

Rochester Hills Minutes - Draft

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

City Council Regular Meeting

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

Wednesday, November 14, 2007

7:30 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 7 - James Rosen, Jim Duistermars, Barbara Holder, Greg Hooper, Linda Raschke, Erik Ambrozaitis and Ravi Yalamanchi

Others Present

Ed Anzek, Director of Planning/Development
Bryan Barnett, Mayor
Scott Cope, Director of Building/Ordinance Compliance
Ron Crowell, Fire Chief
Susan Galeczka, Deputy Clerk
Bob Grace, Director of MIS
Mike Hartner, Director of Parks & Forestry
Julie Jenuwine, Director of Finance
Pam M. Lee, Director of Human Resources
Pam S. Lee, City Accountant
Jane Leslie, City Clerk
Leanne Scott, City Council Coordinator
Joe Snyder, Senior Financial Analyst
John Staran, City Attorney

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Raschke, seconded by Yalamanchi, to Approve the Agenda as Amended adding Legislative File 2007-0762 Adoption of Resolution for the Brooksie Way Half-Marathon scheduled for Sunday, October 5, 2008 to CONSENT AGENDA. The motion carried by the following vote:

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

PUBLIC COMMENT

Mr. Lee Zendel, 1575 Dutton, gave departing comments to the exiting Council members and stated that he hoped that they would continue their civic involvement.

Ms. Linda Davis-Kirksey, 1337 North Acre Dr., thanked the exiting Council members for their contribution to the City for the past eight years.

Mr. David Kibby, 558 Whitney, expressed his concern as to how he felt some candidates ran their campaign.

Mr. Tim Greimel, Oakland County Commissioner, congratulated all of the new Council members and the Mayor on their success in the November Election. He informed Council of a new County program called "Community of Home Improvement Division" that has two Mortgage Counselors available to provide free mortgage counseling to any resident who is having trouble paying their mortgage. He stated the Community of Home Improvement Division provides services such as:

- 1) Very low interest loans for home improvements or repairs for low and middle-income residents.
- 2) Available monies of up to \$10,000 to assist qualified first time home buyers with a down payment on a home.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Ms. Holder advised that this was the ninth year that Holiday Helpers assisted families in need in the City of Rochester Hills. She stated that there was a "Gift Giving Tree" displayed at City Hall for any resident desiring to help others in need.

Mr. Ambrozaitis stated he was thankful to serve the residents in District 4.

Mr. Hooper advised that the Rochester/Auburn Hills Community Coalition has obtained the services of Milton Creagh to give two presentations in this community. The first presentation will be held at the Avondale Middle School Cafetorium on Wednesday, November 28, 2007 at 7:00 p.m. and the theme will be "Parenting is the Key"; the second presentation will be held at the Rochester High School Auditorium on Thursday, November 29, 2007 at 7:00 p.m. and the theme is "Wiz of a Wiz" which is a motivational talk for parents to build positive bridges in the community.

Ms. Raschke stated that Brookwood Subdivision held its second annual "Make a Difference Day" Flea Market and raised approximately \$10,500, then donated the proceeds to the Baldwin Soup Kitchen.

November 14, 2007

Ms. Angie Jackson, Rochester Hills Government Youth Council Representative, stated the Youth Council is currently working on hosting a Youth Summit in the Spring of 2008 and hoped to attract Youth Councils from all over Michigan to participate. She advised their goal is to increase youth participation in the community and inspire youth leadership.

Mayor Barnett stated "Santa Claus" would be coming to Rochester Hills with the "Lighting of the Tree" celebration in the Village of Rochester Hills. He further stated that Adams High School was competing for the State Football Championship and that they were participating in a State Semi-Finalist game in Ferndale on Friday, November 16, 2007. He informed Council of the resignation of Mr. Ken Johnson, City Administrator for the City of Rochester for the past 29 years. He wished Mr. Johnson the best in his retirement.

RECOGNITIONS

2007-0903 Recognition of City Council Members Jim Duistermars, Barb Holder and Linda Raschke

President Rosen thanked Ms. Barbara Holder, Mr.Jim Duistermars, and Ms. Linda Raschke for their years of service to the City of Rochester Hills and offered them words of encouragement.

Mr. Ambrozaitis, Mr. Hooper, and Mr. Yalamanchi, expressed their heartfelt thanks to their colleagues who would be leaving City Council.

Ms. Jane Leslie, City Clerk, acknowledged the three exiting City Council members and thanked them for their years of service to the City on behalf of herself and her staff.

Mr. Ed Anzek, Director of Planning and Development, stated he was speaking on behalf of all of the City Directors and wanted to give the three departing City Council members special thanks for their leadership and dedication that they have given to the residents of the City of Rochester Hills.

Mayor Barnett expressed his heartfelt thanks and respect for the departing Council members and gave brief statements of their accomplishments and passions. Mayor Barnett played a video he had prepared which highlighted "special moments" for each of the Council members.

President Rosen presented Mr. Jim Duistermars, Ms. Barbara Holder, and Ms. Linda Raschke with a plaque in recognition of their service to the City, specifically noting their terms in office and as Council Vice-President.

This matter was Presented.

(Recess 8:46 p.m. - 9:22 p.m.)

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.

2007-0741

Request for Approval of the Sedimentation Basin Agreement between Bluewood Properties, LLC, and the City of Rochester Hills, for Hickory Ridge Condos.

Attachments: Map.pdf

Agenda Summary.pdf

Sedimentation Basin Agreement.pdf

Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0371-2007

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Sedimentation Basin Agreement for the protection of adjacent and downstream properties, watercourses and wetlands for Hickory Ridge Condos, City File #05-006, between the City of Rochester Hills and Bluewood Properties, LLC, granted by Bluewood Properties, LLC, a Michigan limited liability company, 1717 Stutz, Suite B, Troy, MI 48084, affecting property identified as Parcel Nos. #15-34-151-012, #15-34-151-014, #15-34-151-016, #15-34-176-001, #15-34-301-002, #15-34-301-007, #15-34-301-010, & #15-34-301-012.

Further Resolved, that the City is authorized to execute and deliver the agreement on behalf of the City.

2007-0762

Adoption of Resolution for the *Brooksie Way Half-Marathon* scheduled for Sunday, October 5, 2008.

Attachments: Agenda Summary.pdf

Race Announcement.pdf
UofM Flint Study.pdf
Proposed Route.pdf
Draft Website.pdf
Suppl Info.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0372-2007

Whereas, a race is being organized in honor of the late Brooks Patterson, son of County Executive L. Brooks Patterson, and

Whereas, Oakland County has proposed a half-marathon race starting at the campus of

Oakland University and proceeding through the Cities of Rochester Hills and Rochester, utilizing our beautiful streetscapes and natural features surrounding our trails, and

Whereas, the Cities' responsibilities in holding the event will include coordination, Policing services and very minimal staffing during the event to ensure safety of the community and participants, and

Whereas, Oakland County and the Crim Fitness Foundation will provide emergency medical technicians, medical facilities, equipment, physicians or other personnel, including volunteers, as needed at no expense to the City.

Resolved, that the Rochester Hills City Council agrees to participate with Oakland County to host the Brooksie Way Half-Marathon on Sunday, October 5, 2008 and that such participation may require additional Police time be included in the 2008 Budget, and

Be It Further Resolved, that the Mayor is authorized to coordinate with Oakland County, its Economic Development Department, the County Executive, and race organizers to determine any additional authorizations needed by City Council.

2007-0901

Request for Adoption of Resolution authorizing the Mayor or his agents to make application to the Road Commission for Oakland County (RCOC) for the necessary permits for posting road closures and detours for the 2007 Christmas Parade to be held on Sunday, December 2, 2007.

Attachments: Agenda Summary.pdf

Resolution.pdf

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0373-2007

Whereas, the Cities of Rochester Hills and Rochester jointly host an annual Christmas season parade conducted under the auspices of the Rochester Regional Chamber of Commerce; and

Whereas, the parade route begins on Rochester, south of Tienken Road in the City of Rochester Hills, and proceeds south along Rochester Road to Third Street in downtown Rochester; and

Whereas, staging this event requires closing certain State and County routes and using others for posted detour routes; and

Whereas, the two cities coordinate parade planning by dividing responsibility for obtaining necessary permits, with the City of Rochester Hills applying to the Road Commission for Oakland County for the detour and the closure of Walton at Livernois, and the City of Rochester applying to the Michigan Department of Transportation for the closure of Rochester Road from E. Second Street to Tienken Road.

Resolved, that the Rochester Hills City Council authorizes the Mayor or his agents to make application to the Road Commission for Oakland County for the necessary permits for posting road closures and detours; and

Be It Further Resolved, that the parade detour routes be scheduled for Sunday, December 2, 2007, between the hours of 12:30 p.m. and 4:00 p.m. on Livernois, Avon, Rochester,

and Tienken Roads; and

Now Therefore Be It Resolved, that the City of Rochester Hills will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board of County Road Commissioners against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued: and

Be It Further Resolved, that a certified copy of this Resolution be filed with the City Clerk of Rochester Hills, Oakland County, Michigan and with the Road Commission for Oakland County, Waterford, Oakland County, Michigan.

Passed the Consent Agenda

A motion was made by Linda Raschke, seconded by Ravi Yalamanchi, including all the preceding items marked as having been adopted on the Consent agenda. The motion CARRIED by the following vote:

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

ORDINANCE FOR INTRODUCTION

2006-0722

Acceptance for First Reading - 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.

Attachments: Agenda Summary.pdf

Ordinance to Repeal.pdf 111407 Resolution.pdf

Mr. Duistermars questioned the appropriateness of this Ordinance being voted upon by two different Councils.

Mr. John Staran, City Attorney, stated he did not feel two different Councils voting on the same item would be improper, however, if this meeting is adjourned Sine Die, no items should be coming "back" before Council.

President Rosen referenced the fact that when the City Council Meeting is Adjourned "Sine Die" everything ends.

City Attorney Staran stated that since there was no urgency to this matter, there was no reason why this item could not be set over to the next Council.

This matter was Postponed.

ORDINANCE FOR ADOPTION

2007-0165

Acceptance for Second Reading and Adoption - An Ordinance to add Chapter 84, Property Maintenance Code, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to regulate the maintenance of property and prevent blight, repeal conflicting ordinances, and prescribe a penalty for violations.

Attachments: 111407 Agenda Summary

Prop Maint Code 101807.pdf

111407 Resolution

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

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0362-2007

Resolved, that an Ordinance to add Chapter 84, Property Maintenance Code, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to regulate the maintenance of property and prevent blight, repeal conflicting ordinances, and prescribe a penalty for violations, is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, November 23, 2007, the day following its publication in the Rochester Eccentric on Thursday, November 22, 2007.

NOMINATIONS/APPOINTMENTS

2007-0761

Confirm the Mayor's re-appointments of Stephen P. McGarry, Thomas E. Stevenson and appointment of Stephanie Morita to the Brownfield Redevelopment Authority for three (3) year terms to expire on November 13, 2010.

Attachments: Agenda Summary.pdf

Stephen McGarry CQ.pdf Stephanie Morita CQ.pdf Thomas Stevenson CQ.pdf

Resolution.pdf

A motion was made by Greg Hooper, seconded by Ravi Yalamanchi, that this matter be Adopted by Resolution to appoint Stephen P. McGarry, Thomas E. Stevenson and Stephanie Morita. The motion CARRIED by the following vote:

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0370-2007

Resolved that the Rochester Hills City Council confirms the Mayor's re-appointments of Stephen P. McGarry, Tomas E. Stevenson and appointment of Stephanie Morita as the Citizen Representatives on the Brownfield Redevelopment Authority for three (3) terms to expire November 13, 2010.

2007-0902 Acceptance of Resignation from Gerard Verschueren from the Historic Districts Study Committee (HDSC).

Attachments: Agenda Summary.pdf

Verschueren LOR.pdf Resolution.pdf

A motion was made by Jim Duistermars, seconded by Linda Raschke, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0363-2007

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Gerard Verschueren as a member on the Historic Districts Study Committee (HDSC) effective December 31, 2007 and requests a letter of appreciation be sent thanking Mr. Verschueren for his service and dedication to the Community.

UNFINISHED BUSINESS

2007-0728 2008-2009 Plan Year / Annual Community Development Block Grant (CDBG) Program Application

Attachments: Agenda Summary.pdf

Minor Home Repair Program Guidelines.pdf

Resolution.pdf

Mr. Yalamanchi indicated that he would be abstaining from voting on this item as he serves on two of the Boards that will be recipients of the CDBG Funds.

Mr. Ambrozaitis stated that he serves on the Rochester Area Youth Association and the Rochester Area Recreation Authority and he would be abstaining from voting on this item.

Ms. Raschke indicated that she would abstain from voting on this item due to the fact that she sits on the Older Persons Commission Board.

A motion was made by Greg Hooper, seconded by Jim Duistermars, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 4 - Rosen, Duistermars, Holder and Hooper

Abstain 3 - Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0364-2007

WHEREAS, the City of Rochester Hills has duly advertised a public hearing for the purpose of receiving public comments regarding the proposed use of Program Year 2008 Community Development Block Grant funds (CDBG) in the approximate amount of \$148,855.00, and;

WHEREAS, a public hearing to receive public comments regarding the proposed use of Program Year 2008-2009 CDBG funding was held on November 7, 2007; and:

WHEREAS, the City Council acknowledges receipt of the City of Rochester Hills' Minor Home Repair Guidelines and approves for City staff to continue administering the program along these parameters;

NOW THEREFORE BE IT RESOLVED, that at a regular meeting of the City of Rochester Hills City Council held on November 14, 2007 at the City Hall Auditorium, 1000 Rochester Hills Dr., Rochester Hills MI, the City of Rochester Hills City Council approved the Program Year 2008 CDBG Application in the approximate amount of \$148,855.00 and authorized the Mayor to sign and submit the application as follows:

Account Number	Project Name	Amount
731227	Minor Home Repair	\$81,870
732170	Home Chore Program	\$35,485
730137	Battered & Abused Spouses	\$10,500
730571	Emergency Services	\$ 3,500
732185 (a)	Youth Services	\$14,000
732185 (b)	Youth Services	\$ 3,500

2007-0384

Request for Purchase Authorization - CLERKS/Accounting Division: Professional Financial Auditing Services contract in the amount not-to-exceed \$265,397.00; Plante & Moran PLLC, Southfield, MI

Attachments: Agenda Summary.pdf

New Auditing Standards.pdf Letter to Purchasing.pdf

Eng Ltr and Prof Srvcs Agrmnt.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 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0365-2007

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Plante & Moran PLLC, of Southfield, Michigan, for financial auditing services for the City of Rochester Hills, OPC, and RARA in the amount not-to-exceed \$265,397.00 through December 31, 2009.

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

2006-0899 Adoption of Resolution for the Designation of Major Road Fund Balance.

Attachments: Agenda Summary.pdf

Major Road Forecast - Attachment A.pdf Major Road Forecast - Attachment B.pdf

Resolution.pdf

In response to Council's questions, **Ms. Julie Jenuwine**, Finance Director, reiterated the aspects of the designation of the Major Road Fund Balance.

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

Aye 6 - Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Nay 1 - Rosen

Enactment No: RES0366-2007

Resolved, that the Rochester Hills City Council formally recognizes the City Council's intention of utilizing a portion of the fund balance in the Major Road Fund for future major road project by way of designating \$11,690,000.00; specifically MR-01 Crooks Rd (Hamlin Rd to M-59 and M-59 Interchange Improvements), MR-02 Hamlin Rd (Crooks Rd to Livernois Rd), MR-13 Dequindre Road (Auburn Rd to South Blvd), MR-14 Washington Rd Paving, MR-18 Dutton Rd (W of Tall Oaks to Livernois Rd), MR-40 Tienken Rd Corridor Improvements and MR-42 M-59 Widening (Crooks Rd to Dequindre Rd).

NEW BUSINESS

2007-0756

Request to Amend the Oakland County Sheriff's Office 2004-2008 Law Enforcement Services Agreement to add a Patrol Investigator

Attachments: Agenda Summary.pdf

Resolution.pdf

A motion was made by Greg Hooper, seconded by Jim Duistermars, that this matter be Adopted by Resolution. The motion CARRIED by the following vote:

Aye 5 - Rosen, Duistermars, Holder, Hooper and Raschke

Nay 2 - Ambrozaitis and Yalamanchi

Enactment No: RES0367-2007

Whereas, the Rochester Hills City Council acknowledges the importance of public safety and known benefits to adding an Oakland County Sheriff Patrol Investigator to the Rochester Hills substation; and

Whereas, the Rochester Hills City Council has appropriated funds in the Fiscal Year 2008 Adopted Budget for an additional Sheriff's Deputy; and

Whereas, the Rochester Hills City Council wishes to carry out the objective in the Fiscal Year 2008 budget.

Resolved, that the Rochester Hills City Council authorizes the Mayor to forward to the Oakland County Board of Commissioners a request to amend the Contract between the City of Rochester Hills and the Oakland County Sheriff's Office for the law enforcement services of an additional Patrol Investigator.

Be It Further Resolved, that the Mayor is authorized to execute the same on behalf of the City.

2007-0904

Request to accept the Dance-Entertainment Permit Agreement between the City of Rochester Hills and Sittpong and Forster, LLC (aka Sala Thai).

Attachments: Agenda Summary.pdf

Dance Entertainment Permit.pdf

Resolution.pdf

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

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0368-2007

Whereas, the Rochester Hills City Council accepts the Dance Entertainment Permit Agreement between the City of Rochester Hills and Sittipong and Forster, LLC (aka Sala Thai), 54 W. Auburn Road, Rochester Hills, MIchigan 48307

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.

2007-0905

Request for transfer of Class C License with Dance-Entertainment Permit from Pizzapapalis Rochester Hills, LLC to Sittipong and Forster, LLC (aka Sala Thai) located at 54 W. Auburn Road, Rochester Hills, Michigan 48307

Attachments: Agenda Summary.pdf

Application Packet.pdf

Lease Menu Bldg Report LCC Resolution.pdf

Resolution.pdf

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

Aye 7 - Rosen, Duistermars, Holder, Hooper, Raschke, Ambrozaitis and Yalamanchi

Enactment No: RES0369-2007

Resolved, that the request from Sittipong and Forster, LLC (aka Sala Thai) to transfer ownership of 2007 Class C licensed business, located at 54 W. Auburn Road, Rochester Hills, Michigan 48307, Oakland County, Michigan from Pizzapapalis Rochester Hills, LLC be considered for approval.

CITY COUNCIL

ANY OTHER BUSINESS

Mr. Yalamanchi thanked Ms. Holder, Ms. Raschke, and Mr. Duistermars for their years of service to the City and wished them the best in their future endeavors. He reminded President Rosen and the Mayor of his request to obtain more information regarding the Legacy Project.

Ms. Raschke stated from November 1st to December 3rd the Oakland County Sheriff's Department would be collecting new, clean, and used "Coats for the Cold Program". She further stated that this program would help people in need and that a drop off box had been placed in the main lobby of City Hall for anyone who would like to donate a coat.

Mr. Ambrozaitis asked Mayor Barnett if Council could get an update regarding the Zoning Ordinance and the Master Plan as they apply to the Old Towne District.

Mayor Barnett announced that there would be a reception and dinner on Tuesday, December 12, 2007 at the RiverCrest Banquet Facility honoring the departing City Council Members. He stated the cost for a ticket is \$20.00 per person and could be purchased in his office.

NEXT MEETING DATE

Regular Meeting, Wednesday, November 28, 2007 at 7:30 p.m.

ADJOURNMENT SINE DIE

City Clerk's Office

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

JAMES ROSEN, President Rochester Hills City Council	
JANE LESLIE, Clerk	_
City of Rochester Hills	
SUE SMITH	
Administrative Secretary	

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