



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

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

*Vision Statement: The Community of Choice for Families and Business*

*Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier  
community of choice to live, work and raise a family by enhancing our vibrant residential  
character complemented by an attractive business community."*

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Monday, August 8, 2011

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order  
at 7:01 p.m. Michigan Time.*

## ROLL CALL

**Present** 6 - J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen, Michael Webber  
and Ravi Yalamanchi

**Absent** 1 - Nathan Klomp

## Others Present:

*Ed Anzek, Director of Planning and Economic Development  
Bryan Barnett, Mayor  
Ron Crowell, Fire Chief/Emergency Management Director  
Aly DiFilippo, Rochester Hills Government Youth Council Representative  
Bob Grace, Director of MIS  
Pamela Gordon, Director of Human Resources  
Captain Michael Johnson, Oakland County Sheriff's Office  
Jane Leslie, City Clerk  
Keith Sawdon, Director of Finance  
Rachel Schlagel, Rochester Hills Government Youth Council Representative  
Scott Schlagel, Rochester Hills Government Youth Council Representative  
Allan Schneck, Director of DPS/Engineering  
Leanne Scott, City Council Coordinator  
Christine Wissbrun, Administrative Aide*

*Mr. Klomp provided prior notice that he would be unable to attend.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

**A motion was made by Yalamanchi, seconded by Webber, that the Agenda be Approved as Presented. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

## **PUBLIC COMMENT**

**Lee Zendel**, 1575 Dutton Road, commented that only one in seven voters cast a ballot in the City Primary Election, stating that the estimated cost of \$60,000 for the election translates to a cost of almost \$10.00 for each vote cast. He requested Council consider placing a Charter Amendment on the November ballot to eliminate the City Primary. He distributed comments he had prepared regarding the recent Oakland University Survey to Council Members.

**Sean Donovan**, 1394 Springwood Lane, stated that instead of eliminating the City Primary, voters should be urged to get out and vote. He questioned where the City's water usage stands with respect to peak daily rate, noting that he observes many instances of violations of the City's Watering Ordinance. He stated that Mr. Brennan's display of damaged campaign signs at the July 25, 2011 Special Meeting was improper, as campaigning during meetings is not allowed.

**Sam Kilberg**, 1865 South Shore Drive, expressed his thanks for his time on the Rochester Hills Government Youth Council (RHGYC) two years ago, stating that he wished to let Council know what some of the past RHGYC members have since done with their lives. He mentioned that he was named a Gilman International Scholar this past spring, and recently returned from a two-and-a-half month study-abroad program in China. He reported that this year's Homeruns 4 Heroes U18 Charity Baseball Tournament raised over \$7,000, reaching over \$21,000 in just four years to benefit Veterans with Traumatic Brain Injuries. He commented that he would not be where he is today without the RHGYC, noting that it has been a stepping stone in his life.

**Trip Brennan**, 515 Old Perch Road, expressed his thanks to City Council, Leanne Scott, City Council Coordinator, and Council support staff for the opportunity to participate in the RHGYC. He expressed his appreciation to everyone who supports his father, Council Member Brennan, as he goes through a series of difficult medical treatments. He thanked his father for urging him to become involved in the RHGYC several years ago.

## **LEGISLATIVE & ADMINISTRATIVE COMMENTS**

**President Hooper** expressed his appreciation to the Clerk's Office for a job well-done on the recent City Primary Election, stating that he wished that more voters had participated. Hooper suggested once the election is over the "new Council" can take this matter up again. He pointed out that Council discussed a proposal to eliminate the City Primary over two years ago; and although he was in favor of its elimination, the majority's decision was to maintain the Primary.

*In response to Public Comment, he stated that a display of damaged campaign signs during the July 25th meeting was merely an example of the vandalism that occurred.*

**Mr. Pixley** expressed his appreciation to the Clerk's Office and election staff for a successful Primary Election.

**Mr. Brennan** commented that his display of damaged campaign signs was only to show the senseless vandalism which occurred on his property and was not an underhanded way to support any candidate.

**Mr. Webber** thanked the Clerk's Office for a very successful Primary Election. He expressed his appreciation to the outgoing and incoming RHGYC members, and their parents who are so supportive of their activities.

**Scott Schlagel**, Rochester Hills Government Youth Council (RHGYC) Representative, expressed his appreciation on behalf of the RHGYC for the opportunity to sit at the dais and participate in Council meetings, commenting that it helps members to understand how Council functions and the procedures it has to follow. He reported that the RHGYC has had a fantastic year and the group is eager to kick off the new year.

**Mayor Barnett** noted that this is one of the favorite nights of the year, as the outgoing RHGYC is recognized and the incoming members are sworn in. He commented that oftentimes everyone assumes that elections will go well without effort, and pointed out that this time, over 200 election workers learned a new computer system. He mentioned that while challenging, no major difficulties were encountered, and results were reported by 10:30 p.m. He made the following announcements:

- The Rochester Hills Public Library Bookmobile will visit City Hall this coming Wednesday, August 10th, from 11:00 a.m. to Noon. Individuals living or working in Rochester Hills are eligible for a library card and can take advantage of the Bookmobile's visits to borrow library materials.
- The Rochester Area Neighborhood House has been struggling in this difficult economy, and is in need of donations of food and clothing. Interested individuals can visit the organization's website, [www.ranh.org](http://www.ranh.org), to see how they can help.
- Road projects update:
  - \* The Walton Boulevard Rehabilitation Project is scheduled for completion this Friday.
  - \* The Rain Tree Drive Resurfacing Project is on tonight's agenda for discussion.
  - \* The M-59 Sound Wall Project commenced today. The project, encompassing the walls that are funded by the Michigan Department of Transportation, should be completed by this coming November.
  - \* Work on the Adams Road Resurfacing Project will begin this week, covering the portion of Adams Road between South Boulevard and Auburn Road. A full road closure will occur from August 15th to September 2nd.

\* *The Crooks Road and M-59 Bridge Project is progressing, with work continuing on the last part of the bridge. The project is scheduled for completion by the end of October/beginning of November.*

*In response to Public Comment, he responded that the City's highest peak water usage to date occurred at 4:00 a.m. on July 27th, where a rate of 36.04 million gallons was experienced. He pointed out that the peak rate continues to remain at the early morning hours and mentioned that the hot weather is expected to break for the coming week. He stated that the majority of businesses and residences are following the City's Watering Ordinance.*

*He reported that a new venture between Sunlogics and GM Ventures will be coming to Rochester Hills, and displayed a video highlighting the new investment the companies are expected to be making.*

## ATTORNEY MATTERS

*None.*

## PRESENTATIONS

**2011-0310** 2010/2011 Rochester Hills Government Youth Council (RHGYC) Final Report to City Council

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

*Rachel Schlagel, Chairperson, and Aly DiFilippo, Vice Chairperson, Rochester Hills Government Youth Council (RHGYC), presented the year-end report, highlighting the following projects and activities:*

- The RHGYC began their year with an Orientation Picnic, including lunch with Department Directors and Council Members.*
- RHGYC Members learned about Indian holidays and culture as Sresht Rengesh's family opened their home to the group.*
- The group participated in the Rochester Hometown Christmas Parade. The theme was Candy Lane on Main, and the group marched as brightly-colored M&Ms in hand-painted costumes.*
- RHGYC members helped at the City's Holiday Family Fun Night, face-painting, running crafts and games for the children, and helping Santa distribute gifts.*
- Seniors at Mercy Bellbrook enjoyed the RHGYC's visit as they caroled and distributed holiday cards to the residents.*
- RHGYC members assisted the Mayor during his State of the City Address at the Emagine Theater, greeting and directing guests, passing out refreshments, and providing live visual aids to promote the City's Watering Ordinance.*
- The members became part-time gardeners, on planting days at the Van Hoosen Jones-Stoney Creek Cemetery and outside of City Hall, affording residents and staff a nice view of nature.*
- Several members participated in the Festival of the Hills, where they went on stage with the Mayor to help thank the major sponsors and donors to the fireworks event.*

**Ms. Schlagel** reported that the RHGYC's main project, its 5K Run/Walk this year benefitted the Rochester Area Neighborhood House (RANH). The race was expanded to include chip-timing and over \$8,500 was raised for the RANH. She expressed her thanks to the many race sponsors, including this year's Gold Sponsors: Dentate Smile Design, Michelle's Bio-Tech Linen Services, Pino Insurance Agency, Rochester Rotary Charities, Supply Den and the Vitamin Shoppe.

**Ms. DiFilippo** invited Kelley Kosuda, former RHGYC member and summer intern at the City, to present a promotional video completed by the group.

After the video, **Ms. DiFilippo** and **Ms. Schlagel** expressed thanks on behalf of the RHGYC to City Council and to Leanne Scott, City Council Coordinator and Adult Advisor to the RHGYC, along with support staff Christine Wissbrun and Mary Jo Whitbey, and to Mayor Barnett for always being there to support the RHGYC.

**Mr. Pixley**, Council Liaison to the RHGYC, thanked Sam Kilberg for his comments about his involvement in the RHGYC during the Public Comment portion of the meeting, and stated that he is an excellent example demonstrating all of the good things that the RHGYC represents. He commented that he has had the privilege to be the Council Liaison to the RHGYC for the past four years and noted that the City is one of only a very small group of cities that continue to invest in their youth. From Harvard to Massachusetts Institute of Technology, and many other advanced learning institutions, these students will continue to leave their mark for years to come. He stated that he would be remiss if he did not recognize the phenomenal job that the parents have done in providing the foundation for these young adults. He recognized the work of Leanne Scott, Adult Advisor to the RHGYC, Council Staff Support members Christine Wissbrun and Mary Jo Whitbey, and Jane Leslie, City Clerk, for their support to the group.

**Leanne Scott**, City Council Coordinator and Youth Advisor to the RHGYC, expressed her thanks to City Council and the Mayor for the tremendous support given to the RHGYC over the years. She expressed a special thanks to the parents, commenting that in addition to their already-busy schedules, youth members attend many meetings and events. Parents have had to rearrange their own schedules to get these young leaders where they need to be and many have themselves helped in the RHGYC's projects. She expressed thanks to Ms. Whitbey, Ms. Wissbrun, Clerk Leslie; and Council Member Pixley, noting that as Council Liaison to the RHGYC, he participated in the selection process, attended many meetings, and has given his unlimited support to all of the members of the RHGYC over the past four years. She commented that the group will miss him very much as he ends his term on Council in November.

A video presentation was given highlighting the RHGYC's successful year.

**Presented.**

2011-0333 Swearing In Ceremony - 2011/2012 Rochester Hills Government Youth Council (RHGYC)

Attachments: [Agenda Summary.pdf](#)

**Mr. Pixley** invited Mayor Barnett and Council to the front of the dais to recognize the outgoing RHGYC members. He announced the colleges and universities that the graduating members would be attending:

**Trip Brennan**, Rochester High School, attending New York University  
**Aly DiFilippo**, Rochester High School, attending Loyola University-Chicago  
**Kaitlyn Forbes**, Notre Dame Preparatory, attending the University of Michigan  
**Kelsey Jackson**, Stoney Creek High School, attending St. Louis University  
**Harvey Li**, International Academy, attending University of Pennsylvania  
**Sresht Rengesh**, Avondale High School, attending Massachusetts Institute of Technology  
**Rachel Schlagel**, Rochester High School, attending Oakland University

He recognized the other 2010-2011 RHGYC members:

**Scott DiFilippo**, Rochester High School  
**Amith Diwakar**, International Academy  
**Susanna Jang**, Rochester Adams High School (not in attendance)  
**Sean Kosecki**, Rochester High School  
**Eric LaRose**, Notre Dame Preparatory  
**Laisa Magucha**, Rochester High School  
**Scott Schlagel**, Rochester High School  
**Michelle Thorpe**, Rochester Adams High School

**Mr. Pixley** announced the 2011-2012 Rochester Hills Government Youth Council members:

**Pranita Balusu**, Rochester High School, representing District 1  
**Scott Difilippo**, Rochester High School, representing District 1  
**Amith Diwakar**, International Academy, representing District 4  
**Farha Hanif**, Rochester High School, representing District 4  
**Susanna Jang**, Rochester Adams High School, representing District 2 (not in attendance)  
**Sean Kosecki**, Rochester High School, representing District 4  
**Eric LaRose**, Notre Dame Preparatory High School, representing District 3  
**Laisa Magucha**, Rochester High School, representing District 1  
**Jacqueline Markey**, Rochester Adams High School, representing District 2  
**Nicholas Michetti**, Brother Rice High School, representing District 3 (not in attendance)  
**Edward Schodowski**, Rochester High School, representing District 4 (not in attendance)  
**Scott Schlagel**, Rochester High School, representing District 3  
**Michelle Thorpe**, Rochester Adams High School, representing District 2  
**Francesca Tiberio**, Rochester Adams High School, representing District 1 (not in attendance)  
**Ashish Tripathi**, Rochester Adams High School, representing District 2

**Jane Leslie**, City Clerk, administered the Oath of Office and welcomed the new members.

**Presented.**

(Recess 7:56 p.m. to 8:23 p.m.)

## 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.

**2011-0325** Approval of Minutes - City Council Special Meeting - July 18, 2011

**Attachments:** [CC Special Mtg Min 071811.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0139-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on July 18, 2011 be approved as presented.

**2011-0326** Approval of Minutes - City Council Regular Meeting - July 18, 2011

**Attachments:** [CC Min 071811.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0140-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on July 18, 2011 be approved as presented.

**2011-0327** Approval of Minutes - City Council Special Meeting - July 25, 2011

**Attachments:** [CC Special Mtg Min 072511.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0141-2011

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on July 25, 2011 be approved as presented.

**2011-0320** Request for Purchase Authorization - MIS: Purchase of annual support and maintenance for the City's Asset Management Software in the amount not-to-exceed \$38,400.00; Lucity, Inc., Overland Park, KS

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

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

Enactment No: RES0142-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a Purchase Order to Lucity, Inc., Overland Park, Kansas for annual support and maintenance for the City's Asset Management Software in the amount not-to-exceed \$38,400.00.

**2011-0330** Request to establish an Industrial Development District at 2910 Waterview Drive, Rochester Hills, MI 48309

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

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

Enactment No: RES0143-2011

**Whereas**, Sunlogics, Inc. has filed a request for the establishment of an Industrial Development District for property it is purchasing, identified as 2910 Waterview Drive, also known as Parcel No. 15-30-451-049, further identified as:

T3N, R11E, SEC 30 ROCHESTER HILLS CORPORATE CENTER SUB LOTS 10 TO 13 INCL, ALSO OF 'AUBURN HIGHLANDS' LOTS 30 TO 33 INCL EXC E 10 FT OF SD LOTS 32 & 33 8-22-01 FR 005, 0006, 036 & 045; and

**Whereas**, the Rochester Hills City Council held a public hearing regarding this request at the Special Meeting of August 29, 2011 at 5:30 p.m. in the Council Chambers, at 1000 Rochester Hills Dr., Rochester Hills, Michigan, during which the owner of the property, taxing authorities and all interested parties were given the opportunity to be heard; and

**Whereas**, the establishmen

**Resolved**, that the Rochester Hills City Council hereby schedules a Public Hearing for its Regular Meeting of August 29, 2011; and

**Be It Further Resolved**, to send a certified copy of this Resolution to Sunlogics, Inc., attention Lou Pellatiro, CEO, 2910 Waterview Drive, Rochester Hills, MI 48309.

**2011-0331** Request to Schedule a Public Hearing regarding the request for an Industrial Facilities Exemption Certificate for Sunlogics, Inc., 2910 Waterview Drive

**Attachments:** [Agenda Summary IFT.pdf](#)  
[Development Agreement.pdf](#)  
[Tax Analysis.pdf](#)  
[Agenda Summary.pdf](#)  
[Letter and Application.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0144-2011

**Whereas**, Sunlogics, Inc. has filed a request for the establishment of an Industrial Development District for property it is purchasing, identified as 2910 Waterview Drive, also known as Parcel No. 15-30-451-049; and

**Whereas**, Sunlogics, Inc. filed an application for an Industrial Facilities Exemption Certificate on July 29, 2011; and

**Whereas**, Public Act 198, of 1974, as amended, requires that City Council hold a public hearing before considering the request and must render a decision within 60 days of receipt of the application.

**Resolved**, that the Rochester Hills City Council hereby schedules a Public Hearing for the Regular Meeting of August 29, 2011; and

**Be It Further Resolved**, to authorize the City Clerk's office to publish notice of the Public Hearing in the Rochester Post on Thursday, August 18, 2011; and

**Be It Further Resolved**, to send a certified copy of the notice to Sunlogics, Inc., attention Lou Pellatiro, CEO, 2910 Waterview Drive in Rochester Hills, Michigan 48309 no later than Monday, August 15, 2011; and

**Be It Finally Resolved**, to send a certified copy of the notice to all taxing jurisdictions and the City's Assessor no later than Monday, August 15, 2011.

**Passed the Consent Agenda**

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

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

**ORDINANCE FOR ADOPTION**

- 2011-0317** Acceptance for Second Reading - An Ordinance to repeal Article II of Chapter 130, Planning, and replace it with New Article II, Planning Commission, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, Et Seq., of the City of Rochester Hills Planning Commission, provide for the composition of the Planning Commission; provide for the powers, duties and limitations of the Planning Commission; repeal any Ordinance or parts of Ordinances or Resolutions in conflict with this Ordinance and prescribe a penalty for violations

**Attachments:** [Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[071811 Agenda Summary.pdf](#)  
[071811 Resolution.pdf](#)  
[Resolution.pdf](#)

**A motion was made by Webber, seconded by Brennan, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0145-2011

**Resolved**, that an Ordinance to repeal Article II of Chapter 130, Planning, and replace it with New Article II, Planning Commission, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to confirm the establishment under the Michigan Planning Enabling Act, Public Act 33 of 2008, MCL 125.3801, Et Seq., of the City of Rochester Hills Planning Commission, provide for the composition of the Planning Commission; provide for the powers, duties and limitations of the Planning Commission; repeal any Ordinance or parts of Ordinances or Resolutions in conflict with this Ordinance and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, August 19, 2011, the day following its publication in the Rochester Post on Thursday, August 18, 2011.

## NEW BUSINESS

**2011-0334** Request to Transfer Ownership of the escrowed 2011 Class C licensed business located at 4671 Walton, Waterford Township, Michigan from Pizza Hut of America, Inc. to Flat Out Crazy, LLC and transfer location to 176 N. Adams Road, Rochester Hills, Michigan

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

*John Carlin, Carlin Edwards Brown PLLC, Attorney representing the applicant, stated that the applicant plans to open the Flat Out Grill at the Village of Rochester Hills in the space that was formerly Baja Fresh. He stated that the restaurant will feature wok-style food preparation, where customers can select their ingredients and take them to a grill area to be prepared. He noted that the company also has a very popular restaurant in Ann Arbor.*

*Mr. Yalamanchi questioned whether granting the request will have an impact on the licensing quota for the City.*

*Jane Leslie, City Clerk, responded that it will not, and stated that the transfer-in of the license from another community constitutes an additional license and is not counted toward the City's quota of licenses.*

**A motion was made by Yalamanchi, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0146-2011

**Resolved**, that the request to transfer ownership of the escrowed 2011 Class C licensed business, located at 4671 Walton, Waterford Township, Michigan 48329, Oakland County, from Pizza Hut of America, Inc. (a Delaware Corporation) to Flat Out Crazy, LLC (a Delaware Limited Liability Company) and transfer location to 176 N. Adams, Rochester Hills, Michigan 48309, Oakland County, be considered for approval.

**2008-0302** Request for Approval of an Extension of the Final Site Condominium Plan - Pine Woods Site Condominiums, a proposed 29-unit development on 9.6 acres, located south of Auburn, east of Livernois, zoned R-4, One Family Residential, Parcel Nos. 15-34-101-073 to -075, L&R Homes, applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Letter Randazzo 060211.pdf](#)  
[Map.pdf](#)  
[Site Plans.pdf](#)  
[Minutes PC 071911.pdf](#)  
[Memo Anzek 071911.pdf](#)  
[080910 Agenda Summary.pdf](#)  
[Signed Request for Extension.pdf](#)  
[Memo Delacourt 072010.pdf](#)  
[Minutes PC 072710.pdf](#)  
[Minutes PC 061708.pdf](#)  
[Minutes PC 032007.pdf](#)  
[Minutes PC 020706.pdf](#)  
[071408 Agenda Summary.pdf](#)  
[Staff Report 061708.pdf](#)  
[Review Comments.pdf](#)  
[071408 Resolution.pdf](#)  
[080910 Resolution.pdf](#)  
[Resolution.pdf](#)

**Vito Randazzo** and **Lorenzo Randazzo**, representing the Applicant, L&R Homes, were in attendance.

**Vito Randazzo** stated that L&R Homes is requesting the extension for Pine Woods due to the current economic conditions.

**Ed Anzek**, Director of Planning and Economic Development, reported that the request has been reviewed by the Planning Commission, and the Commission recommends the extension.

**A motion was made by Yalamanchi, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0147-2011

**Resolved**, that the Rochester Hills City Council hereby approves an Extension of the Final Plan for Pine Woods Site Condominiums, a 29-unit development located east of Livernois, south of Auburn, zoned R-4, One Family Residential, Parcel Nos. 15-34-101-073 to -075, until July 14, 2012, L&R Homes, Applicant.

- 2011-0318** Request for Approval of a Sidewalk Variance for the east side of Donaldson in the Hickory Ridge Site Condominium development, City File No. 05-006, located east of Livernois, south of Auburn. The development was approved by City Council in February of 2007; Benchmark Homes, Applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Memo Anzek 072611.pdf](#)  
[Letter Karim 072811.pdf](#)  
[Map - Donaldson.pdf](#)  
[Location Map.pdf](#)  
[Subdivision Ordinance - Variances.pdf](#)  
[Site Plans.pdf](#)  
[Resolution.pdf](#)

**Ed Anzek**, Director of Planning and Economic Development, explained that Benchmark Homes has taken over work on the site after the previous developer stopped work. He noted that this section of sidewalk was not poured previously and there are no directly-benefitting homes.

**Mark Karim** and **Miles Volpe** were in attendance representing Benchmark Homes.

**Mr. Volpe** stated that the developer has been working through a punch list of outstanding items since taking over the project. As the sidewalk in this portion of the development was being reviewed, it came to their attention that locating the sidewalk in the specified area would result in the removal of protected trees over six-inches in diameter and could result in safety concerns. He pointed out that no houses are located on that side of the street. He noted that the developer was not averse to installing a sidewalk in this location; however, they were looking for clarification and direction on how to proceed.

**Mr. Anzek** displayed aerial photographs showing the sidewalks currently existing in the development and the treeline in the portion in question. He explained that sidewalks are typically poured last in home construction for each lot to prevent damage from construction equipment.

**Mr. Volpe** noted that by Ordinance, specifying a location of 15 feet behind the curb line would cause the sidewalk to impact the tree line.

**President Hooper** stated that he visited the site in question and measured the distance to the tree line at 11 feet. He suggested that the sidewalk could be allowed at a five foot distance to the curb with a five foot width and questioned whether the applicant would find that acceptable.

**Mr. Volpe** responded that would be agreeable and questioned whether the intent is to jog the sidewalk only at the narrowest point or keep a five-foot distance from the curb for the entire section. He stated that the developer wants to avoid damaging tree roots and pointed out that the developer does not own the portion of property where the sidewalk must be constructed.

**President Hooper** responded that this portion of walk would begin at a point to meet the current sidewalk and then be pulled closer to the curb.

**Mr. Yalamanchi** questioned whether the original approval required a sidewalk in that area and who owns the property where the sidewalk is to be located.

**Mr. Anzek** responded that the original plan does require a sidewalk and stated that the City owns the property to the right of way line at 15 feet. He pointed out that it is 11 feet to the tree line and explained that if the sidewalk was installed to the current standards, a number of trees would have to be removed. He commented that the Engineering Department could be asked for input as to whether the sidewalk could safely be relocated closer to the curb.

**Mr. Yalamanchi** stated that he would favor maintaining the requirement for a sidewalk.

**Mr. Rosen** questioned whether there is any reason why Section 122.95 of the Subdivision Ordinance could not be used to grant a waiver of the requirements. He pointed out that conditions for a waiver do exist as specified in this section of the Ordinance, as the sidewalk would not connect with any homes and there are identifiable conditions that would present a hazard should a sidewalk be installed as required.

**Mr. Anzek** stated that Section 122.95 deals with subdivisions containing fewer than nine lots and would not apply to this development. Allowing a deviation from the current specified distance in this instance would require a variance. He pointed out should a proposed development to the south currently in review consisting of twelve lots move forward, there would then be connectivity to this property.

**Mr. Brennan** stated that he would prefer to see the sidewalks built; however, it is important to accommodate the special circumstances and conditions that exist.

**President Hooper** suggested granting a variance consisting of a location modification to five feet behind the curb.

**Mr. Anzek** suggested including a condition for review by the City's Traffic Division.

Council members questioned whether the matter could be postponed and revisited after the review.

**Mr. Volpe** responded that the developers would like to complete the installation of the sidewalks this year. He questioned whether postponing could cause enough of a delay that the work would not be completed before the construction season ends.

**Mr. Anzek** noted that he did not see any difficulties in proceeding with granting the variance subject to the Traffic Engineering Department's review of the relocation of the sidewalk. He noted that any adjustment to the standards could be determined administratively after review.

**A motion was made by Brennan, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0148-2011

**Resolved**, that the Rochester Hills City Council hereby grants a Sidewalk Variance along the east side of Donaldson in the Hickory Ridge Site Condominium development located east of Livernois, south of Auburn, in accordance with the provisions of Section 122-91 through 94 of the Subdivisions Ordinance with the following findings:

Findings for approval:

1. There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
2. The Variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. The granting of the Variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
4. The Variance will further the written objectives and policies of this Code and the Master Land Use Plan.

Subject to the following Conditions:

1. Engineering review and approval.
2. Location of the walk to be moved to five feet (5') behind the curb.

**2011-0329** Request for a Tree Variance from the 37% preservation requirements of the Tree Conservation Ordinance for property located on Mill Race, north of Washington, proposed for a land division for four residential parcels, Howard Elandt, Applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Staff Report.pdf](#)  
[Email Elandt 072911.pdf](#)  
[Elandt and Arborist letter 070811.pdf](#)  
[Map.pdf](#)  
[Map 2.pdf](#)  
[Cert of Survey.pdf](#)  
[Conservation Easement.pdf](#)  
[Tree Plan \(Pg 1 of 3\).pdf](#)  
[Tree Plan \(Pg 2 of 3\).pdf](#)  
[Tree Plan \(Pg 3 of 3\).pdf](#)  
[Resolution.pdf](#)

**Ed Anzek**, Director of Planning and Economic Development, stated that the

*Planning Department has been working with Howard Elandt, the Applicant, for seven years to find an acceptable property division. He explained that Mr. Elandt is entitled to split the original parcel four times to make five parcels. Mr. Elandt has proposed a split to four parcels, two of two acres each and two of a little over three acres each.*

*Mr. Anzek noted that the site is heavily wooded, with a slope running along the western line in a north/south arrangement. He commented that a wetland area in the westernmost portion of the site is full of ash trees which were removed from the City's Tree Survey due to their condition. With the removal of these trees from the survey, the remaining counted trees now fall within the area of development. He noted that the City's Tree Conservation Ordinance specifies that a single family division of two or more parcels requires a 37 percent preservation of the trees. He pointed out that as a large-lot development, each site will contain a large building envelope. He stated that the Ordinance requires that any tree contained within the building envelope must be considered removed, even if it will remain.*

*He suggested that instead of granting a variance from the stipulation for 37 percent preservation of the trees as the initial request states, it might be more appropriate for Council to consider a granting a variance from the stipulation that trees within the building envelope are not to be counted as preserved. He displayed an aerial photograph, pointing out the proposed parcels to be split and noted the location of the trees. He stated that both Mr. Elandt and the potential buyer for one of the resulting sites have expressed that they prefer to keep as many of the trees as they can, yet still create buildable sites. He mentioned that originally, the trees on the property were planted as a part of a holiday tree farm and are 50 to 60 foot pine trees in rows, aged, with many falling down. He displayed a photograph taken at ground level showing the tree condition. He reported that in discussions with City Attorney John Staran, it was determined that it is appropriate for Mr. Elandt to request that Council consider granting a variance.*

**Howard Elandt**, the Applicant, explained that in 2007, Council granted a waiver from the City's Road Ordinance, which he sought in part to preserve the natural beauty of the property and protect trees. He commented that had he known that a Tree Variance would also be required, he would have requested it at that time. He stated that his property is unique and exceptional, making it difficult to apply the City's Tree Ordinance. He noted that he is determined to preserve and protect its beauty to result in a high-end upscale project. He mentioned that the variance is required before he can close on any sale of the parcels. He introduced George Reichert, in attendance, as a part-owner of and planner for the development.

**President Hooper** questioned what variance is being requested.

**Mr. Elandt** responded that he was not concerned with receiving a variance from the 37 percent preservation requirement; what he would like to receive is a variance that stipulates that he does not have to count all trees within the building envelope as automatically removed. He commented that the first proposed construction is for a 4,000 square foot dwelling. Including the area necessary for the driveway and septic, it is estimated that he would only be required to clear 12 percent of the trees, well within the 37 percent stipulation.

**Mr. Anzek** noted that if the Ordinance is applied, the front, side and rear yard setbacks would result in a building envelope that would consider 90 to 95 percent of the trees on the site as removed. He commented that the Ordinance stipulates that each tree within the building envelope is considered removed whether actually taken down or not, and would require a payment into the Tree Fund or replacement. He stated that at \$300.00 per tree, costs would reach over \$300,000 and would be prohibitive to Mr. Elandt. He stated that there must be a way to quantify the building envelope to determine how many trees will actually be removed. The trees actually removed would either be required to be replaced, or compensation paid to the Tree Fund. He suggested that in addition to the building envelope, which would include a 30-foot area surrounding the actual building footprint for construction equipment, consideration should be extended for the septic and leach field and a ten foot clearance on either side of a driveway to the dwelling. He noted that a system would be worked out for parcels 2, 3 and 4, to determine how to compute trees to be counted for each.

**Mr. Rosen** commented that it appears that the request is for relief for how the buildable envelope is calculated. He questioned whether much larger front, rear and side yard setbacks could be specified.

**Mr. Anzek** responded that self-imposed increases in setbacks are not enforceable by the City and could be problematic. He noted that the City's Legal Counsel advised against this option. He stated that a Conservation Easement across the back of the property was also considered; however, it was determined that many existing conservation easements are not being respected and are being encroached on and have become an enforcement issue for the City.

**Mr. Rosen** stated that if Council grants a variance from the 37 percent, someone could come in and clear cut the property.

**Mr. Anzek** concurred, stating that this is why if Council only grants a variance from Section 126-327, item two for counting the trees within the buildable envelope, as pledged by the builder, then it can be locked down to a number at that point in time.

**Mr. Rosen** commented that the variance could contain the definition of 30 feet from the building footprint for the buildable envelope, along with the septic and leach field and the 10-foot distance from the driveway. He stated that it should not contain a reference to a variance from the 37 percent preservation requirement.

**Mr. Brennan** requested Mr. Anzek comment on e-mail communications received from residents, requesting that a new tree count be undertaken and implying that a variance would ruin the character of the neighborhood.

**Mr. Anzek** responded that he spoke with one individual last week who expressed concern that clearcutting could be done. He stated that his opinion is that clearcutting of the site is unlikely. He commented that an updated tree survey could be undertaken; however, it would be extremely expensive and might not provide any additional gain to the City. He pointed out that any decayed or dying tree would not count toward replacement.

*Mr. Elandt* responded that one of the features attracting individuals to the site is the fact that it is treed and private. He noted that a home can be tucked off the road behind the trees, offering privacy, exclusivity and seclusion. He stated that he has no interest in clearing the site's best and biggest asset. He commented that this project has been pursued to preserve the character of the neighborhood. He reiterated that the Road Ordinance waiver was sought in 2007 for this purpose.

*Mr. Pixley* questioned whether granting a variance now will extend to future sales of the other parcels, and requested confirmation that any tree removed from the buildable envelope, septic and leach field and the 10-foot driveway clearance would be required to be paid into the Tree Fund or replaced.

*Mr. Anzek* responded yes to both questions.

*Mr. Yalamanchi* stated that he wished to see any reference to the 37 percent requirement be removed from the variance granted.

**A motion was made by Rosen, seconded by Pixley, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0149-2011

**Resolved**, that the Rochester Hills City Council hereby approves the request for a Tree Variance from the Tree Conservation Ordinance for Parcel No. 15-01-100-016, 10.2 acres located on Mill Race, north of Washington, zoned R-E, Residential Estate with the following findings:

Findings:

1. There are special circumstances or conditions affecting the property such that the strict application of this article would deprive the applicant of the reasonable use of his land.
2. The Variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
3. The Variance will further objectives and policies of this article, this Code, the Zoning Ordinance in Chapter 138, and the Master Land Use Plan.

Subject to the following Conditions:

1. Trees removed in the actual building footprint, plus a thirty foot (30') setback from the building footprint, the area for the septic field, and ten feet (10') on either side of the driveway will be subject to the counting purposes of the Tree Conservation Ordinance.
2. Payment for trees removed will be subject to the Tree Conservation Ordinance.

**2011-0332** Request for Purchase Authorization - DPS/ENG: Contract for Rain Tree Drive Rehabilitation/Pathway Project and Cumberland Hills/Eddington Farms Speed Hump Installations in the amount of \$936,207.12 with a 10% contingency of \$93,620.72 for a total not-to-exceed amount of \$1,029,827.84; Pro-Line Asphalt Paving Corporation, Washington, MI

**Attachments:** [Agenda Summary.pdf](#)  
[General Location Map.pdf](#)  
[Bid Tab.pdf](#)  
[Resolution.pdf](#)

**Mr. Yalamanchi** questioned whether the existing roundabout is included in the project scope and if drainage problems along Rain Tree will be addressed.

**Allan Schneck**, Director of DPS/Engineering, responded that the roundabout is not included. He stated that the project scope does include drainage work, including stabilization and grading along the south side.

**Mayor Barnett** stated that while there are some things that could be done to improve the overall efficiency of the roundabout, the cost is prohibitive at this time.

**President Hooper** commented that he and Mr. Webber attended a homeowners' association meeting where the roundabout was discussed. It was consensus of the residents in attendance that they did not wish anything to be done with the roundabout.

**Mr. Pixley** questioned why the cost is above the budgeted amount for the Major Road portion of the project.

**Mr. Schneck** responded that the original cost estimate was done some time ago, and the final strategy was based on geotechnical information obtained. He stated that a 1,300 foot section of the project was not in the original scope of work.

**Mr. Pixley** commented that the roadway should be done now, as it is close to being in a state of failure. He pointed out that the portion of roadway that is driving the cost over the estimate is actually a portion that needs to be done.

**Mr. Webber** pointed out that two subdivisions are participating in cost sharing for the traffic calming portion of the project; stating that he wished more subs would partner with the City to install traffic calming.

**A motion was made by Pixley, seconded by Webber, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0150-2011

**Resolved**, that the Rochester Hills City Council authorizes a contract for Rain Tree Drive

Rehabilitation/Pathway Project and Cumberland Hills/Eddington Farms Speed Hump Installations to Pro-Line Asphalt Paving Corporation, Washington, Michigan in the amount of \$936,207.12 with a 10% contingency of \$93,620.72 for a total not-to-exceed amount of \$1,029,827.84 and further authorizes the Mayor and City Clerk to execute a contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the bid and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

**2011-0247** Request for Nonprofit Designation for a Charitable Gaming License from the State of Michigan - Thomas Richards Charity

**Attachments:** [Agenda Summary.pdf](#)  
[TRC Letter.pdf](#)  
[Solicitation License.pdf](#)  
[CC Minutes 050211 \(Excerpt\).pdf](#)  
[050211 Agenda Summary.pdf](#)  
[TRC Letter.pdf](#)  
[TRC IRS Nonprofit.pdf](#)  
[TRC Bylaws.pdf](#)  
[TRC Articles of Incorporation.pdf](#)  
[TRC Articles of Incorporation Amendment.pdf](#)  
[TRC Boardmembers.pdf](#)  
[TRC Corporate Resolution.pdf](#)  
[TRC Form 990.pdf](#)  
[TRC Things We've Done.pdf](#)  
[050211 Resolution.pdf](#)  
[Resolution.pdf](#)

**President Hooper** questioned what the organization has done since the last time it came before Council in May of this year.

**Tim Ciotti**, President, Thomas Richards Charity, highlighted the organization's activities:

- The organization is based in Rochester Hills and its officers all graduated from Rochester High School and have a desire to help the community.
- The charity has brought in over \$39,000 in the last two years through three golf outings.
- Slightly under \$45,000 in less than two years have been written to families for various needs:
  - \* A handicapped bathroom was constructed for a family.
  - \* A playground was constructed in the name of a two-year-old boy who was killed by his dog.
  - \* Financial assistance was rendered to a family who was adopting a child.
  - \* Proceeds from the July 29th golf outing will help purchase new computers for Rochester High School's video production program.
  - \* Rent assistance was provided to a family who is experiencing financial difficulties due to medical expenses for treatment of their daughter's brain tumor.

He stated that the organization uses its resources to help people. Its yearly golf

outing is scheduled along with Rochester High School's 20-year reunion each year. He reported that this year's golf outing raised \$11,000; and commented that a gaming license would also allow 50/50 raffles, ticket sales and bingo events, raising as much as another \$2,000 to \$3,000 per event to be funneled back into the community.

**President Hooper** commented that at the May Council Meeting, the organization was encouraged to partner with other non-profits.

**Mr. Ciotti** responded that discussions have been held with Peg Hamilton at the Community Foundation of Greater Rochester and the Charity has taken many of her suggestions. He mentioned that it would take a minimum of \$10,000 for the Thomas Richards Charity to begin a formal relationship with the Community Foundation.

**Mr. Yalamanchi** pointed out that since May, the organization has obtained a Solicitation License from the State of Michigan, as Council requested. He questioned why the organization's focus is very broad and nonspecific.

**Mr. Ciotti** responded that by having a broad focus, it allows the organization to help more people. He commented that most foundations cannot do anything outside of their scope. As the Charity has left things open, they can use funds to help individuals. He mentioned that because the Charity helps individuals, it will not be eligible for many grants.

**Mr. Rosen** stated that while the Charity's purposes appear good, they have not done anything since May that they have taken credit for, and commented that he is still not comfortable vouching for them as a charitable organization.

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

**Aye** 5 - Brennan, Hooper, Pixley, Webber and Yalamanchi

**Nay** 1 - Rosen

**Absent** 1 - Klomp

Enactment No: RES0151-2011

**Resolved**, that the request from Thomas Richards Charity, located at 55 N. Plaza Blvd., #415, Rochester Hills, Michigan 48307, Oakland County, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval.

**2011-0328** Request for Purchase Authorization - FIRE: Purchase of one (1) Type III Class I Ambulance in the amount of \$149,897.00; Emergency Vehicles Plus, Holland,

**Attachments:** [Agenda Summary.pdf](#)  
[Proposal Letter.pdf](#)  
[Proposal Tabulation.pdf](#)  
[Resolution.pdf](#)

**Ron Crowell**, Fire Chief/Emergency Management Director, stated that the vehicle slated for replacement is a 2005 Wheeled Coach ambulance with 76,000 miles.

*He pointed out that in the last two years, this vehicle has been out of service for repair many times and has broken down responding to and after calls. He commented that based on repair and personnel cost, it is recommended for replacement at this time. He mentioned that the ambulance proposed for purchase is a Wheeled Coach ambulance with Chevrolet Chassis, which has a road service technician available and can be serviced here in the City, keeping personnel costs down.*

**President Hooper** questioned what will be done with the current ambulance.

**Chief Crowell** responded that it would most likely be sold or auctioned off through the Michigan Intergovernmental Trade Network.

**Mr. Pixley** questioned what the salvage value of the existing vehicle is estimated to be.

**Chief Crowell** responded that based on experience, its sale would bring at most \$8,000 to \$10,000. He suggested that with such a low value, the vehicle could possibly be considered for donation to Oakland Community College (OCC) for their Emergency Medical Service training program.

**Mayor Barnett** commented that the City has donated vehicles to OCC in the past.

**Chief Crowell** added that the City previously donated a fire engine to OCC, which was invaluable for training purposes. He stated that before the vehicle is sold for such a low return, he would like to look at other options.

**A motion was made by Webber, seconded by Brennan, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0152-2011

**Resolved**, that the Rochester Hills City Council hereby authorizes a purchase order to Emergency Vehicles Plus, Holland Michigan for one Type III Class I Ambulance in the amount of \$149,897.00.

**2011-0335** Mayor's 2012 Proposed Budget

a. Presentation

b. Adoption of Resolution acknowledging receipt of the 2012 Proposed Budget and 2013 and 2014 Projected Budget and setting the Budget Public Hearing for Monday, September 19, 2011

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

**Mayor Barnett** stated that the proposed Fiscal Year 2012 (FY 2012) Budget will be online shortly for public review. He commented that the nation, region and City have experienced economic challenges, requiring the City to dive deeper

*and thoroughly examine every service it provides. He mentioned that introducing the concept of a three-year budget last year has yielded a proactive approach to enable the Administration to see the challenges and opportunities that lie ahead and result in a resourceful and strategic approach. He presented the Proposed FY 2012 Budget:*

*PROPOSED 2012 BUDGET*

- *Continues Multi-Year Approach.*
- *Three (3) year budget plan covering Fiscal Years 2012, 2013 and 2014.*

*He noted that the budget process is guided by two principles:*

*Vision Statement:*

- *The community of choice for families and business.*

*Mission Statement:*

- *To sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community.*

*Our Budget Goal:*

- *Opportunities:*
  - \* *To make the delivery of our services more efficient*
  - \* *To work with communities around us*
  - \* *To become more transparent to our residents*
- *Our Proposal:*
  - \* *A budget that lives within its Funding Sources*

*The Fiscal Year 2012 Proposal:*

- *Total millage rate of **9.0760**, the same rate as FY 2011. This is the 13th consecutive year that the millage rate has not increased*
- ***THE LOWEST** millage rates for Cities in Oakland County (with a population over 5,000).*
- ***NO** levy of the 1% administrative fee.*
- *This will leave approximately \$1.1 million in the pockets of our residents and businesses.*

*He stated that the net effect of declining residential and commercial property values has resulted in taxable values declining about 6.3 percent for FY 2012, with taxable values totaling approximately \$3 billion. For another year, there will not be a Headlee roll back of the City millages, as the rate of inflation exceeded taxable value growth. The FY 2012 Proposed Budget manages inflationary cost increases with less funds than it had available last year by continuing to refine and improve the way in which services are delivered and by working with surrounding communities.*

Total Expenditure Budget:

- City-wide expenditures of \$104,464,470, a decrease of 2.5% from the FY 2011 Amended Budget.
- Reductions in:
  - \* Supply Costs
  - \* Professional Services, and
  - \* Capital Projects

A pie chart was displayed noting a breakdown of Proposed Expenditures for Debt Service, Capital Outlay, Depreciation, Commodity Services, Transfers Out, Personnel Services, Professional Services, Supplies, and Other Services.

Governmental Funds - Expenditures:

He noted that the Governmental Funds are where tax dollars are spent and where the City has the greatest discretion in budgetary decision-making. He noted that the following table illustrates that the City is taking reductions in expenditures despite inflationary pressures in areas like health care costs.

<b>Expenditures: Governmental Funds</b>		
<b>Fiscal Year</b>	<b>Millions</b>	<b>% Change</b>
2010 Actual	\$71.2	
2011 Amended Budget	\$59.2	-16.8%
2012 Proposed Budget	\$57.0	-3.7%
2013 Projected Budget	\$57.7	1.2%
2014 Projected Budget	\$56.4	-2.3%

Personnel Costs:

- The Oakland University Survey said 9 out of 10 residents were impressed by City employees' professionalism and conduct.
- Actively moved to bring personnel costs in line with available funding.
- Deep cuts in FY 2011 helped us in the proposed FY 2012 budget.
- Since 2006, the City has reduced its full-time staff by 20.3 percent.
- FY 2012 budget proposes 204 full-time positions putting us below 1998 staffing levels.

Budgeted Full-Time Employees per Fiscal Year:

2003: 258  
 2004: 254  
 2005: 252  
 2006: 256  
 2007: 253  
 2008: 251  
 2009: 239  
 2010: 229  
 2011: 208  
 2012: 204

Oakland County Sheriffs (OCSD):

- To help offset:
  - \* Falling taxable value, and
  - \* An anticipated 3.0% to 8.0% rate increase
- Proposed reduction of one (1) Deputy II position in FY 2012.

A chart showed increasing Sheriff Contract Costs in relation to a five percent reduction in OCSD staff.

Capital Projects:

- \$6.3 Million proposed for Capital Improvements in FY 2012.
- Resident survey top two identified problems:
  - \* Traffic congestion, and
  - \* Local street maintenance and reconstruction
- \$2.0 Million to the Local Street Fund for reconstruction in 2012 or 32% of the city-wide capital budget.
- A majority of the proposed Capital Improvement budget will be for Road Improvement projects.

A chart was displayed, showing the percentage of Capital Projects allocated to Local Streets, Major Roads, Fleet, MIS, Facilities, Water and Sewer, Pathways and Fire Capital. He noted that over 51 percent of the City's Capital Improvement Fund expenditures are going to Local Streets and Major Road Projects.

Proposed Revenues:

- Proposed FY 2012 Budget.
  - \* City-wide Revenues Reduced (0.4%)
- Falling Property and Gas (ACT 51) Taxes.
- Improving State Revenue Sharing ("worst to first" 2010 Census effort), and Charge for Services.
- Continued Conservative Approach to Revenues.
- Rochester Hills leading the way.
- NO General Fund fund balance to pay for Operating Expenses.

He pointed out that a proposed use of \$2,034,040 from Fund Balance is primarily for capital-related projects. He stated that the proposed FY 2012 Budget, along with the 2013 and 2014 projected budgets, takes a conservative approach to forecasting revenues. He noted that this approach has served the City well over the past several years, mentioning that the City's auditors have reported that the City is clearly in the top percentile of other Oakland County communities when it came to managing its resources.

A pie chart was displayed, noting the percentage of revenues received from Service Charges, City Taxes, Transfer-In, State Grants, License and Permits, Investment Earning, Fines and Forfeitures, Other Intergovernmental and Other Revenue. He stated that the largest portion of projected revenue comes from Service Charges. He emphasized that the Administration is not proposing the

*use of General Fund Unassigned Fund Balance as a revenue source to balance Operating Expenses. Any proposed use of Fund Balance(s) in FY 2012 is related to improving the city's infrastructure through capital projects.*

2011 Accomplishments:

- *The City was awarded an AAA bond rating by Standard & Poor's and Fitch Ratings, the highest rating possible.*
- *The City was recognized by the Government Finance Officers Association, winning our first Popular Annual Financial Report Award for the City's 2009 Citizen Financial Summary Report.*
- *Over \$3.6 million in Major Road improvements are underway throughout the City, including:*
  - \* *Crooks Road at M-59 Interchanges, City-wide Concrete Slab Replacement, Walton Boulevard (Adams Road to East City Limit), Adams Road (South Boulevard to Auburn), M-59 (West City Limits to Crooks), Rain Tree Drive Rehabilitation and Pathway Construction.*
- *The City attracted 27 new companies, 23 of which are in the Local Finance Development Authority (LDFA) District. This created 1,283 new jobs. In addition, seven companies and 559 jobs were retained in 2010.*
- *Through June 2011, nine companies and over 350 new jobs have come to Rochester Hills. Two companies and over 35 new jobs have been retained.*
- *False Alarm calls are decreasing. Even though this means less revenue from fines, it also is freeing up more time and resources that can be used elsewhere proving the program is working.*
- *In September of 2010, the Rochester Hills Museum took over operations of the Stoney Creek School House and through successful fundraising, the School House will have improved Americans with Disabilities Act (ADA) access in 2011 with no share of the cost from the City.*
- *The Employees' Safety Committee, and their work-place safety improvements, has continued to show a reduction in worker's compensation insurance premiums, saving the City approximately \$33,000 in additional savings in 2011 to the previous savings of \$160,000 over the past two years.*
- *Utilizing a COPS grant in the amount of \$305,000, Radar Speed Displays were placed within school zones to increase traffic safety for school children.*
- *The City entered into an innovative inter-local agreement with Shelby Township to share Building Department services.*
- *The City is receiving \$17,000 per year for renting the former Environmental Education Center building to the Clinton River Watershed Council in a fantastic new public/private partnership.*

*Mayor Barnett stated that despite the worst economy in 80 years, the City has been a beacon of prosperity and optimism in Southeast Michigan. He commented that past decisions have allowed for this success, and the Administration will not stray from this fiscally-conservative model.*

Conclusion:

- *Our Proposed FY 2012 Budget:*
  - \* *City-wide revenues down by 0.4%*
  - \* *City-wide expenditures down by 2.5%*

- *Living within our means.*
- *96% of our residents are satisfied with their decision to live here in Rochester Hills.*
- *We now invite the Council's full participation in the final FY 2012 Budget.*

**Budget Workshops:**

- *August 15th and 29th starting at 5:30 p.m.*
- *The Proposed Budget Plan is available on the City's website, at City Hall (Clerk's Office and in the Reference Room), at the Library and the Older Persons' Center.*

*He requested Council contact him or Keith Sawdon, Finance Director, with any questions or comments on the proposed budget; and mentioned that it would be helpful if any questions or requests for information could be submitted in advance of the workshops.*

**Council Discussion:**

*Mr. Pixley stated that Rochester Hills must be one of the few cities that can hear a budget being presented in a positive fashion. He commented that it continues to demonstrate the hard work that has gone into it.*

*Mr. Webber questioned whether a schedule will be distributed of what departments will be covered at each workshop night.*

*Mr. Sawdon stated that it would.*

*Mr. Yalamanchi stated that while he originally requested that the Budget Workshops be set for August 15th and August 29th, he now finds that he has a scheduling conflict for August 29th and will be unable to attend. He questioned whether that workshop could be moved to August 22nd.*

*Mayor Barnett commented that Directors may not be available on August 22nd, and Deputy Directors might need to attend in their place.*

*Mr. Pixley noted that he is not available on August 22nd.*

*President Hooper stated that the workshop dates would be left as scheduled; and after the Administration's review, the schedule could be discussed on August 15th.*

**A motion was made by Pixley, seconded by Webber, that this matter be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

**Absent** 1 - Klomp

Enactment No: RES0153-2011

**Whereas**, the City of Rochester Hills City Council have worked to develop City goals for the Fiscal Year 2012; and

**Whereas**, based on these City goals, the Mayor's Fiscal Year 2012 Proposed Budget and 2013 and 2014 Projected Budget was developed; and

**Whereas**, at the August 8, 2011 City Council Meeting, the Mayor delivered the 2012 Proposed Budget Plan for the Fiscal Year beginning January 1, 2012

**Be It Resolved**, that the Rochester Hills City Council acknowledges receipt of the 2012 Proposed Budget and the 2013 and 2014 Projected Budget and hereby gives notice of Public Hearing to be held at 7:00 p.m. on Monday, September 19, 2011 at the Rochester Hills City Hall, 1000 Rochester Hills Drive, for the purpose of discussing the 2012 Budget and providing opportunity to all interested parties to present comments thereon prior to formal adoption by the Rochester Hills City Council.

**Be It Further Resolved**, that the publication of the Notice of Public Hearing is hereby authorized.

## COUNCIL COMMITTEE REPORTS

*None.*

## ANY OTHER BUSINESS

*None.*

## NEXT MEETING DATE

*Special Budget Meeting - Monday, August 15, 2011 - 5:30 p.m.; Special Budget Meeting - Monday, August 29, 2011 - 5:30 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 9:57 p.m.*

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*GREG HOOPER, President  
Rochester Hills City Council*

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*JANE LESLIE, Clerk  
City of Rochester Hills*

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*MARY JO WHITBEY  
Administrative Secretary  
City Clerk's Office*

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