



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

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

**Vision Statement:** *The Community of Choice for Families and Business*

**Mission Statement:** *"Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."*

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Monday, June 21, 2021

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

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

### Others Present:

*Bryan Barnett, Mayor  
Leanne Scott, City Clerk  
Bella Morris, Rochester Hills Government Youth Council Representative  
Dan Christ, City Attorney  
Larry Gambotto, Deputy Fire Chief  
Todd Gary, Deputy Fire Chief  
Ken Elwert, Parks and Natural Resources Director*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

A motion was made by Walker, seconded by Blair, that the Agenda be Approved as Presented. The motion carried by the following vote:

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

## COUNCIL AND YOUTH COMMITTEE REPORTS

*Rochester Hills Government Youth Council (RHGYC):*

**President Deel** introduced Rochester Hills Government Youth Council (RHGYC) Representative Bella Morris.

**Ms. Morris** explained that the Rochester Hills Government Youth Council (RHGYC) will be interviewing RHGYC applicants this Thursday June 24, 2021 and Friday June 25, 2021. She announced the RHGYC is also working on the last few events and projects taking place this summer, including the State of City Address in August, a summer team building activity, a meet and greet with staff for incoming youth council members, as well as celebrating the outgoing youth seniors.

**Rochester Hills City Council:**

**Ms. Mungoli** expressed her condolences to the passing of former Rochester Hills City Councilman, Eric Ambrozaitis. She offered information regarding planting trees in Mr. Ambrozaitis's name. More information can be found at <https://tree.tributestore.com/memorial-tree?old=21294255&source=ta2&taph=2>

**Paint Creek Trailways:**

**Mr. Walker** stated that the Moutrie Pollinator Garden's Ribbon-Cutting event will be held on Monday, June 28, 2021 from 4:00 pm - 5:00 pm. He noted this event is to celebrate the completion of the Moutrie Pollinator Garden that runs along the Paint Creek Trail, a quarter of a mile north of Tienken.

**Southeast Michigan Council of Governments (SEMCOG):**

**Mr. Hetrick** shared that the SEMCOG General Assembly meeting keynote speaker is Dave Massaraon, State of Michigan Budget Director. He stated the meeting will take place on Thursday, June 28, 2021.

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

**Lori Lubman**, P.O. Box 70793, Rochester Hills stated she is requesting information in pursuit of justice regarding a matter between her and the Oakland County Sheriff's Office (OCSO). Ms. Lubman explained that Mayor Barnett did reach out to her to explain that the Oakland County Sheriff's Department is confident there is no merit to her claim that this is a criminal case. She requested a copy of the letter stating there is no merit.

**Anna Lubman**, P.O. Box 70793, Rochester Hills, read the FOIA request being submitted by Lori Lubman requesting multiple documents in regard to the Oakland County Sheriff's Office and the handling of Criminal Complaint Number 1992960.

**Audrey Lubman**, P.O. Box 70793, Rochester Hills, continued to read the FOIA request asking for multiple documents pertaining to Lori Lubman and the

*Oakland County Sheriff's Office.*

**Glen Moore**, Bretton Drive S., Rochester Hills stated that he believes Barnes Senior Living is setting a dangerous precedent in the City. He shared his belief that the Planning Department is bypassing all types of codes and ordinances in allowing this to be built, noting that the R-1 zoning is being ignored, as well as the sixty foot setback requirement of senior living to R-1. He requested that City Council suspend this site plan approval and investigate why the ordinances are not being followed.

## CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

**2021-0231** Approval of Minutes - City Council Regular Meeting - April 12, 2021

**Attachments:** [CC Min 041221.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0147-2021

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 12, 2021 be approved as presented.

**2021-0232** Approval of Minutes - City Council Regular Meeting - April 26, 2021

**Attachments:** [CC Min 042621.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0148-2021

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on April 26, 2021 be approved as presented.

## Passed the Consent Agenda

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

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

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Walker** shared that Neoma Harris celebrated her 101st birthday and he had

*the pleasure of presenting a proclamation signed by Mayor Barnett.*

**Vice President Bowyer** addressed Mr. Glen Moore's concern regarding the Barnes facility, stating that State law allows Barnes Senior Living to move from a twelve-bed development to a six-bed development. She wished her mother a happy birthday and wished everyone a happy Fourth of July.

**Ms. Mungoli** advised that she is hosting open office hours on Monday, June 28, 2021 at Borden Park beginning at 6:30 p.m.

**Clerk Scott** introduced Amber Beauchamp, the new Administrative Coordinator that will be working closely with City Council.

**Mayor Barnett** provided the following updates:

- He thanked the Return to Work Committee that has been working diligently to make sure the building has been safe throughout this time and to all the Rochester Hills staff that have continued to lead during this time.
- He recognized the passing of Mr. Eric Ambrozaitis, and acknowledged his service to the City Council.
- He addressed Mr. Moore's comments regarding the Barnes Senior Facility. Mayor Barnett stated he has full confidence in the Planning Department as well as the City attorney and legal team. He noted that if City Council would like a full report on this particular project, he would be happy to arrange that.
- He responded to Ms. Lubman's comments explaining that there is a fundamental disagreement between Ms. Lubman's opinion and the Oakland County Sheriff's Department. Mayor Barnett stated he takes issue with any comments about corruption in the City. He explained the letter that Council members received at the end of 2020, suggests the claims Ms. Lubman has made and continues to make are false. Mayor Barnett advised Ms. Lubman she can continue to come to the council meetings and speak during public comment, however, the City of Rochester Hills does not have standing in this particular case, and the City Council cannot offer any assistance in this case.
- He announced the Summer of Fun 2021 has begun. He shared that the opening of the Splash Pad was very well received.
- He shared that the City has partnered with Ascension Providence Rochester, who has donated \$500,000 towards the development of Innovation Hills Park.
- He announced the City's partnership with Major League Baseball and The United States Conferences of Mayors to host the Play Ball event at Borden Park on July 14, 2021. This event is for boys and girls ages 6 to 14 to come out and play baseball.
- Mayor Barnett is excited to announce that The Festival of Hills Fireworks event will take place on August 11, 2021 at Borden Park. The fireworks will begin at 9:06 p.m. He explained that the date was delayed this year due to capacity limitations; the City wanted to ensure all residents, family and friends could attend.
- He acknowledged the Department of Public Service and their hard work on Hamlin Road as well as all over the City.
- He shared that The Tons of Trucks event will be held on Saturday, July 31, 2021 from 9:00 a.m. - 12:00 p.m. at Borden Park. This is a fun event that involves the Department of Public Services, the Sheriff's Department, as well as the Fire Department.

## ATTORNEY'S REPORT

*City Attorney Dan Christ had nothing to report.*

## NOMINATIONS/APPOINTMENTS

- 2021-0182** Request to Confirm the Mayor's Appointment of Terry Schafer to the Advisory Traffic & Safety Board for a three (3) year term to expire June 30, 2024

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Schafer CQ.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

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

Enactment No: RES0149-2021

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Terry Schafer to the Advisory Traffic & Safety Board for a three (3) year term to expire June 30, 2024.

- 2021-0183** Request to confirm the Mayor's reappointment of Ken Krajewski to the Advisory Traffic & Safety Board for a three (3) year term to expire June 30, 2024

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Krajewski CQ.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

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

Enactment No: RES0150-2021

**Resolved**, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Ken Krajewski to the Advisory Traffic & Safety Board for a three (3) year term to expire June 30, 2024.

## NEW BUSINESS

- 2021-0229** Request for Approval of Michigan Department of Natural Resources (MDNR) Canada Goose Nest Destruction and Canada Goose Round-up for Heatherwood Village Homeowners Association

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Round-Up Application.pdf](#)  
[Nest/Egg Destruction Application.pdf](#)  
[HOA Minutes 051821.pdf](#)  
[Board Resolution 051821.pdf](#)  
[Resolution \(Draft\).pdf](#)

**David Hill** expressed his condolences to the family of Mr. Eric Ambrozaitis, stating he was a former homeowner in Heatherwood Village. He also wanted to recognize the City and the great job they are doing with the road work. He explained that Heatherwood Village is a 425 home community located off of Avon between Rochester Road and John R Road. The community has over two miles of trails as well as two parks. He shared that the development also has a retention pond that attracts wildlife including Canadian geese. He stated he is requesting a new round-up capture resolution for these geese as well as amending the existing nest and egg destruction in order for it to run concurrently with the new request. He explained that the HOA has used multiple options to address the geese prior to coming before Council.

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

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

Enactment No: RES0151-2021

**Resolved**, that the City of Rochester Hills requests the Michigan Department of Natural Resources (MDNR) allow Heatherwood Village Homeowners Association to conduct a program of Canada Goose Nest Destruction and Canada Goose Round-up for a period of five (5) years. The residents of Heatherwood Village are aware that the geese may be euthanized.

**2021-0226**

Request for Purchase Authorization - FIRE: Blanket Purchase Order for the purchase of Protective Ensemble for Structural Firefighting to include the purchase of the Turnout Coat, Pant, and Structural Firefighting Boots in the amount not-to-exceed \$525,000.00 and the purchase of Structural Firefighting Protective Gloves in the amount not-to-exceed \$10,000.00 for a total not-to-exceed purchase amount of \$535,000.00 for a one-year period; Apollo Fire Equipment Company, Romeo, MI; Phoenix Safety Company, Springfield, OH

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Scoring Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Captain Larry Gambatto**, Rochester Hills Fire Department, stated that he is requesting authorization for new turnout gear. He noted NFPA 1851 recommends that the firefighter protective turnout gear is retired after ten years and the City's turnout gear is approaching that ten-year mark. The Fire Department has worked with the manufacturer to size and fit specific firefighters, then test sets were sent so the employees could tryout the gear during simulated fire conditions. He pointed out that the gear they are seeking to purchase is less bulky of a fit and has more range of motion for the firefighters. Captain Gambatto also stated each firefighter will get two sets of gear so one can be washed while they are working and their specific gear can be rotated between shifts.

**President Deel** stated that he along with Ms. Mungioli, Vice President Bowyer, and Mr. Walker attended the Fire Ops training a few years ago. He explained it makes a big difference when you experience some things first hand, such as putting this gear on. He shared how important this gear is to the health and safety of not just the firefighters but to the residents as well. He encouraged any Council members that have not experienced this training to attend the next Fire Ops Training event.

**Ms. Morita** thanked the Fire Department for their due-diligence in having members of the Fire Department score the equipment to ensure the department is getting what is needed.

**Ms. Mungioli** stated she attended the Fire Ops training last year and noted that there was limited equipment sizes available. She thanked Captain Gambatto for assuring the City has the best equipment for the Fire Department.

**Mr. Walker** stated the Fire Ops training was eye-opening. He explained to wear that gear during the training was physically demanding. He reiterated that this approval is for all City firefighters to get new gear.

**Mr. Blair** responded that he will be attending the Fire Ops Training this year on October 8, 2021. He commented that he is impressed with the thought and process put into ensuring that the correct gear is purchased.

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

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

Enactment No: RES0152-2021

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the purchase of Protective Ensemble for Structural Firefighting to include the purchase of the turnout coat, pant, and structural firefighting boots to Apollo Fire Equipment Company, Romeo, Michigan in the amount not-to-exceed \$525,000.00 and the purchase of structural firefighting protective gloves to Phoenix Safety Company, Springfield, Ohio in the amount of \$10,000.00 for a total not-to-exceed purchase amount of \$535,000.00 for a one-year period.

**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.

#### 2021-0225

Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for engineering services for the phase 2 development of the Innovation Hills Playground Area related to grant funding received for these specific improvements in the amount not-to-exceed \$26,860.00; Spalding DeDecker Associates, Rochester Hills, MI

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Ken Elwert**, Parks and Natural Resources Director, stated that this request is for engineering services for Phase II of the Innovation Hills Playground area that lines up along Hamlin Road.

**Ms. Mungioli** thanked Mr. Elwert for answering her questions about the park and the expenses associated with the park.

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

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

Enactment No: RES0153-2021

**Resolved**, that the Rochester Hills City Council hereby authorize a blanket purchase order/contract for engineering services for the phase 2 development of the Innovation Hills Playground area related to grant funding received for these specific improvements to Spalding DeDecker Associates, Rochester Hills, Michigan in the amount not-to-exceed \$26,860.00 and further authorizes the Mayor to execute a contract on behalf of the City.

**2021-0228** Request for Adoption of Amendments to the Rochester Hills Government Youth Council (RHGYC) Bylaws and Rules of Procedure

**Attachments:** [062121 Agenda Summary.pdf](#)  
[RHGYC Bylaws.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Deel** stated he serves as the Council Liaison to the Youth Council and for as long as he can recall there has always been 15 members serving on the Youth Council.

**Clerk Scott** stated the Youth Council was formed in 2005 and at that time, 15 applications were received. She explained rather than turning two applicants away, the decision was made to keep all 15 applicants. Clerk Scott stated that since that time, they have maintained 15 members. She noted this is a housekeeping item to adjust the Bylaws to reflect 15 members.

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

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

Enactment No: RES0154-2021

**Resolved**, that the Rochester Hills City Council amends the Rochester Hills Government Youth Council (RHGYC) Bylaws and Rules of Procedure as follows:

## **ARTICLE II: MEMBERSHIP AND TERMS**

### **Section 1.**

The Youth Council shall consist of ~~thirteen~~ fifteen (13) (15) Youth Representatives from grades nine (9) through twelve (12) who are residents of the City of Rochester Hills appointed by City Council, with the following preferable representation:



Two (2) Representatives from each of City Council's Districts  
~~Five~~ Seven (7) Representatives at large

Pursuant to the City Council Policy - Rochester Hills Government Youth Council (RHGYC) General Guidelines, City Council has the authority to increase or decrease the number of Youth Representatives for a specific year based on the recommendation of the Interview Committee

### ARTICLE III: OBJECTIVES

#### **Section 1. Attendance at Rochester Hills Government Youth Council Meetings**

Youth Representatives are expected to attend all meetings and provide prior notice to the City Clerk's Office of any absence.

In any one (1) term a Youth Representative who is absent for two (2) meetings without providing prior notice, absent from three (3) consecutive meetings, or five (5) meetings total shall not be eligible for any additional terms.

#### **Section 2. Participation at City Council Meetings/Work Sessions**

Each Youth Representative will be required to attend at least one (1) City Council Meeting and one (1) City Council Work Session each year and participate in the meeting/work session as a non-voting member.

At each RHGYC meeting, Youth Representatives will assign themselves to attend the next month's Council Meetings and Work Sessions

If a Youth Representative is unable to attend his/her assigned meeting he/she must find a replacement.

In an emergency situation, if a Youth Representative is unable to attend his/her assigned meeting, he/she must contact the ~~City Clerk~~ Adult Advisor or his/her designee prior to the meeting and request to be excused.

**2021-0230** Request for Purchase Authorization - CLERKS: Purchase Authorization for a five (5) year maintenance agreement for the City's election tabulators, accessible voting devices, and high speed AV tabulators in the amount of \$338,544.00; Hart InterCivic, Austin, TX

**Attachments:** [062121 Agenda Summary.pdf](#)  
[Invoice.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Clerk Scott requested approval for the purchase of a five-year maintenance agreement for the Hart election equipment. She explained that when the equipment was first purchased, Oakland County negotiated with Hart for maintenance on all of the election equipment for the first five years for every jurisdiction in Oakland County. At that time, the pricing for the final five years of maintenance was unknown.*

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

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

Enactment No: RES0155-2021

**Resolved**, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing deeming it to be in the best interest of the City.

**Further Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of a five (5) year maintenance agreement for the City's election tabulators, accessible voting devices, and high speed AV tabulators to Hart InterCivic, Austin, Texas in the amount of \$338,544.00.

## ANY OTHER BUSINESS

*None*

## NEXT MEETING DATE

*- Regular Meeting - Monday, July 12, 2021 - 7:00 p.m.*

## ADJOURNMENT

*There being no further business before Council, it was moved by Mungioli and seconded by Hetrick to adjourn the meeting at 7:58 p.m.*

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RYAN DEEL, President  
Rochester Hills City Council

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LEANNE SCOTT, MMC, Clerk  
City of Rochester Hills

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AMBER BEAUCHAMP  
Administrative Secretary  
City Clerk's Office

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