



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
www.rochesterhills.org

*Kevin S. Brown, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark A. Tisdel,
Michael Webber and Thomas W. Wiggins*

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."*

Monday, November 10, 2014

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:01 p.m. Michigan Time.*

ROLL CALL

Present 7 - Kevin S. Brown, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark A.
Tisdel, Michael Webber and Thomas W. Wiggins

Others Present:

*Ed Anzek, Director of Planning and Economic Development
Tina Barton, City Clerk
Alan Buckenmeyer, Parks Operations Manager
Sean Canto, Chief of Fire and Emergency Services
Scott Cope, Director of Building and Ordinance Compliance
Mike Hartner, Director of Parks and Forestry
Pat McKay, Supervisor of Interpretive Services
Tara Presta, Chief Assistant to the Mayor
Sara Roediger, Planning Manager
Keith Sawdon, Director of Finance
Allan Schneck, Director of DPS/Engineering
Taylor Thorpe, Rochester Hills Government Youth Council Representative
Bob White, Supervisor of Ordinance Services*

PLEDGE OF ALLEGIANCE

*Mr. Tisdel introduced Ravinder Sani, owner of the Tim Hortons Cafe & Bake Shop
on South Rochester Road in Rochester Hills. He noted that restaurant owners
Anita and Ravinder grew up in a family that owned grocery stores in Canada.
Ravinder worked in the automotive industry for seventeen years after graduating
from Ryerson University in Toronto and received his MBA from University of Detroit
Mercy. He commented that their passion to be entrepreneurs led them to be proud
franchisees of the iconic coffee chain, Tim Hortons.*

Mr. Tisdel noted that the Tim Hortons Children's Foundation (THCF) is a non-profit charitable organization founded in 1974 that is committed to providing an enriched, memorable camp experience for children and youth living in economically disadvantaged homes. The Foundation's funding comes from Tim Hortons Camp Day, fundraising activities, special events, and year-round public donations collected through the counter and drive-thru coin boxes. Tim Hortons guests and restaurant owners from across North America came together to raise \$11.8 million during this year's Camp Day on Wednesday, June 4, 2014 to send 17,000 kids to camp this year across United States and Canada. Every year, Tim Hortons will send two youths per restaurant to a fully paid camping trip to one of the seven camps across Canada and United States. Last year two youths from Rochester Hills went to a THCF camp in Quebec, Canada.

In addition to THCF, Tim Hortons Rochester Hills supports local community organizations such as Rochester Rotary Club, Rochester Area Youth Assistance (RAYA), Crittenton Foundation and events like The Home Town Christmas Parade. Tim Hortons works with local schools to support the Hometown Hoedown, sponsored by the Rochester Community Schools.

Mr. Tisdel mentioned that the Management and Team of Tim Hortons Café & Bake Shop expressed their appreciation to Mayor Barnett, City Council, the City Clerk's Office, Tara Presta, and looks forward to serving this community for many more years to come.

He added that Tim Hortons was one of 39 different businesses that sponsored the Rochester Hills Government Council's 5K Walk/Run.

***Ravinder Sani** led the Pledge of Allegiance.*

APPROVAL OF AGENDA

A motion was made by Tisdel, seconded by Brown, that the Agenda be Approved as Amended to move Public Comment, Legislative & Administrative Comments and Attorney Matters to immediately follow Legislative File 2014-0378 Request for Preliminary PUD and Conceptual Site Plan Approval - Barrington Park PUD. The motion carried by the following vote:

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

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.

2014-0481 Approval of Minutes - City Council Regular Meeting - September 8, 2014

Attachments: [CC Min 090814.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0272-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 8, 2014 be approved as presented.

2014-0482 Approval of Minutes - City Council Regular Meeting - September 22, 2014

Attachments: [CC Min 092214.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0273-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on September 22, 2014 be approved as presented.

2014-0483 Approval of Minutes - City Council Regular Meeting - October 6, 2014

Attachments: [CC Min 100614.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0274-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on October 6, 2014 be approved as presented.

2014-0477 Request for Acceptance of Pedestrian-Bicycle Pathway Easement and Temporary Construction Easement granted by Ronald Mikolaczyk and Brian Mikolaczyk, 4965 Point Tremble Road, Algonac, Michigan, 48001, and authorization of payment to landowners in the amount of \$1,100.00

Attachments: [111014 Agenda Summary.pdf](#)
[Pathway Easement.pdf](#)
[Temporary Construction Easement.pdf](#)
[Easement Valuation Worksheet.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0275-2014

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills hereby accepts a Pedestrian-Bicycle Pathway Easement and Temporary Construction Easement granted by Ronald Mikolaczyk and Brian Mikolaczyk, 4965 Point Tremble Road, Algonac, Michigan, 48001 over, on, under, through and across land more particularly described as 1811 W. Hamlin Road, Rochester Hills, Michigan 48307, Parcel No. 15-24-401-036, and authorizes payment to the landowners in the amount of \$1,100.00.

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

- 2014-0479** Request for Acceptance of a Highway Easement granted by J & Y Vettese Properties, L.L.C., a Michigan Limited Liability Company, 6537 Norton Drive, Troy, Michigan 48084, and authorization of payment to the landowner in the amount of \$15,000.00

Attachments: [111014 Agenda Summary.pdf](#)
[Highway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0276-2014

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills hereby accepts a Highway Easement granted by J & Y Vettese Properties, L.L.C., a Michigan Limited Liability Company, whose address is 6537 Norton Drive, Troy, Michigan 48084, over, on under, through and across land more particularly described as 1575 E. Hamlin Road, Rochester Hills, Michigan 48307, Parcel Number 15-24-401-006 and authorizes payment to the landowner in the amount of \$15,000.00.

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

- 2014-0480** Request for Acceptance of Highway Easement granted by Faith Evangelical Presbyterian Church, 160 W. Hamlin Road, Rochester Hills, Michigan 48307, and authorization of payment to the landowner in the amount of \$7,300.00

Attachments: [111014 Agenda Summary.pdf](#)
[Highway Easement.pdf](#)
[Easement Valuation Worksheet.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0277-2014

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills accepts a highway easement granted by Faith Evangelical Presbyterian Church, whose address is 160 W. Hamlin Road, Rochester Hills, Michigan 48307, over, on, under, through and across land more particularly described as Parcel No. 15-22-451-034, and authorizes payment to the landowner in the amount of \$7,300.00.

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

- 2014-0486** Request for Acceptance of Temporary Construction Easement granted by Beverlee Lynn Ruczynski, 55 W. Hamlin Road, Rochester Hills, Michigan 48307, and authorization of payment to the landowner in the amount of \$1,375.00

Attachments: [111014 Agenda Summary.pdf](#)
[Temporary Construction Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0278-2014

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills accepts a temporary construction easement granted by Beverlee Lynn Ruczynski, whose address is 55 W. Hamlin Road, Rochester Hills, Michigan 48307, over, on, under, through and across land more particularly described as Parcel No. 15-27-226-010, and authorizes payment to the landowner in the amount of \$1,375.00.

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

- 2014-0490** Request for Acceptance of Pedestrian-Bicycle Pathway Easement, Storm Drain Easement, and Temporary Construction Easement granted by William A. Hewett and Judith J. Hewett, 722 W. Hamlin Road, Rochester Hills, Michigan 48307, and authorization of payment to the landowners in the amount of \$14,696.00

Attachments: [111014 Agenda Summary.pdf](#)
[Pathway Easement.pdf](#)
[Storm Drain Easement.pdf](#)
[Temporary Construction Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0279-2014

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills accepts a Pedestrian-Bicycle Pathway Easement, Storm Drain Easement and Temporary Construction Easement granted by William A. Hewett and Judith J. Hewett, of 722 W. Hamlin Road, Rochester Hills, Michigan 48307, over, on, under, through and across land more particularly described as Parcel No. 15-22-376-038, and authorizes payment to the landowners in the amount of \$14,696.00.

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

- 2014-0465** Request for Acceptance of a Pedestrian-Bicycle Pathway Easement granted by Good Will Co., Inc., a Michigan corporation, for Rochester Square

Attachments: [111014 Agenda Summary.pdf](#)
[Pathway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0280-2014

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Pedestrian-Bicycle Pathway Easement granted by Good Will Co., Inc. a Michigan corporation, whose address is 2929 Walker Avenue, N.W., Grand Rapids, Michigan 49544, for Parcel No. 15-35-100-048.

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

- 2014-0466** Request for Acceptance of a Sanitary Sewer Easement granted by Good Will Co., Inc., a Michigan corporation, for Rochester Square

Attachments: [111014 Agenda Summary.pdf](#)
[Sanitary Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0281-2014

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer Easement granted by Good Will Co., Inc. a Michigan corporation, whose address is 2929 Walker Avenue, N.W., Grand Rapids, Michigan 49544, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer over, on, under, through and across land more particularly described as Parcel No. 15-35-100-048.

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

- 2014-0467** Request for Acceptance of a Fourth Amendment to the Watermain Easement granted by Good Will Co., Inc., a Michigan corporation, for Rochester Square

Attachments: [111014 Agenda Summary.pdf](#)
[Fourth Amend Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0282-2014

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Fourth Amended Watermain Easement granted by Good Will Co., Inc. a Michigan corporation (successor in interest to Thrifty Van Dyke, Inc. and hereinafter referred to as "Grantor"), whose address is 2929 Walker Avenue, N.W., Grand Rapids, Michigan 49544, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel No. 15-35-100-048.

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

- 2014-0468** Request for Approval of the Storm Water Property System Improvements Maintenance Agreement between Rochester M150, LLC, a Michigan limited liability company, Good Will Co., Inc., a Michigan Corporation, and the City of Rochester Hills for Rochester Square

Attachments: [111014 Agenda Summary.pdf](#)
[Storm Water Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0283-2014

Resolved, that the Rochester Hills City Council, approves the Storm Water Property

System Improvements Maintenance Agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Rochester M150, LLC, a Michigan limited liability company ("Developer"), Good Will Co., Inc. a Michigan corporation, for Rochester Square, City File #13-010, for Parcel No. 15-35-100-048.

- 2014-0491** Request for Purchase Authorization - PARKS/FORESTRY: Increase to Blanket Purchase Order for 2014 Fall Street Tree Planting in the amount of \$10,000.00 for a new not-to-exceed amount of \$34,000.00; Michigan Lawn Maintenance, Inc. dba Sherman Nursery Farms, Columbus, MI

Attachments: [111014 Agenda Summary.pdf](#)
[Contract Extension 2014.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0284-2014

Resolved, that the Rochester Hills City Council authorizes an increase to the Blanket Purchase Order for 2014 Fall Street Tree Planting in the amount of \$10,000.00 for a new not-to-exceed amount of \$34,000.00 to Michigan Lawn Maintenance, Inc. dba Sherman Nursery Farms, Columbus, Michigan.

- 2014-0478** Designation of City Depositories for 2015

Attachments: [111014 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0285-2014

Whereas, there now may be and hereafter from time to time come unto the hands of the Treasurer of the City of Rochester Hills, Michigan, certain public monies belonging to or held for the State, County or other political units of the State or otherwise according to the law; and

Whereas, under the laws of Michigan and the City's Investment Policy, the Rochester Hills City Council is required to provide by resolution for the deposit of all public monies coming into the hands of said Treasurer, in one or more bank(s).

Now Therefore Be It Resolved, that the following financial institution(s) be added as a depository for City funds and other public monies coming into the hands of said Treasurer during the Fiscal Year beginning January 1, 2015 and ending December 31, 2015.

Broker/Dealers/Safekeeping

Bank of America Merrill Lynch
J.P. Morgan Securities LLC/J.P. Morgan Clearing Corp.
Morgan Stanley (AKA Morgan Stanley Smith Barney LLC)
Multi-Bank Securities Inc.
Raymond James & Associates, Inc.
UBS Financial Services, Inc.

Pooled Accounts

Columbia Government Fund/Bank of America Merrill Lynch
Federated Securities Corp./Federated Government Obligations Fund 05

Michigan CLASS/Public Trust Advisors, LLC

Banks

Bank of America
Charter One Bank
Comerica Bank
Fifth Third Bank
First Merit Bank
Flagstar Bank
Huntington Bank
JP Morgan Chase Bank
Level One Bank
PNC Bank, N.A.
TCF Bank
Talmer Bank and Trust
The PrivateBank and Trust Company

Be It Further Resolved, that each of the above depository(ies) so designated is/are hereby requested, directed and authorized to honor all checks for payment of monies drawn on the various accounts when bearing the actual or facsimile signature of persons authorized by the City of Rochester Hills to sign said checks and orders.

- 2014-0471** Request for Purchase Authorization - Assessing/Bldg/Treas: Blanket Purchase Order for public records website hosting services in the amount not-to-exceed \$29,064.00 through December 31, 2017; CivicPlus, Manhattan, KS

Attachments: [111014 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0286-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to CivicPlus, Manhattan, KS for public records website hosting services in the amount not-to-exceed \$29,064.00 through December 31, 2017 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

Passed the Consent Agenda

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

The following Consent Agenda Item was discussed and adopted by separate motion.

- 2014-0463** Request for Purchase Authorization - DPS/ENG: Purchase of limestone aggregate and application for Washington and Dutton Roads in the amount of \$56,076.77; Road Commission for Oakland County, Beverly Hills, MI

Attachments: [111014 Agenda Summary.pdf](#)
[RCOC Limestone Washington.pdf](#)
[RCOC Limestone Dutton.pdf](#)
[Resolution \(Draft\).pdf](#)

Public Comment:

Lee Zendel, 1575 Dutton Road, noted that Dutton Road is owned by the Road Commission for Oakland County (RCOC). He commented that for most of the last 37 years, the road has been maintained; however, since the Tienken Road Rehabilitation Project has closed Tienken at Livernois, Dutton has become a detour road. He stated that due to the increased traffic, the road is almost impassable now at more than five to ten miles per hour. He mentioned that the limestone treatment should have been applied before the road became a detour, and was not compacted when it was applied. He stated that the road needs grading every few weeks to remain passable. He stated that the City should not pay the invoice as the RCOC delivered a defective product.

Mr. Kochenderfer noted that he heard some similar comments after the limestone treatment was applied by other residents on Dutton. He stated that this concerns him, as he received positive comments after the treatment was applied to Washington Road. He questioned whether City staff has discussed this with the RCOC.

Mr. Schneck responded that this is the first time he is hearing of concerns on the road's condition since the limestone was placed. He mentioned that the treatment applied to Washington Road seems durable and smooth; and he stated that he will have a conversation with RCOC personnel regarding the ride quality on Dutton.

Mr. Kochenderfer commented that he would like to remain informed of the RCOC's comments, as he would suggest that Livernois be treated early next year.

President Hooper noted out that Council approved the treatments to the roadway; and similar to other projects in the city such as its bridges, it invests money in the road even though it does not have ownership.

Mr. Schneck pointed out that the City splits the cost with Oakland Township for Dutton Road, and with the City of Rochester for Washington Road.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

Enactment No: RES0287-2014

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of limestone aggregate and application for Washington and Dutton Roads to Road Commission for Oakland County, Beverly Hills, Michigan in the amount of \$56,076.77.

ORDINANCE FOR ADOPTION

2014-0462 Acceptance for Second Reading and Adoption - An Ordinance to amend Sections 54-56, 54-123, 54-466, 54-467, and 54-470 and to add Division 2A to Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and specify fees relating to Miscellaneous services, Mechanical amusement devices, Parks, Museum and Fire Department, and to Repeal Conflicting or Inconsistent Ordinances

Attachments: [111014 Agenda Summary.pdf](#)
[Suppl Ordinance \(As Adopted\).pdf](#)
[Ordinance \(Revised\).pdf](#)
[102014 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[102014 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Pat McKay, Supervisor of Interpretive Services, noted that the Ordinance submitted for Second Reading reflects Council's discussion at the October 20th meeting. He explained that wording in the Museum Fees portion of the Ordinance Amendment was expanded to not refer strictly to wedding receptions. He mentioned that a change was made to Section 3.C., changing the fee for additional hours for rental from \$200 to \$250. He noted that this change should also be made to 4.C., raising that fee from \$200 to \$250.

Public Comment:

John Kosmal, 2644 Stoney Creek Road, expressed his thanks to everyone who worked on the proposed Ordinance, and commented that he supports the changes to the Mechanical Amusement Device fees.

A motion was made by Tisdell, seconded by Morita, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0288-2014

Resolved, that an Ordinance to amend Sections 54-56, 54-123, 54-466, 54-467, and 54-470 and to add Division 2A to Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and specify fees relating to Miscellaneous services, Mechanical amusement devices, Parks, Museum and Fire Department, and to Repeal Conflicting or Inconsistent Ordinances, is hereby accepted for Second Reading and Adoption, with a correction changing the fee listed in Sec. 54-470 Museum, Item (4)c., Additional hour or portion of an hour, from \$200.00 to \$250.00; and shall become effective on Monday, November 17, 2014, following its publication in the Oakland Press on Sunday, November 16, 2014.

NOMINATIONS/APPOINTMENTS

02014-0492 Request to Confirm the Mayor's reappointment of Robert Justin, Mark Sera, and Thomas Turnbull to the Brownfield Redevelopment Authority, each for a three (3) year term to expire on November 13, 2017

Attachments: [111014 Agenda Summary.pdf](#)
[Robert Justin CQ.pdf](#)
[Mark Sera CQ.pdf](#)
[Thomas Turnbull CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0289-2014

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Robert Justin, Mark Sera, and Thomas Turnbull to the Brownfield Redevelopment Authority, each for a three (3) year term to expire on November 13, 2017.

NEW BUSINESS

2014-0451 Request for Approval of a Conditional Land Use to construct a drive-through at a proposed Tim Hortons, in conjunction with demolition and reconstruction of a new gas station and convenience store totaling 7,320 square feet on a .92-acre parcel at 2995 Walton Blvd., located at the southeast corner of Walton Blvd. and Adams, zoned B-5, Automotive Business, Sean Awdish, Applicant

Attachments: [111014 Agenda Summary.pdf](#)
[Map aerial.pdf](#)
[Update A-Star 102914.pdf](#)
[Minutes PC 102114.pdf](#)
[PC Staff Report 102114.pdf](#)
[Review Comments 101714.pdf](#)
[Site Plans.pdf](#)
[Public Hearing Notice - PC.pdf](#)
[Resolution \(Draft\).pdf](#)

President Hooper introduced **Sara Roediger**, Manager of Planning, and welcomed her to City staff.

Ms. Roediger stated that she is happy to be presenting to Council for the first time, and explained that the project for consideration is a request for a Conditional Land Use to construct a drive-through for a redevelopment planned for the southeast corner of Walton and Adams. She stated that the existing gas station facility will be demolished and rebuilt as a 7,000 square foot building. She noted that the station currently operates 24 hours a day and the proposed development will continue to be 24-hour operation. She mentioned that the northernmost driveway will be closed, and two of the current driveways will be restricted to one-way in and one-way out, improving traffic circulation in the area. She commented that the development is not anticipated to significantly increase traffic, but is expected to capture traffic already traversing the roadway. She stated that the Planning Commission held a Public Hearing on October 21st, heard resident concerns regarding noise and traffic, and recommends Council approve the site plan with conditions noted, including a change to waste removal times from overnight to mid-afternoon between 12 noon and 4:00 p.m. She commented that the applicant

has agreed to install additional landscaping on the south and east property lines. She added that the new business will not sell liquor or hookah supplies and will sell beer and wine only.

She explained that a traffic study is underway to determine whether left turns onto Adams Road from the development will be prohibited. She noted that the City's Engineering Department conducted its own traffic study on Meadowbrook Drive, which concluded that the average daily traffic on the street is 300 vehicles, at an 85th percentile speed of 26 to 28 miles per hour. She pointed out that this is lower than the city's neighborhood average speeds. She mentioned that 78 condominium units access the road, and reported that the Fire Department concluded upon its review that it has no objections, and approved the plan with a couple of suggestions regarding fire connections.

Ms. Roediger introduced **Sean Awdish**, the Applicant, **Ghassan Abdelnour**, Architect, and **Patrick Bell**, in attendance to represent Tim Hortons.

Mr. Awdish stated that he is excited about the new development. He commented that he feels that the site has been a sore thumb to the city, and does not fit the image of Rochester Hills. He explained that while this is a large investment in the business, it will make a major improvement in the environmental impact of the site, as all old tanks and lines will be removed and replaced.

Public Comment:

Scot Beaton, 655 Bolinger, stated that he wished to publicly apologize to Mr. Awdish for scolding him at the Planning Commission meeting for proposing a liquor store next to a college. He commented that he had not reviewed all the material before the meeting; and upon review, he views this as a beautiful structure and a gateway to Rochester Hills. He stated that he supports the drive-through at Tim Hortons; however, he would request that the City ensure that the site is not being overdeveloped. He questioned the recommended approval of a reduction in parking spaces, and he questioned whether the development could present a traffic nightmare because of its success.

Mike Ross, 2941 Meadowbrook Drive, stated that he is a Meadow Brook Hills Condominium resident whose unit is near the corner of Adams and Walton and he noted that his street is used as a cut-through to avoid the light at the corner. He commented that he would like to see the traffic issues in the complex addressed, and he noted that the traffic study was conducted for only one day. He mentioned that it is difficult to turn south onto Adams. He stated that the proposed building has an unsightly mezzanine. He expressed concern that the order box will be noisy, and mentioned that residents can hear the speakers from the McDonalds drive-through. He commented that another liquor license could bring trouble to the area, and stated that Walton Boulevard already has gridlock during certain times of the day. He expressed concern over declining property values.

Sharon Schwartz, 2893 Meadowbrook Drive, questioned why another fast food business is necessary for that corner, as there is already a McDonalds and Burger King. She commented that the business will compete with another beer and wine retailer nearby. She stated that the development will be a detriment to their complex. She mentioned that residents have to endure speeders, kids who park in the complex and drink, and clean up litter.

Louise Schaeffer, 2895 Meadowbrook Drive, stated that her unit is on the curve on Meadowbrook Drive. She commented that residents have to pull out on the wrong side of their driveway to avoid being hit and expressed concern over increased traffic. She stated that it is a school bus route and requested a stop sign be placed at the curve.

Sandra Cerny, 2847 Trailwood, stated that her unit is on Trailwood and commented that traffic and noise there are already significant. She requested Council not approve the development, and stated that she cannot imagine why another fast food restaurant is needed there.

Gene Williams, 2885 Trailwood, stated that she attended the Planning Commission meeting and was disappointed that while residents expressed concerns, there was almost no discussion by the Commission members. She commented that the traffic counters were only in place for a day-and-a-half, and not three days as reported. She questioned why the interior plans call for a liquor counter. She stated that her main concern is traffic, as the complex is already used as a cut-through. She commented that if left turns are prohibited onto Adams, cars will surely go to Meadowbrook off Walton and cut through to access southbound Adams.

President Hooper noted that he serves as Council representative on the Planning Commission and stated that concerns were definitely discussed, as the seven pages of minutes regarding this item reflect the discussion. He requested the following resident questions be addressed, including:

- Why a liquor counter appears on the interior plans.
- How the reduced parking was determined.
- Whether the business will only sell beer and wine and not liquor; and if the drive-through will only service Tim Hortons customers.
- What function the mezzanine will have.
- While concerns were addressed regarding the dumpster, how the landscaping concerns will also be addressed as there does not appear to be much space to add trees to the site.
- Whether the applicant will accept a potential finding from the traffic study that left turns onto Adams would be prohibited.
- How noise from the drive-through speakers will be addressed.

Mr. Awdish stated that most stations built contain a liquor counter; however, the proposed station will not sell liquor, as a liquor license is not permitted on the same side of the road as an existing license. He commented that only beer and wine will be sold. He pointed out that no convenience store merchandise will be sold through the drive-through and it would only sell Tim Hortons products.

Ms. Roediger explained that the City's Zoning Ordinance allows the Planning Commission to reduce the parking requirement for a development provided that reduced parking is deemed acceptable for the site. She noted that 80 percent of Tim Hortons business is through the drive-through. She stated that in consideration of the expected drive-through business combined with the shared use of the site

with the gas station and convenience store, the Planning Commission felt it was appropriate to recommend a reduction of the parking requirement by five spaces from 32 to 27. She stated that Engineering and Fire Department comments will be addressed in the final site plan review, and pointed out that the building is over 50 percent brick, with increased windows, and meets the City's architectural guidelines.

Mr. Abdelnour stated that the mezzanine will be used for storage, with a possibility for one person to use the space for counting or a small office.

Ms. Roediger explained that a revised landscape plan will be required as a condition of final site plan review. She noted that due to the utility right-of-way, any street trees or other trees required will be planted in the buffer area to the south and east sides of the property. She mentioned that the results of the traffic impact study will dictate whether left hand turns will be prohibited.

Mr. Awdish commented that while he does not want to see left turns prohibited, he would agree if the study results determine they should be prohibited.

Ms. Roediger confirmed that considering the height of the speakers in relation to the cars and how far sound decibels are expected to carry, in combination with the proposed screening, the noise impact should be better than McDonald's speakers.

President Hooper noted that it is 105 feet from the edge of the condominium complex property to the edge of the Mobil station property. He pointed out that the proposed speakers will be farther away from the residences than McDonalds' speakers are; and he stated that combined with the proposed screening, they should not impact property values.

Mr. Abdelnour pointed out that in addition to the landscaping, a six-foot retaining wall will be installed as well.

Ms. Roediger stated that the existing gas station has been there for a long time, and it is in the City's best interests to have new tanks installed.

President Hooper stated that the Advisory Traffic and Safety Board would have to consider any request to post Meadowbrook Drive as not a thru street.

Ms. Roediger stated that the traffic study will also establish a baseline for a before-and-after comparison. If subsequent review finds that signage or speed humps are warranted, the City will work with the residents toward a solution.

Council Discussion:

Ms. Morita stated that she has received numerous emails and phone calls from a number of residents. She commented that while it appears that the applicant has addressed many of the issues, she has an overall concern that a very large building is proposed for a lot that is not very big. She noted that with the mezzanine, the structure is almost 9,000 square feet. She questioned whether there was a way to make the building smaller and increase parking.

Ms. Roediger pointed out that the current facility is an older gas station. She commented that in today's convenience world, an up-to-date business model provides more services to local residents and passersby. She mentioned that staff worked with the Applicant to reduce the size of the building, and feels comfortable that the Applicant has met setbacks and functionality.

Mr. Awdish pointed out that Tim Hortons will take up 1,800 to 1,900 square feet, leaving the convenience store with 5,500 square feet not counting the back room. He noted that additional room upstairs is needed for storage, as the merchandise totes cannot be stored outside. He stated that the upstairs is necessary to ensure that the outside does not look cluttered. He mentioned that most gas stations are now 4,000 to 5,000 square feet, and stated that the business must be prepared for the changing market. He pointed out that the new station will have four dispensers, as opposed to the six currently in place. He noted that when the station was first constructed, there were no stations at Costco, Sams or Kroger. He stated that the majority of the traffic will use the drive-through at the Tim Hortons.

Ms. Morita questioned how many employees will be on site at peak times.

Mr. Awdish responded that the Tim Hortons will have three employees in the morning, and three in the evening, plus a manager. He stated that the store will employ a minimum of 20 workers for 24-hour operation, with two employees on the midnight shift. He mentioned that the convenience store will have two employees.

Ms. Morita questioned how many individuals are currently employed.

Mr. Awdish responded that the business currently has three employees, shared with their other facility at Walton and Livernois.

Ms. Morita noted that the five employees will take up parking spaces.

Mr. Awdish responded that he and his brother arrive in one vehicle.

Ms. Morita questioned whether employee cars were taken into account when considering parking.

Ms. Roediger explained that the retail parking component is one space per 300 square feet. She noted that parking requirements for the Tim Hortons is based on occupancy, which takes both employees and customers into account. She stated that 11 spaces are required for retail, and 21 spaces for the restaurant, resulting in 32 spaces; and she explained that the Planning Commission allowed the deviation to 27 total.

Mr. Wiggins questioned whether alcohol is currently being sold at the business.

Mr. Awdish responded that it is not.

Mr. Wiggins suggested that the City review the traffic patterns on Meadowbrook Drive. He questioned whether the City could approach McDonalds if it appears

that their speakers are a nuisance. He commented that if the current gas station is not able to compete it could close, leaving an empty space. He mentioned that the building seems rather large on the lot. He questioned whether the City could work with the residents to address the trash nuisance in the complex.

Mr. Tisdell commented that Meadowbrook Drive is not a viable cut-through road. He stated that only selling gas is no longer a way to make money and the current size of the convenience store is not large enough. He pointed out that the number of pumps will be reduced by one-third and the expansion of the store will be accomplished by taking away the number of pump handles. He questioned whether the underground tanks will be fully removed and replaced with tanks that are proportionately smaller.

Mr. Awdish responded that a gas station only does not work. He stated that he currently has 12 pumps and the new station will have eight. He commented that the business makes its money from the convenience store. He noted that the tanks were originally dropped into the ground in 1987. He mentioned that insurance is not readily available once tanks reach 25 years, and the insurance that is available covers very little. He pointed out that it is a large investment to pull every one of the tanks out. He stated that the four single-wall tanks will be replaced with one large double-wall reinforced fiberglass tank along with all new fuel lines. He added that the location for filling will be off to the side. He mentioned that he is a certified Underground Storage Tank (UST) A&B operator. He noted that a Phase II Environmental Impact Study has already been completed on the site and it has come back clean.

Mr. Tisdell questioned why particular days were selected for the placement of traffic counters on Meadowbrook.

Ed Anzek, Director of Planning and Economic Development, responded that it is typical to set counters out midday during a midweek, to catch an evening peak, morning peak, the following evening, and the following morning. He mentioned that Mondays and Fridays are typically not used due to differing traffic patterns on those days.

Mr. Kochenderfer questioned whether one curb cut on Adams will be eliminated if Council votes to approve the plan this evening.

Ms. Roediger confirmed that it would.

Mr. Kochenderfer commented that it is good to hear that Traffic personnel have taken a hard look at the proposal. He stated that he might feel differently if the corner was undeveloped; however, it is not. He noted that the proposed development will have a benefit for the residents.

Mr. Brown commented that he sees the plusses and minuses to the proposal. He noted that should the traffic study conclude that left turns be prohibited onto Adams, he would highly recommend that mitigation efforts be undertaken to eliminate a cut-through on Meadowbrook.

Mr. Webber agreed, pointing out that some intersections place time constraints

on left turns. He mentioned that some neighborhoods have seen success with the installation of speed bumps. He commented that all three restaurants should review the level of volume on drive-through speakers. He questioned the timeframe for the project.

Mr. Awdish responded that it is expected to be a four month process for demolition and rebuild. He commented that construction would begin once approval is granted; however, he noted that he does not wish to begin the project in November or December. He stated that he would shoot for construction to begin in January or February.

President Hooper noted that he walked the area along the businesses adjacent to the condominium complex, and drove Meadowbrook Drive. He noted that one can hear McDonald's speakers on their side of the wall; however, he could not hear the speakers on the other side of the wall. He commented that he did not observe cut-through traffic on Meadowbrook; however, he did see drivers cutting through the McDonald's lot to Adams. He added that he saw drivers cutting through the Mobil station property to Walton, and he noted that if the development is approved, its configuration would prohibit traffic using the site as a cut-through.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0290-2014

Resolved, that the Rochester Hills City Council hereby approves a Conditional Land Use to construct a drive-through at a new Tim Hortons at the southeast corner of Adams and Walton Blvd., zoned B-5, Automotive Business, Parcel No. 15-17-102-003 with the following findings:

Findings:

1. The proposed building and other necessary site improvements meet or exceed the standards of the Zoning Ordinance.
2. The proposed project will promote the intent and purpose of the Zoning Ordinance.
3. The proposed project has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the general vicinity, adjacent uses of land, the natural environment, and the capacity of public services and facilities affected by the land use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
7. 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.

- 2014-0440** Request for a Wetland Use Permit - Andover Woods, a 42-unit condominium development on 26 acres, for impacts to approximately .24 acres out of 9.37 acres associated with the construction of several units and for the construction and grading of the cul-de-sac Rochdale Court, located east of Rochdale, north of Walton, zoned RCD, One-Family Cluster, Andover Woods, LLC, Applicant

Attachments: [111014 Agenda Summary.pdf](#)
[Map Aerial.pdf](#)
[ASTI Review 100314.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 102114.pdf](#)
[PHN WUP 102114.pdf](#)
[Map Mann 102014.pdf](#)
[Resolution \(Draft\).pdf](#)

Ed Anzek, Director of Planning and Economic Development, noted that the Planning Commission held a site plan review on October 21st. He stated that the proposed development is located on the east and west side of Rochdale north of Walton. He explained that over time, the wetlands and flood plain have changed, requiring several revisions to plans. In addition, steep slopes resulted in the loss of several units from initial plans. He stated that the plan is in line with Michigan Department of Environmental Quality (MDEQ) requirements. He commented that **Bruce Michael**, Andover Woods LLC, was in attendance, acting as agent for the developer.

Mr. Michael stated that the property in question is located on the east and west sides of Rochdale, and he noted that the proposed development focuses on the upland areas on the south part of the site. He pointed out two wetland areas, including 3,500 square feet of an isolated pocket that the development will need to go over, and 6,500 square feet of a manmade ditch with an existing storm drain from the shopping center to the south. He explained that to provide mitigation required by the MDEQ, a wetland fill permit will be required. He noted a proposed wetland conservation easement will be granted to the State over all the regulated wetlands of the site, and explained that it will run in perpetuity to the land and be held by the State in trust.

Public Comment:

John Begley, 1423 Oakstone, questioned whether there was development proposed for the north side of Sargent Creek, whether a revised wetland permit has been applied for, and whether a traffic impact study has been completed on how the forty-plus condominiums will affect traffic on Rochdale and Walton. He mentioned that the residents hear waste removal trucks at 5:00 a.m. now. He noted that there are 2,000 trees on the property and there are plans to remove 600. He commented that the proposed development has been under consideration since 1988 and questioned why it is moving forward now.

Scot Beaton, 655 Bolinger, stated that he is disheartened with the proposed wetland changes, and questioned what will happen to water carried by the drainage ditch when it rains. He commented that he would like to see assurances in

writing that there will be no further development on the north side of the creek. He questioned whether mitigated wetlands must be replaced elsewhere and what will happen to the wildlife on the site.

President Hooper noted that a tree removal permit, setback modification and site plan approval has been granted by the Planning Commission. He commented that owners are entitled to develop their property according to laws and ordinances. He questioned whether the Applicant also owned property north of Sargent Creek.

Mr. Michael responded that while they own property north of Sargent Creek, there are no plans for development north of the creek. He mentioned that the developer will put a conservation easement on all regulated wetland areas.

President Hooper questioned whether this is a revised wetland use permit.

Mr. Michael responded that in the course of prior efforts, the developer had filed for and received a wetland fill permit which required a conservation easement. The permit expired as the development did not go forward. He explained that the permit must be filed for again, and will be similar to the permit filed for and approved previously by the MDEQ.

President Hooper questioned what mitigation would be required.

Mr. Michael responded that mitigation would meet the requirements of both the City and the MDEQ.

Mr. Anzek commented that the MDEQ works on a sliding scale, based on the quality of the wetland. If pristine, mitigation could be required two-for-one for development, or one-for-one for access to development. He noted that this is considered a low quality wetland, and he explained that the MDEQ might not require mitigation if there is enhancement to existing wetland. He commented that the current farm drain will carry water to a retention basin.

President Hooper questioned whether a traffic improvement study is required.

Mr. Anzek responded that the proposed development posed no issue for traffic engineers.

President Hooper questioned how trash removal will be handled. He noted that this area currently has trash service on Tuesday.

Mr. Michael responded that trash will have curbside pickup. He mentioned that the streets are planned to be cul-de-sacs eliminating the need for trucks to back up.

Council Discussion:

Mr. Kochenderfer stated that the Green Space Advisory Board considered a parcel in that vicinity at one point. He commented that it is his recollection that the quality of wetlands was fairly low. He expressed concern that the development is fairly close to the creek and questioned what monitoring would be in place during the construction process.

Mr. Anzek responded that the Water Resources Commission requires all sites under construction to be wrapped with soil erosion fencing which must stay in place for the entire duration of construction. He commented that the Building Department staff would most likely be there almost daily and would ensure that the fencing is in place.

Mr. Wiggins questioned where the drainage traverses now and what would happen to it when the wetlands were removed.

Mr. Anzek responded that the drainage pipe would be extended and would still drain.

Mr. Michael added that the drainage pipe will be extended to Sargent Creek.

Mr. Wiggins questioned whether there would be no chance of flooding or adverse impact.

Mr. Anzek responded that it is never known what kind of rainstorm could occur. He pointed out that the site runoff will be directed to two retention basins that will release to Sargent Creek at pre-development rates.

Mr. Tisdal stated that his office window overlooks the west side of the proposed development. He commented that the property is loaded with dead and decaying trees. He questioned whether the first phase would be constructed on the east side of Rochdale.

Mr. Michael responded that it would.

Mr. Tisdal commented that the property is nine-plus acres with a proposed mitigation of 3,500 square feet of wetlands.

Mr. Michael responded that approximately 10,000 square feet of wetlands in total would be filled, or about one percent of the property.

Mr. Tisdal noted that the area has many deer.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdal, Webber and Wiggins

Enactment No: RES0291-2014

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for a portion of the 42-unit Andover Woods Condominium development (east parcel totaling 9.37 acres, Parcel No. 15-09-451-002), located on the east side of Rochdale, north of Walton Blvd., zoned RCD, One-Family Cluster, for impacts to approximately .24 acres associated with the construction of several units, the construction and grading of the cul-de-sac of Rochdale Court and of Units 5, 6, 11 and 12, Andover Woods, LLC, Applicant with the following findings and conditions:

Findings:

1. Of the approximately 9 acres of City-regulated wetlands on the parcel, the applicant is proposing to impact approximately 10,600 square feet (.24 acre).

2. The impacted areas of Wetlands B and C are of low quality and not considered by to be a vital natural resource to the City.
3. The applicant has minimized potential wetland impact by incorporating a retaining wall to the north of the cul-de-sac of Rochdale Court and will use best management practices during construction to avoid impacts to Sargent Creek.

Conditions:

1. That the applicant receives all applicable MDEQ permits prior to issuance of a Land Improvement Permit.
2. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.
3. Provide proof that the artesian well north of proposed Unit 26 has been abandoned to confirm that it does not contribute water to the wetland nearby, prior to final approval by Staff.
4. Verification by ASTI that conditions from the October 3, 2014 letter are addressed on revised site plans prior to final approval by Staff.

(Mr. Brown exited at 8:49 p.m. and re-entered at 8:51 p.m.)

2014-0378 Request for Preliminary PUD and Conceptual Site Plan Approval - Barrington Park PUD, a proposed 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Gary Shapiro, IAC Barclay, LLC, Applicant

Attachments: [111014 Agenda Summary.pdf](#)
[Suppl Presentation 111014.pdf](#)
[Aerial Map Barclay-Auburn PUD.pdf](#)
[Letter Shapiro 102714.pdf](#)
[Letter Shapiro 101314.pdf](#)
[Prelim PUD Plans 102814.pdf](#)
[Minutes PC 102114.pdf](#)
[Staff Report 102114.pdf](#)
[Ivanhoe Update 101314.pdf](#)
[Ivanhoe Update \(2\) Maps.pdf](#)
[Site Plans.pdf](#)
[PC Memo 091614.pdf](#)
[Minutes PC 091614.pdf](#)
[Letter Sanjose 100414.pdf](#)
[Resident Letters.pdf](#)
[BarringtonParkFinalPackage 090914.pdf](#)
[Ivanhoe Companies Portfolio Brochure \(1\).pdf](#)
[Review Comments 101714.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, stated that the request for approval of a preliminary Planned Unit Development (PUD) concept relates to 15.6 acres on the northeast corner of Auburn and Barclay. The PUD would include 30 buildings,

with three to six units per building, or 9.5 units per acre. Six parks and 2.6 acres of open space are proposed. She explained that the plans are submitted at the conceptual level, as the acceptance and creation of a PUD is a two-step process. She noted that the plan appears to meet the majority of RM-1 requirements. The Planning Commission reviewed the proposal at a Public Hearing held on October 21st and recommends approval, with conditions as specified in the Planning Commission minutes. She mentioned that residents expressed concerns regarding pathways and buffers at the Public Hearing; and stated that the Applicant has submitted revised plans since then. She introduced **Gary Shapiro**, representing Ivanhoe Companies, and **Brad Strader**, representing LSL Planning, in attendance to represent the Applicant.

Mr. Shapiro explained that Ivanhoe has developments in multiple states including Michigan, which include commercial, office, apartment and residential. He noted that the site was once approved for Crittenton Hospital's medical outpatient and urgent care facility, and Ivanhoe was selected by them to acquire the property. The company vetted out alternative uses for the property, looking at commercial, office or multi-use possibilities. Commercial was ruled out as it is not considered a "hard" corner for placement of a commercial project. Office was ruled out as other properties along that corridor are currently struggling. The development proposed will be for-sale townhouses, built as a walkable community with many amenities and pocket parks.

Mr. Strader provided a summary of the site, which includes 15.5 acres on the northeast corner of Barclay and Auburn surrounded by properties with a variety of uses. Barclay provides access to an existing traffic signal. He noted that the Planning Commission was shown many iterations possible for the site, and the developers' conclusion that residential is a good transitional use for the property. He mentioned that at one point, 342 attached units were proposed; however, the proposal is now for 148 townhouses. He explained that owner-occupied residences are preferred, attracting young professionals and young independent senior citizens. He commented that the proposed development will have less traffic impact to the area than other allowable uses and will go over and above the standards.

A powerpoint presentation reviewed previously submitted plans, highlighted the walkability and amenities, and reviewed landscape planned for the east property line, which Mr. Strader noted exceeds requirements. Access points to Auburn will be revised to line up with the school and prevent left-turn lockups. He commented that the site plan shifted units further away from the City's DPS Facility and existing homes, expanding the east side setback to the closest building to 67 feet, expanding visitor parking, and widening a landscape greenbelt. Three layers of landscaping will be placed along a buffer increased from 25 to 35 feet. He reviewed a final concept plan which removed the off site walking pathway along the detention pond to connect to Hampton Circle. He mentioned that while 0.8 acre of park is required, the plan proposes 2.46 acres. A slip road parallels Barclay to buffer the front units from Barclay Circle.

Public Comment:

Scot Beaton, 655 Bolinger, stated that it appears that this developer knows how to come in and build a development. He commented that there are many other lousy uses that could have been proposed.

Susan Clifford, 2858 Sandhurst, commented that she just learned of the new plan increasing the buffer to 35 feet between the development and residents on Sandhurst. She questioned whether the 30 year old pines could become a part of the buffer. She noted that the residents would support a fence similar to one that separates residences from Livernois Road near Avon. She mentioned that one resident has respiratory issues, and requested the developer address the need for dirt and dust containment during construction.

Ken Skrzyniarz, 2850 Sandhurst, stated that he and his wife are original homeowners in the adjacent subdivision, and have enjoyed the wildlife on the property. He commented that he knew it was a matter of time before something was built on the property, and he stated that this is an attractive development. He requested that a protective barrier such as a fence similar to the one adjacent to Livernois be installed to protect against trespassers. He commented that he would like to see more landscape installed as a natural barrier and protection from lights.

President Hooper questioned how the landscaping would be installed in the 35-foot buffer zone and whether it would favor the west or east side of the easement.

Mr. Strader explained that the landscaping will provide a dense year-round buffer to the driveway to the units.

Mr. Shapiro noted that landscaping will be planted to provide the residents with the appearance of more backyard.

President Hooper questioned whether residents will see headlight glare because of the site's higher elevation.

Mr. Shapiro responded that the buffer will prevent glare. He added that only 16 or 18 units will be driving north to south. He noted that the buffer will provide screening as soon as it is planted.

President Hooper questioned whether the mature pines trees will be removed.

Mr. Shapiro responded that not that many trees will be removed. He pointed to the area of the site where the bulk of the mature trees are located.

Mr. Strader noted that at the request of the residents, landscaping was extended around the edge of the development.

President Hooper commented that the City has Ordinances requiring dust containment during construction.

Mr. Shapiro responded that dust containment will be enforced.

President Hooper stated that he would rather see a green vegetative wall instead of a fence; however, he would see what would be proposed as the development moves to final approval.

Ms. Roediger responded that it was fairly clear that the Planning Commission felt that a vegetative buffer is preferable to a solid fence.

Council Discussion:

Mr. Wiggins stated that it is evident that there has been a lot of collaboration to address many of the concerns. He questioned whether the option is for vegetation and a fence, or one or the other.

Mr. Shapiro responded that the developer will install vegetation. If a fence is required, there would be both. He commented that a fence would make both yards look smaller; however, the developer would be flexible.

Mr. Wiggins questioned whether the buffer extends all along the east line of the property.

Mr. Shapiro confirmed that it does.

Mr. Wiggins questioned whether detached condominiums or homes were considered.

Mr. Shapiro responded that the developer tried to provide for the needs that the research shows. He noted that they are striving for a reasonable price point in Rochester Hills, and found that the highest demand was for condominiums in the price range of \$150,000 to \$300,000. He pointed out that detached condominiums make the development much less feasible.

President Hooper questioned what the target price point will be.

Mr. Shapiro responded that the target price is \$220,000 to \$250,000. He noted that if 300 units were constructed, prices would be lower.

Mr. Tisdell expressed his appreciation to the developer for working with the Michigan Department of Transportation, City staff and residents. He commented that he likes the idea that this is a great transitional property and the development will not compete with anything already in the area.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0292-2014

Resolved, that the Rochester Hills City Council hereby approves the Preliminary PUD and Conceptual Site Plans for Barrington Park, a proposed 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Parcel No. 15-26-376-007, Gary Shapiro, IAC Barclay, LLC, Applicant, based on plans dated received by the Planning and Economic Development department on October 13, 2014 and October 28, 2014, with the following findings and conditions:

Findings:

1. The proposed PUD Concept plan meets the criteria for use of the Planned Unit Development option.
2. The proposed PUD Concept plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Conditions:

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.
2. The site plans, including but not limited to landscaping, engineering and tree removal plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step two of the PUD process will be equal to or better than that approved with the PUD Concept plan.
4. The maximum density shall be 148 units, as shown on the plans dated received October 13, 2014 and October 28, 2014.

PUBLIC COMMENT

Gail Hammill, 1434 Burhaven, questioned when the Planning Commission would hold another meeting regarding Oil and Gas Ordinances. She noted Auburn Hills' ordinances specify spacing and well setbacks of 1,000 feet, and set controls for lighting, and nuisance mitigation for noise, dust, vibration and odors. She questioned whether the City has an emergency response plan and would receive any incident reports.

Phil Barker, 1434 Burhaven, stated that the City must put measures in place to protect the tax base of the City in its property values. He noted that across the country, property values have declined between seven and 15 percent in communities that have introduced oil and gas projects. He stated that Ordinances should specify a 1,500 foot setback and should protect the citizens' rights to vote.

Joe Doyle, 1446 Burhaven, stated that even though the residents concede that the City has won a legal victory over the residents of Rochester Hills that Jordan's subsurface lease does not constitute a lease, it has increased the residents' resolve.

Mike Powers, 3632 Aynsley, commented that Michigan Governor Rick Snyder

suggests collaboration and dialogue between residents and communities. He noted that now that the six-month moratorium is in place, work should continue on developing appropriate setbacks. He added that the current price of oil may lead the oil companies to find that the business case does not make sense. He commented that the residents are angry, and the City needs to find a way to extend an olive branch to the residents and try to work things out.

Robert Kendig, 2484 Wortham Drive, noted that the City missed a no-cost opportunity to have the residents vote on oil and gas exploration during the recent election. He pointed out that the 70 percent of the voters approved the Fire Millage, and he noted that four powerful mailers were sent to residents prior to the election on the millage. He stated that while the City praised the planning and response for the EF-1 tornado, if oil and gas exploration is not permitted, the City would not have to plan for an emergency response for an incident.

Steve McCabe, 2518 Topsham Drive, noted that before he moved to Rochester Hills he lost money on his previous home in the real estate market crash. He commented that in choosing Rochester Hills, they looked at parks, schools, nature and wanted a stable housing market. He stated that people should not be judged by the mistakes they made, but by how they fix them. He encouraged Ordinances be developed with a 1,500 foot setback.

Denise Doyle, 1446 Burhaven Drive, commented that many municipalities put oil drilling up to a vote on Election Day; and she noted that in addition to Athens, Ohio, and communities in California and Colorado, 59 percent of voters in Denton, Texas voted no. She stated that prior to the ban, Denton, Texas restricted drilling setbacks to 1,200 feet. She mentioned that on June 30th, New York's highest court ruled that New York communities have the right to ban drilling. She stated that the City prides itself on being green and the residents should have been given the right to vote.

Clark Barrett, 1376 Kingspath, noted that today is the Marine Corps' 239th birthday, and tomorrow is Veterans Day. He stated that Democracy should be preserved and the right to vote protected. He commented that Judge Alexander dismissed the lawsuit and the citizens' right to vote. He stated that there is more support for the residents than ever before.

Lee Zendel, 1575 Dutton, stated that he was delightfully surprised for the overwhelming support that the Fire Millage received, and expressed his appreciation to everyone involved. He thanked the City Clerk and her staff for their exemplary work on Election Day. He commented that the Oakland County Circuit Court concurs with City Attorney John Staran's argument that the oil and gas exploration lease signed by the City is specifically tailored to protect the City's parks, and does not disrupt or interfere with people using parks as parks. The court ruled that the lease does not amount to a sale, lease, transfer or conversion of the parks to another use. He mentioned a court case against the Michigan Department of Environmental Quality (MDEQ) which ruled that after denial of a permit to Miller Brothers, the denial was in effect a taking of property.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Taylor Thorpe, Vice President, Rochester Hills Government Youth Council (RHGYC), reported that the RHGYC is busy selling Carson's Community Days booklets to raise money for its upcoming 5K Walk/Run for 2015. She announced that proceeds from the 5K will once again go to the charity Blessings in a Backpack. She added that the RHGYC will host the warming tent at the Rochester Hometown Christmas Parade providing children's games, and will again participate in the Paint a Plow project this winter.

Mr. Wiggins noted that the Rochester Avon Recreation Authority has recently installed an indoor turf field in its facility.

Mr. Kochenderfer commented that in the recent legal case, the Court performed an analysis and ruled that the City Charter was not violated and voting rights were not taken away. He stated that he hopes that the City and the residents can move forward and work together to create strong ordinances that are enforceable. He commented that there are many things about the law that the City does not like; and while the City needs to follow the law that is on the books, work should continue together to change current law and create new law.

Mr. Brown expressed his thanks to the Clerk's Office and other City staffers for their efforts on Election Day. He commented that he chaired a voting precinct at Meadowbrook Elementary, and reported that the precinct had over 40 percent physical turnout in addition to absentee ballots. He noted that as a new precinct chairperson, he was there from 6:00 a.m. until 9:30 p.m., and he observed that every single Chairperson or Vice Chairperson contacting the Clerk's Office for help received a pleasant, happy response. He commented that he was pleased with the training and organized informational packets provided, and stated that the Clerk's staff has upped their game in terms of how quickly precinct personnel can complete the check-in process at the end of the day.

Mr. Webber expressed his thoughts in recognition of all Veterans.

President Hooper expressed his congratulations to Mr. Webber on his victory in seeking office as State Representation in the election. He thanked City Clerk Tina Barton for a great job on the election, and mentioned that the Fire Millage was unanimously supported by Council Members. He commented that nothing will happen regarding oil and gas exploration while the City's moratorium is in place. He stated that the Planning Commission has held one meeting, and Staff is researching questions raised which will be brought back to the Commission in the near future. He stated that there is another lawsuit pending; and once settled, he will have more information.

ATTORNEY MATTERS

None.

NEW BUSINESS

2014-0332 Adoption of the Revised 2014 Millage Rates (for Fiscal Year 2015)

Attachments: [111014 Agenda Summary.pdf](#)
[090814 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[090814 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Keith Sawdon, Director of Finance, noted that the voters overwhelmingly approved the Fire Millage on the November ballot. He stated that Council adopted millages on September 8th to support the 2015 Budget; and tonight's request is to approve a revised millage rate to reflect the results of the election. He pointed out that the Fire Millage is changed in the Charter to three mills, with Council's resolution to spread to 2.7 mills for the first year. He explained that the Fire Millage of 1.9564 mills will be revised to 2.7 mills, changing the City's total millage rate from 9.7060 to 10.4496. He stated that Oakland County has graciously allowed the City to amend the millage rate well after the due date.

Mr. Brown questioned whether the City has permission to put the millage rate into effect for January 1, 2015.

Mr. Sawdon responded that Kurt Dawson, Director of Assessing/Treasury, spoke with Oakland County regarding the ballot proposal. While the normal deadline for millage rate adoption is October 1st, the County did acknowledge that the City would be allowed to amend Form 4029, allowing a spread to the December 1st billing.

Public Comment:

Scot Beaton, 655 Bolinger, expressed his congratulations to the residents for supporting the Fire Department.

A motion was made by Brown, seconded by Morita, that this matter be Adopted by Resolution that the proposed Revised 2014 Millage Rates be Adopted by Resolution. The motion carried by the following vote:

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0293-2014

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and Section III of the Charter for the City of Rochester Hills, the Mayor, as the Chief Administrative and Executive Officer for the City, has prepared the proposed budget for the ensuing year and submitted it to the Council at its first meeting in August; and

Whereas, City Council held a Budget Work session on August 18, 2014; and at its September 8, 2014 meeting City Council held a Public Hearing and heard comments on the Proposed 2015 Proposed Budget and 2016-2017 Projected Budgets and related millage rates; and

Whereas, at its September 8, 2014 meeting City Council adopted a total Millage rate of

9.7060 per Thousand Dollars (\$1,000) of taxable valuation, as equalized, which included 1.9564 for Fire Fund; and

Whereas, at its September 22, 2014 meeting City Council adopted the FY 2015 and 2016-2017 Projected Budgets; and

Whereas, on November 4, 2014 the residents of Rochester Hills voted and approved an amendment to the City Charter to increase the maximum Fire millage levy to 3.0000 mill; and

Whereas, at its August 11, 2014 meeting City Council resolved if the Fire ballot question were to be approved by voters, that the City should levy no more than 2.7000 mill for the first year the millage is spread; and

Now, Therefore, Be It Resolved, the City Council hereby adopts the replacement of the previously adopted Fire Fund Rate of 1.9564 mills with the recently voter approved and City Council limited 2.7000 mills in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millage(s) Limitation, to be levied in December 2014 to provide the tax revenues included in the Fiscal Year 2015 Proposed Budget:

FY 2015 REVISED MILLAGE RATES

| | Revised Millage Rate |
|-----------------------------|---------------------------------|
| Operating Millages: | |
| General Fund (Charter) | 1.9636 |
| Local Street I (Voted) | 0.3545 |
| Local Street II (Voted) | 0.4855 |
| Fire Fund (Charter) | 2.7000 |
| Special Police I (Voted) | 1.2083 |
| Special Police II (Voted) | 1.6585 |
| Pathway (Voted) | 0.1858 |
| RARA Operating (Voted) | 0.1950 |
| OPC Operating (Voted) | 0.2403 |
| OPC Transportation (Voted) | 0.0891 |
| Green Space (Voted) | 0.2972 |
| Library Operating (Charter) | 0.7823 |
| Operating - Subtotal | 10.1601 |
| Debt Millages: | |
| Chapter 20 Drain Debt | 0.0422 |
| OPC Building (Voted) | 0.2473 |
| Debt - Subtotal | <u>0.2895</u> |
| TOTAL MILLAGES | 10.4496 |

The Total Millage rate of 10.4496 is per Thousand Dollars (\$1,000) of taxable valuation, as equalized; and

Be It Further Resolved, that the Assessor of the City of Rochester Hills be and hereby is authorized to have said amounts spread on the 2014 Tax Rolls.

- 2014-0474 Request for Purchase Authorization - FIRE: Project budget approval for Mobile Data Computers with built-in AVL in the amount not-to-exceed \$63,500.00; Dell Computers, Round Rock, Texas, and other vendors as appropriate

Attachments: [111014 Agenda Summary \(Revised\).pdf](#)
[111014 Agenda Summary.pdf](#)
[Tabulation of Estimated Costs.pdf](#)
[Resolution \(Draft\).pdf](#)

Sean Canto, Chief of Fire and Emergency Services, stated that the Department seeks ways to modernize all aspects of its operation. He explained the technology provided by the new computers, noting that GPS systems software will transmit the specific location of a unit to Dispatch, allowing the assignment of the closest unit based on actual location. He mentioned that the Dallas Fire Department implemented this technology in 1992; and if approved, the City will be the first in Oakland County to implement it. He noted that private companies use GPS tracking. He stated that a unit was beta-tested in one engine.

Mr. Webber questioned whether the funding was coming from in the budget.

Chief Canto responded that \$29,000 remains under the Capital Budget; and the remainder will be included in the 4th Quarter Budget Amendment, most likely coming from Fund Balance.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0294-2014

Resolved, that the Rochester Hills City Council hereby authorizes a project budget for Mobile Data Computers with built-in AVL in the amount not-to-exceed \$63,500.00 to Dell Computers, Round Rock, Texas, and other vendors as appropriate.

2014-0470 Request for Purchase Authorization - BLDG/Facilities: Blanket Purchase Order for janitorial supplies, paper products, green cleaning supplies and cleaning equipment in the amount not-to-exceed \$150,000.00 for a three-year term to expire December 31, 2017; Empire Equipment & Supply Company, Detroit, MI

Attachments: [111014 Agenda Summary.pdf](#)
[Farmington Hills Contract Extension.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Director of Building and Ordinance Compliance, and **Bob White**, Supervisor of Ordinance Services, were in attendance.

Mr. Cope explained that the purchase of supplies is in partnership with Farmington Hills through the Michigan Intergovernmental Trade Network (MITN). He stated that it is an effort to take advantage of volume pricing and is an extension of a current two-year contract. He noted that there has been some discussion regarding the pricing, and he stated that the Purchasing Division did check into the five percent increase proposed. He noted that a comparison was made to Oakland County's contract, and he displayed a listing of various supplies and how the prices differed. He commented that the Purchasing Division has done its homework to verify that the five percent increase is reasonable in the industry.

President Hooper pointed out that the increase would be five percent for one year.

Mr. Cope responded that the increase will be evaluated at that time. He commented that it is his understanding that Farmington Hills will undertake the same study. He pointed out that the contract states that the increase would not exceed five percent and could be less.

President Hooper pointed out that the increase is the vendor's option.

Mr. Cope noted that he has been assured by the Purchasing Division that the supplier must provide justification for the increase.

President Hooper commented that the choice is to approve the contract or for the City to put the supplies out for bid.

Mr. Tisdell questioned how long the current contract has been in effect.

Mr. Cope responded that the City joined Farmington Hills two years ago. He noted that prior to then, it was a cooperative agreement with Oakland County.

Mr. Tisdell noted that in reviewing the information provided relative to Oakland County, the City is still at an advantage.

Mr. Cope confirmed that it is.

Mr. Wiggins questioned whether the original contract was priced very low and the increases indicate that the supplier is trying to catch up.

Mr. Cope responded that it is his understanding that the paper industry is very volatile. He pointed out that in reviewing the original bids provided two years ago, only a couple of the vendors would give an estimate of what the increases would be. He mentioned that one was at a 15 percent increase at the two year mark, and the others would not provide a figure because they would not commit to an increase amount.

President Hooper stated that he thought the City should bid the contract. He commented that the supplier will want a five percent increase each year.

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

Aye 6 - Brown, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Nay 1 - Hooper

Enactment No: RES0295-2014

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order for janitorial supplies, paper products, green cleaning supplies and cleaning equipment to Empire Equipment & Supply Company, Detroit, Michigan in the amount not-to-exceed \$150,000.00 for a three-year term to expire December 31, 2017.

2014-0489 Request for Approval to proceed with the Hamlin Road Right-of-Way Acquisitions

Attachments: 111014 Agenda Summary.pdf
ROW Map.pdf
Resolution (Draft).pdf

Allan Schneck, Director of DPS/Engineering, stated that the right-of-way acquisitions are being undertaken for public necessity. He explained that the City is proceeding with design and specifications for the Hamlin Road project, and the right-of-way acquisitions are necessary to certify to the Michigan Department of Transportation (MDOT) to allow the project to be advertised and bid for delivery in 2015. He noted that some of the property owners are still negotiating in good faith with the City.

Mr. Brown questioned whether the Administration has any idea of a rough total dollar amount, what the acquisitions entail, and how they differ from the properties already acquired.

Mr. Schneck responded that he would follow up with the City's right-of-way consultant to get a dollar figure. He noted that the acquisitions are for portions of various properties for easements for highway, pathway, storm utilities, and temporary construction.

President Hooper responded that easements have already been acquired from property owners who agreed to the price; however, the owners in question have not agreed.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0296-2014

Whereas, present conditions necessitate the reconstruction and widening of Hamlin Road between Hamlin Ct. and Dequindre; and

Whereas, detailed plans showing such improvement have been prepared and are now on file in the City Engineer's office.

Now, Therefore, it is Resolved that the City of Rochester Hills declares and determines that it is necessary to reconstruct and widen Hamlin Road, between Hamlin Ct. and Dequindre in the City of Rochester Hills as is more fully described and detailed on the construction plans.

It is Further Resolved that it is necessary to acquire fee simple or lesser estate in real property, and other property and access rights to certain parcels of land described and shown on the exhibit attached hereto, Parcel Numbers: H-14, H-15, H-22, H-26, H-41, H-42, H-43, H-50, H-54, H-57, H-59, H-132, H-133 with or without the agreement of the owners thereof, for the purposes of reconstructing and widening Hamlin Road, that said parcels are necessary for the use and benefit of the public, and that good faith written offers to purchase said property interests are being made.

It is Finally Resolved that for those property interests the City is unable to acquire through agreement with the owner, the City Administration and City Attorney are authorized to

institute condemnation proceedings against the owners and other parties of interest in said private property necessary for the reconstruction and widening of Hamlin Road, between Hamlin Ct. and Dequindre.

- 2014-0472** Request for Purchase Authorization - DPS/GAR: Purchase of carbide blades in the amount not to exceed \$44,460.00; Valk Manufacturing Company, New Kingstown, Pennsylvania; and the purchase of carbon cutting edges in the amount not-to-exceed \$1,305.40; Michigan CAT, Novi, Michigan, for a combined total purchase not-to-exceed \$45,765.40

Attachments: [111014 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that carbide blades and carbon cutting edges are used on both large snowplow trucks that have underbody blades as well as graders. He explained that the large tandem trucks utilize carbide blades, and the graders use carbon cutting edges. He noted that last year's severe winter depleted much of the City's inventory of blades.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0297-2014

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one hundred seventy-one (171) carbide blades from Valk Manufacturing Company, New Kingstown, Pennsylvania in the amount not-to-exceed \$44,460.00, and twenty (20) carbon cutting edges from Michigan CAT, Novi, Michigan in the amount not-to-exceed \$1,305.40, for a combined total purchase not-to-exceed \$45,765.40.

- 2014-0476** Request for Purchase Authorization - DPS/ENG: Contract for a snowplow route optimization plan in the amount not-to-exceed \$26,488.00; SMART IT PROS, Inc., Bloomfield Hills, MI

Attachments: [111014 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, requested approval of a contract to analyze the City's snow routes, revisiting the current snow clearing schedule and how staff and equipment are deployed. He explained that the City was awarded a Risk Avoidance Program Grant, which will cover half of the funds needed for this initiative. The goal and objective is to minimize fuel use, improve efficiencies, and decrease employee and equipment time plowing roads.

Mr. Webber questioned what process the consultant will go through and if a report will be generated.

Mr. Schneck responded that the City has evolved over the last 30 years and has grown both in the number of major and local roads. He commented that he is often questioned why the City has six routes and plows from the outside of the city toward in the inside. He noted that route optimization has been used by

many solid waste haulers to keep trucks moving as efficiently and effectively as possible, and minimize left turns and stopping movements. He pointed out that the City will be setting the parameters for the study, and he mentioned that the average seniority of the plow drivers is 20 years.

Mr. Webber commented that it is advantageous any time the City can obtain a grant to better itself. He suggested that a public presentation could be made to Council once the report is obtained.

Ms. Morita questioned whether the Administration is expecting to see \$26,000 worth of savings in undertaking the study.

Mr. Schneck responded that the Administration has done research and due diligence. He mentioned a report from Centennial, Colorado, where Centennial saw 42 percent more efficiency in deploying staff and getting its routes clear. He pointed out that the City's winter maintenance budget is approximately a million dollars each year without material cost; and if the City could realize five percent efficiency, it would mean a savings of \$50,000. He stated that a five percent increase in efficiency would provide a return on investment in one year.

Mr. Wiggins requested an accounting of the savings realized be provided at the end of the report.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0298-2014

Resolved, that the Rochester Hills City Council hereby authorizes a contract for a snowplow route optimization plan to SMART IT PROS, Inc., Bloomfield Hills, Michigan in the amount not-to-exceed \$26,488.00, and further authorizes the Mayor to execute a contract on behalf of the City.

2014-0487 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for Geotechnical and Engineering Materials Testing Services in the amount not-to-exceed \$1,051,000.00 through December 31, 2017; Testing Engineers & Consultants, Inc., Troy, MI

Attachments: [111014 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, noted that there are a multitude of capital projects that the City intends to deliver through December of 2017, as well as private projects that the City oversees where the conveyance of utility assets are given to the City.

Public Comment:

Scot Beaton, 655 Bolinger, questioned whether City staff could perform these services in-house.

President Hooper responded that the City is not a certified laboratory and does not have the facilities nor the expertise for in-house testing. He added that the testing services would require fluctuating staff levels; and he commented that every community subcontracts testing services out to consultants.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

Enactment No: RES0299-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for geotechnical and engineering materials testing services to Testing Engineers & Consultants, Inc., Troy, Michigan in the amount not-to-exceed \$1,051,000.00 through December 31, 2017.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

2014-0488 Request for Adoption of a Resolution for acceptance of the award of a Competitive Grant Assistance Program Grant in the minimum amount of \$17,100.00 for the North Oakland County Water Authority (NOCWA)

Attachments: [111014 Agenda Summary.pdf](#)
[Intent to Award Letter.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that after a third attempt to apply for a Competitive Grant Assistance Program Grant, the City was provided notice from the State Treasurer's Office that it has been awarded a \$17,000 grant, with the ability upon demonstration of being reimbursed upwards of \$100,000.

President Hooper noted that this is another example of being able to use outside monies in Rochester Hills.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

Enactment No: RES0300-2014

Whereas, the State of Michigan Department of Treasury has given preliminary notice of its intent to award a Competitive Grant Assistance Program (CGAP) grant in the amount of up to \$17,100.00 toward reimbursement of expenditures required to implement the North Oakland County Water Authority (NOCWA), and

Whereas, the State of Michigan requires each municipality's governing body to approve a resolution authorizing participation in the proposed project prior to finalizing the award of grants from the State of Michigan's CGAP, and

Whereas, the State of Michigan requires a resolution and copies of minutes from the date of the meeting at which the resolution was approved to be provided within 60 days of the preliminary notice of award, and

Whereas, City of Rochester Hills acknowledges that it:

1. Has filed its annual financial report (F65) or audit per the Uniform Budgeting and Accounting Act or the Uniform System of Accounting Act
2. Has filed its financial plan (deficit elimination plan) per the Glenn Steil State Revenue Sharing Act
3. Is not delinquent in making payment that are due on loans issued pursuant to the Emergency Municipal Loan Act
4. Does not have a payment due and owing to the state

And thus is eligible to participate in a CGAP grant-funded project;

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby authorizes participation in the North Oakland County Water Authority and on behalf of the City of Rochester Hills authorizes the Mayor to provide this resolution and minutes indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the CGAP requirements.

2013-0416 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for consulting services to assist the City in completing tasks related to the SAW grant program in the total not-to-exceed amount of \$1,318,921.00; Orchard, Hiltz & McCliment, Inc., Livonia, MI; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

Attachments: [111014 Agenda Summary.pdf](#)
[RH SAW Proposal.pdf](#)
[111113 Agenda Summary.pdf](#)
[2013-1101 SAW Grant Summary.pdf](#)
[RH-SAW Costs.pdf](#)
[Stormwater Project Agreement.pdf](#)
[111113 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the City was put on notice by the Michigan Department of Environmental Quality that it was eligible to apply for a SAW (Stormwater and Wastewater Asset Management) Grant. He reported that the City compiled an application for both the sanitary and stormwater side, asking for a million dollars each in both categories. He noted that the City was put on notice that it has been awarded a \$2,000,000 grant, with a match of funds required in the amount of \$444,440. He stated the request will retain two of the City's three consultants, Orchard, Hiltz & McCliment and Hubbell, Roth & Clark, to perform tasks relative to the SAW grant.

President Hooper commented that this is another fantastic job by City Staff and gave credit to the efforts of Tracey Balint, Public Utilities Engineer.

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

Aye 7 - Brown, Hooper, Kochenderfer, Morita, Tisdell, Webber and Wiggins

Enactment No: RES0301-2014

Resolved, that the Rochester Hills City Council hereby authorizes the approval of consulting services to assist the City in completing tasks related to the SAW Grant program from Orchard, Hiltz & McCliment, Inc. in the not-to-exceed amount of \$861,921.00 and Hubbell, Roth & Clark, Inc. in the not-to-exceed amount of \$457,000.00, for a combined not-to-exceed total of \$1,318,921.00 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

COUNCIL COMMITTEE REPORTS

Older Persons Commission (OPC):

Mr. Brown reported that the OPC will present a show on Friday evening, "C'mon, Be Happy". He noted that OPC will host its annual \$6 sale next weekend.

Avondale Youth Assistance (AYA):

Ms. Morita noted that the AYA Annual Appreciation Dinner is slated for Tuesday, February 3, 2015; and the AYA Youth Recognition Awards Ceremony is slated for Thursday, March 12, 2015. She encouraged Council members to attend, and she mentioned that last year she was the only person from Rochester Hills to attend. She commented that it would be great to see Mr. Webber attend as State Representative.

She mentioned that Oakland County Youth Assistance will hold its Annual Meeting and Sponsor Appreciation Breakfast on Friday, December 5th.

President Hooper commented that he has had the pleasure of attending the AYA dinner a few times in the past.

ANY OTHER BUSINESS

Mr. Brown announced that the City will hold its annual Veterans Day Ceremony at Veterans Memorial Pointe tomorrow at 11:00 a.m. He commented that President Gerald Ford restored the holiday, originally known as Armistice Day, to November 11th, to reflect the day on November 11, 1918 when fighting ended in World War I.

NEXT MEETING DATE

Regular Meeting - Monday, December 8, 2014 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 10:19 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*TINA BARTON, MMC, Clerk
City of Rochester Hills*

*MARY JO PACHLA
Administrative Secretary
City Clerk's Office*

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