



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, Dale A. Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie Morita,
Mark A. Tisdell 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, October 12, 2015

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order
at 7:02 p.m. Michigan Time.*

ROLL CALL

Present 7 - Kevin S. Brown, Dale Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie
Morita, Mark A. Tisdell and Thomas W. Wiggins

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Lance DeVoe, Park Ranger II
Mike Hartner, Director of Parks and Forestry
Hannah Kowalski, Rochester Hills Government Youth Council Representative
Keith Sawdon, Director of Finance
Allan Schneck, Director of DPS/Engineering
Joe Snyder, Senior Financial Analyst*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

*Hannah Kowalski, RHGYC Representative, reported that the RHGYC members
have begun selling Community Days booklets for Carson's. The*

booklets are available for \$5; and proceeds will go to a Rochester/Rochester Hills based charity to be selected, which will also be the annual 5K benefactor. She noted that plans have begun for the 2016 RHGYC 5K as well.

Avondale Youth Assistance (AYA):

Ms. Morita announced that the AYA will host "Strategies to Promote Success for Struggling Student" on Thursday, November 5, 2015 at 7:00 p.m. in the Avondale High School Media Center. She noted that the event is free, and information is available on her Facebook page, in her Twitter feed, and on the AYA Facebook Page.

PRESENTATIONS

2015-0393 Presentation of the Deer Management Advisory Committee - 2015 Report

Attachments: [101215 Agenda Summary.pdf](#)
[2015 Deer Management Report.pdf](#)
[DMAC Draft Minutes 091615.pdf](#)

Jim Kubicina, Deer Management Advisory Committee (DMAC) Chairperson, expressed his appreciation to Council for once again inviting the DMAC members to give their presentation. He explained that the deer awareness signs will be placed out this week from October 15 to November 15, as it is peak season for deer to be moving around. He mentioned the DMAC committee members and introduced **Mike Hartner**, Director of Parks and Forestry, and **Lance DeVoe**, Park Ranger II, noting their participation in committee activities over the years.

His presentation noted the ten areas where the aerial survey is focused on each year. He explained that these are uninhabited areas where deer can be seen, and pointed out that it is a snapshot in time of the deer count. He stated that four inches of snow is needed for the survey, and he commented that Mr. DeVoe goes along to help measure deer trends.

Mr. Kubicina noted that the deer population has gone up and down since 2008, with 2014 being a high with 303 deer counted. He commented that it was thought last year's number was an aberration due to the polar vortex as with such a high number there would be an increase in deer-vehicle collisions (DVCs) expected; however this was not the case. He pointed out that the deer population dropped in 2008 and 2009 due to Epizootic Hemorrhagic Disease, which hit the herd along the Clinton River Corridor very hard, wiping out at least 100 deer. He stated that 244 deer were counted this past January.

He stated that the DMAC is mostly concerned with the number of DVCs occurring within City limits. He noted that while there are concerns expressed regarding garden damage, the DMAC can suggest measures property owners can take that will counteract that. He noted that the highest DVC numbers were seen in 2007. The City took some action with the Sheriff's Department and attempted a culling program, citizens became concerned, and the DMAC was formed. Since that time, both herd count and DVCs were tracked. He explained that the DMAC's

recommendation is based on whether the deer herd increases by more than 20 percent in a given year along with an increase in DVCs above 200. He stated that should that perfect storm occur, the DMAC may make different recommendations. He noted that DMAC's current recommendation is to maintain status quo.

He noted that deer complaints, including nuisance calls or dead deer reports, are trending downward. He explained that those concerned over damage to gardens and plants can benefit from many good ideas collected by DMAC members. He noted that member Monique Balaban has volunteered her time to visit citizens and help them find measures to mitigate damage.

Mr. Kubicina displayed a map which highlighted where DVCs occurred in 2014, and noted that these crashes are mainly on County roads, including Adams, Tienken, Walton and Avon, in areas surrounded by woodlands.

He summarized the DMAC's recommendations for 2016, noting a continuation of the same policies, including:

- Continuation of the Feeding Ban.*
- Educational Component, focusing on informing motorists during the seasonal highs from dusk to dawn.*
- Promoting the use of improved signage, including "Don't Veer for Deer" signs and the newer high-visibility deer crossing signs.*

He noted the DMAC's resolutions to continue the following:

- Continue the aerial deer count surveys.*
- Continue changeable message boards in high DVC areas for October and November. One extra sign available from the Sheriff's Department will be kept out for December.*
- Continue to look for other low cost options to increase awareness.*

Mr. Hartner noted that all of the information that the DMAC has collected including ideas for deer-resistant plantings and help for gardeners is on the City's website. He added that DMAC members have made the offer of a one-on-one consultation as a member of the DMAC will go out to resident's yard to offer ideas including hanging soap and installing fencing. He noted that other communities have looked to Rochester Hills as it is viewed as a progressive community in deer management.

Mr. Kochenderfer noted that he has been involved in the DMAC committee for four years, and it still presents a challenge for communities.

Mr. Hetrick stated that at a recent homeowners association meeting he attended, Mr. DeVoe took questions on how to manage the coyotes in the area. He questioned whether this could be an additional charge for the DMAC committee or if another committee could be formed.

Mr. DeVoe noted that he receives many calls about coyotes, and stressed the need for education as to what residents need to be worried or not worried about. He commented that there is some bad information and fears people have that are unfounded.

Mr. Kubicina commented that while he would not be opposed to taking a look, he would not speak for others on the DMAC. He stated that a revised charge would have to come from Council.

President Hooper commented that any discussion on revising the committee's charge could be held when formulating the committee for next year.

Mayor Barnett expressed his appreciation to the DMAC members for their help since the beginning. He noted that at first contentious, now most complaints are handled relatively simply. He explained that he forwards calls regarding coyotes to Mr. DeVoe, and commented that he is not certain that broadening the scope of the DMAC committee is necessary.

Mr. Kubicina noted that this is the last year that Mr. Hartner will be working with the DMAC, as he will be retiring. He stated that he has been a tremendous asset, and expressed his appreciation to Mr. DeVoe for his continued efforts with the committee.

Presented.

PUBLIC HEARINGS

2015-0368 FY 2015 3rd Quarter Budget Amendments

Attachments: [101215 Agenda Summary.pdf](#)
[2015 - 3rd Qtr BA - Overview.pdf](#)
[2015 - 3rd Qtr BA - Account Detail.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Senior Financial Analyst, presented the highlights of the 3rd Quarter Proposed Budget Amendments. He explained that this is typically the lightest of the four quarterly amendments, and applies a look-back to 2014 to true-up Inter-fund charges and determine the actual cost of the services. He noted the following:

- The 3rd Quarter will increase total revenues by \$1,754,390 million, and increase total expenses by \$2,582,810 million, resulting in a net impact on citywide fund balances and retained earnings of (\$828,520) city-wide.
- The largest portion of the increase to revenues is \$2 million to be transferred from the General Fund to the Green Space Perpetual Care Trust Fund. He noted there is an offsetting transfer on the expense side. He noted that the Insurance Fund received a net asset distribution of \$565,000. He mentioned that monies will be coming in from shares of the Clear Creek Street Lighting Project and the Clinton River Trail Signage Project. A reduction in revenue is due to Inter-fund allocations.

- Expenses will increase by \$2,582,910; however, operating expenses will decrease by \$670,000. The vast majority of expenditures were from Inter-fund allocations. The only operating expenses to increase was the City share of the 2015 Cooperative Tree Planting Programs, the Street Lighting for Clear Creek, and the Clinton River Trail Signage.

- Capital Projects will increase by \$1.25 million. This consists of Major Road projects, including the increase to Hamlin Road approved at Council's meeting on September 14, 2015, and Tienken from Livernois to Rochester right-of-way increases.

- The Facilities Fund will increase to fund the Riverbend Park architect.

- Fleet will purchase a new Crane Service Body.

- A Transfer-out is noted from the Green Space Operating Fund to the Green Space Perpetual Care Trust Fund of \$2 million.

Mr. Snyder stated that Ms. Morita had requested a brief listing of when these items were approved. He noted that was prepared and distributed to Council Members. He pointed out that besides revising allocations, the Budget Amendment brings forward adjusted budget amounts for the actions that have been approved.

President Hooper Opened the Public Hearing at 7:28 p.m. Seeing No Public Input, President Hooper Closed the Public Hearing at 7:29 p.m.

President Hooper questioned whether the Hamlin Road item up for consideration tonight was included.

Mr. Snyder responded that it was not.

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

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

Enactment No: RES0268-2015

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, the Public Hearing for the proposed FY 2015 3rd Quarter Budget Amendments was noticed on September 24, 2015; and

Whereas, the proposed FY 2015 3rd Quarter Budget Amendments were available for public viewing beginning on October 2, 2015; and

Whereas, at its October 12, 2015 meeting City Council held a Public Hearing on the proposed FY 2015 3rd Quarter Budget Amendments.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby approves the following FY 2015 fund totals as amended:

FUND	2015 Current Budget	Net Change	2015 Proposed Budget
Fund 101 – General Fund	\$ 26,064,190	\$ (309,090)	\$ 25,755,100
Fund 202 – Major Road Fund	12,510,570	1,110,000	13,620,570
Fund 203 – Local Street Fund	12,043,010	(31,160)	12,011,850
Fund 206 – Fire Fund	9,865,320	-	9,865,320
Fund 207 – Special Police Fund	9,498,320	(20,730)	9,477,590
Fund 213 – RARA Millage Fund	594,240	-	594,240
Fund 214 – Pathway Millage Fund	622,990	29,390	652,380
Fund 232 – Tree Fund	60,280	85,000	145,280
Fund 244 – Water Resources Fund	1,797,700	(6,250)	1,791,450
Fund 265 – OPC Millage Fund	1,003,760	-	1,003,760
Fund 299 – Green Space Millage Fund	1,079,910	2,000,000	3,079,910
Fund 313 – Street Improvement Bond – 2001 Series Fund	273,180	-	273,180
Fund 314 – SAD Street Improvement Bond – 2001 Series Fund	275,030	-	275,030
Fund 331 – Drain Debt Fund	202,290	-	202,290
Fund 369 – Older Persons Building Bond Refunding Fund	773,840	-	773,840
Fund 393 – Municipal Building Refunding Bond – 2010 Series Fund	790,870	-	790,870
Fund 394 – Local Street Refunding- 2011 Series Fund	494,820	-	494,820
Fund 402 – Fire Capital Fund	3,408,550	-	3,408,550
Fund 403 – Pathway Construction Fund	530,630	-	530,630
Fund 420 – Capital Improvement Fund	3,678,120	-	3,678,120
Fund 510 – Sewer Operations	15,625,590	(104,520)	15,521,070
Fund 530 – Water Operations	18,365,510	(144,910)	18,220,600
Fund 593 – Water & Sewer Capital Fund	11,724,390	-	11,724,390
Fund 595 – Water & Sewer Debt Fund	1,541,040	-	1,541,040
Fund 631 – Facilities Fund	12,905,670	42,590	12,948,260
Fund 636 – MIS Fund	2,829,760	(15,330)	2,814,430
Fund 661 – Fleet Fund	3,188,770	(52,080)	3,136,690
Fund 677 – Insurance Fund	417,180	-	417,180
Fund 736 – Retiree Health Care Trust	137,390	-	137,390
Fund 752 – Cemetery Perpetual Care Fund	-	-	-
Fund 761 - Green Space Perpetual Care Trust	-	-	-
Fund 843 – Brownfield Redevelopment Fund	-	-	-
Fund 848 – LDFA Fund	323,450	-	323,450
Fund 851 – SmartZone Fund	85,000	-	85,000
Fund 870 – Museum Foundation Trust Fund	3,000	-	3,000
Fund 893 – EDC Fund	720	-	720
GRAND TOTAL	\$ 152,715,090	\$ 2,582,910	\$ 155,298,000

PUBLIC COMMENT for Items not on the Agenda

Vicki Boork, 2724 Hickory Lawn, stated that the Special Assessment District (SAD) process regarding the paving of Hickory Lawn has not been fair, and she commented that there is not enough of a percentage of residents in agreement to move forward. She questioned the validity of the signatures in favor of the SAD, and she noted that has been under attack from the other residents since she has spoken out against the assessment. She accused Council of having a vested interest in its passage, and she stated that the Clerk's actions are not proper in certifying signatures on the petitions.

Lee Zendel, 1575 Dutton Road, stated that he had commented previously to Council that SAD programs are contentious. He noted that once again, he sees no non-incumbent candidates for Mayor or Council in attendance at tonight's meeting.

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.

2015-0373 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Walton & Adams, LLC, a Michigan Limited Liability Company, for A-Star Convenience Fuel Center

Attachments: [101215 Agenda Summary.pdf](#)
[Storm System Maint Agreem.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0269-2015

Resolved, that the Rochester Hills City Council approves the storm water maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Walton & Adams, LLC, a Michigan Limited Liability Company, 2995 Walton Blvd., Rochester Hills, MI 48309, for A-Star Convenience Fuel Center, for Parcel No. 15-17-102-003.

2015-0384 Request for Acceptance of a Watermain Easement granted by Amerco Real Estate Company, a Nevada Corporation, for U-Haul

Attachments: [101215 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0270-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted Amerco Real Estate Company, a Nevada Corporation, of 5555 Kietzke Lane, Suite 100, Reno, Nevada 89511, 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. 15-02-300-004.

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

2015-0389 Request for Acceptance of a Watermain Easement granted by Campus Corners Associates, a Michigan limited partnership

Attachments: [101215 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0271-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Campus Corners Associates, a Michigan limited partnership, of 1334 Maple Lawn Drive, Troy, MI 48084, 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. 15-15-101-024.

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

2015-0398 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Generation Property Management, LLC, a Michigan limited liability company, for Ye Old Wine Shoppe

Attachments: [101215 Agenda Summary.pdf](#)
[Storm Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0272-2015

Resolved, that the Rochester Hills City Council, approves the Storm Water Maintenance Agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Michigan Generation Property Management, LLC, a Michigan limited liability company, whose address is 6350 Atkins, Troy, MI 48085, City File #77-562.2, Parcel No. 15-32-483-005, 006, & 007.

- 2015-0379** Acceptance of the Sidewalk Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD, for Parcel No. 15-26-376-007

Attachments: [101215 Agenda Summary.pdf](#)
[Sidewalk Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0273-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sidewalk Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, for the construction, operation, maintenance, repair and/or replacement of a sidewalk over, on, under, through and across land more particularly described as Parcel No. 15-26-376-007.

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

- 2015-0380** Request for Termination of a Watermain Easement and a Sanitary Sewer Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD, for Parcel No. 15-26-376-007

Attachments: [101215 Agenda Summary.pdf](#)
[Termination of Easements.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0274-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby agrees to terminate and release the Sanitary Sewer Easement and watermain Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, for the construction, operation, maintenance, repair and/or replacement of a watermain and Sanitary Sewer over, on, under, through and across land more particularly described as Parcel No. 15-26-376-007.

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

- 2015-0381** Request for Acceptance of a Sanitary Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD

Attachments: [101215 Agenda Summary.pdf](#)
[San Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0275-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, 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. 15-26-376-007.

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

2015-0382 Request for Acceptance of a Watermain Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD

Attachments: [101215 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0276-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, 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. 15-26-376-007.

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

2015-0383 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD

Attachments: [101215 Agenda Summary.pdf](#)
[Storm Sewer Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0277-2015

Resolved, that the Rochester Hills City Council, approves the Storm Water Maintenance Agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, for Barrington Park PUD, City File #14-002, Parcel No. 15-26-376-007.

- 2015-0387** Request for Acceptance of the Agreement for Use and Maintenance of Private Roads between the City of Rochester Hills and Pulte Land Company, LLC, a Michigan limited liability company, for Barrington Park PUD

Attachments: [101215 Agenda Summary.pdf](#)
[Priv Road Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0278-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the Agreement for use and Maintenance of Private Roads for the performance of public and emergency services over the internal, undedicated roads and/or driveways being used in common for the development for vehicular travel, from Pulte Land Company, LLC, a Michigan limited liability company, whose address is 100 Bloomfield Hills Parkway, Bloomfield Hills, Michigan 48304, for Barrington Park PUD, City File #14-002, Parcel No. 15-26-376-007.

- 2015-0396** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for Hamlin Road Irrigation System (between Adams Road and Crooks Road) in the amount of \$46,914.00 with a 5% contingency of \$2,345.70 for a total not-to-exceed amount of \$49,259.70; Progressive Irrigation, White Lake, MI

Attachments: [101215 Agenda Summary.pdf](#)
[Proposals Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0279-2015

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order/Contract for the Hamlin Road Irrigation System between Adams Road and Crooks Road to Progressive Irrigation, Inc., White Lake, Michigan in the amount of \$46,914.00 with a 5% contingency of \$2,345.70 for a total not-to-exceed amount of \$49,259.70 and 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 Brown, seconded by Morita, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment, **President Hooper** stated that it is a proven fact that the majority of residents of Hickory Lawn are in favor of the Special Assessment District (SAD). He pointed out that there will be two more opportunities for residents to present any objections, as the City Treasurer will present the roll for the SAD where it will be scheduled for a future Public Hearing. He stated that he finds comments regarding Council Members having an interest in the SAD process and attacking City Clerk Barton's actions to be completely unfounded, erroneous and offensive.*

***Mr. Tisdell** noted that there has been no backroom agreement regarding the SAD. He pointed out that City Clerk Barton verified signatures on the petitions he filed to run for re-election; and scrutinized even the signature of the Mayor's wife on his petition.*

***Mr. Brown** stated that he had never been approached by anyone on Council regarding the SAD. He pointed out that the SAD is a process that the residents asked Council to participate in. Regarding public comment in reference to candidates for Council, he mentioned that prior to his running for election, he spent most of that summer in attendance at Council meetings. He stated that it was a great learning experience, and he encouraged candidates to attend the Council meetings.*

***Mr. Wiggins** expressed his appreciation to the Deer Management Advisory Committee members for their hard work. He concurred with comments that it is disappointing that none of the non-encumbent candidates are in attendance at the Council meetings.*

***Mayor Barnett** stated that no single item involves more resident input than the SAD process; and he noted that there are dozens of checks and balances along the way.*

He mentioned the following items:

- The Fire Department held an apparatus display last weekend at Meijer, along with an open house at a Fire Station.*
- The Rochester Hills Museum and Van Hoosen Farm had its Stonewall Pumpkin Festival last weekend. The festival enjoyed perfect weather and had a record crowd. With 2,900 pumpkins ordered, less than 70 were left at the end of the event.*
- The Village of Rochester Hills will host an event this coming weekend, Scare Away Hunger, to raise funds for Neighborhood House.*
- City Hall will host a Flu Clinic on October 29, 2015. Individuals interested in getting their flu shot should call and schedule an appointment.*
- Construction projects on Hamlin and Tienken Roads are moving ahead of schedule. Hamlin Road should be open to traffic later this week; Tienken Road should be open by November 1.*

ATTORNEY'S REPORT

None.

NOMINATIONS/APPOINTMENTS

2015-0408 Request to Confirm the Mayor's appointment of Ken Krajewski to the Advisory Traffic and Safety Board for a three-year term to expire June 30, 2018

Attachments: [101215 Agenda Summary.pdf](#)
[Krajewski CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett noted that **Ken Krajewski** was in attendance, and asked if he wished to address Council.

Mr. Krajewski stated that he works and lives in Rochester Hills and had approached Mayor Barnett to express his interest in participating wherever needed.

Mayor Barnett stated that Mr. Krajewski was well-suited for the appointment and would be a great addition to the Board.

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

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

Enactment No: RES0280-2015

Resolved, that the Rochester Hills City Council hereby confirms the appointment of Ken Krajewski to the Advisory Traffic and Safety Board for a three-year term to expire June 30, 2018.

NEW BUSINESS

2015-0390 Request for Purchase Authorization - DPS/ENG: Standard Agreement for Municipal Street Lighting for the installation of two (2) public street lights in Cumberland Woods Subdivision in the amount of \$6,480.82; Detroit Edison Company, MI

Attachments: [101215 Agenda Summary.pdf](#)
[Revised DTE Preliminary Sketch 2-lights at Lake Ridge&Livernois.pdf](#)
[DTE Final Purchase Agreement-Cumberland Woods-Lake Ridge & Livernois.pdf](#)
[DTE Preliminary Sketch light at Lake Ridge&Livernois.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that two lights are requested in Cumberland Woods to be located at Lake Ridge and Livernois.

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

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

Enactment No: RES0281-2015

Resolved, that the Rochester Hills City Council approves the Standard Municipal Street Lighting Agreement for the installation of two (2) public street lights within a platted street of Cumberland Woods Subdivision to the Detroit Edison Company, Belleville, Michigan in

the amount of \$6,480.82 and further authorizes the Mayor to execute the agreement on behalf of the City.

- 2015-0400** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the construction of a new roof access hatch and stair case for the Department of Public Services Facility in the amount of \$36,979.00 with a 5% contingency in the amount of \$1,848.95 for a total not-to-exceed amount of \$38,827.95; Hittle Construction Co., White Lake, MI

Attachments: [101215 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, explained that when the DPS Facility was constructed in 2008, the only access to the roof was a vertical ladder traversing straight up, and providing no fall protection. He noted that Facilities personnel go to the roof frequently to maintain HVAC units through the current hatch, which is only a four-foot by four-foot opening. He pointed out that the filters required are 46-inch by 46-inch, and personnel must carry them up through the hatch, moving tools by tying ropes to tool bags. He stated that Facilities personnel approached DPS staff, and funding was identified for a safer access of a staircase with a landing and a larger four-foot by eight-foot hatch.

President Hooper questioned whether this could be considered Errors and Omissions by the architect.

Mr. Schneck stated that while he was not with the City in 2008, as he understands, when the DPS Facility was constructed, there was much conversation about scaling down the project scope. He noted that a freight elevator was originally designed to go to roof; however, the project was scaled back.

Mr. Brown questioned why only one single vendor responded.

Mr. Schneck responded that it is a sign of capacity within the industry. He pointed out that potential vendors were invited to submit proposals, and only one bidder responded.

Mr. Brown questioned whether more vendors came to the pre-bid meeting.

Mr. Schneck responded that only one vendor attended.

President Hooper questioned whether an estimate was put together for the project.

Mr. Schneck responded that the Building Department's Facilities Division budgeted \$35,000 for the project in 2015, to include construction services only, and not including any architectural or engineering services. He explained that H2A Architects was engaged for a Purchase Order of \$7,135 for the project from beginning to end. He noted that it was determined that only plans and specifications would be necessary without construction engineering services; and approximately \$4,371 was expended with \$2,764 remaining. He stated that the total cost is \$38,827.95, the remaining budget is \$27,865 plus the additional

\$2,764, leaving the project overbudget by \$8,200 including the contingency. He noted that if the contingency is not expended, the project is \$6,350 over budget. He mentioned that if viewing the budget with the project engineering, it is approximately 18 percent over budget; without the project engineering, it is 5.6 percent over. He stated that these are appropriate figures.

Mr. Hetrick questioned whether extending the elevator to the third floor would require more than \$38,000.

Mr. Schneck responded that it would, as an elevator shaft and hydraulics would be required.

Mr. Hetrick commented that this will provide safety for the employees.

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

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

Enactment No: RES0282-2015

Resolved, that the Rochester Hills City Council authorizes a Blanket Purchase Order/Contract for the construction of a new roof access hatch and stair case for the Department of Public Services Facility to Hittle Construction Company, White Lake, Michigan in the amount of \$36,979.00 with a 5% contingency in the amount of \$1,848.95 for a total not-to-exceed amount of \$38,827.95 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.

2015-0211 Request for Purchase Authorization - DPS/ENG: Increase to Contract/Blanket Purchase Order between the Michigan Department of Transportation (MDOT) and the City of Rochester Hills for the Hamlin Road Construction Project (Hamlin Ct. to Dequindre Rd.) in the amount of \$412,393.93 for a new not-to-exceed amount of \$4,536,333.23

Attachments: [101215 Agenda Summary.pdf](#)
[091415 Agenda Summary.pdf](#)
[051815 Agenda Summary.pdf](#)
[MDOT Hamlin Const. Contract.pdf](#)
[051815 Resolution.pdf](#)
[091415 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that Council is requested to approve a contingency of \$412,393.93, which is only a ten percent contingency on the City's participatory share of the project. He mentioned that contingencies in the amount of \$300,000 that will not be needed from the HMA and Concrete Rehabilitation Programs can be shifted to cover the budget shortfall in the Hamlin Road Major Street portion.

President Hooper questioned whether it is anticipated to use most of the contingency.

Mr. Schneck responded that approximately four percent over bid amount is forecast at this point. He commented that there have been some savings along the way and the Administration is diligently pursuing additional savings.

Mr. Wiggins questioned what savings the contractor has done, and if anyone else is contributing to the higher costs.

Mr. Schneck responded that there are items in the project that are unforeseen and additions that were not included in plans. He stated that the Administration has looked at value engineering, and he mentioned that a watermain tie into a transmission main at Rochester and Hamlin was undertaken by a different method, saving \$20,000. He noted that instead of directional drilling for a portion of the watermain, an open cut was utilized, saving \$15,000. He commented that negotiations have removed project scope from the contractor.

Mr. Brown questioned how much of the \$250,000 is associated with pathway easement.

Mr. Schneck responded that the easements are separate and distinct. He explained that the State will not advertise and bid a project until the City has certified right-of-way. Because of this, the north side pathway from Hamlin Court all the way to Rochester Road was taken out of the project, as there were two properties that the City could not secure. Negotiations with the Michigan Department of Transportation resulted in most of that pathway being included; and he noted that since the project started, the City secured those easement. He noted that grading and HMA was added as well.

Mr. Brown noted that the project is four to five percent over the budgeted amount and questioned how much of this figure is related to adding in the pathway.

Mr. Schneck noted that those quantities were not built in to the project when it was bid and let. He stated that the pathway is in the \$30,000 to \$40,000 range.

Mr. Hetrick expressed his appreciation to Mr. Schneck for building a business case for finding an additional \$300,000 for the request. He questioned whether this would be the last time Council will be discussing monies for Hamlin Road, since it is scheduled to be completed.

Mr. Schneck responded that it most likely would. He noted that there is some unfinished pathway to be done along with restoration. He pointed out that the section between Livernois and Rochester Road will be open to traffic this week.

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

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

Enactment No: RES0283-2015

Resolved, that the Rochester Hills City Council hereby approves an increase to the Contract/Blanket Purchase Order between the Michigan Department of Transportation (MDOT) and the City of Rochester Hills for the Hamlin Road Construction Project (Hamlin Ct to Dequindre Rd) in the amount of \$412,393.93 for a new not-to-exceed amount of \$4,536,333.23.

ANY OTHER BUSINESS

Mayor Barnett reported that Council previously supported the completion of a pathway segment on Auburn Road after a wheelchair-bound resident had come forward requesting consideration. He noted that the section of pathway was poured last week. He stated that the resident called late last week expressing her appreciation to Council.

NEXT MEETING DATE

Regular Meeting - Monday, October 26, 2015 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 8:06 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.