

**CITY OF ROCHESTER**

**CITY COUNCIL**

**REGULAR MEETING MINUTES**

*Mayor Stuart Bikson  
Mayor Pro-Tem Jeffrey Cuthbertson  
Council Members: Cathy Daldin, Ben Giovanelli,  
Kim Russell, Steve Sage & David Zemens*

**400 Sixth Street**

**October 14, 2013**

**7:00 pm**

A regularly scheduled meeting of the City Council for the City of Rochester was called to order at 7:00 p.m. on Monday, October 14, 2013, by Mayor Stuart Bikson, at 400 Sixth Street, Rochester, Michigan.

PRESENT: Mayor Stuart Bikson, Mayor Pro Tem Jeffrey Cuthbertson, Councilmembers Cathy Daldin, Ben Giovanelli, Kim Russell, Steve Sage and David Zemens.

ABSENT: None.

Mayor Bikson led the Pledge of Allegiance.

Council observed a moment of silence to honor Rochester's first Mayor Roy Rewold, who passed away on October 2, 2013.

Council considered the minutes of the Regular Meeting of September 23, 2013.

Russell moved, Daldin seconded to approve the minutes of the Regular Meeting of September 23, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered six items on the Consent Agenda. Councilmember Russell requested that Item 5B and Item 5E be removed for discussion. The remaining four were approved with one motion.

Giovanelli moved, Russell seconded to approve a request of annual contribution of \$3,000 to the Rochester Area Neighborhood House to support their Clothes Closet. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Giovanelli moved, Russell seconded to appoint Election Inspectors for the November 5, 2013 General Election and authorize the City Clerk to make emergency appointments as necessary. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Giovanelli moved, Russell seconded to approve a special event permit from Rochester Bike Shop to hold a Breast Cancer Awareness Ride on October 13, 2013 on the Paint Creek Trail. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Giovanelli moved, Russell seconded to approve a request for the purchase of a 4 x 4, <sup>3</sup>/<sub>4</sub> ton pick-up truck with plow from Red Holman GMC of Westland, Michigan in the amount of \$34,738.00. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a recommendation from Administration to award a janitorial services contract to American Cleaning, LLC. Councilmember Russell inquired about their quality of work.

Giovanelli moved, Zemens seconded to authorize the City to execute an agreement with American Cleaning, LLC of Macomb Township to provide janitorial services for the Rochester Municipal Building and the Police Department for one year with an option to extend an additional two years in the amount of \$15,480.00. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Sage and Zemens. NO: Russell. ABSENT: None. Motion Carried.

Council considered a request to award a contract for the installation of an asphalt ADA accessible drive and parking at the Community Garden. Councilmember Russell inquired if the installation of the ADA accessible drive and parking at the Community Garden was part of the Garden Master Plan. City Manager Vettrains stated that they were included in the FYE 2013 budget in Capital Projects.

Giovanelli moved, Daldin seconded to approve the change order to Asphalt Specialist the installation of an asphalt ADA accessible drive and parking at the Community Garden at a cost of \$43,707.00. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

City Manager Vettrains gave Council a presentation and report from the Parking Management Advisory Committee regarding on-street parking system recommendations. Council discussed enforcement hours and the increase in rate per hour for on-street parking meters.

Russell moved, Zemens seconded to approve the recommendation from the Parking Management Advisory Committee to award the contract for parking meter purchase to IPS Group, set the price per hour for on-street parking meters at \$1.00 per hour and set the enforcement time for parking meters to be Monday through Saturday, 9:00 a.m. to 9:00 p.m. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council received a report and update regarding the Historic District Study Committee work from John Dziurman. Rod Wilson, Chair of the Historical Commission was also present. The Historic District Study Committee has surveyed approximately 400-500 structures for their historic significance.

Council considered a request to adopt a Resolution recognizing a charitable organization operating in the City, The New Day Foundation, at 1174 Miners Run for the purpose of attaining a gaming license from the State of Michigan.

Cuthbertson moved, Giovanelli seconded to adopt the State of Michigan Resolution for Charitable Gaming Licenses recognizing New Day Foundation for Families at 1174 Miners Run a nonprofit organization operating in the City of Rochester. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Mayor Bikson opened the meeting for Public Comment.

Chuck Hurton, 524 Wyngate, asked for clarification on the City's Tree Ordinance.

Steve Szoke, 1639 Stony Creek, commented on the City's on-street parking meters.

Brandon Stenson commented on the City's parking system.

Council held a Public Hearing regarding proposed oil and gas leases with Jordan Development Company. Mark Snow, a representative from the Department of Environmental Quality was present.

Mayor Bikson opened the Public Hearing at 9:14 p.m.

Eighteen individuals commented on the proposed oil and gas lease. Thirteen of the individuals were residents of the City of Rochester. No one spoke in favor.

Mayor Bikson closed the Public Hearing at 10:30 p.m.

Council discussed the proposed oil and gas lease, expressing concerns regarding noise, smell and the City of Rochester's aquifer. Council requested to see the City of Rochester Hills agreement on oil and gas leasing.

Giovanelli moved, Daldin seconded to postpone consideration of the oil and gas leasing project to the November 25, 2013 meeting. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council recessed at 10:55 p.m.

Council reconvened at 11:02 p.m.

Council held a Public Hearing regarding the DTE AMI Meter Opt-Out Program.

Mayor Bikson opened the Public Hearing at 11:08 p.m.

Pat Kane, 817 W. Fourth Street, commented on the DTE AMI Meter Opt-Out Program.

Brandi Gagnon, 1141 Ironwood Ct, commented on her negative experience with the DTE AMI Meter Opt-Out Program.

Mayor Bikson closed the Public Hearing at 11:08 p.m.

A representative from DTE was not present.

Council considered a Resolution honoring Roy Rewold, the first Mayor of the City of Rochester.

Cuthbertson moved, Sage seconded to adopt the Resolution honoring Roy Rewold, the first Mayor of the City of Rochester. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a report from the City Engineer, Anderson, Eckstein & Westrick, regarding revised options for the FYE 2014 Street Reconstruction Projects. Council reviewed the different road construction options and the costs of each of the projects.

Cuthbertson moved, Daldin seconded to approve the original option of paving projects on Romeo Street from Lysander to Sycamore *at a cost of \$470,000* and Bloomer Road from Bloomer Ridge to Windridge Court *at a cost of \$200,000*. YES: Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: Bikson. ABSENT: None. Motion Carried.

Mayor Bikson considered a nomination to the Planning Commission for one open seat for a term expiring May 31, 2016. The nomination will be considered at the next Council meeting on October 28, 2013.

Council considered a recommendation and the Biennial Meeting Minutes from the Compensation Commission.

Giovanelli moved, Daldin seconded to receive and accept the recommendation and the Biennial Meeting Minutes from the Compensation Commission, to not change the compensation of Mayor and the City Council, leaving the salaries at their current amounts of \$55.00 per meeting with a maximum of 33 meetings and a maximum payment of \$1,815.00 for Mayor and \$45.00 per meeting with a maximum of 33 meetings and a maximum of \$1,485.00 for City Councilmembers. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered the Uniform Video Service Local Franchise Agreement from Wide Open West.

Giovanelli moved, Daldin seconded to approve the Uniform Video Service Local Franchise Agreement from Wide Open West and adopt the Resolution approving the agreement. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a request to receive a liquor license transfer application from Royal Park Hotel and to set a Public Hearing for November 11, 2013.

City Manager Vettraino reported that the applicant requested that the hearing be set for November 25, 2013.

Giovanelli moved, Cuthbertson seconded to receive a liquor license transfer application from the Royal Park Hotel and to set a Public Hearing for November 25, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a request to receive a liquor license transfer application from Blackbird Bistro and set a Public Hearing for November 11, 2013.

City Manager Vettraino reported that the applicant requested that the hearing be set for November 25, 2013.

Giovanelli moved, Sage seconded to receive a liquor license transfer application from Blackbird Bistro and to set the Public Hearing for November 25, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a report from Sue Neal, Green City Committee, regarding the City's interest in Non-Motorized Transportation.

Sage moved, Giovanelli seconded to support a Dinosaur Hill nonmotorized transportation task force and to appoint Councilmember Cathy Daldin as the official liaison. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Mayor Pro Tem Cuthbertson gave Council a liaison report on Planning Commission activities including an update on 209 Walnut Boulevard, the Mill Town site plan, a Special Meeting regarding parking at the Older Persons' Commission planned for October 21, 2013, a beer garden at the Paint Creek Tavern, outdoor dining at Georgio's Pizza, the site plan for St. Paul's Church and the site plan for the façade at Sumo Sushi.

City Manager reviewed miscellaneous items including trick-or-treating in the City of Rochester to be held from 7:00 p.m. to 8:00 p.m., a letter dated September 16, 2013 from the Rochester Area Youth Assistance, a letter dated October 8, 2013 from City Attorney Kragt regarding Tax Tribunal Appeal resolved for Rochester Real Estate Holdings, LLC, a memorandum from the City Finance Director Hiller dated October 8, 2013 regarding Summer tax payment for 1662 Maple Creek Court and the receipt of the check register for September 2013.

Councilmember Daldin commented that the gate to Mt. Avon Cemetery was locked on Sunday and suggested that a sign be posted with the Police Department's phone number.

Councilmember Russell announced that the 2013 RAYA Annual Meeting will be held on November 19, 2013.

Mayor Bikson announced the award for the Paint Creek Trail for their 30 year anniversary.

Mayor Bikson adjourned the meeting at 11:42 p.m.

---

Lee Ann O'Connor, City Clerk

---

Stuart Bikson, Mayor

\*\*\*corrected 10-28-2013