

A Special Meeting of the Royal Oak City Commission was held on Monday, June 7, 2010, in Room 309 of City Hall, 211 Williams, Royal Oak. The Meeting was called to order by Mayor Ellison at 6:30 p.m. Present were Mayor Ellison, Commissioner Andrzejak, Commissioner Capello, Commissioner Drinkwine, Commissioner Poulton, Commissioner Rasor and Commissioner Semchena. Also present were City Manager Johnson, City Attorney Gillam, and City Clerk Halas.

Adjourned to Closed Session

Moved by Commissioner Rasor
Seconded by Commissioner Semchena

BE IT RESOLVED that the City Commission hereby adjourns to Closed Session for purposes of Pending Litigation and Collective Bargaining.

ROLL CALL VOTE

AYES: Commissioners Semchena, Andrzejak, Capello, Poulton, Rasor and Mayor Ellison

NAYS: None

ABSENT: Commissioner Drinkwine (6:36PM)

MOTION ADOPTED

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A Regular Meeting of the Royal Oak City Commission was held on Monday June 7, 2010, in the City Hall, 211 Williams, Royal Oak. The Meeting was called to order by Mayor Ellison at 7:42 p.m.

Commissioner Capello gave the Invocation. Everyone present gave the Pledge of Allegiance.

ROLL CALL	PRESENT	ABSENT
Mayor	Ellison	
Commissioners	Andrzejak Capello Drinkwine Poulton Rasor Semchena	

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ANNOUNCEMENTS

Mayor Ellison read a list of upcoming board and committee meetings.

SPECIAL EVENTS

The Royal Oak Public Library's summer reading programs begins Saturday, June 12th at 10:30 AM. The Library is sponsoring reading programs for children birth to elementary school – "Make A Splash! Read!"; a program for Teens – "Make Waves at Your Library", and for adults – "Water Your Mind". Registration is in person on Saturday June 12th, or online or by phone starting Monday, June 14th. Find details about opening day events and the programs online at www.ropl.org

Saturday, June 12, 10:00am -11:00 pm (Art 10:00 am - 7:00 pm) and Sunday, June 13, 11:00 a.m. - 5:00 p.m. - Royal Oak Clay, Glass and Metal Show will be presented by the RO Chamber of Commerce. Find over 125 artists from all over the country at this juried art show. Along with some amazing art, be sure to stop by the food and entertainment district on Fifth Street. Details can be found on the Chamber's website: www.royaloakchamber.com

A fundraiser for "Tim's Kitchen" is scheduled for Friday, June 18, 2010 from 5:00 to 6:30 PM at the Mahany/Meininger Senior/Community Center. Tickets entitle patrons to enjoy a Spaghetti Dinner along with entertainment by the Dixie Crats, and are \$5 in advance or \$6 at the door.

Sunday, June 13th is the Orson Starr House Open House, 1-4 PM, additional parking at the Salvation Army.

Mayor Ellison read a letter from the Mayor of Hazel Park regarding reimburse for assistance with the tanker fire on I-75.

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PUBLIC COMMENT

Mr. Robert Wentworth, 120 N. Rembrandt, stated everyone was facing hard times. Police, fire and ambulance service should be the last items cut. They were things he looked at closely when deciding where to live. He wouldn't trust a private ambulance service to save his life. The Commission should ride along with a police officer.

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Mr. Brian Zelekevich represented the Royal Oak Police Officers Association. He was concerned about the safety of the residents, business owners and visitors. The proposed budget cuts call for the layoff of 21 police officers and could cripple the department. They would not have time to arrest drunk drivers. Communities with a lack of police presence have crime out of control. It was important to keep officers in the special units. With the cuts they would respond to situations with no back up. A public safety millage is necessary and should be voted on by the residents. Put the layoffs on hold.

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Mr. Frederick Penney, 3803 Woodland, spoke regarding the help he had received from the Royal Oak Firefighters when he and his wife fell down the basement stairs.

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Mr. Jay Dunstan, 111 E. Parent, announced the Oak Apple Run drew 10% more participants than last year. He thanked the Optimists Club, the School District, city staff and public safety for their assistance. This year's Memorial Day Breakfast served a record 864 people. He suggested they staff the Police Department according to the organization chart proposed by the Police Service Delivery Committee four years ago.

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Ms. Nancy Barnett, 506 N. Troy, participated in the Memorial Day Parade and enjoyed it. Last year the Fire Department brought in close to \$1M in revenue running the ALS. She did not want to lose that service.

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Mr. Jean-Pierre Cormier, 727 Gardenia, is a police officer in Grosse Pointe. The proposed cuts would result in a tragedy. He would support a public safety millage. Grosse Pointe went to a private ambulance service. It recently took seven minutes for an ambulance to arrive at a call.

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Mr. Ron Wood, 333 N. Troy, supported public safety and did not want to see the proposed cuts. He recently moved here from Pontiac and didn't want to see the same thing happen to Royal Oak that happened there.

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Mr. Jerry Mansfield, 713 E. Farnum, spoke against cuts to public safety and supported a public safety millage.

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Mr. Tony Torres, wanted to know if the Commission was going to save jobs in upcoming construction projects for citizens of Royal Oak and Oakland County.

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Mr. Alex Schnaider, 1011 Knowles, stated no one wanted to see police and fire services cut. Adding more liquor establishments took a toll on public safety services. It was not fair to ask the residents to pay higher taxes to patrol more bars.

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Mr. Al Simmons, 528 Orchard View, spoke regarding the services he received from the ALS. He was in favor of a public safety millage. A volunteer program could save the city money and retain the ALS program.

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Ms. Jennifer Hastings, 812 Oakridge, related the story of how the Royal Oak EMT's saved her husband's life five years ago. It was extremely important to keep the response time as short as possible. She was in favor of a public safety millage. The residents deserved the opportunity to vote on this.

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Ms. Janine Rajchel, 617 Detroit, was against the cuts in public safety. She suggested they seek alternative means to save money.

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Ms. Jill Ross, 702 S. Gainsborough, was concerned with the cuts in public safety. She and other residents she had spoken with were in favor of a direct public safety millage. More cuts would lead to a disaster.

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Mr. Chris Hastings, 812 Oakridge, was here today because the fire department was there for him in 2003. He did not want to see a privatization of ALS. If the money wasn't in the budget he would support a millage.

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Mr. Brendan Wehrung, 702 Irving, supported a public safety millage. His neighbor, who is a builder, supported the Building Department. He asked that Item G removed from the Consent Agenda.

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Mr. Paul Jackman, 222/224 Sherman, was concerned about proposed cuts to public safety and would be willing to pay for their services. Once they were gone they might not be back.

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Ms. Arlene Fraser, 333 N. Troy, noted that her late husband was a police officer. The police and fire departments visit Barton Towers frequently. If the layoffs occur the officers would be riding alone. She did not want to see the layoffs.

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Ms. Paige Gembarski, Senior Services Coordinator, spoke regarding upcoming fundraisers at the Mahaney/Meininger Center. The first would be a used purse, wallet and tote sale on Tuesday, June 15th from 9 a.m. to 1 p.m. at the center. There will also be a spaghetti dinner to support the nutrition program known as Tim's Kitchen. It will be Friday, June 18th from 5-6:30 p.m. Tickets purchased in advance will be \$5 and \$6 at the door.

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Mr. Bob Klotz, 1032 N. Maple, spoke regarding public safety cuts. He suggested volunteers as an option. If they were going to make cuts they needed to offer something to shore it up. They couldn't just let the safety of the community be at risk.

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Mr. John Grzywack, 929 E. Sunnybrook, Assistant Principal at Royal Oak Middle School, spoke about the services the police and fire departments provide for them. He did not want to see the services cut.

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Ms. Thelma Bono, 627 S. Gainsborough, has a son who wants to be a police officer. She was concerned about the safety of the officers if they proposed cuts were made. She would support a public safety millage.

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Ms. Jan Bills, 624 Detroit, was concerned with the proposed public safety cuts and supported a public safety millage.

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Mr. Chris Photiades, 2713 Glenwood, plans on becoming a police officer after he graduates. He thanked the men and women of the police department. They're a great example of what young men and women can be. Tough decisions need to be made.

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Mr. Mike Bono, 637 S. Gainsborough, is a proud member of Royal Oak Auxiliary Police Unit. It would be a great injustice to go forward with the proposed public safety cuts. The Auxiliary Unit gives time, these officers were willing to give their futures, their families and their lives.

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APPROVAL OF AGENDA

Item 15 Adoption of the Budget was added to the Agenda. Items 7C and 7G were removed from the Consent Agenda.

Moved by Commissioner Drinkwine
Seconded by Commissioner Poulton

BE IT RESOLVED that the City Commission hereby approves the agenda for the June 7, 2010, meeting as amended.

ADOPTED UNANIMOUSLY

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CONSENT AGENDA

Moved by Commissioner Drinkwine
Seconded by Commissioner Razor

BE IT RESOLVED that the City Commission hereby approves the consent agenda as follows:

- A. BE IT RESOLVED that the City Commission Minutes of May 17, 2010 and Budget Meeting Minutes of May 12, 20, and 26, 2010 are hereby approved.
- B. BE IT RESOLVED that the claims of May 21, 2010, May 28, 2010, June 1, 2010 and June 4, 2010, audited by the Department of Finance are hereby approved.
- D. BE IT RESOLVED, that the City Assessor be and is hereby directed to cause to be prepared reports which shall include necessary plans, profiles, specifications and detailed estimates of cost, an estimate of the life of the improvement, and a description of the public improvement described above and to prepare a Special Assessment District and such other pertinent information as will permit the Commission to decide the cost of paving of North Edison Avenue from East University Ave. to the N. Lot Line of Lot 46, with 31' wide, 6" thick concrete pavement including integral curb, and the extent and necessity of the improvement proposed and what part of proportion thereof should be paid by special assessments upon the property especially benefited and what part, if any, should be paid by the City.

BE IT FURTHER RESOLVED, that when the aforesaid reports are completed, the City Assessor shall file the same with the City Clerk for presentation to the Commission.

BE IT FURTHER RESOLVED, that all Resolutions and part of Resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

- E. BE IT RESOLVED, that the City Commission hereby approves the proposed 2010 Amendment to the Acorn Foundation Ordinance on First Reading (see Exhibit A)
- F1. BE IT RESOLVED, that the City Commission hereby approves the agreement between the City of Royal Oak and Noir Leather to host weekly Wednesday evening Street Performances, outside Noir Leather at 124 W. Fourth Street, Royal Oak, on public/City property, from June 9th through September 29th, 2010.
- F2. BE IT RESOLVED, that the Mayor is hereby authorized to execute the agreement between the City of Royal Oak and Detroit Public Television for the outdoor portion of Kids Club Live on Wednesday, June 23, 2010 and Thursday, June 24, 2010.
- F3. BE IT RESOLVED, that the Mayor is hereby authorized to execute the agreement between the City of Royal Oak and Colon Cancer Alliance, Inc. for Undy 5000 5K/1 Mile Walk on Saturday, July 31, 2010.
- F4. BE IT RESOLVED, that the Mayor is hereby authorized to execute the agreement between the City of Royal Oak and Royal Oak Downtown Development Authority for a Kids' Cruise event on Tuesday, August 17, 2010.
- F5. BE IT RESOLVED, that the Mayor is hereby authorized to execute the agreement between the City of Royal Oak and National Shrine of the Little Flower for a 5K Fun Run and 1 Mile Run/Walk on Saturday, September 18, 2010.

ADOPTED UNANIMOUSLY

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PURCHASE ORDERS

Concessions from vendors were briefly discussed.

Moved by Commissioner Razor
Seconded by Commissioner Drinkwine

BE IT RESOLVED that the City Commission hereby approves Purchase Order S013280 as listed in Commission Letter #167-10.

ADOPTED UNANIMOUSLY

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Moved by Commissioner Razor
Seconded by Commissioner Poulton

BE IT RESOLVED that the City Commission hereby directs staff to send Purchase Order S013278 out to bid.

FRIENDLY AMENDMENT OFFERED BY COMMISSIONER RASOR

BE IT RESOLVED that the motion be amended to include that if this proves to be a sole source contract it be brought back to the Commission for approval.

MOTION NOW READS:

BE IT RESOLVED that the City Commission hereby directs staff to send Purchase Order S013278 out to bid; and

BE IT FURTHER RESOLVED that if this proves to be a sole source contract it be brought back to the Commission for approval.

AYES: Commissioners Capello, Poulton, Razor, Semchena and Mayor Ellison

NAYS: Commissioners Andrzejak and Drinkwine

MOTION ADOPTED

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AMENDMENT TO THE 11 MILE ROAD PLANNED UNIT DEVELOPMENT: DOG GROOMER AND BEAUTY SALON

Moved by Commissioner Capello
Seconded by Commissioner Razor

Whereas, the City Commission approved a Second Amended and Restated Development Agreement with Main Eleven Royal Oak LLC, Main North Lofts LLC and CH Royal Oak LLC, and

Whereas, the City Commission is interested in amending said Development Agreement to address the proposed land use(s).

BE IT RESOLVED, that the City Commission hereby directs the City Attorney to draft an amendment to the Second Amended and Restated Development Agreement to allow "professional service establishments" and these particular uses; and

BE IT FURTHER RESOLVED, that the amendment be submitted to the City Commission for consideration at its June 21, 2010 regular meeting.

Commissioner Drinkwine moved to call the question.

AYES: Commissioners Capello, Drinkwine, Rasor and Mayor Ellison

NAYS: Commissioners Andrzejak, Poulton and Semchena

MOTION ADOPTED

THE ORIGINAL MOTION IS BACK ON THE TABLE:

AYES: Commissioners Andrzejak, Capello, Drinkwine, Poulton, Rasor and Mayor Ellison

NAYS: Commissioner Semchena

MOTION ADOPTED

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**PUBLIC HEARING FOR LOT SPLIT
3506 ROCHESTER ROAD**

Mayor Ellison opened the Public Hearing.

Mr. John Hughes, Chairman of Trustees at St. John's United Methodist Church was present to answer any questions.

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There being no one else who wished to speak the Public Hearing was closed.

Moved by Commissioner Andrzejak
Seconded by Commissioner Semchena

BE IT RESOLVED, that the request to split the property at 3506 Rochester; being legally described as All of Lots 417 through 419, including ½ of the adjacent vacated alley, also part of Lots 420 through 422, including part of the vacated alley adjacent to said Lot 420, OAK RUN SUBDIVISION, as recorded in Liber 12, Pages 15 and 16, Oakland County Records, be and is hereby granted, creating the following described parcels:

PARCEL "A"

All of Lots 417 through 419, including ½ of the adjacent vacated alley, also part of Lots 420 through 422, including part of the vacated alley adjacent to said Lot 420, OAK RUN SUBDIVISION, as recorded in Liber 12, Pages 15 and 16, Oakland County Records, being more particularly described as: Beginning at the Northwest corner of said Lot 422; thence South 89 degrees 14 minutes 27 seconds East, 128.84 feet along the Northerly line of said Lot 422, said line also being the Southerly line of Woodlawn Avenue (50 feet wide); thence South 00 degrees 45 minutes 33 seconds West, 140.00 feet to a point on the centerline of a 18 foot wide vacated alley; thence South 13 degrees 00 minutes 00 seconds West, 143.26 feet along said centerline of vacated alley to a point on the Northerly line of Midland Boulevard (70 feet wide); thence North 89 degrees 14 minutes 27 seconds West, 159.21 along said line of Midland Boulevard to a point on the Easterly line of Rochester Road (66 feet wide); thence North 13 degrees 00 minutes 00 seconds East, 286.51 feet

along the Westerly line of said Lots 417 through 422 and Easterly line of said Rochester Road to the point of beginning.

PARCEL "B"

Lot 465, except the East 57.50 feet, including ½ of the adjacent vacated alley, also part of Lots 420 through 422, including part of the adjacent vacated alley, OAK RUN SUBDIVISION, as recorded in Liber 12, Pages 15 and 16, Oakland County Records, being more particularly described as: Beginning at a point distant South 89 degrees 14 minutes 27 seconds East, 128.84 feet along the Northerly line of said Lot 422 and the Southerly line of Woodlawn Avenue from the Northwest corner of said Lot 422; thence continuing along said lines of Woodlawn Avenue and Lot 465, South 89 degrees 14 minutes 27 seconds East, 82.40 feet; thence South 00 degrees 45 minutes 33 seconds West, 140.00 feet to a point on the Southerly line of said Lot 465; thence North 89 degrees 14 minutes 27 seconds West, 82.40 feet along the Southerly line of said Lot 465 to a point on the centerline of a 18 foot wide vacated alley; thence North 13 degrees 00 minutes 00 seconds West, 140.00 feet to the point of beginning.

ADOPTED UNANIMOUSLY

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**AGREEMENTS FOR PARKING
ARTS, BEATS & EATS**

Commissioner Razor left the Table at 9:37 p.m.

Moved by Commissioner Capello
Seconded by Commissioner Drinkwine

BE IT RESOLVED, the City Manager has the authority to approve and execute agreements for the City's use of parking lots and/or fields for parking during the Arts Beats and Eats festival.

AYES: Commissioners Andrzejak, Capello, Drinkwine, Poulton, Semchena and Mayor Ellison

NAYS: None

ABSENT: Commissioner Razor

MOTION ADOPTED

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**EXCEPTION TO WOODY'S PLAN OF OPERATION
(REGGAE ON THE ROOF)**

Moved by Commissioner Semchena
Seconded by Commissioner Poulton

BE IT RESOLVED, the City Commission hereby approves a one-time exception to the Plan of Operation for Woody's Diner to allow live entertainment on the third floor, one-night per year only, for the annual Chamber of Commerce Reggae on the Roof event on June 22, 2010 from 5:00PM to 7:00PM.

AYES: Commissioners Andrzejak, Capello, Drinkwine, Poulton, Semchena and Mayor Ellison

NAYS: None

ABSENT: Commissioner Rasor

MOTION ADOPTED

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**SIDEWALK CAFÉ REQUIREMENTS,
STANDARDS AND LIMITS**

Commissioner Rasor returned to the Table at 9:39 p.m.

Moved by Commissioner Drinkwine
Seconded by Commissioner Andrzejak

BE IT RESOLVED, that the City Commission hereby limits sidewalk café requests/applications to establishments/businesses that are determined by the Planning Department to be restaurants and/or predominately a food/beverage service business.

FRIENDLY AMENDMENT OFFERED BY COMMISSIONER SEMCHENA

BE IT RESOLVED that the motion be amended to strike the words “determined by the Planning Department” and add “have the City Attorney draft an ordinance that incorporates the planning considerations in the attached memo and the considerations put forward by Commissioner Poulton.”

MOTION NOW READS:

BE IT RESOLVED, that the City Commission hereby limits sidewalk café requests/applications to establishments/businesses that are restaurants and/or predominately a food/beverage service business; and

BE IT FURTHER RESOLVED that the City Attorney draft an ordinance that incorporates the planning considerations in the attached memo and the considerations put forward by Commissioner Poulton.

ADOPTED UNANIMOUSLY

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**SIDEWALK CAFES
DALE & THOMAS POPCORN, 304 SOUTH MAIN**

Moved by Commissioner Andrzejak
Seconded by Commissioner Rasor

BE IT RESOLVED, that the City Commission hereby authorizes the City Attorney to prepare a license agreement for Dale & Thomas Popcorn at 304 South Main Street, permitting an encroachment into the public right-of-way of South Main Street for purposes of an outdoor seating area pursuant to the approved plans; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute said agreement when prepared.

ADOPTED UNANIMOUSLY

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FIVE15: 515 S WASHINGTON

Moved by Commissioner Semchena
Seconded by Commissioner Capello

BE IT RESOLVED, that the City Commission hereby authorizes the City Attorney to prepare a license agreement for Five15 Media Mojo & More at 515 South Washington Avenue, permitting an encroachment into the public right-of-way of South Washington Avenue for purposes of an outdoor seating area pursuant to the approved plans; provided the area is limited to the consumption of food and non-alcoholic beverages and no displays of merchandise for sale shall be allowed; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute said agreement when prepared.

ADOPTED UNANIMOUSLY

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MOTI MAHAL, 411 SOUTH WASHINGTON

Moved by Commissioner Semchena
Seconded by Commissioner Poulton

BE IT RESOLVED, that the City Commission hereby authorizes the City Attorney to prepare a license agreement for Moti Mahal at 411 South Washington Avenue, permitting an encroachment into the public right-of-way of South Main Street for purposes of an outdoor seating area pursuant to the approved plans; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute said agreement when prepared.

ADOPTED UNANIMOUSLY

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THE GENERAL STORE, 302 SOUTH WASHINGTON

Moved by Commissioner Andrzejak
Seconded by Commissioner Rasor

BE IT RESOLVED, that the City Commission hereby authorizes the City Attorney to prepare a license agreement for The General Store at 302 South Washington Avenue, permitting an encroachment into the public right-of-way of South Washington Avenue for purposes of an outdoor seating area pursuant to the approved plans; provided the associated special land use permit and site plan are approved by the Planning Commission, and the area is limited to the consumption of food and non-alcoholic beverages and no displays of merchandise for sale shall be allowed; and provided further that the railing is angled toward the building or planters are installed at the corner of Sherman Drive; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized to execute said agreement when prepared.

AYES: Commissioners Andrzejak, Capello, Rasor and Mayor Ellison

NAYS: Commissioners Drinkwine, Poulton and Semchena

MOTION ADOPTED

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BUDGET AMENDMENTS

Mayor Ellison left the Table at 10:27 p.m. and returned to the Table at 10:29 p.m. Mayor Pro Tem Andrzejak ran the meeting in his absence.

Moved by Commissioner Capello
Seconded by Commissioner Drinkwine

BE IT RESOLVED that the City Commission hereby approves the General Fund budget amendment as follows:

General Fund		
General Government		9,205,170
Community and Economic Development		215,660
Health and Welfare		817,010
Public Safety		25,119,800
Public Works		1,047,230
Recreation and Culture		1,139,080
Transfers Out		725,000
Expenditures Total		38,268,950
Taxes		18,282,000
Licenses and Permits		1,356,800
Grants		4,591,500
Charges for Services		3,029,660
Fines and Forfeitures		3,622,000
Interest and Rentals		474,040
Contributions and Donations		16,490
Reimbursements		702,200
Other Revenues		94,000
Transfers In		1,485,000
Use of Fund Balance		4,615,260
Revenues, Transfers and Use of Fund Balance		38,268,950

BE IT RESOLVED, that the City Commission hereby approves a decrease in expenditures of \$463,930 for the FY2009/10 Major Street Fund budget and total use of fund balance of \$84,630 as a revenue source to balance, for a total amended budget of \$2,967,430.

BE IT RESOLVED, that the City Commission hereby approves a decrease in expenditures of \$146,500 for the FY2009/10 Local Street Fund budget and total use of fund balance of \$457,420 as a revenue source to balance, for a total amended budget of \$2,128,690.

BE IT RESOLVED, that the City Commission hereby approves a decrease of expenditures to \$5,887,850 plus a contribution to fund balance in the amount of \$1,065,150 for a FY2009/10 Solid Waste total amended budget of \$6,953,000.

BE IT RESOLVED, that the City Commission hereby approves a decrease in revenues to \$2,377,880 plus a use of fund balance in the amount of \$30,570 for a FY2009/10 Library Fund total amended budget of \$2,408,450.

BE IT RESOLVED, that the City Commission hereby approves an increase in expenditures to \$1,515,370 plus a transfer-in from the General Fund of \$582,000 for the FY2009/10 State Construction Code total amended budget of \$1,701,550.

BE IT RESOLVED, that the City Commission hereby approves an increase in various operating expenditures with offsetting donation revenues for FY2009/10 Acorn Fund total amended budget of \$91,110, which includes a contribution to fund balance of \$41,600.

BE IT RESOLVED, that the City Commission hereby approves an increase of revenues and expenditures of \$24,420 for the FY2009/10 Animal Shelter budget including an increase in the transfer from the Acorn Fund, an increase in donations and an increase in the use of fund balance as revenue sources, for a total amended budget of \$83,170.

BE IT RESOLVED, that the City Commission hereby approves an increase in various operating expenditures with offsetting grant/forfeitures revenues for FY2009/10 Acorn Fund total amended budget of \$373,070.

BE IT RESOLVED, that the City Commission hereby approves revenues and expenditures for FY2009/10 Miscellaneous Grant Fund total budget of \$1,781,110 which includes a contribution to fund balance of \$28,040.

ADOPTED UNANIMOUSLY

The Commission took a brief recess at 10:45 p.m. and returned to the Table at 10:53 p.m.

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**PUBLIC HEARING
ON 2010/2011 AND 2011/2012
BUDGETS AND GENERAL APPROPRIATIONS ACT**

Mayor Ellison opened the Public Hearing.

Ms. Kelly Hayden owner of Shine at 621 S Washington stated other revenue enhancements were needed. Public safety was a priority. A dedicated public safety millage would probably pass.

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Mr. William Shaw stated they were just buying time. He hadn't heard anything that would solve any problems. What is binding arbitration and how does it effect the budget? He would be in favor of a millage but it had to be fair.

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There being no one else who wished to speak the Public Hearing was closed.

During Mr. Johnson's presentation of the budget he announced that he would take a 5% pay reduction up front, take all his holidays unpaid and forego longevity pay.

Moved by Commissioner Drinkwine
Seconded by Commissioner Capello

BE IT RESOLVED, the following ten resolutions constitute the City of Royal Oak's General Appropriations Act for the fiscal year beginning on July 1, 2010 and ending on June 30, 2011 in addition to fiscal year beginning on July 1, 2011 and ending on June 30, 2012.

ADOPTED UNANIMOUSLY

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RESOLUTION 1: BUDGET RESOLUTION

Moved by Commissioner Semchena
Seconded by Commissioner Andrzejak

BE IT RESOLVED that the 2010-2011 City of Royal Oak Budget for the General Fund and each of the Special Revenue Funds below are hereby appropriated as stated in the City Manager's Recommended Budget as modified by the City Commission during the special budget meetings held on May 10, May 12, May 20, May 26 and June 3rd.

ADOPTED UNANIMOUSLY

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RESOLUTION 2: BUDGET RESOLUTION

Moved by Commissioner Capello
Seconded by Commissioner Rasor

BE IT RESOLVED that the 2011-2012 City of Royal Oak Budget for the General Fund and each of the Special Revenue Funds are hereby appropriated as stated in the City Manager's Recommended Budget as modified by the City Commission during the special budget meetings held on May 10, May 12, May 20, May 26 and June 3rd.

ADOPTED UNANIMOUSLY

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RESOLUTION 3: SET TAX RATE

Moved by Commissioner Andrzejak
Seconded by Commissioner Poulton

RESOLVED, that the general operating levy for the 2010-2011 fiscal year for operations is established at 7.3947 mills, and

BE IT FURTHER RESOLVED, that the property tax rate for the 2010-2011 fiscal year for the publicity tax is established at 0.0234 mill.

BE IT FURTHER RESOLVED, that the property tax rate for the 2010-2011 fiscal year for the Library operations is established at 0.9597 mill.

BE IT FURTHER RESOLVED, that the property tax rate for the 2010-2011 fiscal year for the Solid Waste Disposal operation is established at 3.0129 mills, which consists of 2.0164 mills authorized by state law and 0.9965 mill authorized by the voters of the City of Royal Oak; and

BE IT FURTHER RESOLVED, that the property tax rate for the 2010-2011 fiscal year for the Fire Bonded Debt be established at 0.3224 mill, and

BE IT FURTHER RESOLVED, that the property tax rate for the 2010-2011 budget recommended by the Downtown Development Authority for the area designated by Ordinance as the Downtown District is established at 1.6477 mills, and

BE IT FINALLY RESOLVED, that the 1.6477 mill levy for the Downtown District is in addition to the millage applicable to properties outside of the Downtown District.

ADOPTED UNANIMOUSLY

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RESOLUTION 4: AUTHORIZE TAX ADMINISTRATION FEE

Moved by Commissioner Drinkwine
Seconded by Commissioner Semchena

BE IT RESOLVED, that the City of Royal Oak approves the imposition of a 1% administration fee on property tax levied in 2010, and

BE IT FURTHER RESOLVED that the City of Royal Oak approves the imposition of late penalty charges as follows: On July taxes at the rate of one-half of one percent per month, or fraction thereof, after August 1 until February 28; on December taxes at the rate of 3% after February 14 until February 28.

ADOPTED UNANIMOUSLY

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RESOLUTION 5: WATER RATE

Moved by Commissioner Drinkwine
Seconded by Commissioner Capello

BE IT RESOLVED that the Water and Sewer Rates for the City of Royal Oak as of July 1, 2010 are established as follows:

Billing Administrative Flat Fee	\$10.25 per billing period
Water & Service	\$92.00 per mcf for first 2 mcf per billing period \$104.00 for additional mcf per billing period

ADOPTED UNANIMOUSLY

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RESOLUTION 6: PURCHASES

Moved by Commissioner Andrzejak
Seconded by Commissioner Rasor

WHEREAS, the City of Royal Oak finds it necessary to incur utility, postage, and other expenses provided by natural or regulated monopolies, and other sole source providers in order to operate the City, and

WHEREAS, it is impossible to estimate the charges to be incurred for each succeeding month, and

WHEREAS, these charges can and do exceed One Thousand Dollars for each billing period;

NOW, THEREFORE, BE IT RESOLVED, that the City Administration is authorized to place orders for and make payment of these expenses, and such authorization forgoes the requirement of presenting these bills to the Commission prior to authorization for purchase and/or payment;

FURTHER RESOLVED, that this resolution shall apply to electric, telephone, water, natural gas utility, postage charges, and other goods/services provided by natural or regulated monopolies or sole source providers.

ADOPTED UNANIMOUSLY

* * *

RESOLUTION 7: TRANSFER TO LOCAL STREETS

Moved by Commissioner Drinkwine
Seconded by Commissioner Poulton

THEREFORE BE IT RESOLVED, that the Finance Director is hereby authorized to transfer up to 25% of the Major Street Fund monies to the Local Street Fund during the 2010-2011 fiscal year.

ADOPTED UNANIMOUSLY

* * *

RESOLUTION 8: PEG FEES

Moved by Commissioner Andrzejak
Seconded by Commissioner Poulton

THEREFORE, BE IT RESOLVED, that the City Commission hereby grants Community Media Network ½ of the 1% P.E.G. fee received during the 2010-2011 fiscal year.

ADOPTED UNANIMOUSLY

* * *

RESOLUTION 9: PURCHASING

Moved by Commissioner Drinkwine
Seconded by Commissioner Capello

WHEREAS, pursuant to Chapter Three, Section 34 of the Royal Oak City Charter, the City Commission shall set a purchasing limitation by resolution, adopted at the same time the annual city budget is approved.

NOW, THEREFORE, BE IT RESOLVED, the City establishes that no purchase in excess of \$10,500 without the approval of the City Commission and pursuant to Chapter Fourteen, Section 2, any public work or improvement costing more than \$15,500 and executed by contract, shall be awarded to a responsible bidder in competition for the 2010-2011 fiscal year.

ADOPTED UNANIMOUSLY

* * *

RESOLUTION 10: FINANCIAL POLICIES

Moved by Commissioner Capello
Seconded by Commissioner Poulton

WHEREAS, the City of Royal Oak has established a set of financial policies

AND WHEREAS, it is prudent to regularly review and update those policies and to add new ones as needed.

NOW, THEREFORE, BE IT RESOLVED, the City reaffirms its existing financial policies an Attrition, Fund Balance, Investments, Retirement Contributions, Debt Management, Capital Assets and Capital Improvements Projects as they appear in the 2010/11 Recommended Budgets, although there will be a deviation in practice with the General Fund fund balance policy.

ADOPTED UNANIMOUSLY

Commissioner Capello requested that the water rate computation sheets be forwarded to the City Commission.

* * * * *

Upon Motion of Commissioner Drinkwine, Seconded by Commissioner Poulton, and adopted unanimously, the Regular Meeting was adjourned at 11:46 P.M.

Melanie Halas, City Clerk

The foregoing Minutes of the Regular Meeting held on June 7, 2010, having been officially approved by the City Commission on Monday, August 9, 2010, are hereby signed this ninth day of August.

James B. Ellison, Mayor

EXHIBIT A

ORDINANCE NO. 2010-09

AN ORDINANCE TO AMEND THE ROYAL OAK CITY CODE AT CHAPTER 26, "CHARITABLE CONTRIBUTIONS FOR PUBLIC PURPOSES", SECTION 26-2, "DEFINITIONS", TO CHANGE THE NAME OF THE ROYAL OAK ACORN FOUNDATION TO THE ROYAL OAK OPPORTUNITY TO SERVE FOUNDATION ("ROOTS")

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. SHORT TITLE. This Ordinance shall be known as and may be cited as the "2010 Amendment to the ACORN Foundation Ordinance."

SECTION 2. STATEMENT OF PURPOSE. This is an ordinance to amend the City Code at Chapter 26, "Charitable Contributions for Public Purposes", Section 26-2, "Definitions", to change the name of the Royal Oak Acorn Foundation to the Royal Oak Opportunity to Serve Foundation ("ROOTS").

SECTION 3. AMENDMENT AT SECTION 26-2. The Royal Oak City Code, Chapter 26, "Charitable Contributions for Public Purposes", is hereby amended at Section 26-2, "Definitions", which shall now read as follows:

"Section 26-2. Definitions.

The following terms shall mean as follows for the purposes of this chapter:

CHARITABLE CONTRIBUTION

Any money or property that is received by the City of Royal Oak that is designated by the donor for use by the City for a public purpose and subject to the Rules and Regulations of the United States Department of Internal Revenue, the State of Michigan Department of Treasury or any other applicable statute.

COMMITTEE

The group formed as outlined herein shall be known as the "Royal Oak Opportunity to Serve Foundation ("ROOTS")."

PUBLIC PURPOSE

Any activity as provided within the Charter of the City of Royal Oak, Michigan, as amended, and/or the Home Rule City Act, MCLA §117.1 et seq."

SECTION 4. SEVERABILITY. If any Section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. SAVINGS. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect ten (10) days after the final passage thereof.