

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

September 9, 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, September 9, 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 considered the minutes of the regular meeting of August 26, 2013.

Zemens moved, Sage seconded to approve the minutes of the regular meeting of August 26, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered six items on the Consent Agenda. Mayor Pro Tem Cuthbertson requested that Consent Agenda item 5f be removed for discussion. The remaining five items were approved with one motion.

Daldin moved, Giovanelli seconded to approve a special event permit for a block party on Linwood Avenue on September 14, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Daldin moved, Giovanelli seconded to approve a special event permit from the Rochester Area Jaycees to hold the Tunnel of Terror every Friday and Saturday in October in the Municipal Park parking lot. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Daldin moved, Giovanelli seconded to approve a special event permit from the Brooksie Way to hold the Brooksie Way Half Marathon on September 29, 2013 on the Paint Creek Trail. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Daldin moved, Giovanelli seconded to approve a special event permit from the Brooksie Way to hold the Brooksie Way 5K – Fire and Ice Run on January 26, 2014 on the River Walk and Paint Creek Trail Way. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Daldin moved, Giovanelli seconded to approve a special event permit from the PSD Board for the DDA Downtown Trick-or-Treat and Halloween Costume Parade on October 19, 2013. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered an application for special event from the Rochester Mills Beer Company to hold Oktoberfest on September 26-29, 2013.

Sage moved, Giovanelli seconded to approve a special event from the Rochester Mills Beer Company to hold Oktoberfest on September 26-29, 2013.

Mayor Pro Tem Cuthbertson requested Council's authorization to abstain from voting because of a business relationship he has with the Rochester Mills Beer Company.

Giovanelli moved, Daldin seconded to authorize Mayor Pro Tem Cuthbertson to abstain from voting because of a business relationship he has with the Rochester Mills Beer Company. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

VOTE ON MAIN MOTION:

YES: Bikson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSTAIN: Cuthbertson. ABSENT: None. Motion Carried.

Council received a presentation from Fire Chief Cieslik and firefighter John Shepp regarding the Fire Department Cadet Program and Community Emergency Response Team program. They encouraged those that are interested in volunteering for the CERT program to contact the Fire Department.

Mayor Bikson opened the meeting for Public Comment.

Pat Kane, 817 W. Fourth Street, commented on the Art and Apples Festival and Spotlights Market, the installation of the new water meters and suggested an amendment to the City's Ethics Ordinance.

Steve Szoke, 1639 Stony Creek Drive, requested that the Older Persons' Commission post meeting notices whenever the OPC is considering its budget and commented on Chomp's outdoor eating area and on the loan given to the DDA.

Julia Weber, representative for the Rochester Area Jaycees, thanked Council for approving the Tunnel of Terror.

Mayor Bikson announced there were no Legislative Deliberations scheduled for this evening.

Council considered a Resolution designating September 19, 2013 “Drive 4 Pledges Day” encouraging people not to text and drive.

Russell moved, Daldin seconded to adopt the Resolution designating September 19, 2013 “Drive for Pledges Day” encouraging people not to text and drive. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a Resolution designating September as emergency management month.

Cuthbertson moved, Giovanelli seconded to adopt the Resolution designating September as emergency management month. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a Resolution to adopt an updated Hazard Mitigation Plan.

Daldin moved, Zemens seconded to adopt the Resolution to adopt an updated Hazard Mitigation Plan with Oakland County. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered the confirmation of the appointment of Bob Bloomingdale to the Historical Commission member (formerly an alternate member) for a term expiring May 31, 2016.

Sage moved, Russell seconded to confirm the appointment of Bob Bloomingdale to the Historical Commission member (formerly an alternate member) for a term expiring May 31, 2016. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered an appointment to the Historic District Study Committee for one open seat for a term expiring May 31, 2015. Councilmember Sage nominated Paul Haig. Council will consider confirmation at the September 23, 2013 meeting.

Council received the resignation of Doré McGowan from the Planning Commission and requested that those interested in applying submit their applications by October 1, 2013.

Council considered a proposed agreement with Jordan Development Company for the leasing of gas and oil leasing rights on City property. Council requested that a Public Hearing be scheduled to discuss the leasing of gas and oil leasing rights on City property.

Russell moved, Sage seconded to schedule a Public Hearing regarding the leasing of gas and oil leasing rights on City property. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered the creation of a separate sub-committee of the Green City Sub-Committee regarding non-motorized transportation. Mayor Pro Tem Cuthbertson requested that administration provide Council with a report on the number of committees and sub-committees, including their mission, the City has. Council further requested Administration to develop a clearer concept for the proposed Non-motorized Transportation Committee.

Council considered a report from the City's Finance Director regarding DDA's Cash Balance and a request to consider two Budget Amendments.

Russell moved, Cuthbertson seconded to adopt the Resolutions to amend the 2012-2013 Capital Projects Fund Budget and the 2012-2013 DDA Fund Budget. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council received a presentation from the DDA Chair Mike Clayman regarding City Council's request for a report regarding the DDA's budget, prioritizing of spending, the Big Bright Light Show long term funding plan and an update of the tax increment finance plan.

Cuthbertson moved, Daldin seconded to adopt the Resolution to amend the 2014 FYE budget consistent with the DDA's request and to authorize Administration to draft and execute an agreement with the DDA for repayment of all of the funding advances the City has provided the DDA and to include a repayment date of June 30, 2014 for the funding advances. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a report regarding a request for DTE to address City Council and attend a Public Hearing regarding AMI meter OPT-Out program.

Cuthbertson moved, Sage seconded to set a Public Hearing and send a request to DTE to attend the Public Hearing regarding its AMI Meter Opt-Out program. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Council considered a report and minutes from the Board of Ethics. City Attorney Kragt stated that the Board has recommended changes to the Ethics Ordinance, the Ethics Complaint form and the Rules of Procedure.

Council considered a report to schedule a Special City Council meeting for Monday, September 30, 2013, 7:00 pm for a workshop regarding the water meter improvement plan. Council agreed to postpone scheduling the Special City Council meeting for a date when all Councilmembers are present.

Mayor Pro Tem Cuthbertson gave Council a report on Planning Commission activities including an update on the Mill Town development, restoration of the Sumo Sushi façade at 418 Main Street and the stop work order at 209 Walnut Blvd. The site plan review for St. Paul's Methodist Church was postponed.

City Manager Vettrano reviewed miscellaneous items including a letter from Oakland County Medical Control Authority dated September 4, 2013 regarding exemplary performance as EMS providers, a memo from Police Chief Shettenhelm dated August 27, 2013 regarding monthly summary of offenses question, a memo from City Manager Vettrano dated August 30, 2013 regarding request from the OPC governing board chairman, a Friends of the Clinton River Trail Press Release (undated) regarding the Clinton River Trail Fall Classic on September 28, 2013, an information sheet on the Paint Creek Restoration Project, a letter from HAVEN dated August 29, 2013 regarding their services to the community, a report from the City Attorney addressing questions regarding DDA Board members potential conflict of interest, a receipt of monthly check register for August 2013 and a report from City Attorney Kragt regarding the City Council liaison to the DDA.

Cuthbertson moved, Giovanelli seconded to request that the City Clerk circulate the report from City Attorney Kragt regarding City Council liaisons to all City related boards. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

City Clerk O'Connor announced that absentee ballot applications were being mailed out for the November election and that absentee ballots would be sent out October 1st.

Deputy City Manager Banda gave Council an update on the Paint Creek Restoration Project and stated that a section of concrete was installed to protect landscaping at 2nd Street and Main Street.

Councilmember Giovanelli requested an excused absence from the August 26, 2013 meeting.

Daldin moved, Cuthbertson seconded to authorize an excused absence for Councilmember Giovanelli from the August 26, 2013 meeting. YES: Bikson, Cuthbertson, Daldin, Giovanelli, Russell, Sage and Zemens. NO: None. ABSENT: None. Motion Carried.

Councilmember Russell commented on the new RARA front office, new security cameras and the new RARA brochure being put in the Rochester Post.

Mayor Bikson announced that the League of Women Voters will be holding a Candidate forum on Monday, September 16, 2013 from 7:00 p.m. to 9:00 p.m. and that the Parking Management Advisory Committee has made progress regarding parking meters.

Mayor Bikson adjourned the meeting at 9:43 p.m.

Lee Ann O'Connor, City Clerk

Stuart Bikson, Mayor