance, repair and/or replacement of a Sanitary Sewer over, on, under, through and across land more particularly described as Parcel No. 15-10-226-019.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0425-2004

2004-0932 Acceptance of a Watermain Easement granted by Singh IV Limited

Partnership, a Michigan Limited Partnership, for Waltonwood at Main, Parcel No. 15-10-226-043

Attachments: Agenda Summary.pdf; Easement.pdf; 0932 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain easement granted by Singh IV Limited Partnership, a Michigan Limited Partnership, 7125 Orchard Lake Rd., Suite 200, West Bloomfield, MI 48322, for the construction, operation, maintenance, repair and/or replacement of a Watermain Easement over, on, under, through and across land more particularly described as Parcel No. 15-10-226-043.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0426-2004

2004-0933

Acceptance of the off-site Watermain Easement granted by North Hill Center, L.L.C., a Michigan Limited Liability for Waltonwood at Main, for Parcel No. 15-10-226-041

Attachments: Agenda Summary.pdf; Easement.pdf; 0933 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an off-site Watermain easement granted by North Hill Center, L.L.C., a Michigan Limited Liability Company, 1877 Orchard Lake Road, Suite 201, Sylvan Lake, Michigan 48320, for the construction, operation, maintenance, repair and/or replacement of an off-site Watermain easement over, on, under, through and across land more particularly described as Parcel No. 15-10-226-041.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0427-2004

2004-0934

Acceptance of the Pedestrian-Bicycle Pathway Easement granted by Singh IV Limited Partnership, a Michigan Limited Partnership, for Waltonwood at Main, Parcel No. 15-10-226-043

Attachments: Agenda Summary.pdf; Easement.pdf; 0934 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Pedestrian-Bicycle Pathway Easement granted by Singh IV Limited Partnership, a Michigan Limited Partnership, of 7125 Orchard Lake Rd., Suite 200, West Bloomfield, MI 48322 for the construction, operation, maintenance, repair and/or replacement of a Pedestrian-Bicycle Pathway Easement over, on, under, through and across land more particularly described as Parcel No. 15-10-226-043.

Further Resolved that the City Clerk is directed to record the easement with the Oakland County Register of Deeds.

Enactment No: RES0428-2004

2004-1060

Acceptance of Warranty Deed for part of John R Road rights of way granted by Executive Place LLC, a Michigan Limited Liability Company, for part of Parcel No. 15-36-352-018

Attachments: Agenda Summary.pdf; Warranty Deed.pdf; 1060 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Warranty Deed for the public road rights of way for John R granted by Executive Place LLC, whose address is 5485 Abbey Road, Rochester, MI 48306, to the City of Rochester Hills, a Municipal Corporation, whose address is 1000 Rochester Hills Drive, Rochester Hills, Michigan 48309, for part of Parcel No. 15-36-352-018.

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

Enactment No: RES0429-2004

2004-1187

Approval of the Amended Public Utility Right-of-Way Agreement between the Robert R. Smitha Trust and the City of Rochester Hills for Parcel Nos. 15-15-426-018; 15-15-426-019; and 15-15-427-029

Attachments: Agenda Summary.pdf; Agreement.pdf; 1187 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Amended Public Utility Right-of-Way Agreement granted by the Robert R. Smitha Trust, 501 Utah, Rochester Hills, MI 48307, for the construction, operation, maintenance, repair and/or replacement of an Amended Public Utility Right-of-Way Agreement over, on, under, through and across land more particularly described as Parcel Nos. 15-15-426-018; 15-15-426-019; and 15-15-427-029.

Further Resolved that the City Clerk is directed to record the Agreement with the Oakland County Register of Deeds.

Enactment No: RES0430-2004

2004-1104

Confirmation of the Mayor's reappointment of C. Neall Schroeder to the Construction Board of Appeals and Fire Prevention Code Board of Appeals for a three-year term to expire December 31, 2007

Attachments: Agenda Summary.pdf; Schroeder questionnaire.pdf; Letter Schroeder.pdf; 1104 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of C. Neall Schroeder to the Construction Board of Appeals and Fire Prevention Code Board of Appeals for a three-year term to expire on December 31, 2007.

Enactment No: RES0431-2004

2004-1182

Confirmation of the Mayor's reappointment of Eugene Mroz to the Board of Review to a three-year term to expire December 31, 2007

Attachments: Agenda Summary.pdf; Mroz questionnaire.pdf; Letter Mroz.pdf; 1182 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Eugene Mroz to the Board of Review for a three year term to expire on December 31, 2007.

Enactment No: RES0432-2004

2004-1245

Confirmation of the Mayor's appointment of C. Neall Schroeder to the position on the Planning Commission vacated by the resignation of Audrey Ruggiero

Attachments: Agenda Summary.pdf; Ruggiero resignation letter.pdf; Schroeder questionnaire.pdf; 1245 Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Resolved that the Rochester Hills City Council hereby confirms the Mayor's appointment of C. Neall Schroeder to fill the vacancy of Audrey Ruggiero on the Planning Commission for a term to expire on March 31, 2005.

Enactment No: RES0433-2004

2004-1235

Request for Purchase Authorization - DPS/FACILITIES: Natural Gas for City Facilities, blanket purchase order not-to-exceed \$175,300.00; Consumers Energy, Lansing, MI

Attachments: Agenda Summary.pdf; 1235 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 Consumers Energy, Lansing, Michigan, for the purchase of natural gas for City facilities in the amount not-to-exceed \$175,300.00 through December 31, 2005.

Enactment No: RES0434-2004

Passed The Consent Agenda

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

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

The following Consent Agenda Item was discussed and adopted by a separate Motion:

2004-1236

Request for Purchase Authorization - DPS/FACILITIES: Electric Energy for City facilities, blanket purchase order not-to-exceed \$359,640.00; DTE Energy, Detroit, MI

Attachments: Agenda Summary.pdf; 1236 Resolution.pdf

Mr. Lee Zendel, 1575 Dutton Road, indicated he was under the impression that electricity for the City would be bought from "another company at a lower price."

Ms. Julie Jenuwine, Director of Finance, explained that the Michigan Municipal Risk Management Authority is actually a third-party biller for the supplier. She also

referenced the Agenda Summary which indicates that "smaller City facilities do not benefit from the cost savings of the larger buildings and will continue to receive electrical energy and its delivery from DTE Energy."

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

Resolved that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to DTE Energy of Detroit, Michigan, and Michigan Municipal Risk Management Authority of Livonia, Michigan, for the purchase of electric energy for City facilities in the amount not-to-exceed \$359,640.00 through December 31, 2005.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0435-2004

(RECESS 8:37 p.m. - 8:54 p.m.)

PUBLIC HEARINGS

2004-1233 Fourth Quarter 2004 Budget Amendments

Attachments: Agenda Summary.pdf; 4th Quarter Budget Amendment Memo.pdf; 4th Qtr Budget Amendment Component Units-REVISED.pdf; 4th Qtr Budget Amendment.pdf; 2004 4th Qtr Public Hearing Notice.pdf; 2004 Projected Fund Balance.pdf; 4th Quarter Budget Amendment Resolution.

Ms. Julie Jenuwine, Director of Finance, briefly explained the format of the information provided to City Council.

President Hill opened the Public Hearing at 8:55 p.m.

There being no Public Comment, President Hill closed the Public Hearing at 8:56 p.m.

Mr. Dalton noted that the information provided had been reviewed thoroughly during the most recent Financial Services Committee.

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

Whereas, a Public Hearing was held on December 15, 2004 to amend and adopt new fund totals for fiscal year 2004.

Now Therefore Be It Resolved that the Rochester Hills City Council hereby approves the following 2004 fund totals as amended:

101 - General Fund	\$23,253,527
202 - Major Roads	\$5,605,840
203 - Local Roads	\$4,081,633
206 - Fire	\$6,836,612
207 - Special Police	\$7,366,552
211 - Stoney Creek Perpetual Care	\$43,000
213 - RARA Millage	\$495,850
214 - Pathway Operating	\$583,021
226 - Solid Waste Management	\$54,254

232 - Tree Fund	\$1,437,816
244 - Public Improvement-Drains	\$1,578,811
265 - OPC Millage	\$827,320
313 - Local Road Impr. 2001 Bonds	\$1,307,425
314 - Local Road SAD-2001 Bonds	\$317,908
325 - Local Road Impr. 2002 Bonds	\$2,523,236
331 - Drain Debt	\$3,113,604
334 - Local Rd 1988 Bond	\$56,102
335 - Local Rd 1989 Bond	\$106,800
337 - Local Rd 1994 Bond	\$199,243
338 - Local Rd 1995 Bond	\$186,695
368 - OPC Building Debt	\$710,083
370 - Municipal Building Debt	\$700,584
391 - Refunding Bonds-1998 Bonds	\$189,695
392 - Refunding Bonds-2002 Bonds	\$1,387,392
395 - MTF 1998 Refunding	\$481,050
402 - Fire Apparatus	\$1,133,281
403 - Pedestrian Pathway Construction	\$467,003
413 - Road Improvement Construction-2001	\$1,136,290
414 - Road Improvement SAD Construction-2001	\$95,062
415 - Road Improvement Construction-2002	\$2,226,075
420 - Capital Improvement	\$775,715
468 - Older Persons Commission	
Building Construction	\$162,104
470 - Municipal Building Construction	\$887,882
592 - Water & Sewer	\$23,498,928
631 - Facilities	\$5,358,115
636 - Management Information Services	\$2,392,820
661 - Fleet	\$2,208,896
677 - Insurance	\$760,000
808 - Rochester Area Recreation	\$1,730,616
820 - Older Person's Commission	\$4,617,030
848 - Local Development Financing Authority	\$650,000
893 - Economic Development Corp	\$2,165

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0436-2004

ORDINANCE FOR ADOPTION

2004-1231

Acceptance for Second Reading and Adoption - An Ordinance to amend Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to modify fees charged for various City services and, to repeal conflicting ordinances.

Attachments: Agenda Summary Second Reading.pdf; Agenda Summary First Reading.pdf; Letter Staran 120204.pdf; Chapter 54 - Fees (12[1].2.04).pdf; Minutes 072804 City Council.pdf; Minutes, 101804 Leisure Activities Committee.pdf; Department Recommendation.pdf; Soccer Eve

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

Resolved that an Ordinance to amend Chapter 54, Fees, of the Code of

Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for various City services and, to repeal conflicting ordinances, is hereby accepted for Second Reading and Adoption and shall become effective on Friday, December 24, 2004, the date following its publication in the Eccentric Newspaper on Thursday, December 23, 2004.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0437-2004

NEW BUSINESS

2004-1189 Request to transfer ownership of 2003 Class C Liquor License with new Dance-Entertainment Permit to be located at 3260-3270 S. Rochester Rd., Rochester Hills, MI from Troy Wok Inc. to Christanthe Enterprises, Inc.

Attachments: Agenda Summary.pdf; Application Info.pdf; Dance Ent Agmt.pdf; LCC Notice.pdf; AIS Resolution.pdf; 1189 Resolution.pdf

Mr. Frank Palazzolo, corporate attorney for applicants Curtiss Pagels, 905 East Buell, Rochester, and Thomas Everson, 1850 Bromley Lane, Rochester Hills, provided a brief presentation noting that the co-applicants have been residents of the area for many years, possess a great deal of experience in the restaurant business and intend to operate the proposed establishment as a family-style, sports-type restaurant. He assured Council that, although the applicants were requesting a dance/entertainment permit, that would not be the focus of the establishment.

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

Resolved that the Rochester Hills City Council approves the request from Christanthe Enterprises Inc., to transfer ownership of 2003 Class C licensed business, located in escrow at 1922 S. Rochester, Rochester Hills, MI 48307, Oakland County from Troy Wok Inc., transfer location to 3260-3270 S. Rochester Rd., Rochester Hills, MI 48307, Oakland County, Michigan and request a new Dance-Entertainment Permit.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0438-2004

2004-1191 Request to accept Dance-Entertainment Permit for Christanthe Enterprises, Inc., known as C.J. Mahoney's Sports Grille, to be located at 3260-3270 S. Rochester Rd.

Attachments: 1191 Resolution.pdf

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

Whereas, the Rochester Hills City Council accepts the Dance Entertainment Permit Agreement between the City of Rochester Hills and Christanthe Enterprises, Inc.

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.

The motion carried by the following vote:

Aye: Hill, Barnett, Dalton, Duistermars, Holder and Raschke

Absent: Robbins

Enactment No: RES0439-2004

COUNCIL COMMITTEE REPORTS

Ms. Hill noted that the Leisure Activities Committee meeting was cancelled for this month, the Administration & Information Services Committee had discussed the liquor license item previously discussed by Council, and the Financial Services Committee had discussed budget amendments at their most recent meeting.

Mr. Barnett announced that the Community Development & Viability Committee would be meeting the next night to discuss the City's snow plowing policy.

Mr. Duistermars stated that the Public Safety Committee meeting had been canceled for December.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Wednesday, January 5, 2005 at 7:30 p.m.

ADJOURNMENT

There being no further business before Council, President Hill adjourned the meeting at 9:06 p.m.

*MELINDA HILL, President
Rochester Hills City Council*

*BEVERLY A. JASINSKI, Clerk
City of Rochester Hills*

*MARGARET A. STRATE
Administrative Secretary
City Clerk's Office*

Approved as presented at the (insert date, or dates) Regular City Council Meeting.

Complete proceedings recorded in the Official Minutes Book on file in the office of the City Clerk and by this reference is made a part hereof.