



# 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)

*Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, 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, September 8, 2008

7:30 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 7:30 p.m. Michigan Time.*

## ROLL CALL

**Present** 7 - Erik Ambrozaitis, J. Martin Brennan, Greg Hooper, Vern Pixley, James Rosen,  
Michael Webber and Ravi Yalamanchi

## Others Present:

*Ed Anzek, Director of Planning and Development  
Bryan Barnett, Mayor  
Dan Casey, Manager of Economic Development  
Scott Cope, Director of Building/Ordinance Compliance  
Kurt Dawson, Director of Assessing/Treasury  
Ron Dreher, Building Trades Inspector/Plan Reviewer  
Jay Fakhoury, Building Inspector/Plan Reviewer  
Julie Jenuwine, Director of Finance  
Richard Lange, Building Inspector/Plan Reviewer  
Jane Leslie, City Clerk  
Don Miller, Building Inspector/Plan Reviewer  
Eve Navarro, Clerk B  
Linda Osiecki, Deputy Treasurer  
Lura Priebe, Clerk B  
Roger Rousse, Director of DPS/Engineering  
Jack Sage, Ordinance Inspector  
Linda Spry, Clerk B  
Mark Vecellio, Building Trades Inspector/Plan Reviewer  
Gloria Ward, Clerk B  
Bob White, Supervisor, Ordinance Services  
Kelly Winters, Deputy Director of Building/Ordinance Compliance  
Dick Young, Supervisor of Inspection Services  
Cathy Zimmer, Department Secretary B*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

A motion was made by Ambrozaitis, seconded by Pixley, that the Agenda be Approved as Presented. The motion CARRIED by the following vote:

Aye 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

## PUBLIC COMMENT

**Alice Benbow**, 1582 Northumberland Drive, made the following comments:

- Questioned why information was available on the City's website in multiple languages.
- Requested consideration for inclusion on the Police and Road Funding Technical Review Committee.
- Inquired whether there were campaign finance disclosures for contributions from contractors.
- Commented that tax abatements should not be given to companies or individuals who made political contributions.
- Stated that any individual appointed to a City Board, Commission or Committee should be free of any conflicts of interest.
- Requested a moment of silence for the passing of Rochester Hills resident Edward Cenker, husband of Ethel Cenker.

**Lee Zendel**, 1575 Dutton, questioned whether a fuel adjustment clause included in any contract with a Single Trash Hauler could work to the disadvantage of the City if long-term fuel costs declined.

**Agnes Domanska**, 1530 Streamwood, stated that she is opposed to lethal deer control management. She commented that bow hunting is not a safe means of deer population control. She noted that one method used to minimize the danger of car-deer accidents, incorporating a reflector system, could be eligible for ninety percent funding under a Federal Highway Administration Safety Improvement Program. She stated that sharpshooting programs have limited success in deer population control and are not effective long-term; and suggested that the City could begin a deer management program by enforcing a feeding ban, using signage in high accident locations, and incorporating community education.

**Bill Bidwell**, 2055 Avoncrest, presented information he had compiled regarding the proposed Building Department budget and staffing requirements for 2009 and commented that new construction most likely would not return to previous levels. He suggested that certain City enforcement measures should be reviewed.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Hooper** indicated that a discussion about deer population management measures will be an agenda item for September 15, 2008 and will include the First Reading of an Ordinance for a deer feeding ban, along with a discussion of the Administration's report on this issue.

**Mr. Ambrozaitis** extended his congratulations to Lori Blaker, President and CEO of Technical Training, Inc., a Rochester Hills firm, for being named a 2008 Ernst & Young Entrepreneur of the Year in the Services category. He stated that Ms. Blaker took a family-run business and turned it into a thirty-million-dollar global outsourcing and realty training company.

**Mr. Pixley** congratulated the Paint Creek Center for the Arts (PCCA) for a successful Art and Apples Festival this past weekend.

**Mr. Webber** echoed his congratulations to the PCCA, commenting that a lot of work went into this very successful Festival.

**Mr. Yalamanchi** questioned whether once a moratorium on bowhunting would be lifted, the Michigan Department of Natural Resources would allow the City to reinstate a bowhunting Ordinance. He also questioned, as a part of the deer management planning discussions, whether the Administration could review speed limits for Avon, Adams and Hamlin and explore the possibility of these speed limits being decreased from 45 to 40 miles per hour.

**Mayor Barnett** made the following comments and announcements:

- Reiterated the success of the Art and Apples Festival, stating that many non-profit organizations were able to benefit from their participation.
- Reminded residents of schools going into session this month, and asked drivers to be mindful of their speeds in construction zones and in the residential areas surrounding them. He stated that his office has received calls regarding speeders in the residential areas, and he has requested that the Oakland County Sheriff's Department mark these neighborhoods for extra patrols.
- Stated that recent deaths within the deer population around the Clinton River in Macomb and Oakland Counties have been diagnosed as Epizootic Hemorrhage Disease (EHD). He reported that approximately fifty deer have died from EHD recently in these areas. He stated this disease, transmitted to deer by flies and ticks but not from deer to deer or deer to any other animal, would wane after a freeze, as the transmitting insects will die off.
- Regarding public comment on the City's website, he stated that a promotional video is offered in several other languages. He stated that this video has been used as a successful tool in promoting the City and the community. He commented that the City's website itself is in English.

## ATTORNEY MATTERS

**City Attorney John Staran** was absent.

## PRESENTATIONS

- 2008-0457** Presentation of a Certificate of Accreditation to the Building Department from the International Accreditation Service (IAS); Majed A. Dabdoub, P.E., Chair of the IAS Board of Directors, presenter

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

**Majed A. Dabdoub, P.E.**, Chair of the International Accreditation Association (IAS) Board of Directors, presented the Building Department with a Certificate of Accreditation from the IAS.

*Mr. Dabdoub stated that he was pleased to present the Building Department with this honor, indicating that the Rochester Hills Building Department demonstrated drive, excellence and a devotion to the community. He credited the leadership of Scott Cope, Director of Building/Ordinance Compliance and Kelly Winters, Deputy Director of Building/Ordinance Compliance, as well as the hard work of the Department's dedicated staff. He stated that the Department is one of eight building departments in the country to have achieved accreditation. He reported that the IAS performed a thorough peer review of the Building Department's entire operation, and stated that the Department has achieved a standard by which other building departments of the country would be measured.*

**Scott Cope**, Director of Building/Ordinance Compliance stated that the accreditation would not have been possible without the efforts of his entire staff, commenting that he was extremely proud to be a part of this team.

**This matter was Presented.**

- 2008-0452** Presentation on Energy Service Concerns in our Community; Mike Palchesko, DTE Energy Regional Relations Representative, presenter

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

**Mayor Barnett** introduced Mike Palchesko, DTE, Energy Regional Relations Representative, and stated that DTE has been very responsive to City officials about power outages as they occur.

**Mr. Palchesko** gave an overview of DTE's company structure. He explained the different divisions of DTE, stating that Detroit Edison and MichCon provide electric and/or gas services to over three million residential, business and industrial customers in Michigan. He indicated that tonight's presentation would cover Detroit Edison operations.

*He stated that high-voltage transmission lines take the power from the power plants to a station or substation. The International Transmission Company, based in Novi, owns and operates the high-voltage electrical transmission system within the DTE service territory. Once the power reaches the stations or substations, it enters the DTE/Detroit Edison portion of the system. Rochester Hills is served by ten substations, in and around the perimeter of the City. He mentioned several*

substations serving Rochester Hills including the Dover Station, on Old Perch north of Avon; the Tienken Substation, on Tienken Road east of Livernois; and a substation north of South Boulevard and west of Rochester Road. Voltages at substations are then transformed into lower voltages, which are then put out on the distribution system over or underground.

He stated most nationwide power outages are based on either weather events including storms, winds or tree damage, or high demand during high temperatures and humidity, and gave the following nationwide breakdown:

- Sixty-two percent of power outages are caused by weather or trees
- Fifteen percent are due to equipment problems
- Seven percent are due to public or animal contact (including accidents)
- Five percent are due to power grid or electrical system problems
- One percent is due to maintenance, with most of these outages scheduled; every effort is made to notify customers of scheduled outages
- Ten percent are due to unknown causes, including the example of a blown fuse where no cause is found

He explained the two types of power outages:

- Momentary outages, often caused by interference in the power lines, animals, tree branches, are brief interruptions of power. Brief outages can cause a digital clock to flash
- Sustained outages, are of durations of five minutes or more, and can also be caused by the same interferences

He suggested that when a resident loses power, they first check their neighborhood, and check whether the problem might be internal to their home. He gave the reporting phone number for outages or downed lines, 1-800-477-4747, and stated that when a resident calls that number, events are triggered within their data system. He cautioned residents about safety, and stated they should stay at least twenty feet away from any downed wire, metal fences, puddles of water, or trees or buildings with downed wires on or in them, and never drive over a downed wire; cross a yellow barrier tape, or leave a vehicle that is in contact with a downed wire; and stated that storm cleanup should not be started until the wires have been repaired, as many downed wires could be live but not visibly hot. He also reviewed safety practices if basements are flooded, to prevent electric shock from touching appliances or outlets in contact with water. He also suggested that any heat-producing appliances be disconnected or turned off during an outage to minimize the danger of fire.

He explained low voltage conditions, and suggested that residents should shut off all motor-driven appliances, and unplug televisions, computers and other electronics. He indicated that low voltage conditions should also be reported by calling the DTE phone number.

He discussed power restoration during widespread outages, and explained the priority system that DTE uses in restoring problems:

- Power situations affecting safety where the public is trapped in a building or a vehicle, receive first priority
- Hospitals, nursing care facilities, police and fire stations, city and township halls, communication facilities such as television and radio broadcasting stations, and sanitary pumping facilities are prioritized next
- After those situations are addressed, repairs are made where power will be restored to the most customers
- Finally, smaller pockets of outages are addressed

He suggested homeowners and business owners assemble an emergency kit in advance; and suggested that homeowners have at least one corded telephone, as cordless phones will not work and a widespread outage could affect cellular phone service. He recommended that any individuals using electricity for life support systems contact their doctors to secure equipment with battery backups. He also recommended that surge protectors be in place to protect electronic equipment, and sensitive equipment be unplugged if a storm is approaching.

**Public Comment:**

**Brian Gill**, 356 Lake Forest Road, Vice President of Willowood Subdivision Association, stated that the subdivision has experienced a great number of power outages ranging from a few minutes to days, many for no apparent reason. He requested that DTE provide reasons for the outages.

**Robert Bullington**, 237 Tanglewood, President of Willowood Subdivision, requested information on a lengthy power outage that occurred during the period beginning June 8, 2008. He commented that his subdivision is served by underground power and still experiences a great number of outages.

**Leslie Saylor**, 236 Tanglewood, reported that outages in her subdivision occur during sunny days when no weather event is present. Commenting that a July 22, 2008 outage occurred on the day she had just been released from the hospital, she found it to be an extreme physical hardship for her to be in a home with no air conditioning, as her generator cannot power the unit. She reported that she has lost refrigerators full of food, and commented that her generator uses approximately \$60 to \$80 per day for gasoline. She has also experienced damage to appliances due to surges and brownouts. She related that her elderly neighbors have no family members to assist them during outages.

**President Hooper** asked how many outages the Saylor's have experienced this year.

**Mr. Brian Saylor** responded six so far this year, and stated that this has been a great hardship for him and his wife.

**Mr. Palchesko** agreed that situations like that are unacceptable. He reported that outages in Willowood Subdivision on June 26, 2008 and July 13, 2008 were the result of blown fuses attributed to tree interference. DTE responded with a spot line clearance of tree branches and installation of animal protection to prevent squirrels and birds from getting access to the equipment. He reported that an outage on

*July 22, 2008 was the result of a tree which fell on a primary line and interrupted an entire circuit, and after that outage additional tree trimming was ordered. He commented that DTE has performed foot patrols of the area and has installed some new cabling.*

**President Hooper** questioned whether more reliable information could be given to the residents about outages and power restoration times.

**Mr. Palchesko** stated that it is a challenge to refine the system to give accurate restoration information. He commented that the June 8, 2008 storm generated a number of problems area-wide, and reported that public hearings were held regarding that outage.

**Mr. Ambrozaitis** thanked the Mayor and Mr. Palchesko for setting up the presentation before Council. He stated that his subdivision has also experienced as many as 26 or 27 outages over the past years. He questioned whether other areas could also be affecting these outages.

**Mr. Palchesko** responded that he will review that area and contact Mr. Ambrozaitis about the outages.

**Mayor Barnett** thanked the Willowood residents for their comments, and questioned Mr. Palchesko about similar comments from Grosse Pines Subdivision residents. He also questioned outages in the area surrounding Rochester High School, stating that the school is a shelter area and an emergency point for the City.

**Mr. Palchesko** responded that Grosse Pines Subdivision is served from the Tienken Substation and all outages over the past year from that substation have been caused by trees. He stated that DTE has expended over \$600 million in reliability and maintenance projects, including tree trimming, pole replacement and repair and transformer replacement in an attempt to be proactive about outages. He stated that he would review the Rochester High School area.

**Jim Duistermars**, 308 Woodside Ct., Apt 139, questioned whether DTE had information on their website to explain restoration policies and recommendations for residents. He suggested that the City website could link to DTE information.

**Mr. Palchesko** stated that the information was available at [www.DTEenergy.com](http://www.DTEenergy.com).

**This matter was Presented.**

**2008-0453** Tax Abatement Policy Discussion; Planning and Development Staff, presenters

**Attachments:** [090808 Agenda Summary.pdf](#)  
[Tax Abatement Policy.pdf](#)  
[Tax Exemption Chart.pdf](#)  
[Smart Investment Chart.pdf](#)  
[Incentives Report 072508.pdf](#)  
[Community Survey.pdf](#)

**Dan Casey**, Manager of Economic Development, reviewed the tax abatement policy proposed for Council's review. He stated that competing surrounding communities were evaluated to understand how these communities utilize tax abatements, as well as the methodology they use to evaluate tax abatements.

He reported that the City currently has ten approved tax abatements. Seven tax abatements are currently active, and three are under review by the State Tax Commission. Four abatements were approved last year, and have yet to provide results and reports of taxes generated to the city. He stated that results will be reviewed in early spring of 2009, after the City Tax is collected in winter.

He reviewed how tax abatement requests are reviewed, stating that items considered include the amount of investment planned, what investment has been made to date, and how many jobs will be created or retained. He reported that State law mandates that a company has two years to complete a project. He stated that of the ten abatements approved by the City, only two of the companies have completed their two-year investment cycle. He explained that the Department meets with these companies, and tracks their current plans. He reported that these companies appear to be on track in terms of the investing dollars they have pledged. He stated that in his opinion, the City's policy has been very effective.

Mr. Casey reviewed the proposed changes to the Abatement Policy:

- The first portion of the Policy reviews the State law, explaining how it works, and details the City's Policy Goals. A goal of whether a company has an Affirmative Action Program was eliminated, as was a goal that the investment promote the community's health, safety and welfare, as this information is not submitted as a part of the application package.
- Section Two of the policy reviews State Law and covers the definitions of eligible facilities.
- Section Three also comes from State Law and identifies the types of abatements, defining what constitutes a Rehabilitation Facility, a New Facility, a New, Expanded, or Complete Reconstruction of a building, and New Equipment. This section also defines a Speculative Facility.
- A change was made to the section of effective dates for abatements, clarifying the maximum eligible abatement times.
- No changes to Application Fees are proposed.
- A Policy Statement was added which includes a synopsis of City Council's policy and guidelines in granting abatements. He suggested that this Policy Statement be included on the website as opposed to including the entire Policy. This Statement included the following synopsis of the Policy:
  - A. Retention of companies and their employees is important; that a retained

job should be valued as much as a new job.

*B. Reinvestment in new equipment and technology can strengthen the ability of a company to compete in a global marketplace and is worthy of its support.*

*C. Sustainable development creates a balanced and marketable portfolio of properties and, therefore, rehabilitation of older facilities should be encouraged.*

*D. A strong local economy provides stability, enhances property values and provides employment opportunities for residents.*

*Mr. Casey reviewed the Real Property and Smart Investment Charts (Personal Property Abatements), and explained that adjustments were proposed to tighten the number of jobs and amount of investment that warrant longer abatement periods. He stated that job numbers were adjusted downward based on experience that the creation or retention of hundreds of jobs are not seen as commonly occurring options in area development. He stated that job and investment amounts were increased on the chart detailing Personal Property Tax abatements in order to qualify for longer periods of abatement.*

**Council Discussion:**

**President Hooper** commented that he observed that most applications received are for Personal Property Tax abatements.

**Mr. Casey** responded that this is the result of Rochester Hills being mostly built out.

**Mr. Ambrozaitis** questioned whether a company could expand into a better building for the same amount the tax abatement provides. He also questioned how a company could appeal a decision to deny an abatement. He further inquired if tightening restrictions would prove detrimental to the City.

**Mr. Casey** responded that the only way an appeal could be made is in the event that City Council denies the application and an existing Industrial Development District (IDD) was already in place. He commented that it was his opinion that tightening restrictions would not adversely impact the City, and this was a reflection of what other communities have been doing.

**Mr. Yalamanchi** questioned the removal of the two Policy goals relating to Affirmative Action and Community Welfare.

**Mr. Casey** responded that those have never been a consideration in evaluating applications. He stated that the abatement review is concerned with the amount of the investment, the effect of the investment, and what the investment will do to a company's competitiveness. He stated that the policy concerning community health, safety and welfare typically does not apply when a company's equipment is reviewed.

**Mr. Yalamanchi** commented that he would like the statement regarding Health, Safety and Welfare remain in the policy. He requested an explanation of abatements for Rehabilitation Facilities.

**Mr. Casey** explained that two Rehabilitation Districts exist in the City, the Tienken/Rochester Road warehouse district and Hamlin Tool on Hamlin Road; but no applications have been received for these districts. He stated that Rehabilitation Facility applications are much more difficult to get approved at the State level because of the requirement that the building or equipment rehabilitated or replaced must serve the exact use and purpose as the prior equipment in order to qualify.

**Mr. Yalamanchi** stated that he would like more clarification incorporated for the language regarding Rehabilitation Facilities. He commented on Section Seven, General Guidelines for Tax Abatement, questioning how a demonstration of the need for financial assistance is reviewed, and how that translates to redevelopment or implementation of new technologies.

**Mr. Casey** gave the example of an exemption given to Bernal, and how the abatement has been very successful in assisting the company.

**Ed Anzek**, Director of Planning and Development responded that the guideline relating to financial assistance could be reworded for more clarification.

**Mr. Yalamanchi** asked for a review of surrounding cities and the length that their abatements encompass.

**Mr. Casey** stated that other than the City of Troy, no communities canvassed have a restriction on the number of years they approve for Real Property. He stated that Madison Heights restricts their abatement periods to ten years for Personal Property; Troy only approves abatements on Personal Property, and not Real Property. He commented that State Law allows up to a twelve-year abatement, plus two years for construction.

**Mr. Yalamanchi** questioned whether the City reviews a company's business plan, marketing plan or financials with respect to their applications for abatement.

**Mr. Casey** stated that the City does not request financial information; and in many cases, the company would not provide these numbers to the City. He commented that the City receives many more requests and inquiries than actual applications. Many inquiries result in a determination that a company would not be eligible by State guidelines.

**Mr. Anzek** stated that most companies do not volunteer information that would divulge their competitive edge. He stated that the City does have the option of a callback of the abatement if a company does not comply.

**Mr. Yalamanchi** discussed the tax exemption charts and questioned how other cities' thresholds compare. He also questioned the minimum investments and how these minimums might work to the detriment of a smaller business.

**Mr. Casey** stated that the City does want to encourage applicants to make significant investments. He commented that the State Tax Commission does not want to see cities put a minimum investment amount that could jeopardize a

*smaller company's eligibility.*

**Mr. Anzek** stated that he wanted to assure City Council that the Administration is making a concerted effort to be proactive for small business.

**Mr. Brennan** questioned whether the guideline of a demonstrated need for financial assistance could generate an abatement to a company that is in dire financial straits.

**Mr. Anzek** responded that the purpose of this guideline was not to bail out a company in financial trouble, but was intended to look at an investment that, for instance, would help a company clear a last hurdle to get into a new market. He suggested that the Guideline G could be reworded to remove reference to "financial assistance" and instead incorporate the wording "tax abatement assistance" to provide more clarification.

**Mr. Rosen** stated that he wished to see the Goal of Community Health, Safety and Welfare remain a part of the Policy.

**Mr. Anzek** stated that tax abatements are useful in assisting companies in their initial cash outflow.

**President Hooper** stated that he felt granting tax abatements was money well spent in assuring the City remains competitive.

**Mr. Casey** related follow up done on Maple Mold Technologies, which had received one of the Tool and Die Recovery Zone Exemptions. He stated that abatements grant Maple Mold approximately \$50,000 in savings per year. He reported that Maple Mold has invested in a \$250,000 piece of equipment, which has allowed them to secure additional contracts. As a result of the savings in tax expenditures and increase in equity, their bank has now worked with the company to allow them to refinance their building. The company is now on the road to recovery.

**This matter was 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.

**2008-0435** Request for Acceptance of a Watermain Easement granted by F & P Rochester, LLC, for Chase Bank

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

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

Enactment No: RES0281-2008

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by F & P Rochester, LLC, a Michigan limited liability company of 13400 Canal Road, Sterling Heights, Michigan 48313, 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. #15-33-351-042.

**2008-0437** Request for Acceptance of an Off-Site Watermain Easement granted by F & P Rochester, LLC, for Chase Bank

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

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

Enactment No: RES0282-2008

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by F & P Rochester, LLC, a Michigan limited liability company of 13400 Canal Road, Sterling Heights, Michigan 48313, 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. #15-33-351-041.

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

**2008-0438** Request for Approval of the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and F & P Rochester, LLC

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

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

Enactment No: RES0283-2008

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the storm water detention system, relative to the details of the development and use, repair and maintenance of the storm water system, for Chase Bank, for City File #02-028, between the City of Rochester Hills and Chase Bank, 13400 Canal

Road, Sterling Heights, Michigan 48313.

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

### Passed the Consent Agenda

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

## PUBLIC HEARINGS

**2008-0451** 2008 3rd Quarter Budget Amendment

**Attachments:** [Agenda Summary.pdf](#)  
[2008 - Budget Adjustments .pdf](#)  
[3rd Qtr BA Summary Chart.pdf](#)  
[2008 - Budget Amendments.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution.pdf](#)

**Julie Jenuwine**, Director of Finance, summarized the proposed Third Quarter Budget Amendment figures, noting a \$336,000 increase in operating expenses, comprised of approximately ten different categories of approximately 158 different line items, including the following items of significance:

- \$32,000 in expenses for the Festival of the Hills; this increased amount is one hundred percent reimbursable through donations
- An increase in the cost for the No-Haz program
- \$60,000 increase for the Brownfield Remediation Monitoring
- \$25,000 additional for the Weed Control cost center for private vacant lot mowing
- \$80,000 total spread between the Major Road Fund, Local Street Fund and the Drains Fund for outsourcing of Catch Basin Cleaning
- \$31,000 additional transfer to Fire Administration from the Water and Sewer Fund
- \$25,000 additional to Facilities, an interfund increase between two funds, the General Fund and the Facilities Fund. The Building Department Inspectors are going to be conducting some work for the Facilities Fund
- \$50,000 increase in fuel costs for the Fleet Fund

The total request is for \$2.3 million over all funds.

A decrease of about \$1.1 million is a refund back to the user departments from the General Fund, the MIS Fund, and the Facilities Fund, due to expenditures for those three funds coming in lower than the original 2007 Budget figures.

Ms. Jenuwine explained that Capital Expenditure is proposed to increase \$1.5 million, as the same amount with the transfers, due to the Austin Drive project. She stated that this amount will be almost completely funded out of the LDFA

*Fund. This amount is being transferred to the Major Road Fund, as the LDFA Fund will not hold the asset.*

**(President Hooper opened the Public Hearing at 9:30 p.m. Seeing no public input, President Hooper closed the public hearing at 9:31 p.m.)**

**Council Discussion:**

**Mr. Yalamanchi** requested clarification of the increase to the No-Haz budget figure.

**Scott Cope**, Director of Building/Ordinance Compliance explained that an increase was requested up from \$55,000 to \$70,000, based on the vehicle counts expected for the No-Haz collection events.

**Jack Sage**, Ordinance Inspector, reported that location also influences the number of cars participating. The next event is slated for October 4, 2008 at the Eagle Valley Disposal Facility in Orion Township.

**Mr. Yalamanchi** questioned whether the decrease in expenses and transfers back from the General Fund to the other Interfund accounts would reduce the General Fund Balance.

**Ms. Jenuwine** responded that it would, and that the General Fund Balance would be an amount slightly less than \$13 million after these adjustments.

**Mr. Yalamanchi** questioned whether this balance was reflected in the current 2009 Budget Document.

**Ms. Jenuwine** responded that it was not, as the figures for the 2009 Budget Document were prepared from figures prior to this proposed Third Quarter Budget Amendment, incorporating figures from the six-month mark of the fiscal year.

**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

**Nay** 1 - Ambrozaitis

Enactment No: RES0284-2008

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

**Whereas**, in accordance with Section 19 of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act the City Council may permit the Mayor to execute adjustments to the budget within limits;

**Whereas**, the Public Hearing for the proposed 2008 3rd Quarter Budget Amendments was noticed on August 21, 2008; and

**Whereas**, the proposed 2008 3rd Quarter Budget Amendments were available for public viewing starting on August 29, 2008; and

**Whereas**, at its September 8, 2008 meeting City Council held a Public Hearing on the proposed 3rd Quarter Budget Amendments.

**Now, Therefore, Be It Resolved** that the Rochester Hills City Council hereby approves the following 2008 fund totals as amended:

101 - General Fund	\$27,156,880
202 - Major Road Fund	\$12,846,500
203 - Local Street Fund	\$ 6,685,160
206 - Fire Operating Fund	\$ 8,201,410
207 - Special Police Fund	\$ 8,678,620 *
214 - Pathway Maintenance Fund	\$ 696,160
244 - Drain Maintenance Fund	\$ 2,769,400
402 - Fire Capital Fund	\$ 1,530,210
403 - Pathway Construction Fund	\$ 1,647,470
420 - Capital Improvement Fund	\$ 597,310
592 - W&S Operating Fund	\$28,756,250
593 - W&S Capital Fund	\$ 9,747,170
631 - Facilities Fund	\$ 5,110,320
636 - MIS Fund	\$ 2,386,910
661 - Fleet Equipment Fund	\$ 3,951,320
848 - LDFA Fund	\$ 2,333,910

\* Signifies that the fund's total appropriation does not change

## NEW BUSINESS

- 2006-0695** Request for Third Extension of Preliminary Site Condominium Plan - Northbrooke East Site Condominiums, a 12-unit development on approximately 3.7 acres, located south of Auburn and east of Crooks, Zoned R-4, One Family Residential, Parcel No. 15-33-128-009

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Site Plans.pdf](#)  
[Orr Ltr 071108.pdf](#)  
[Memo Anzek 081908.pdf](#)  
[Minutes PC Excerpt 080707.pdf](#)  
[Minutes PC Excerpt 081908.pdf](#)  
[Resolution.pdf](#)  
[091207 Agenda Summary.pdf](#)  
[Staff Report 060205.pdf](#)  
[Orr Ltr 071807.pdf](#)  
[PC Minutes.pdf](#)  
[100406 Agenda Summary.pdf](#)  
[091906 Agenda Summary.pdf](#)  
[091906 Resolution.pdf](#)  
[091207 Resolution.pdf](#)

**This matter was Removed from the Agenda at the Request of Administration.**

- 2008-0414** Request for Conditional Land Use Approval - Chapman's Mill Outdoor Seating, for the sale and service of food and beverages outdoors at an existing restaurant formerly known as Taco Loco, part of Crooks Corner retail center, 2086 Crooks Rd., south of Hamlin, zoned B-3, Shopping Center Business, Parcel No. 15-29-228-004, Tom Moss & Associates, applicant.

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Site Plan.pdf](#)  
[Staff Report 090208.pdf](#)  
[Email Keifer 082808.pdf](#)  
[Review Comments.pdf](#)  
[Minutes PC 090208.pdf](#)  
[Resolution.pdf](#)

***Ed Anzek, Director of Planning and Development, introduced Tom Moss, Tom Moss & Associates, Inc., the applicant, who has been retained to renovate and remodel the Crooks Corner shopping plaza. He stated that the plan for outdoor dining and seating would provide linkage to the Clinton River Trail and includes bike racks, an outdoor drinking fountain and benches. He stated that the plan has received approval from the City's Engineering and Fire Departments.***

***President Hooper stated that the Planning Commission has recommended approval.***

***Mr. Yalamanchi questioned whether the entire Center was being updated.***

***Mr. Moss responded that updates were planned for the entire center.***

***Mr. Yalamanchi commented that the rendering was very attractive, and***

*expressed his hopes that a new restaurant there would be successful. He questioned what type of restaurant Chapman's Mill would be.*

**Mr. Moss** replied the restaurant will have a 100-year-old theme, with varied cuisine.

**Mr. Rosen** commented that as a general rule, he does not favor outdoor seating; however, based on its design and proximity to the trail, he was in support of this request.

**Mr. Anzek** stated that it is hoped that the connection to the trail could be utilized even in winter, with cross country skiers using the access point.

**Mr. Brennan** questioned whether the signage would be updated. He stated that the existing Taco Loco sign was not attractive.

**Mr. Moss** stated that signage would be updated.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0285-2008

**Resolved**, that the Rochester Hills City Council hereby approves the Conditional Land Use for Chapman's Mill Outdoor Seating for the sale and service of food and beverages outdoors at an existing restaurant formerly known as Taco Loco, part of Crooks Corner retail center, 2086 Crooks Rd, south of Hamlin, zoned B-3, Shopping Center Business, parcel No. 15-29-228-004.

**2008-0444** Request for Purchase Authorization - TREASURY: Contract for banking services in the amount not-to-exceed \$486,000.00; Bank of America, Troy, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Bank Ratings.pdf](#)  
[Interest Earnings Comparisons.pdf](#)  
[Cost Proposal Tabulation.pdf](#)  
[Resolution.pdf](#)

**Kurt Dawson**, Director of Assessing/Treasury, stated that the City's current banking services agreement is with Bank of America. The last Request for Proposal (RFP) for banking services was issued in 1997, and the contract was re-negotiated in 2003, as a three-year contract with two-year extension. Services provided include General Accounting; Depository; Retail Lock Box; Cash Vault; Disbursement Reconciliation; ACH; Electronic payments; Web Accounts; Wire Transfers; Electronic Deposit; Electronic ACH Home Payment Concentrator, a new service instituted this year; On-Line Reporting; Positive-Pay for Checks, a security feature implemented on the City's checking system; Procurement Cards; and Banking and Investment Services. He noted that the City has been happy with the services provided by the bank to date.

He stated that the eight proposals received were reviewed for bank strengths, standardized ratings, and interest earnings comparisons. A nine-year contract is being requested with Bank of America, consisting of a three-year contract with

two three-year extensions with the same terms and pricings. He reviewed the pricing proposed and discussed how fees were charged.

**Public Comment:**

**Lee Zendel**, 1575 Dutton, suggested that the City should have a contingency plan, or a second choice of a banking institution, should Bank of America experience difficulties.

**Council Discussion:**

**Mr. Rosen** questioned whether the Administration was confident that if things change radically, the City can terminate its contract with Bank of America.

**Mr. Dawson** stated that Bank of America is a strong, highly-rated bank in comparison to others responding and reviewed. He confirmed that if the City becomes dissatisfied with Bank of America's services, it can go elsewhere.

**President Hooper** commented that the bank fees are budgeted annually.

**Mr. Dawson** concurred, and stated that as more residents pay online, the fees will decrease, as fees for electronic payment processing are lower than for check processing.

**Mr. Ambrozaitis** cited recent reports of the banking crisis, and commented on the possibility of a further consolidation of the banking system. He questioned whether the Administration was satisfied that if Bank of America merged into another bank, and the level of service became unacceptable, the City would be able to opt-out of the contract.

**Mr. Dawson** stated yes, the City would have that option.

**Mr. Yalamanchi** stated that since his organization has a relationship with Bank of America, he would abstain from discussion and voting on this Item.

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

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

**Abstain** 1 - Yalamanchi

Enactment No: RES0286-2008

**Resolved**, that the Rochester Hills City Council approve a 9-year contract with Bank of America, Troy, Michigan, and authorize the Mayor to execute the contract on behalf of the City.

**Resolved**, that the Rochester Hills City Council waive Section 2-273(b), the 3-year requirement for long term contracts, under Section 2-282, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it in the best interest of the City.

**Resolved**, that the Rochester Hills City Council authorize the award of the contract for banking services to Bank of America, Troy, Michigan, in the amount not-to-exceed \$486,000.00 through September, 2017.

**(Mayor Barnett requested a Moment of Silence for the passing of former Councilmember Linda Raschke's husband, Art.)**

**2008-0434** Request for Agreement - DPS/ENG: 2009 Winter Maintenance Agreement between the City of Rochester Hills and the Road Commission for Oakland County (RCOC) for Livernois Road

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

**Roger Rouse**, Director of DPS/Engineering, explained that each year, the County agrees to reimburse the City for a basic level of service in winter maintenance of this portion of Livernois between South Boulevard and Tienken Road. He stated that this portion of Livernois has a high traffic count, and requires a higher level of maintenance service by the City than the basic level reimbursed by the County; however, this increased level of service is justified by the level of traffic and resident expectations for maintenance of this portion of road.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0287-2008

**Resolved**, that the Rochester Hills City Council approves the Winter Maintenance Agreement between the City of Rochester Hills and the Board of Road Commissioners for Oakland County (RCOC) for the 2008-2009 winter season and authorizes the Mayor and Clerk to execute the agreement on behalf of the City.

**2005-0235** Request for Purchase Authorization - DPS: Increase to AMR Radio Read System blanket purchase order in the amount of \$214,260.00 for a new not-to-exceed amount of \$2,987,680.00; Etna Supply Company, Grand Rapids, MI

**Attachments:** 042805 Agenda Summary.pdf  
Meter Reading Costs.pdf  
Radio Read Bid Tabs.pdf  
Meter Reading Brief.pdf  
CC Minutes 012605.pdf  
Radio Read Maintenance Programs.pdf  
Radio Read Other Community Reference List.pdf  
071408 Agenda Summary.pdf  
071408 Resolution.pdf  
[Agenda Summary.pdf](#)  
[Resolution.pdf](#)  
Radio Communications re radio reads.pdf  
Meter Reading Options FSC Memo.pdf  
Selection of AMR Vendor.pdf  
Radio Read Return Investment.pdf  
011305 Resolution.pdf

***President Hooper*** disclosed that he works in the construction industry and knows the parties involved, however, has no connection to this project, and therefore did not feel it was necessary that he recuse himself from this issue.

***Roger Rouse***, Director of DPS/Engineering, stated that this request would purchase enough automatic meter-reading units needed to complete this project and furnish units to all properties in the City. The volume purchase agreement expires at the end of the year and the guaranteed amount ends at that time. Since the project began, 1,098 new homes and businesses have been constructed. With the order for 1,570 units, a remaining inventory of 472 units will be used to service properties within the City and to have available units to replace damaged or faulty units. These units represent an inventory of approximately two percent of the units in service.

***Mr. Ambrozaitis*** questioned how many other cities are utilizing this program.

***Mr. Rouse*** commented that most of the larger communities have gone to this type of program because there is an economy of scale to the program. He stated that this movement is spreading across the country to other utilities as well.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0288-2008

***Resolved***, that the Rochester Hills City Council authorizes the increase of the blanket purchase order for AMR Radio Read System to Etna Supply Company, of Grand Rapids, Michigan, in the amount of \$214,260.00 for a new not-to-exceed amount of \$2,987,680.00 through December 31, 2010.

**2008-0422** Request for Purchase Authorization - DPS/ENG: Project Budget for the design, materials and installation of an irrigation system and lawn restoration in the amount not-to-exceed \$55,000.00; Michigan Automatic Sprinkler, Inc.

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

**Roger Rousse**, Director of DPS/Engineering, stated that the requested amount was below the originally budgeted amount. He explained that when the roadway was constructed, conduits were installed between the islands, facilitating the installation of this system. The Administration is proposing to use the same contractor as the most reasonable and responsible of the four bids received.

**President Hooper** indicated that this project is to be funded out of the Major Roads Project, and is part of the Metro Act dollars.

**Mr. Ambrozaitis** expressed his concern over the extended costs for maintenance of these boulevards.

**Mr. Rousse** stated that the Metro Act Fund money can also be used to pay ongoing costs such as water bills. The economics of the project was studied, the funding is available, and it made sense to do the project at this time. He stated that lawn mowing requirements will not change, and that the only difference will be the appearance and the cost of the irrigation system.

**Mr. Ambrozaitis** questioned whether a more cost-effective landscape design could be used to minimize maintenance.

**Mr. Rousse** stated that the City could always add enhancements or more decorative landscape to the boulevards at a later date.

**Mr. Webber** commented that he wanted to see this boulevard maintain the continuity of design and landscape as other boulevards in other areas of the City.

**A motion was made by Webber, 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

**Nay** 1 - Ambrozaitis

Enactment No: RES0289-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes a project budget for the design, materials and installation of an irrigation system and lawn restoration to Michigan Automatic Sprinkler, Inc., in the amount not-to-exceed \$55,000.00.

**2008-0439** Request for Purchase Authorization - DPS/ENG: Cost Participation Agreement for base repair and overlay on Adams Road, north of Hamlin Road to Walton Boulevard between the City of Rochester Hills and Oakland County Board of Commissioners.

**Attachments:** [Agenda Summary.pdf](#)  
[Tri-Party Agreement.pdf](#)  
[Resolution.pdf](#)

**Roger Rousse**, Director of DPS/Engineering, stated that this portion of roadway

has been recommended for an overlay. Motorists have been driving in the center lane because the right lane is in such poor condition. The project encompasses two miles of roadway from Walton to Hamlin, and includes the 500 foot section of Avon Road where it intersects Adams to the east, to take care of the washboard effect this roadway has developed. The contractor selected is one currently retained by Oakland County Road Commission to perform other work for the County.

**Mr. Yalamanchi** questioned when the work would commence.

**Mr. Rousse** stated that the contractor wanted to begin today, but was instructed to they had to wait for Council approval.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0290-2008

**Resolved**, that the Rochester Hills City Council approves the Cost Participation Agreement for base repair and overlay on Adams Road, north of Hamlin Road to Walton Boulevard between the City of Rochester Hills and Oakland County Board of Commissioners for the estimated project amount of \$111,666.00 and any additional project costs that the City is obligated to share with the County under the terms of the Contract and further authorizes the Mayor to execute a contract on behalf of the City.

**2008-0446** Request for Purchase Authorization - DPS/FLEET: Purchase of one new 2009 Kubota L39 Tractor-Loader-Backhoe (TLB) in the amount of \$45,715.00; Weingartz Supply, Utica, MI

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

**Roger Rousse**, Director of DPS/Engineering, stated that this Tractor-Loader-Backhoe would be used at the City's Cemetery. He stated that bids were solicited for a tractor that with a cab and a heater one size larger than the existing unit, as the current unit cannot lift burial vaults.

**Mr. Ambrozaitis** questioned whether the Perpetual Care Fund could be used to fund this purchase, and requested information on the uses of the Fund.

**Mr. Rousse** responded that all equipment is through centralized purchasing in the Fleet Fund.

**Jane Leslie**, City Clerk, stated that the Perpetual Care Fund is designated for the beautification and future maintenance of the Cemetery. She suggested that it would be a question for Fiscal as to whether that fund could be used for equipment purchase; and additionally, a legal question should be posed as to whether this Fund could be used for the day-to-day operation of the Cemetery.

**Mr. Pixley** concurred with funding the purchase through the Fleet fund. He stated he spoke with Cemetery Sexton Calvin Leach about this purchase, and

*Mr. Leach stated this tractor would allow for back-up service in the event that a burial vault could not be placed into a grave. He explained that this size of backhoe is appropriate for cemetery use, but is not a full-sized backhoe which would be used for other construction needs in the City. He stated that the added expense of a cab and heater was well worth the investment for the safety and comfort of the City's employees.*

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0291-2008

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of one new 2009 Kubota L39 Tractor-Loader-Backhoe (TLB) to Weingartz Supply, Utica, Michigan, in the amount of \$45,715.00.

**2008-0448** Request for Purchase Authorization - DPS/ENG: Contract for additional work to be added to the Avon Pathway Rehabilitation Project for the Walton Boulevard Pathway Rehabilitation from Adams Road to approximately 1,300 feet west of Adams in the amount of \$31,435.00 with a 10% contingency in the amount of \$3,143.50 for a total of \$34,578.50; Asphalt Specialists, Inc., Pontiac, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Maps.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution.pdf](#)

**President Hooper** disclosed that he works in the construction industry and knows the parties involved, however, has no connection to this project, and therefore did not feel it was necessary that he recuse himself from this issue.

**Roger Rousse**, Director of DPS/Engineering, stated that this project encompasses rehabilitation of approximately 1,300 feet of existing eight-foot-wide asphalt pathway, with 645 feet to be reconstructed and 663 feet to receive an overlay.

**Mr. Ambrozaitis** questioned the urgency of the project.

**Mr. Rosen** questioned whether this project was being undertaken solely as a result the City's hosting of the Brooksie Way, and asked whether this portion of pathway was a part of the run event.

**Mr. Rousse** responded that this pathway was already slated for reconstruction as it was in a deteriorated state, but work was being expedited for completion before the event. He stated that this portion of pathway would be used as a staging area for visitors during the Brooksie Way.

**Mr. Rosen** questioned whether that portion of pathway received regular use.

**Mr. Rousse** responded that it did.

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

**Aye** 7 - Ambrozaitis, Brennan, Hooper, Pixley, Rosen, Webber and Yalamanchi

Enactment No: RES0292-2008

**Resolved**, that the Rochester Hills City Council authorizes a contract to Asphalt Specialists, Inc., Pontiac, Michigan, for additional work to be added to the Avon Pathway Rehabilitation Project for the Walton Boulevard Pathway Rehabilitation from Adams Road to approximately 1,300 feet west of Adams in the amount of \$31,435.00 with a 10% contingency in the amount of \$3,143.50 for a total of \$34,578.50 and authorizes the Mayor to execute a contract on behalf of the City.

**2008-0449** Request for Purchase Authorization - DPS/ENG: Contract for additional work to be added to the 2008 Local Street Concrete Slab Replacement Program for the rehabilitation of approximately 3,200 feet of pavement along Meadowfield Drive from Drexelgate Parkway to Rochester Road in the amount of \$585,458.50 with a 10% contingency in the amount of \$58,545.85 for a total of \$644,004.35; Six-S, Inc., Waterford, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Meadowfield Six-S Quote.pdf](#)  
[Resolution.pdf](#)

**President Hooper** disclosed that he works in the construction industry and knows the parties involved, however, has no connection to this project, and therefore did not feel it was necessary that he recuse himself from this issue.

**See Also Legislative File No. 2008-0450.**

**Roger Rouse**, Director of DPS/Engineering, stated that two sets of bids were solicited for the rehabilitation of this portion of Meadowfield Drive. Council was being asked to decide whether to authorize rehabilitation of this portion of roadway with like materials using asphalt where currently asphalt and concrete where currently concrete; or a complete rehabilitation using only concrete. He stated that concrete roadways last longer than asphalt roadways, so consequently when reviewing the project from a life-cycle analysis, the concrete is more cost-effective.

**Public Comment:**

**Lee Zendel**, 1575 Dutton, questioned whether Council had a policy in place to replace concrete with concrete and asphalt with asphalt when rehabilitating roads.

**Mr. Rouse** responded that was a part of the Council's Local Road Policy. This roadway, however, was a Major Road.

**Council Discussion:**

**President Hooper** explained that when this project was first proposed, it was slated to be asphalt. He stated that once a price on concrete was obtained, it

was determined that for a slight increase in cost over asphalt, a 25-year roadway life could be obtained.

**Mr. Yalamanchi** stated that he was in favor of the concrete replacement.

**Mr. Ambrozaitis** asked Mr. Rousse if he advocated the concrete replacement rather than asphalt.

**Mr. Rousse** stated he did, explaining the cost per year over the life of the roadway was about the same. He also stated that the City would save on maintenance over time as well.

**Mr. Brennan** concurred with the recommendation to use concrete.

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

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

**Nay** 1 - Rosen

Enactment No: RES0293-2008

**Resolved**, that the Rochester Hills City Council authorizes a contract to Six-S, Inc., Waterford, Michigan, for additional work to be added to the 2008 Local Street Concrete Slab Replacement Program for the rehabilitation of approximately 3,200 feet of pavement along Meadowfield Drive from Drexelgate Parkway to Rochester Road in the amount of \$585,458.50 with a 10% contingency in the amount of \$58,545.85 for a total of \$644,004.35 and authorizes the Mayor to execute a contract on behalf of the City.

**2008-0450** Request for Purchase Authorization - DPS/ENG: Contract for additional work to be added to the 2008 Asphalt Road Rehabilitation Program for the rehabilitation of approximately 3,200 feet of pavement along Meadowfield Drive from Drexelgate Parkway to Rochester Road in the amount of \$471,325.42 with a 10% contingency in the amount of \$47,132.54 for a total of \$518,457.96; Pro-Line Asphalt, Washington, MI

**Attachments:** [Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Meadowfield Quote ProLine.pdf](#)  
[Resolution.pdf](#)

Discussion under **Item 2008-0449** resulted in Council's consensus to approve using concrete to rehabilitate the entire portion of this roadway, and **President Hooper** removed this Item from the Agenda.

**This Item was Removed by Council.**

## COUNCIL COMMITTEE REPORTS

**Rochester Area Youth Assistance:**

**Mr. Ambrozaitis** reported that the first meeting of the school year was held for the Rochester Area Youth Assistance (RAYA). He reported that RAYA's Spring Fundraiser held at Mongolian Barbecue on June 17, 2008 was very successful, and he thanked those who participated.

**ANY OTHER BUSINESS**

**Mr. Webber** distributed information to Council regarding the proposed 2009 Budget.

**Mr. Ambrozaitis** stated that the new Watering Ordinance has impacted some residents living in ranch or one-story homes, several of whom contacted him to report difficulties sleeping with the noise of sprinklers in the middle of the night.

**President Hooper** suggested that additional methods be investigated to educate residents on the new Watering Ordinance, including the reasons behind why it was enacted and how it will benefit the residents of the City.

**Mayor Barnett** distributed information received from the Oakland County Sheriff's Department on the topic of deer management.

**NEXT MEETING DATE**

*Regular Meeting - Monday, September 15, 2008 - 7:30 PM*

**ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 10:34 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.*