



# 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)

*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Stephanie Morita,  
Theresa Mungiola and David Walker*

**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, May 10, 2021

7:00 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

*President Deel called the Regular Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time.*

#### ROLL CALL

**Present** 7 - David Blair, Susan M. Bowyer, Ryan Deel, Dale Hetrick, Stephanie Morita, Theresa Mungiola and David Walker

#### Others Present:

*Bryan Barnett, Mayor  
Kristin Kapelanski, Planning Manager  
Kevin Krajewski, Information Systems Director  
Michael McLaughlan, City Accountant  
Gary Nauts, Facilities Manager  
Sara Roediger, Planning & Economic Development Director  
Leanne Scott, City Clerk  
Joe Snyder, Chief Financial Officer  
John Staran, City Attorney  
Karen Somerville, Deputy Assessing Director  
Laurie Taylor, Assessing Director  
Maria Willett, Chief Assistant to the Mayor  
Yitian Zhang, Rochester Hills Government Youth Council Representative*

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

*President Deel stated that he received a request from staff to remove item 2021-0166 from the agenda.*

A motion was made by Hetrick, seconded by Blair, that the Agenda be approved as Amended to remove Legislative File 2021-0166 Request For Acceptance for First Reading - an Ordinance to amend Section 118-98 and Map-B of Chapter 118, Historical Preservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to eliminate the noncontiguous Historic District identified as 1021 Harding Ave., Parcel No. 15-15-327-002, and repeal conflicting Ordinances. The motion carried by the following vote:

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

## COUNCIL AND YOUTH COMMITTEE REPORTS

### **Rochester Hills Government Youth Council (RHGYC):**

**President Deel** introduced Rochester Hills Government Youth Council (RHGYC) Representative Yitian Zhang.

**Ms. Zhang** stated that at the last Youth Council meeting Human Resources Director, Chelsea Dietz and Human Resources Advisor, Leslie Turnbull presented the seasonal employment opportunities. She shared that the Youth Council provided feedback on how to best recruit teens for employment and made a commitment to assist in sharing employment opportunities on their personal social media pages and with school administrators. She stated that last month the Youth Council assisted the Mayor's office in assembling approximately 400 Senior Wellness Packages that went out to local senior care facilities in Rochester Hills. She announced that the Mental Health and You Webinar will take place on Thursday, May 13, 2021 at 6:00 p.m. via zoom. She encouraged individuals to register at [www.rochesterhills.org/youthcouncil](http://www.rochesterhills.org/youthcouncil).

### **Green Space Advisory Board (GSAB):**

**Vice President Bowyer** thanked the volunteers that came out to the Harding Green Space on Saturday, May 1st and noted that they removed 500 pounds of the invasive specie, garlic mustard.

She shared that in addition to the Harding Green Space clean up, Jonathan Matouk, Arborist, and volunteers arranged a clean-up at Tienken Park and successfully removed oriental bittersweet vines. She thanked all of the volunteers who came out to help improve the parks and green space.

### **Rochester Avon Recreation Authority (RARA):**

**Ms. Mungioli** stated that the Rochester Avon Recreation Authority (RARA) mailed post cards to residents with a QR code that provides an update on programming offered by RARA. She announced that RARA is back up and running with the appropriate safety measures in place to serve the community. She stated that this Wednesday, the RARA Board will discuss adding air conditioning to portions of the facility that have not been air conditioned previously. She explained that the addition of air conditioning will allow for year-round use of the whole facility. She encouraged individuals to keep an eye out for their post card or check the RARA website for updates at

[www.rararecreation.org](http://www.rararecreation.org).

## PRESENTATIONS

**2021-0163** Request for Acceptance of the Fiscal Year 2020 Comprehensive Annual Financial Report (CAFR) presented by the audit firm of Yeo & Yeo, PLLC

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Presentation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Michael Rolka**, Senior Manager at YEO & YEO, introduced Alan Panter, Partner at YEO & YEO. He thanked Council and the City for the opportunity to present the audit information. He expressed his gratification to both the Fiscal and Accounting staff for their cooperation and attention during the audit. He stated that the purpose of the audit was to provide an opinion on the City's financial statements. He explained that the opinion of YEO & YEO is an unmodified opinion which is the highest level of assurance one can receive. He further explained that management's responsibility is to offer fair presentation in accordance with Generally Accepted Accounting Principles (GAAP) as well as the design, implementation and maintenance of internal controls.

**Mr. Panter** provided the following financial highlights:

### Governmental Revenues, Expenditures and Fund Balances

- The Fund Balances have been trending upward steadily each year with the exception of 2019 due to the new Fund Balance Policy.
- Total revenues exceed the expenditures every year and are referred to as a structural surplus where the City has set itself up and budgeted to live within its means.
- The City has a consistent record of a balanced budget where it is spending less than what is brought in.

### Governmental Revenues

- Property taxes are the largest revenue source for the City and trending upward due to the value of property increasing.
- State Sources of Revenue performed well considering they anticipated a larger State Share Revenue cut.
- Charges for services, licenses, and fees were down a bit due to the inactivity in 2020.
- The "Other Category" contained federal grants which caused a single audit of the City and reimbursements for Major Street Projects.
- Investment earnings were down due to the low rates and low performing markets.

### Governmental Expenditures

- General Government contains the core City services including: Council, Administration, Clerk, Assessing, and Human Resources. He noted that this year was a little higher due to the 2020 Election.
- Public Safety is the largest expenditure which is common in most communities. Eight additional Firefighter/paramedics were added through the use of a Safer Grant that was received.
- Capital Outlay was very high due to some significant projects in 2019. 2020 was down, but considered to be at a normal level.

Government Capital Outlay

- 10 year comparison of capital outlay. It shows the ongoing investments made in the City. The larger items include infrastructure. In 2014, 2015, 2016 it increased significantly with an emphasis on the local street system in the City.

Government Funds-Fund Balances

- Shows a five-year break down of the Fund Balance in the governmental funds. They are going up each year, except for 2019 because there was a transfer out of some of the Fund Balances per the City's Policy.

- Restricted is an external restriction on how you can use the funds.

- Committed is for budget stabilization and public improvements.

- Assigned is mostly for capital projects.

- Unassigned is what is left over and only pertains to the General Fund. No clear trends in terms of variations in these lines, but in total the Fund Balances are generally up.

Water and Sewer Fund Activity

- Five-year graph shows the Operating Revenues and Expenses along with the three components of Net Position. The revenues exceed the expenses every year, the rates that the City is charging is appropriate and the Fund Balance levels are where they need to be in this fund. The system is being managed run.

**Mr. Rolka** stated that a Governance letter is provided with the financial statements which is a required communication regarding any significant issues or findings they might come across during an audit. He explained that it communicates the timing and scope of the audit which is also outlined in the engagement letter that was provided in January.

He provided the following highlights from the Governance letter:

- Three Government Accounting Standards Board (GASB) statements were adopted and none of them had a significant impact on the financial statements. He noted that there are several significant estimates used when making the financial statements; useful life of capital assets, inputs and assumptions, current and long term portion of compensated absences and unearned building permit revenue.
- Footnote 15 shows upcoming GASB pronouncements for fiscal year 2021. He shared that there is only one statement that will be required to be recorded and it essentially requires the City to expense all interest costs on construction projects.
- There are several upcoming GASB statements for fiscal years 2022 and 2023, highlighting GASB Statement 96 which is regarding subscription software.

He shared the additional information that was contained in the Governance letter such as no material audit adjustments were made and one of the past entries had a net effect of approximately \$15,000 in the Police Fund. He explained that at the end of the letter there is an appendix that has one recommendation for management which is to update and improve policies and procedures as it relates to Federal Grants. He further explained that it is particularly important due to the Federal Funding that has been issued, including the American Rescue Plan.

*He stated that this year they had to conduct a single audit because the federal expenses exceeded \$750,000. He pointed out that the major program that was tested was the Coronavirus Relief Fund and noted that they issued an unmodified opinion on compliance. He shared that they had no federal award findings and no internal control deficiencies.*

*He mentioned that the economic and property tax base is strong especially considering COVID 19 and stated that there is no indication of a weakening tax base. He noted that as far as future capital needs go, the City has done a great job investing in its road infrastructure since 2014 and the American Rescue Plan will be very helpful with the water and sewer infrastructure. He suggested that all detailed documentation be properly maintained to document any spending of those funds as it relates to Federal compliance.*

*He recognized Rochester Avon Recreation Authority (RARA) for a job well done in increasing their fund balance and bringing it out of the deficit they were in several years ago. He noted that they now have a very stable Fund Balance and are poised well to move forward into the future.*

**President Deel** thanked Mr. Panter and Mr. Rolka for their presentation. He stated that the City takes pride in receiving a good audit report. He thanked Joe Snyder and his team for the work they do throughout the year.

**Mr. Hetrick** expressed his appreciation for the presentation. He stated that the structural surplus provides Council with an understanding of how well the processes and procedures work to maintain the level of services to residents and also makes sure the City is financially and fiscally sound.

**Mayor Barnett** thanked YEO & YEO for their presentation and expressed his appreciation to Joe Snyder and his team for their excellence. He stated that the job of the audit firm is to make sure that the City is on the right track, that the processes and policies meet industry standards. He stated that the City is in a strong position to continue to move forward with the plans that they had because they have been financially prudent and managed themselves conservatively over the last decade.

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Munglioli and Walker

Enactment No: RES0110-2021

**Resolved**, that the Rochester Hills City Council hereby acknowledges receipt of the Comprehensive Annual Financial Report (CAFR) from City Administration and the auditing firm of Yeo & Yeo, PLLC for the 2020 Fiscal Year.

## **PUBLIC COMMENT for Items not on the Agenda**

***Dianne Gouin**, 706 Millstone, stated that she is present on behalf of the family that owns the property located at 1021 Harding Avenue. She explained the reason they requested to withdraw the agenda item is that they received an offer*

on the property one day prior to the City Council meeting.

## ORDINANCE FOR INTRODUCTION

- 2021-0166** Request for Acceptance for First Reading - an Ordinance to amend Section 118-98 and Map-B of Chapter 118, Historical Preservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to eliminate the noncontiguous Historic District identified as 1021 Harding Ave., Parcel No. 15-15-327-002, and repeal conflicting Ordinances

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Ordinance Amendment.pdf](#)  
[051021 Resolution.pdf](#)

*This item was removed from the agenda at the request of the applicant.*

**Removed from Agenda**

## PLANNING AND ECONOMIC DEVELOPMENT

- 2021-0108** Request for Conditional Use Approval to operate Marshall's Auto Repair, located at 1848 Star Batt Dr., east of Crooks, north of M-59, zoned REC-W Regional Employment Center - Workplace; Brian Marshall, Applicant

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Staff Report 042021.pdf](#)  
[Letter of Intent.pdf](#)  
[Property Manager Letter.pdf](#)  
[Email Questions.pdf](#)  
[Shop Plan.pdf](#)  
[Bay.pdf](#)  
[Floor Plan.pdf](#)  
[Equipment.pdf](#)  
[Front Entrance.pdf](#)  
[Rear Entry.pdf](#)  
[Office.pdf](#)  
[Repair Facility Registration.pdf](#)  
[Reviews.pdf](#)  
[Minutes PC 042021 \(Excerpt\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Kristin Kapelanski**, Planning Manager, stated that the applicant is requesting approval for a Conditional Use for an existing auto repair facility located on Star Batt Drive. She explained that there are no sight plan changes proposed and none required. She stated that auto repair services are a Conditional Use in the REC-W District and that staff is recommending approval of the request. She noted that the Planning Commission also unanimously recommended approval at their April meeting. She recognized Brian Marshall, Applicant, as being present during the Council meeting.

**Vice-President Bowyer** stated that Mr. Marshall runs a great business; however, he did not realize it required a Conditional Use Permit. She noted that

*he has received support from the neighbors, the owner of the building and the Planning Commission found no reason to not fully support him.*

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0111-2021

**Resolved**, that the Rochester Hills City Council hereby approves a Conditional Use to operate Marshall's Auto Repair, located at 1848 Star Batt Dr., east of Crooks, north of M-59, zoned REC-W Regional Employment Center - Workplace, Parcel No. 15-28-177-002, based on plans dated received by the Planning and Economic Development Department on March 24, 2021, Brian Marshall, Applicant with the following findings and conditions:

**Findings:**

1. The use will promote the intent and purpose of the zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal is having a positive impact on the community as a whole and the surrounding area by offering auto repair services to new and recurring customers.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**Conditions:**

1. All work on vehicles will be conducted inside the structure.
2. Site will be kept in a generally clean and neat condition.
3. Cars left overnight for repair will be assembled and parked in the rear of the building.
4. All work will be conducted between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. and 2:00 p.m. on Saturdays.

2021-0111

Request for Conditional Use Approval - First Baptist Church renovations/additions, located on Orion Rd., north of Tienken, zoned R-1 One Family Residential; Steve Auger, Auger Klein Aller Architects, Applicant

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Staff Report.pdf](#)  
[Review Comments.pdf](#)  
[Email Waller 041021.pdf](#)  
[Letter McCormick 041421.pdf](#)  
[Email Smith 041421.pdf](#)  
[Email Gonzalez 041421.pdf](#)  
[Comments after PC packet.pdf](#)  
[Plans.pdf](#)  
[Minutes PC 042021 \(Excerpt\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Kristin Kapelanski**, Planning Manager, outlined that the applicant proposed to replace an open air canopy with an enclosed entrance hall, install 24 parking spaces and add an 8,400 square foot addition for classrooms at the southeast corner of the First Baptist Church located on Orion Road. She advised that the site was zoned R-1 and that places of worship were considered a Conditional Use in a single-family district. She stated the applicant is seeking approval for a Conditional Use.

She noted that new lighting has been proposed and is in compliance with the Ordinance requirements. She stated that the Planning Commission unanimously recommended approval of the Conditional Use and also approved the Site Plan and a Tree Removal Permit with a couple of conditions added; the parking lot lights will be turned off daily at 9:00 p.m. provided that there are no church functions scheduled and that additional landscaping will be installed around the detention basin in the proposed parking lot islands to better shield the site from the existing residents on the opposite side of the street. She introduced Scott Reynolds, Auger Klein Aller Architects.

#### **Public Comment**

**Irene Waller**, 6370 Orion Road, expressed her concern stating that removing the berm in front of the First Baptist Church to add the additional parking does not preserve the aesthetic qualities of the community which is important to maintain. She stated that the Ordinance does not require additional parking for this project. She shared that she and her husband have lived directly across the street for 15 years and have never seen the parking lot filled to capacity. She stated that it is most likely that additional parking will only be needed to accommodate large services a few days throughout the year. She noted that there are acres of land located behind the church that could be used for parking if needed. She explained that the existing berm is aesthetically pleasing to the residential neighborhood. She thanked City Council for their consideration.

**Robert McCormick**, 355 Hillview, expressed his concern with the parking lot project. He stated that they moved into the neighborhood several years ago for the wildlife, peace and quiet. He requested that City Council take into consideration the noise from an increase in traffic using the church parking lot as well as the construction and the impact they will have on the surrounding neighborhood.

**Joan McCormick**, 355 Hillview, expressed her concern for the playground that is planned to be built next to the new addition. She shared that it was her



*understanding that the playground would only be used on Sundays and Wednesdays and expressed her concern with it becoming a magnet for children to use throughout the week. She proposed that a fence be built around the playground and locked when not in use to deter usage outside of the days intended.*

### **Council Discussion**

**President Deel** requested the applicant's representative, Scott Reynolds, address the concerns expressed.

**Mr. Reynolds** stated that the proposed projects for the First Baptist Church are intended to address the current needs of the church membership and membership growth, noting the church does not want to become a megachurch. He explained that the church was originally built in the 1970's and there are needs to bring it up to code.

*He explained that the addition is essentially infilling a current covered walkway canopy to make the sanctuary more welcoming and be used as the main entrance to the church. He explained that the proposed 24 parking spaces would provide safety and convenience for both seniors and those with younger children offering a paved walkway with a canopy that directly leads to the entrance of the building. He shared that there is a condition from the Planning Commission have been more than willing to work with the Planning Commission and staff to provide additional screening by adding trees that currently do not exist to the south of the entrance and within that parking area.*

*He explained that the proposed parking area is in proximity of where the building functions and within the footprint. He stated that the area located east of the building is preserved and heavily wooded, which they would like to maintain while finding a balance between convenience and natural features.*

*He addressed the concerns regarding the construction, noting that both he and the client have spoken with the construction manager from TH Marsh Construction and are aware to keep the project as non-disruptive as possible.*

*He stated that the addition to the south of the building that has been labeled as a classroom is essentially larger rooms for student outreach and breakout rooms. He shared that the playground area proposed is to be enclosed by a gate, noting that they do not project installing major playground equipment for the use of non-church membership.*

**Ms. Mungoli** questioned if the parking lot is required to access at both ends. She further questioned if trees can be left on one end of the parking lot.

**Mr. Reynolds** stated that in order to obtain site accessibility that they would request that both ends of the lot are accessible; however, he offered that they could potentially shift or remove parking spots if it could result in gaining landscaping to provide additional screening. He stated that they want to ensure a clear area so there are not any right-away concerns. He noted that it is their intent to address the concerns that have been brought to their attention.

**Ms. Mungoli** stated that the median that is located off of Orion Road does not look like it has enough plantings to accommodate the family that lives directly across the street from the building. She questioned if they can install trees and additional plantings on each side of the driveway to help block the view of the parking lot from the neighboring homes.

**Mark Cizauskas**, Pastor of First Baptist Church Rochester, stated that they want to be good neighbors and understand it is a balance in keeping it aesthetically pleasing for the residential area and accommodating the congregation. He stated additional plants and trees are more than welcomed to help meet that balance.

**Ms. Mungoli** stated that she hopes they will consider planting mature plantings or trees. She stated that the additional landscaping are not on the plans and noted that it is important to reassure the residents that they are committed to providing sufficient screening in way of landscaping in and around the storm water retention basin or to the north side of the parking lot. She requested that more landscaping be added to provide additional screening of the parking lot.

**Mr. Reynolds** concurred with Ms. Mungoli and stated that they are happy to install additional landscaping. He noted that they also want to ensure they are providing a clear vision area to eliminate any right-away concerns. He explained that he believes there is a condition set forth by the Planning Commission that stated they will work with staff to address additional screening needs.

**Mr. Hetrick** thanked the applicants for their agreement to the condition to provide additional screening to assist in creating a harmonious type of development. He questioned whether the additional parking spaces stay within the number of parking spaces that are required by the Ordinance.

**Ms. Kapelanski** responded that they are still within the allowable maximum number of parking spaces.

**Mr. Blair** expressed his appreciation for the project. He recognized the residents who shared their concerns and noted they were received. He stated that churches are still an important part of the community as they provide services that benefit the community. He expressed his appreciation to the attention they have given to the concerns of the neighbors. He questioned if there is a surplus of parking that currently exists as stated by one of the residents. He further questioned if the need for additional spaces were due to the projection on usage of the expansion and how they arrive at that number.

**Pastor Cizauskas** stated that it is difficult to gauge where they are with their parking numbers at this point in time. He shared that the church has offered multiple services during COVID to allow for social distancing. He noted that they will have a better idea of how many cars will be in the parking lot at one time once they get back to having one service.

**Mr. Reynolds** stated that they performed a parking calculation based on the

City's Ordinance taking into account the sanctuary and determined there is no need to propose additional parking. However, he explained that the calculation is not based on all areas being simultaneously used. He noted that there will be times that two services may have cross over. He stated that the proposed additional 24 parking spaces are primarily for safety and convenience and noted that day-to-day, the parking lot is not completely full, but it is being consistently used.

**Mr. Blair** clarified that there will not be a tremendous increase in traffic and noise, rather, the proposed plan will allow for more spaces for overflow when needed and provide ample space for people to park their vehicles.

**Mr. Reynolds** concurred and stated that proximity is the main key. He stated that essentially the current parking spaces are not available directly near the new common hall and they are looking to offer better pedestrian access and handicap parking spaces.

**Vice-President Bowyer** thanked the residents for sharing their concerns. She expressed that she originally had a concern with the removal of the berm. She expressed her appreciation for them working to landscape the area. She suggested that they consider removing one of the parking spaces near the front to plant trees and add to the landscaping.

She questioned the height of the fence on the playground and whether it is tall enough that children will not climb into the area.

**Mr. Reynolds** responded that the fence surrounding the playground area is a six-foot decorative metal fence. He stated that the idea of the play area is not to be a large structure, rather an area to keep younger children in a controlled, safe area.

**Vice-President Bowyer** stated that often times during construction, there is a lot of dust. She requested that they spray down the area to control the dust so that the neighboring homes will not be inundated by it.

**Mr. Reynolds** stated they will take that into consideration.

**Mayor Barnett** stated that it is notable in a time such as now that a church invests into a community. He acknowledged Mr. Reynolds for his expertise in architecture. He recognized both the Waller family and the McCormick family for being present at the meeting to share their concerns and stated their comments were noted. He shared that the church has been responsive to the City's requests and agreed that adding additional landscaping is appropriate. He encouraged the church to continue being a good neighbor and pay special attention to the concerns of the residents as they move forward.

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0112-2021

**Resolved** that the Rochester Hills City Council hereby approves a Conditional Use for renovations/additions to First Baptist Church, located at 6377 Orion Rd., north of Tienken, zoned R-1 One Family Residential, Parcel No. 15-03-276-030, based on plans dated received by the Planning and Economic Development Department on March 5, 2021, Steve Auger, Auger Klein Aller Architects, Applicant with the following findings and conditions:

**Findings:**

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the church community by updating and improving safety for a place to worship.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

**Conditions:**

1. That the parking lot lights shall be turned off daily at 9:00 p.m. unless a later church event is taking place.
2. Work with staff to add evergreens or appropriate plantings to shield the parking lot, prior to final approval by staff.

**2021-0145** Request for acceptance of the Final Study Committee Report for the historic property at 1021 Harding Ave., located east of Livernois, north of Avon, zoned RCD One Family Cluster; Paul Miller, Applicant

**Attachments:** [072621 Agenda Summary.pdf](#)  
[Letter to Delist.pdf](#)  
[Letter Connolly.pdf](#)  
[051021 Agenda Summary.pdf](#)  
[Adopted Final Report 1021 Harding.pdf](#)  
[Engineering Report.pdf](#)  
[Memo Kapelanski 041521.pdf](#)  
[Email Connolly 042921.pdf](#)  
[Minutes HDSC 011421.pdf](#)  
[Minutes HDSC 021121.pdf](#)  
[Minutes PC 031621.pdf](#)  
[Minutes HDSC 042221.pdf](#)  
[Draft Minutes CC 051021.pdf](#)  
[051021 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Kristin Kapelanski**, Planning Manager, stated that the Historic District Study Committee (HDSC) has completed its review of the property located at 1021 Harding, directed by the City Council at their December 14, 2020 meeting. She stated that the report was adopted by the HDSC at their April 22, 2021 meeting. She introduced **Kristen Kidorf**, Preservation Consultant.

**Ms. Kidorf** stated that the HDSC adopted the report and found that although the condition of the property is somewhat deteriorated it still meets the National Register Criteria for Integrity and recommends retaining the Historic District, not delisting it.

#### **Public Comment**

**Terry Connolly**, 5984 Southgate Road, Oakland Township, stated that he made the offer to purchase the property. He shared that he is interested in the property for a potential renovation opportunity. He expressed his empathy for the current owner for his significant financial and emotional loss. He stated that he is not a real estate developer and has no interest in remarketing the property. He shared that he has an appreciation for renovations and hopes to have the opportunity to create something that the City can be proud of. He extended his appreciation to the HDSC for their review and report of the property.

**Vice-President Bowyer** recognized the loss Mr. Miller suffered and shared that it would be nice if Mr. Connolly can restore the home to its original state.

**Mr. Hetrick** requested further clarification stating that accepting the historic property with a narrow scope and considering any extenuating circumstances regarding hardship or financial distress related to the destruction of the property is outside of what is being considered today.

**Ms. Kidorf** confirmed that the HDSC charge was to come back to Council with a recommendation using the very narrow criteria under the City's Local Ordinance and State Law for delisting a property. She explained that under those criteria the Committee recommends that the property is not delisted and noted that Council would be accepting the Committee's recommendation.

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

**Aye** 6 - Blair, Bowyer, Deel, Hetrick, Mungoli and Walker

**Nay** 1 - Morita

Enactment No: RES0113-2021

**Resolved**, that the Rochester Hills City Council hereby accepts the Final Study Committee Report for 1021 Harding Ave., Parcel No. 15-15-327-002 and concurs with the recommendation to retain the property as a historic district in the City.

## 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.

- 2021-0167** Request for Purchase Authorization - FACILITIES: Increase to the existing blanket purchase order for crack sealing and striping services in the amount of \$4,000.00 for a new not-to-exceed amount of \$28,430.00; Hutch Paving, Inc., Warren, MI

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Proposal Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0114-2021

**Resolved**, that the Rochester Hills City Council hereby authorizes an increase to the existing blanket purchase order for crack sealing and striping services to Hutch Paving, Inc., Warren, Michigan in the amount of \$4,000.00 for a new not-to-exceed amount of \$28,430.00 and further authorizes the Mayor to execute the contract amendment on behalf of the City.

- 2021-0169** Request for Purchase Authorization- MIS: Purchase Authorize for annual support and maintenance for the City's Equalizer Software System - Building, Field Inspection, Assessing, Tax, Special Assessments, Miscellaneous Receivables and Cash Receipting Software in the amount not-to-exceed \$29,672.00; BS&A Software, Bath, MI

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0115-2021

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of annual support and maintenance for the City's Equalizer Software System - Building, Field Inspection, Assessing, Tax, Special Assessments, Miscellaneous Receivables and Cash Receipting Software to BS&A Software, Bath, Michigan in the amount not-to-exceed \$29,672.00.

## Passed the Consent Agenda

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungoli and Walker

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Vice-President Bowyer announced the following events:*

- *The Older Persons' Commission (OPC) is hosting a 5k Run/Walk on Saturday, June 5, 2021 to support Meals on Wheels. She stated that individuals can participate in-person or virtually. She noted that registration is available at [www.opcseniorcenter.org](http://www.opcseniorcenter.org).*
- *Rochester Community Schools is hosting a Virtual Run in September.*
- *The Paint Creek Trail is hosting a Labor Day Bridge Walk on September 6, 2021 at Rochester Park.*
- *Michigan Ovarian Cancer Alliance (MIOCA) is hosting the Wheels and Teal Car show and 5k Run on Saturday, September 11, 2021 at the Village of Rochester Hills.*
- *She announced that the Brookside Way and the Neighborhood House are unsure if they will be in-person or virtual this year.*
- *Registration is available for the Outdoor Engagement sessions. Individuals who are interested may register online at [www.rochesterhills.org/outdoors](http://www.rochesterhills.org/outdoors).*
- *She encouraged residents to not disturb the baby fawns in the neighborhoods. She explained that the mother deer need to track their fawn's scent in order to come back to them. She stated that if residents have concerns, contact Ken Elwert, Director of Parks & Forestry at (248) 656-4673 or Lance DeVoe, Naturalist at (248) 841-2675.*

**Mr. Walker** wished Dale Hetrick a Happy Birthday and extended a belated Mother's Day to all. He shared that he attended the Ribbon Cutting Ceremony for Genisys Credit Union at their new location on Rochester Road between Avon and Hamlin Roads.

He shared that in January of 2021, the Fire Department issued a Request for Proposal for handheld thermal cameras. He mentioned that an evaluation committee performed an extensive evaluation of the device and in conclusion selected the TXS thermal imaging camera. He noted that it offered the best value and overall performance. He stated that the cameras were delivered to the Fire Department on April 13, 2021. He expressed his appreciation to the Fire Department and stated that the City of Rochester Hills is committed to providing resources and the equipment necessary to keep the residents safe.

**Ms. Mungoli** stated that she has received letters expressing various concerns from anonymous residents. She stressed that she is unable to properly address those concerns if contact information is not provided. She encouraged individuals who are interested in sharing their concerns to please contact her directly via email at [mungiolit@rochesterhills.org](mailto:mungiolit@rochesterhills.org) or via phone at (248) 841-2644.

**Mayor Barnett** shared the following updates:

- The Playground Bound Campaign will continue through the end of May. He shared that the Campaign is in partnership with the Michigan Economic Development Corporation (MEDC) who will match up to \$50,000 of funds raised for the Innovation Hills Playground. He shared that to date, they have raised \$44,515.
- The Art on Auburn Program will have its Art unveiling on June 3rd from 4:00 p.m.-6:30 p.m. to celebrate the work of the student artists. He encouraged individuals to RSVP for the event at [rochesterhills.org](http://rochesterhills.org).
- In an effort to support local businesses, the City of Rochester Hills will administer round two of the Restaurant Relief Program. The application to apply is now available and must be submitted by May 14, 2021. For more information, please visit [www.rochesterhills.org/restaurantrelief](http://www.rochesterhills.org/restaurantrelief).
- The American Rescue Package will release the first round of funds this week. Rochester Hills will receive approximately seven to eight million dollars in two installments. The City will continue to work with Midwest Strategies and City Council on how to move forward.
- He shared that the Museum's Roof Replacement Project is on budget and ahead of schedule. He stated that the Equipment Barn is also on schedule and under budget. He stated that a grand opening will be scheduled for July.
- He shared that according to the U.S. News World Report of the Best Schools in Michigan, all three of the Rochester High Schools were highlighted in the article as top performing schools. He expressed his appreciation for all of the teachers, staff, and the Superintendent of Rochester Community Schools.
- The City continues to monitor COVID cases daily. He announced that the State of Michigan has reached its first target in reaching 50% of individuals who have received their first dose of the vaccination.
- He shared that Hamlin Road is now closed for construction. He asked that residents be patient during the road construction and to be mindful of pedestrian traffic as well as construction workers.

## ATTORNEY'S REPORT

*Attorney John Staran had nothing to report.*

## NEW BUSINESS

2021-0176 Request to Adopt the updated Poverty Exemption Guidelines



**Attachments:** [060721 Agenda Summary.pdf](#)  
[Poverty Exemption Guidelines.pdf](#)  
[Final Opinion and Judgment - 20-004256.pdf](#)  
[20-004256 precedent order.pdf](#)  
[051021 Agenda Summary.pdf](#)  
[051021 Poverty Exemption Guidelines 2021 \(Revised\).pdf](#)  
[051021 Poverty Exemption Guidelines 2021.pdf](#)  
[051021 Resolution \(Draft\).pdf](#)  
[051021 Resolution \(Draft - Revised\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Laurie Taylor**, Assessing Director, stated that section 211.7U of the General Property Tax Act allows for an exemption from property taxes either in whole or in part, if a person is unable to contribute towards public charges if deemed eligible by the Board of Review. She explained that to qualify for such exemption, a taxpayer must own and occupy their principal residence and meet specific income and assets levels determined by the Federal Poverty Income Guidelines. She shared that the guidelines, application, and forms will be provided on the City's website. She requested Council's approval to adopt the updated Poverty Exemption Guidelines to comply with the new requirements as set forth by Public Act 253 of 2020 and the State Tax Commission Bulletin number 3 of 2021.

### **Council Discussion**

**Ms. Morita** stated that it is important for items such as compliance issues with new statutes and contracts be forwarded to Attorney Staran for review. She expressed her concern with the \$10,000 asset test limit, noting that it could possibly disqualify applicants. She questioned if an Attorney Review letter has been completed by Attorney Staran.

**Attorney Staran** stated that he has reviewed the Poverty Exemption Guidelines and had previous discussion with Assessor Taylor, however, he has not provided something in writing.

**Ms. Taylor** clarified that an applicant is allowed a reasonable vehicle, principal residence and personal belongings which are outside of the scope of assets that are calculated to determine eligibility.

**Ms. Morita** stated that the policy as currently written does not clearly define the homestead assets. She stated that subsection 2 of section 211.7u of the General Property Tax Act lists things that need to be considered in order to qualify for the poverty exemption, however, it does not necessary include the asset test. She mentioned that she recognizes that subsection 4 of 211.7u references an asset test, however, in order qualify for the asset test under subsection 2, there is no asset test required. She requested that Attorney Staran provide his written opinion. She stated that she cannot accept the policy as written, as it appears to be too vague.

**Ms. Mungoli** asked for clarification on whether this policy is to be brought into compliance with the Statute or if the City is making extrapolations from the Statute to form the policy.

**Ms. Taylor** stated that the City has updated the Poverty Exemption Guidelines to include changes that have been made to the Statute. She explained that the specific changes made were the percentage of reductions for those that qualify and the uniformed application provided by the State Tax Commission.

**Ms. Mungoli** stated that it would be helpful to have the ability to track the changes made to the policy. She requested that a "redline" version of the policy be shared with Council to assist in understanding the changes.

**Mr. Hetrick** inquired if the Poverty Guidelines Policy stipulates the number of times an individual can request an exemption.

**Ms. Taylor** stated that historically they have had applicants repeat one to two times.

**Attorney Staran** clarified that neither the Policy nor State Law limit the number of times an individual could apply and receive an exemption. He explained that the most recent amendment to the State Law was designed to allow people to apply and be approved for up to three years.

**Mr. Hetrick** inquired what concerns, if any, Attorney Staran has with the current Poverty Exemption Guidelines Policy.

**Attorney Staran** stated that the policy complies with the State Law; however, it may not read as clean as it should. He noted that based on the State Law and the State Tax Commission Bulletin, he has confidence that the policy is suitable. He referred to Ms. Morita's concern about the asset test noting that it is not dictated by state law, rather at the discretion of the local city administration and approval of Council. He shared that the Assessing Staff surveyed other communities and found that the threshold of \$10,000 in assets seemed to be consistent. He indicated that the City has been using the same metrics for the asset test as in previous years.

**Mr. Hetrick** questioned if the asset test has changed from the previous version to its current version.

**Ms. Taylor** confirmed that the asset test is the same as indicated in the previous version.

**Vice-President Bowyer** questioned if the Assessing Department has received any inquiries from residents in the past few years.

**Ms. Taylor** stated that in 2018 and 2019, they received one applicant in each year. She stated that the Department provided application packets to those individuals, however, they did not proceed with applying.

**Vice-President Bowyer** questioned if it is clear to prospective applicants that they are allowed to have an automobile, and that it is not included in the \$10,000 asset limit. She expressed her concern that residents may not have a clear understanding of the asset requirement which may deter people from applying.

*She suggested that the eligibility information is made available to residents easily and clearly to understand.*

**Ms. Taylor** stated that the bulletin that is included with the application provides a detailed list of assets that are allowed according to the guidelines and will be available to download from the City's website. She explained that typically the Department receives inquiries by phone. She explained that staff engages with the resident in order to obtain information and thoroughly reviews the requirements to help guide them in providing a complete application appear before the Board of Review.

**President Deel** questioned if the policy modification is a result of the statutory change by the Legislature to tighten down the rules on the poverty exemptions in terms of local municipalities.

**Ms. Taylor** stated that the City's guidelines were written much like the State's; this modification incorporates the recent changes. She explained that not all municipalities had guidelines. She shared that she participated on a committee several years ago to develop guidelines that were implemented among municipalities. She noted that the City of Rochester Hills already had a formula in place that was used to determine the percentage of decrease in taxable value to allow for a fair and equitable decision amongst all applicants.

**President Deel** questioned if this policy is a new policy to replace what existed in order to be in compliance with what was passed by the Legislature. He further questioned whether a "red line" version exists.

**Ms. Taylor** stated this is a new policy, therefore, they do not have a red-line version.

**Ms. Mungoli** stated that the City may need to review additional support options for those residents who do not qualify under the existing policy. She shared that many families were impacted by COVID and may not know what supports are available.

**Vice President Bowyer** concurred with Ms. Mungoli. She stated that she is not in favor of the policy as written and recommended Council continue further discussion to change the assets threshold so that it is higher in order to qualify more individuals who are struggling with poverty.

**President Deel** stated that the policy modification was made in order to comply with State Statute. He questioned when the Statute takes effect and when the Policy needs to be in place to comply with the State's guidelines.

**Mr. Staran** stated that the policy needs to be in place before the July Board of Review. He noted that if Council is not ready to act on it this evening, it should be moved to the next meeting to have in place by the first part of June.

**Mayor Barnett** questioned if the City has the flexibility to modify the policy to be specific to the City of Rochester Hills or to align the City's language with what was passed last year by the Legislature.

**Mr. Staran** stated that the City did align its policy language with the State Law and noted that the asset threshold is not dictated by State law, instead, it is left to local discretion. He stated that if there is a concern with the \$10,000 asset threshold, he recommends that they go back and make appropriate adjustments to take Council's concerns into consideration.

**Mayor Barnett** questioned what other municipalities do and if the asset threshold is changed, what would the criteria be based upon.

**Ms. Taylor** stated that there is a variety of asset threshold limits among communities. She explained that some communities use a formula to incorporate a multiplying factor or have a hard number.

**Mr. Staran** stated that Ms. Taylor indicated in her presentation that the point of having an asset test is not to create an additional hurdle. He explained that the test is in place for the Board of Review to use as an additional tool to screen applicants and determined if the applicant is in need of a tax exemption based upon their financial situation. He reiterated that the asset test does not consider their primary transportation, but rather a hobby vehicle and items of that nature.

**Ms. Mungoli** made a motion to postpone the agenda item to the June 7, 2021 Regular City Council Meeting to allow time for the Assessing Department to conduct further research to address the concerns of Council as it relates to the asset threshold.

**Vice President Bowyer** requested that the policy includes clarification in the policy that indicates a resident is allowed to have an automobile without a dollar amount attached to it.

**President Deel** requested that Council provide the Assessing Department with clear direction as to what they would like to see in the policy.

Discussion ensued and the following items were requested to be considered for review and implementation in the Policy language per Council:

- Clearly define homestead items within the policy.
- Implement an asset test that is based upon the Department of Health and Human Services (DHHS) Poverty Guidelines and incorporate using a percentage to determine the poverty level. By doing so it will account for inflation and will not require a re-determination from year-to-year.
- A redline version of the policy. A copy of the original policy and a document that shows the changes being proposed.

**Ms. Morita** stated that the State Tax Commission (STC) Guidelines are not enforceable by law, however, they should try to accommodate the STC to the best extent possible.

She noted that the poverty exemption of the General Property Tax Act subsection 2 of section 211.7u of the Statute does not require an asset test, rather, it states in order to qualify for a poverty exemption one must complete

*the STC Poverty Exemption Application Form 5737 and include required documentation. She expressed her concern that the Guidelines should only require someone to provide what is required by the Statute.*

*She stated that it needs to be clear that the basis for the poverty exemption is the same basis that is required by the Poverty Exemption Statute. She explained that the asset test requirement in the General Property Tax Act subsection 4 is not part of the requirements an applicant must meet, but rather an addition to the requirements to be considered.*

**Ms. Taylor** *stated that she understands Ms. Morita's position, however, stressed that an asset test is required as directed by the STC, as well as tribunal law and case study. She stated there has been a lot of discussion amongst her colleagues, the STC and the Michigan Assessors Association (MAA) who all take the position that an asset test is required.*

**Ms. Morita** *recommended that the policy is stated in such a way that the only requirements are from the General Property Tax Act subsection 2 and noted that in addition to those requirements, an applicant has to meet the standards of the asset test. She stated that an asset test needs to be in the policy pursuant to subsection 4.*

**Mayor Barnett** *noted that it would more efficient to use a general guideline that is either consistent with the average or State Guidelines. He shared that receiving general direction from Council will assist the team in coming back to them with a revised presentation. He questioned Council's consensus as it pertains to the Policy.*

**Mr. Hetrick** *stated that he wants the Policy to be consistent with State Guidelines to ensure that the Board of Review has a guide to rely upon. He noted this will also help to cut down on issues or lawsuits.*

**Ms. Mungoli** *concurred with Mr. Hetrick regarding consistency with the State Guidelines. She questioned whether residents are currently delinquent on their taxes and further questioned if so, is it due to them avoiding the poverty guidelines.*

**Ms. Taylor** *confirmed that individuals who were delinquent in taxes the second half of the year were not delinquent due to poverty.*

**Vice President Bowyer** *stated that she likes the idea of not having the \$10,000 limit, but rather prefers that, the guideline is a percentage, which is in line with the DHHS poverty guidelines. She noted that in calculating it as a percentage, the amount will take into account inflation from year-to-year and the Department will not have to revisit the poverty amount each year.*

**Karen Somerville**, *Deputy Assessing Director, stated that historically the City's Guidelines have mirrored the State of Michigan's Guidelines to ensure consistency across the board. She noted that Council's recommendations will be taken into account with regards to the asset test. She further noted that the asset test is required to exist within the policy.*

**President Deel** questioned if Ms. Taylor and Ms. Sommerville have enough information from Council to provide them with clear direction. He requested they come back prior to the June 7, 2021 Regular City Council meeting with a revised policy.

**Ms. Taylor** stated that she understands Council's concern about the asset test and noted that they recommend that the asset level is directly tied to something that will automatically index. She further noted, they are to include in detail what is acceptable as it relates to assets, not including homestead, furnishings, and a vehicle.

**A motion was made by Mungioli, seconded by Hetrick, that this matter be Postponed by Resolution to the June 7, 2021 Regular City Council Meeting. The motion carried by the following vote:**

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0144-2021

**2021-0153** Request for Purchase Authorization - FISCAL: Blanket Purchase Order for annual support and maintenance for the City's Water and Sewer Utility Billing System in the amount not-to-exceed \$112,037.00 for a three year period (5/1/2021-4/30/2024); TruePoint Solutions, Incline Village, NV

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Joe Snyder**, Chief Financial Officer, stated that this request is for support and maintenance of the City's water and sewer utility billing system, which accounts for and tracks over \$30 million water and sewer billings each year. He noted that the annual costs of the contract will be \$36,000 to \$38,000 per year and funding is included in the 2021 adopted budget, as well as the 2022-2023 projected budget.

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0116-2021

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for annual support and maintenance for the City's Water and Sewer Utility Billing System to TruePoint Solutions, Incline Village, Nevada in the amount not-to-exceed \$112, 037.00 for a three year period (5/1/2021-4/30/2024).

**2021-0171** Request for Purchase Authorization - MIS: Blanket Purchase Order for Network Support Services in the amount not-to-exceed \$120,000.00 through January 30, 2024; IT Solutions Group, Novi, MI

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Proposal Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Kevin Krajewski**, Information Systems Director, stated that the funding for this request is approved within the 2021 budget as well as the 2022-2023 projected

*budget. He noted that this proposal is for network support services for system patch work that needs to be completed and is better suited from a company that performs this type of work. He explained that the support services will be readily available to MIS if or when they encounter network issues or need an opinion.*

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0117-2021

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for Network Services to IT Solutions Group, Novi, Michigan in the amount not-to-exceed \$120,000.00 through January 30, 2024.

**2021-0164** Request for Approval of the Second Amendment to the Ground Lease Agreement for the Cellular Tower located at Fire Station #4

**Attachments:** [051021 Agenda Summary.pdf](#)  
[Amendment #2 Contract.pdf](#)  
[Original Ground Lease Agrmnt 10172000.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mayor Barnett** stated that this request is for the continuation of a five-year Ground Lease Agreement. He noted that this request provides the City maximum financial advantage and maximum flexibility.

**Ms. Morita** questioned whether this request is for a 20-year term, and if it is a new lease or an amendment to the lease.

**Mr. Staran** stated that the agreement would start immediately and the maximum term would end in 2045. He stated the original lease could run through 2025 and noted that it would be adding 20 years to that. He confirmed that this request is an amendment to the current lease.

**Ms. Morita** questioned whether the City would run into an issue where it could be considered a transfer of ownership with it being a 20-year lease.

**Vice-President Bowyer** questioned if they are proposing a change to an existing tower. She referred to the language in the packet that states it is to enlarge a 75 square foot ground to make room for a co-locating tower.

**Mr. Staran** explained that it is a continuation to the monopole tower that has been there for 21 years. He reiterated that there will not be an additional tower.

**Ms. Mungioli** stated that 20 years ago, it was a concern for residents when the tower was erected. She questioned how much notice should be given to residents to properly inform them, and recommended that they take into consideration noticing beyond the 300-feet that is required and recognize the community who had an issue with it in the past. She stated that she would like to have further discussion on the outreach to the impacted communities when the City decides move forward.

*Mr. Blair stated that due to infrastructure moving towards 5G antennas and technologies, communities more than likely will not see the large 300 foot structures, rather, they will be smaller mounted antennas to existing poles or structures. He stated that the City should look to accommodating carriers that want to build out infrastructure to make sure it is done so in a way that is practically invisible. He stated that the City of Rochester Hills' residents deserve high speed and quality services and noted that without the proper antennas to back those services up, they will not be able to order them.*

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0118-2021

**Resolved**, that the Rochester Hills City Council hereby approves the Second Amendment to Ground Lease Agreement between the City of Rochester Hills and Detroit SMSA Tower Holdings LLC, a Delaware limited liability company and authorizes the Mayor to sign on behalf of the City.

## **ANY OTHER BUSINESS**

*None.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, May 24, 2021 - 7:00 p.m.*

## **ADJOURNMENT**

*There being no further business before Council, it was moved by Mungioli and seconded by Hetrick to adjourn the meeting at 9:22 p.m.*

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*RYAN DEEL, President  
Rochester Hills City Council*

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*LEANNE SCOTT, MMC, Clerk  
City of Rochester Hills*

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*SHEILA BROWN  
Administrative Coordinator  
City Clerk's Office*

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