



# 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)

*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, November 9, 2015

7:00 PM

1000 Rochester Hills Drive

---

## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order  
at 7:05 p.m. Michigan Time.*

## ROLL CALL

**Present** 6 - Dale Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark A.  
Tisdell and Thomas W. Wiggins

**Absent** 1 - Kevin S. Brown

## Others Present:

*Ed Anzek, Director of Planning and Economic Development  
Bryan Barnett, Mayor  
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  
Ron Crowell, Deputy Fire Chief  
Paul Davis, City Engineer, Deputy Director of DPS  
Keith Depp, Water Resource Coordinator  
Todd Gary, Captain/Fire Marshall  
Mike Hartner, Director of Parks and Forestry  
Ed Leafdale, General Foreman  
Pat McKay, Supervisor of Interpretive Services  
Shreya Reddy, Rochester Hills Government Youth Council Representative  
Sara Roediger, Manager of Planning  
Keith Sawdon, Director of Finance  
Allan Schneck, Director of DPS/Engineering  
Leanne Scott, Deputy Clerk  
Paul Shumejko, Transportation Engineer  
John Staran, City Attorney  
Steve Swann, Light Equipment Operator  
Laurie Taylor, Deputy Director of Assessing  
Bob White, Supervisor of Building Services*

*Mr. Brown provided prior notice that he would not be in attendance at the meeting.*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

A motion was made by Hetrick, seconded by Wiggins, that the Agenda be Approved as Amended to move Legislative File 2015-0392 Request for Preliminary Planned Unit Development and Concept Plan Approval - Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.93 acres, located on the east side of John R between Hamlin and School Rds., zoned R-4, One Family Residential to immediately follow Legislative File 2015-0252 WaterTowns Presentation to City Council. The motion carried by the following vote:

**Aye** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

## COUNCIL AND YOUTH COMMITTEE REPORTS

**Shreya Reddy**, Rochester Hills Government Youth Council (RHGYC) Representative, noted that the RHGYC was holding their monthly meeting this evening. She announced that RHGYC members would be participating in the Rochester Hometown Christmas Parade providing manpower in the warming tent. She added that RHGYC members would be participating as a part of Barnes & Noble's Community Fund Raiser event for the holidays.

**City Clerk Tina Barton** announced that Youth Council Adult Liaison Charnele Sanders would be leaving the City with her last day this coming Friday. She noted that Ms. Sanders has received a promotion at a different job, which she has two Master's degrees toward. She expressed appreciation for Ms. Sanders' service to the City and her efforts with the RHGYC. She stated that the City will be looking for another individual with as much energy and talent to fill that position.

## PRESENTATIONS

**2015-0479** Presentation of School of Fire Staff and Command Executive Leadership Program Certificate to Rogers Claussen, Battalion Chief

**Attachments:** [110915 Agenda Summary.pdf](#)

**Sean Canto**, Chief of Fire and Emergency Services, stated that it is an honor for him to present Battalion Chief Rogers Claussen with his Executive Leadership Program Certificate. He explained that Battalion Chief Claussen completed coursework through Eastern Michigan University over the last ten months in several areas including Leadership, Planning and Decision Making, Human Resource

*Management, Administering the Fire Agency, Critical Situations and Homeland Security. He stated that the course is designed to take the fire officer beyond traditional operational methods and expose them to strategic thinking, and creative and innovative problem solving, paving the way for further advancement within the Fire Department.*

*He commented that at the end of the program, each student must complete an applied research project. He noted that Battalion Chief Claussen's topic was "Aid Considerations for the Rochester Hills Fire Department", and he mentioned that his was one of four papers out of his entire class that was recognized for excellence. He stated that Battalion Chief Claussen was one of four students recognized for academic excellence with an overall grade of 98.4.*

*Chief Canto presented the certificate to Battalion Chief Claussen.*

*Council Members congratulated Battalion Chief Claussen.*

**Presented.**

**2015-0478** Swearing-In Ceremony - Lieutenant/Paramedics and Full-time Emergency Medical Technicians

**Attachments:** [110915 Agenda Summary.pdf](#)

**Sean Canto**, Chief of Fire and Emergency Services, announced that twelve members have successfully achieved the milestone of promotion to the position of Lieutenant. He commented that each and every day these individuals are on the front lines, being the first contact the citizens and visitors in need have with the City's Fire Department, and accepting the responsibilities and risks associated with this position.

*He expressed his congratulations to the candidates, noting that they are willing to take the risks that come with striving to be better public servants. He commented that he is proud to see the latest step in the City's movement towards increased diversity and talent of leadership.*

**City Clerk Tina Barton** administered the oath for Lieutenant/Paramedic.

**Chief Canto** noted that two new Emergency Medical Technicians (EMT) were being sworn in this evening. He commented that these individuals provide medical care that makes a difference in the community as a whole. He stated that perhaps the most important trait of an EMT is the drive and desire to help people in their time of need.

**Clerk Barton** administered the oath for Emergency Medical Technician.

**Chief Canto** presented the badges to the candidates. Families and friends in attendance pinned the badges on the candidates.

**Presented.**

2015-0252 WaterTowns Presentation to City Council; Clinton River Watershed Council and Lawrence Tech Great Lake Stormwater Management Institute, presenters

Attachments: [110915 Agenda Summary.pdf](#)  
[Presentation.pdf](#)  
[062915 Agenda Summary.pdf](#)  
[RH WaterTowns Memo of Partnership Resolution.pdf](#)  
[Rochester Hills WaterTown Focus Area.pdf](#)  
[WaterTowns Education Booklet.pdf](#)  
[062915 Resolution.pdf](#)

**Sara Roediger**, Manager of Planning, noted that City Council established Rochester Hills as a WaterTown on June 29, 2015. She stated that since that time, the team has been working diligently to prepare recommendations for improving the green infrastructure at four different sites in the city. She commented that the team worked with Mike Hartner, Director of Parks and Forestry, Alan Buckenmeyer, Parks Operations Manager, and Keith Depp, Water Resource Coordinator. She introduced **Anne Varra**, Clinton River Watershed Council (CRWC), and **Donald Carpenter, Ph.D.**, P.E. of Lawrence Technological University (LTU).

**Ms. Varra** extended her congratulations to the City for becoming a WaterTown. She stated that it is a step in the right direction, noting that it shows the potential that water assets can bring to a community. She explained that since its inception in 2013, seven WaterTowns in the area have been named, from the Village of Clarkston to Harrison Township.

**Dr. Carpenter** noted that the WaterTowns initiative is a community's partnership with LTU and the CRWC, and is funded by the Erb Family Foundation. He highlighted the project's goals which are to identify and render conceptual site plans, along with proposing plans for green infrastructure improvements in the community. He commented that while these are conceptual plans and ideas, it is hoped that the cities involved will embrace some of the projects presented. He noted Rochester Hills, Sterling Heights and Utica joined the program in 2015.

He explained that green infrastructure ensures that development around watersheds does not affect the creeks, streams and receiving waters downstream. He mentioned that it includes reducing non-point source pollution. He added that there is a human element to creating green infrastructure, as it creates a place that people want to recreate, work, or live nearby, rather than creating grey infrastructure of concrete. He noted that creating green infrastructure is an attempt to turn back the tide of development of impervious surfaces, to reverse wide-scale flooding and pollution and result in a cleaner environment.

He reviewed the project timeline, noting that the project began in May with meetings to identify and walk potential project sites. A final report is submitted this evening, along with calculations and projected cost estimates. He commented that the Water Environment Research Foundation databases were used for the cost estimates, with the assumption that a community would be contracting this work out. He pointed out that if in-kind labor or a community's own workforce is used,

*costs would be reduced substantially. He mentioned that all the spreadsheets and calculations could be updated and estimates refined based on the workforce used.*

*Dr. Carpenter noted that the project goals are to reduce runoff from a two-year, 24-hour storm event of approximately 2.26 inches of rain. He mentioned that a good bio-swale would yield a 100 percent reduction in runoff; and a naturalized shoreline could reduce runoff by 15 percent.*

*He highlighted the sites in the city reviewed for potential projects, noting that they include City Hall, the Clinton River Watershed Council offices, Borden Park, and Yates Park. The proposal for Yates Park suggests the addition of pedestrian spaces, bio-swales and shoreline and stream bank restoration, along with a restoration of the Clinton-Kalamazoo Canal area with plantings. A proposal for Borden Park includes rain gardens, a parking lot bio-swale, porous pavers, and additional native plantings. Proposed for City Hall is the inclusion of bio-swales and native plantings off the employee parking lot to reduce the impervious spaces. Proposed for the CRWC offices is the inclusion of a level spreader to alleviate flooding problems on one part of the site, incorporation of rain barrels, and a tiered rain garden to remove 100 percent of the water from the pavement area.*

*He explained that all of the projects in total are expected to cost \$255,000 plus placemaking costs of incorporating pedestrian paths and other items not specifically for stormwater. He pointed out that to capture and treat 2.26 inches of rain, the one-time investment with minimal ongoing maintenance required equate to approximately \$1.25 per gallon.*

**Presented.**

## **PLANNING AND ECONOMIC DEVELOPMENT**

- 2015-0392** Request for Preliminary Planned Unit Development and Concept Plan Approval - Brampton Parc Condominiums PUD, a proposed 12-unit residential development on 2.93 acres, located on the east side of John R between Hamlin and School Rds., zoned R-4, One Family Residential; 1459 John R, LLC, Applicant

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Map aerial.pdf](#)  
[Staff Report 102015.pdf](#)  
[Review Comments.pdf](#)  
[Brampton Parc EIS 10-1-15.pdf](#)  
[PUD Site Plans.pdf](#)  
[PUD Eng. Plans.pdf](#)  
[Letter Design Team 102615.pdf](#)  
[Landscape Plan Aerial.pdf](#)  
[Revised Landscape Plan.pdf](#)  
[Floor Plans.pdf](#)  
[Elevation Front.pdf](#)  
[Minutes PC 102015.pdf](#)  
[Minutes PC 021715.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Manager of Planning, stated that a concept plan is being presented for the proposed Brampton Parc Condominium Development, encompassing almost three acres just south of School Road on John R, just south of the new Harvard Place Apartments currently under construction. She explained that the property is currently zoned for single family residential, and the applicant proposes to use the Planned Unit Development (PUD) to provide some flexibility to allow for six two-unit duplexes, or a total of 12 units for the site. She commented that the proposal is to preserve the natural features of the site and offer another type of housing option that the city is lacking in.

She explained that the Planning Commission held a Public Hearing on October 16, 2015, and the Commission recommended approval.

She noted that the developer plans to preserve 45 percent of the trees on the site, even though they are exempt through the Tree Preservation Ordinance. They are also proposing to add additional evergreen trees along the eastern property line to better screen between this property and some existing properties just east of the site.

She stated that this is step one of a two-step PUD process, outlining the overall uses, density, and layout for the site. A final plan with landscaping and elevations, and a final PUD Agreement will be brought back to Council for approval. She commented that the applicant has worked very well with Staff, the Planning Commission, and the neighbors; and it is seen as a good product for this location.

**Ralph Nunez**, Design Team Plus, in attendance representing the applicant, noted that subsequent to the Planning Commission meeting, plantings were added along the site to create a softer vegetative screening along one side. Existing trees will be preserved, and five of the originally-proposed ornamental trees will now be evergreens that are ten-foot high. He noted that 31 total evergreens will be incorporated along the side; and the developer will work with the City Planning Department and the adjacent neighbor to ensure that privacy is provided for the existing and future residents.

**Mr. Wiggins** questioned whether the proposed street is wide enough for parking on each side.

*Mr. Nunez responded that in order to help reduce impervious pavement, a carriage walk will connect to the pathway on John R. He explained that the street will be posted for parking only on one side and the pavement widened around the cul-de-sac to allow for proper fire truck access. He noted that the fire trucks can also go over the pavement onto the pedestrian path.*

*Ms. Roediger pointed out that four additional dedicated guest parking spaces are being incorporated within an island.*

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

**Aye** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

Enactment No: RES0295-2015

**Resolved**, that the Rochester Hills City Council hereby approves the Planned Unit Development and Concept Plan for Brampton Parc Condominiums, a 12-unit development on 2.93 acres located on the east side of John R, between Hamlin and School Roads, zoned R-4, One Family Residential, Parcel No. 15-24-301-052, 1459 John R, LLC Applicant, based on plans dated received by the Planning and Economic Development Department on September 11, 2015 with the following findings and conditions:

Findings:

1. The proposed PUD Concept Plan meets the criteria for use of the PUD 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, tree removal and wetland use/buffer modification 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 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.

4. Recommendation by the Planning Commission and approval by City Council of a Wetland Use Permit and submittal of an MDEQ Wetland Permit at Final PUD review, with the plans to address comments from ASTI's letter dated September 17, 2015.
5. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.
6. Address comments from applicable City Staff memos, prior to Final PUD submittal.
7. Add landscaping to provide a visual screen along the east property line, to be approved by staff prior to final approval.

## PRESENTATIONS

### 2015-0484 Recognition of Outgoing Council President Greg Hooper

***Vern Pixley**, 1640 Wakefield Court, congratulated Council Members Hetrick, Kochenderfer and Tisdell, and Mayor Barnett on their re-election, and gave kudos to City Clerk Tina Barton for a fantastic job on a tough election. He commented that he has had the privilege to sit at the right hand of President Hooper for many meetings, and he noted that most people do not realize how difficult the job is. He stated that President Hooper has held the position with efficiency and effectiveness, fairness and professionalism. He commented that the city will miss his leadership.*

***State Representative Michael Webber** expressed his congratulations to the Council Members for their successful re-election. He stated that he also served with President Hooper for his entire seven years on Council, serving as Vice President for three years. He commented that President Hooper's efforts toward ensuring public safety is his legacy, noting that tough issues were tackled under his leadership including police funding, local roads, Fire and EMS. He stated that it was a pleasure and honor to serve with him, and he commented that President Hooper's expertise cannot be matched. He presented a tribute signed by himself and Senator Marty Knollenberg.*

***Allan Schneck**, Director of DPS/Engineering, expressed his thanks to President Hooper for his exceptional service to the city. He noted that it has been greatly appreciated to have someone with an understanding of the diversity of the things that come before Council. He stated that the City has been able to do some amazing things with the help of Council. He noted that many do not appreciate the time and effort that President Hooper put in for the betterment of the city.*

***Paul Davis**, City Engineer/Deputy Director of DPS, expressed his thanks and congratulations for a terrific job. He commented that while the Council President has been a target for heated comments, in all the years he has been in attendance he saw nothing but professionalism. He stated that DPS will really miss his leadership, and noted that his expertise made it easier for the rest of Council to have a link between DPS and a better understanding of the issues.*

***Sean Canto**, Chief of Fire and Emergency Services, expressed his thanks to President Hooper for his support of the Fire Department over the last year and seven months. He commented that many great things have happened.*



**Leanne Scott**, Deputy Clerk, stated that it has truly been both a pleasure and honor to work with President Hooper over the past nine years. She commented that she has seen first hand all the time and energy that he has put into the position of City Council President, including review and approval of the agenda items, taking calls and responding to emails from residents and staff, and attending numerous meetings over and above City Council. She noted that President Hooper brought City Directors and Council Members together by holding team-building sessions at the OUIncubator, extended invitations to neighboring communities, holding joint City Council meetings to collaborate on issues and strengthen relationships, and has been a strong advocate for the Rochester Hills Government Youth Council and what they have set out to do. She commented that she personally cannot thank him enough for all of the support and encouragement he gave to her.

**City Clerk Tina Barton** commented that to say President Hooper will be missed is an understatement. She stated that when he hired her, he charged her with several tasks; and she would hope that she did not let him down. She expressed appreciation for the support and confidence he has shown her, especially when she had to make hard and unpopular decisions and changes. She stated that the City is better because of his sacrifices and service. She expressed her thanks to his wife Janie and his family for the many hours he has spent conducting City business when he could have been home with his family. She wished him the best and commented that she would pray he is not a stranger at City Hall.

**Mayor Barnett** stated that President Hooper has been a steadfast leader with great integrity. He commented that those in City leadership recognize that it is not simple, as they are at the forefront of many issues and the person that everything is directed at. He stated that he knows that President Hooper became involved because he thought he had something to offer the community. He noted that many things were accomplished under his leadership, including tackling police and road funding, and fixing the streets. He commented that while 30 percent of the residents of the community have probably not been to City Hall, President Hooper has probably sat in on over 1,200 city meetings over the past eight years. He stated that President Hooper has made this community a better place.

**Mr. Wiggins** noted that his first involvement in the City was on the Police and Road Funding Technical Review Committee; and he credited President Hooper's leadership and ability to listen to different ideas and bring Council together. He commented that his legacy will continue on.

**Ms. Morita** stated that President Hooper is her son's favorite Council Member. She commented that she has been in municipal law for 20 years and sat in on countless meetings, and President Hooper has an unparalleled skill in running meetings with grace and patience. She stated that she has a tremendous respect for how he handled meetings, and she noted the work behind the scenes to get documents ready. She expressed her thanks to him for his service to the community and his willingness to work with other Council Members.

**Mr. Kochenderfer** stated that it is hard to find someone that will call it like they see it. He noted that when faced with a tough decision, someone is usually not happy; and he commented that President Hooper faced the issues head on every time.

**Mr. Hetrick** commented that he appreciated that President Hooper is always straight-forward on the issues, with a strong sense of duty. He stated that it was clear that he was very well prepared for Planning Commission meetings, with a good knowledge of the Zoning Ordinance, and a desire to help others recognize what could and could not be done to ensure projects would proceed to the benefit of the city. He noted that he was nice about keeping meetings on track. He thanked him for his service, and stated that it has been an honor working with him.

**John Staran**, City Attorney, stated that he had the pleasure of working with President Hooper throughout his tenure on Council as well as the Planning Commission. He commented that he has had the opportunity to work with many communities; and President Hooper's preparedness, meeting management and general knowledge of the subject matter was appreciated, along with his expertise with regard to engineering and construction. He stated that President Hooper's refreshing sugar-free candor is second to none; and he commented that he has done a great job. He noted that there are very big shoes to fill on Council by both his successor and whoever will become Council President.

**President Hooper** thanked his wife Janie, and children Sarah and Josh for allowing him to be a part of the City. He mentioned that his father, brother Rick and Michelle were also in attendance. He commented that he never wanted to get into politics. He stated that the City is blessed to have its directors.

He noted that the city enjoys low taxes, excellent services, and great City personnel, and he commented that Rochester Hills has the best staff in Oakland County, if not the State of Michigan. He stated that he could not stand it when a director was being picked on unfairly. He noted that he will miss serving the City Staff the most, as they are the ones that get the job done and deserve all the credit.

He mentioned each Council Member, noting that Mr. Tisdell is well-known and popular in the community, and is easily the most prepared Council Member. He stated that Mr. Tisdell has a no-nonsense methodology, considers both sides of the issue, and has common sense. He commented that he is thankful that the voters re-elected him.

He expressed his appreciation to Mr. Kochenderfer, and congratulated him on his re-election. He commented that Council is well-served by the legal experience he brings.

*He congratulated Mr. Hetrick on his election. He noted that he has had the pleasure of working with him on the Police and Road Funding Technical Review Committee, which became the Public Safety and Infrastructure Technical Review Committee, meeting nearly 80 times over the years.*

*He noted an appreciation for Ms. Morita's extensive knowledge of governmental legal affairs, and commented that she brought a lady's perspective to Council.*

*He mentioned Mr. Wiggins' financial acumen and his wealth advisor experience; and he stated that he enjoyed working with him.*

*President Hooper stated that he first met Mayor Barnett when the Mayor was an umpire for the Rochester Avon Recreation Authority at his son's game. He noted that he became reacquainted with him at the 1999 Swearing-in Ceremony. When Mayor Pat Somerville announced her retirement in 2006, and Mayor Barnett was appointed to fill her position, he got to know him better. He mentioned the religious faith they share, their love for family, and their love for their city. He noted that Mayor Barnett has unending energy for an inordinate amount of City activities, and a quick wit and gift of gab. He commented that he is thankful that the majority of the residents agreed by re-electing him, and he stated that he looks forward to the great job he will continue to do.*

*He thanked his wife Jane for her support over the years. He mentioned that in his first year on Council, he cast the deciding vote for the installation of a roundabout at Livernois and Hamlin Roads which she disagreed with.*

*He commented that when he came aboard on Council, he had the purpose to make the city better. He noted that since he has been on Council, the City has gone to a single trash hauler, solved funding Police Services, Road projects, and funding the Fire Department.*

*He expressed his thanks for all the memories, and noted that he will stay involved on a limited basis. He expressed his appreciation to everyone, including the residents who elected him, and stated that he has had the privilege of this humbling experience. He wished the Mayor and City Council the best.*

**Presented.**

**(Recess 8:20 p.m. to 8:51 p.m.)**

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

**State Representative Michael Webber** stated that as this is the last meeting that he would be able to attend for this year, he wanted to honor Mike Hartner, Director of Parks and Forestry, for his 34 years with Avon Township and Rochester Hills. He commented that quality of life is a reason why people relocate to Rochester Hills, and he stated that the City's parks enhance that quality of life. He noted that during that tenure the City promotes youth baseball, soccer, developed Spencer Park, converted Bloomer Park from a State to City Park. He stated that he is

*thankful that he had the opportunity to work with Mr. Hartner and wishes him the best in his retirement. He presented a State proclamation signed by him and State Senator Marty Knollenberg honoring Mr. Hartner.*

**Scot Beaton**, 655 Bolinger Street, expressed his congratulations to Mayor Barnett for his re-election, and to the other Council Members for retaining their seats. He stated that he knows the City is going in the right direction, and commented that President Hooper will be missed. He mentioned that the City has a responsibility to help the residents of Hamlin Road who experienced a sewage backup as a result of a contractor's actions, noting that Hamlin Road is a City Road. He commented that these residents had a right to refuse to sell their right-of-way.

**Lee Zendel**, 1575 Dutton Road, congratulated City Clerk Tina Barton and Deputy Clerk Leanne Scott for their team's excellent work on Election Day. He commented that it was originally thought that the vote count could take until sometime Wednesday morning to compile, and yet Election staff got the job done. He expressed his congratulations to Mayor Barnett, Mr. Hetrick, Mr. Kochenderfer and Mr. Tisdell for their election wins. He commented that as someone who was slightly involved in crafting the Term Limits Charter Amendment, he noted that the intent was never to say that after completing a couple of years a candidate would be excluded for the rest of his or her life. He noted a fear that someone unknowing or unprepared could become Mayor and the current Mayor would be excluded, and he stated that the residents wisely concurred. He stated that President Hooper is one of the very best Council Presidents that he has seen in his 23 years of coming to City Council.

## 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.

- 2015-0432** Request for Acceptance of a Turnaround Easement for fire and emergency access granted by S.E. Michigan Land Holding LLC, for Cumberland Pointe

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Turnaround Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0296-2015

**Resolved**, that the Rochester Hills Council, on behalf of the City of Rochester Hills hereby accepts a Turnaround Easement for the construction, operation, maintenance, repair and/or replacement of a paved 20' turnaround for fire and emergency access on, under, thru and across land more particularly described as Parcel No. 15-27-151-003, granted by

S.E. Michigan Land Holding, LLC, a Michigan limited liability company, whose address is 51237 Danview Technology Court, Shelby Township, MI 48315, for Cumberland Pointe.

- 2015-0424** Request for Acceptance of a Second Amendment to Watermain Easement granted by BRG Associates, for Eagle Ottawa Addition

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Second Amended WM Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0297-2015

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Second Amendment to the Watermain Easement granted by BRG Associates, whose address is 2930 West Auburn Road, Auburn Hills, Michigan 48057, 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. 15-29-300-006.

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

- 2015-0442** Request for Adoption of a Street Resolution to place Jewell Drive (Regal Estates Condominium Subdivision) within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

**Attachments:** [110915 Agenda Summary.pdf](#)  
[First Amend to Master Deed.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0298-2015

**Whereas**, it is necessary to furnish information to the State of Michigan to place said street within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

**Now, Therefore Be It Resolved**,

1. That the said street is described as:

Jewell Drive as depicted in the "Master Deed of Regal Estates Condominium Subdivision" as recorded in Liber 47959 Pages 415-484, Oakland County Records being part of the Southwest 1/4 of Section 25, T3N, R11E, City of Rochester Hills, Oakland County, Michigan, and as depicted in the "First Amendment to Master Deed of Regal Estates" as recorded in Liber 48524 Pages 814-822, and any other amendments to the Master Deed that may occur hereafter, and

2. That said street is located within City right-of-way and are under the control of the City of Rochester Hills, and
3. That said street is certified as public streets and are for public street purposes, and
4. That said street is accepted into the City Local Street System, and

5. That said street is open for traffic on September 22, 2015 and have been constructed according to City standards.

**2015-0386** Request for Approval of Traffic Control Order YS-110-15, Somerset Pines Subdivision, Section 32; Somerset Boulevard YIELD for Somerset Circle

**Attachments:** [110915 Agenda Summary.pdf](#)  
[TCO YS-110-15 Somerset Pines Sub.pdf](#)  
[Somerset Pines TCO YS-110-15 Map Revised.pdf](#)  
[Somerset Pines Traffic Study.pdf](#)  
[Originally Proposed Somerset Pines TCO SS-147-15 Map.pdf](#)  
[Originally Proposed SS-147-15 Somerset Pines Sub.pdf](#)  
[Excerpt of AT&SB Minutes.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0299-2015

**Whereas**, Traffic Control Order No. YS-110-15 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.: and

**Whereas**, said Traffic Control Order covers:

**Streets within Somerset Pines Condominiums Subdivision, Section 32**

**YS-110-15.1 Somerset Boulevard YIELD for Somerset Circle**

**Whereas**, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

**Whereas**, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of the Traffic Control Order YS-110-15 to be in effect until rescinded or superseded by subsequent orders; and

**Now Therefore Be It Resolved**, that a certified copy of this Resolution is filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

**2015-0402** Request for Approval of Traffic Control Order SL-18-15, Sheldon Road from E. Tienken Road to Mead Road, Section 2: Speed Limit Thirty Five (35) miles per hour along Sheldon Road at its southerly intersection with E. Tienken Road to its northerly intersection with Mead Road

**Attachments:** [110915 Agenda Summary.pdf](#)  
[TCO SL-18-15 Sheldon Rd 35 MPH.pdf](#)  
[Sheldon Speed Study Map.pdf](#)  
[Sheldon Rd Speed Study Summary 09-29-15.pdf](#)  
[Cross Creek HOA Ltr 102413.pdf](#)  
[Sheldon Crash Data 010112 to 100115.pdf](#)  
[Sheldon Rd Speed 1 6210 Sheldon Rd ID 60010 0915.pdf](#)  
[Sheldon Rd Speed 1 6210 ID 6001 1014.pdf](#)  
[Sheldon Rd Speed 1 6210 ID 60010 0615.pdf](#)  
[Sheldon Rd Speed 2 South of Hart ID 6000 1014.pdf](#)  
[Sheldon Rd Speed 2 South of Hart ID 60000 1015.pdf](#)  
[Sheldon Rd Speed 2 South of Hart ID 60000 0915.pdf](#)  
[Excerpt of AT&SB Minutes.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0300-2015

**Whereas**, Traffic Control Order No. SL-18-15 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.: and

**Whereas**, said Traffic Control Order covers:

**Sheldon Road from E Tienken Road to Mead Road, Section 2**

**SL-18-15.1 Speed Limit Thirty Five (35) miles per hour along Sheldon Road at its southerly intersection with E Tienken Road to its northerly intersection with Mead Road.**

**Whereas**, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

**Whereas**, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of the Traffic Control Order SL-18-15 to be in effect until rescinded or superseded by subsequent orders; and

**Now Therefore Be It Resolved**, that a certified copy of this Resolution is filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

**2015-0406** Request for Approval of Traffic Control Order SL-19-15, Clear Creek Drive from E. Tienken Road to Sheldon Road, Section 2: Speed Limit Twenty Five (25) miles per hour along Clear Creek Drive at its southerly intersection with E. Tienken Road to its westerly intersection with Sheldon Road

**Attachments:** [110915 Agenda Summary.pdf](#)  
[TCO SL-19-15 Clear Creek Dr.pdf](#)  
[Clear Crk Speed Study Map.pdf](#)  
[TIA Crash Report Clear Creek.pdf](#)  
[Clear Crk Dr Speed Limit Study Summary 092915.pdf](#)  
[Clear Crk Speed 1 W of Tranquility ID 6005 Combined 0915.pdf](#)  
[Clear Crk Speed 2 N of Majestic ID 1003 Combined 0915.pdf](#)  
[Clear Crk Speed 3 S of Panorama ID 1004 Combined 0915.pdf](#)  
[Clear Crk Volume 1 W of Tranquility 0915.pdf](#)  
[Clear Crk Volume 2 N of Majestic 0915.pdf](#)  
[Clear Crk Volume 3 S of Panorama 0915.pdf](#)  
[ClearCkSpeedStudy 1 Combined 0514.pdf](#)  
[ClearCkSpeedStudy 2 Combined 0514.pdf](#)  
[ClearCkSpeedStudy 3 Combined 0514.pdf](#)  
[ClearCkVolume 1 - 0514.pdf](#)  
[ClearCkVolume 2 - 0514.pdf](#)  
[ClearCkVolume 3 - 0514.pdf](#)  
[Excerpt - AT&SB Minutes.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0301-2015

**Whereas**, Traffic Control Order No. SL-19-15 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq. and

**Whereas**, said Traffic Control Order covers:

**Clear Creek Drive from E Tienken Road to Sheldon Road, Section 2**

**SL-19-15.1 Speed Limit Twenty Five (25) miles per hour along Clear Creek Drive at its southerly intersection with E Tienken Road to its westerly intersection with Sheldon Road.**

**Whereas**, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

**Whereas**, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of the Traffic Control Order SL-19-15 to be in effect until rescinded or superseded by subsequent orders; and

**Now Therefore Be It Resolved**, that a certified copy of this Resolution is filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

**2015-0405** Request for Approval of Traffic Control Order SS-148-15, Streets within East Hampton Subdivision, Section 26: STOP Norcross Drive for Hillsborough Drive; STOP Norcross Drive for Wentworth Drive; STOP Maidstone Drive for Wentworth Drive



**Attachments:** [110915 Agenda Summary.pdf](#)  
[TCO SS-148-15 Easthampton.pdf](#)  
[East Hampton Sub Regulatory Sign Map Revised.pdf](#)  
[East Hampton Sub Norcross Dr-Wentworth Dr.pdf](#)  
[East Hampton Sub Norcross Dr-Wentworth Dr2.pdf](#)  
[East Hampton Study 092515.pdf](#)  
[Resident EM-Traffic Survey 110414.pdf](#)  
[Originally Proposed SS-148-15 East Hampton.pdf](#)  
[Originally Proposed East Hampton Sub Regulatory Sign Map.pdf](#)  
[Excerpt of AT&SB Minutes.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0302-2015

**Whereas**, Traffic Control Order No. SS-148-15 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.: and

**Whereas**, said Traffic Control Order covers:

**Streets within Easthampton Subdivision, Section 26**

**SS-148-15.1 Norcross Drive STOP for Hillsborough Drive**  
**SS-148-15.2 Norcross Drive STOP for Wentworth Drive**  
**SS-148-15.3 Maidstone Drive STOP for Wentworth Drive**

**Whereas**, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

**Whereas**, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Order and recommends that the Order be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of the Traffic Control Order SS-148-15 to be in effect until rescinded or superseded by subsequent orders; and

**Now Therefore Be It Resolved**, that a certified copy of this Resolution is filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

**2015-0440** Request for Purchase Authorization - DPS/ENG: Agreement for the installation, operation and maintenance of the new traffic signal at the intersection of Dequindre Road and Melville Drive; Road Commission for Oakland County, Waterford, MI

**Attachments:** [110915 Agenda Summary.pdf](#)  
[RCOC Agreement Ltr 101415.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0303-2015

**Resolved**, that the Rochester Hills City Council hereby authorizes the agreement between

the Road Commission for Oakland County, Waterford, Michigan and the City of Rochester Hills for the installation, operation and maintenance of the new traffic signal at the intersection of Dequindre Road and Melville Drive and further authorizes the Mayor to execute the agreement on behalf of the City.

- 2015-0422** Request for Purchase Authorization - DPS/FLEET: Contract/Blanket Purchase Order for Automatic Vehicle Location (AVL)/Global Positioning System (GPS) in the amount not-to-exceed \$75,366.67; Blue Oceans Satellite Systems, Inc., St. John's, Canada

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Proposal Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0304-2015

**Resolved**, that the Rochester Hills City Council authorizes the purchase of an AVL/GPS system to Blue Oceans Satellite Systems, Inc., St. John's, Canada in the amount not-to-exceed \$75,366.67 and further authorizes the Mayor to execute a contract on behalf of the City.

- 2015-0441** Request for Adoption of the 2016 Annual Permit for Work on State Highways

**Attachments:** [110915 Agenda Summary.pdf](#)  
[MDOT Letter 090915.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0305-2015

**Resolved Whereas**, the City of Rochester Hills hereinafter referred to as the "GOVERNMENTAL AGENCY" periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT," to construct, operate, use and /or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations; within and adjacent to its corporate limits;

**Now Therefore**, in consideration of the DEPARTMENT granting such PERMIT the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan,

the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.

3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.

4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL AGENCY's facilities according to a PERMIT issued by the DEPARTMENT.

5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

7. This indemnification resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

***Be It Further Resolved***, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Allan E. Schneck, P.E. - DPS Director  
Paul M. Davis, P.E. - Deputy Director/City Engineer  
Paul G. Shumejko, P.E., PTOE -Transportation Engineer  
Tracey A. Balint P.E. -Public Utilities Engineer

## **Passed the Consent Agenda**

**A motion was made by Hetrick, 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** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment regarding the legal matter on Hamlin Road, **City Attorney John Staran** commented that it is always important to know the full story. He stated that newspaper articles that were promoted and written by an attorney for one of the advocates to advance his legal position did not present the full set of facts in the case. He explained that although Hamlin is the City's road, it was not the City's contractor nor anyone the City hired that caused the problem at the home. He stated that it was Consumer Energy's contractor that was directed by Consumer's Energy to relocate and replace pipe. He stressed that the City did not hire them nor ask them to undertake the work. He stated that Consumer Energy's contractor pierced the residents' private sanitary sewer lead, and he noted that at no point in time did any City sewage flow into their home. He explained that anything that went into the home was from its own private four-inch sewage lead; and he stated that there was no massive sewage backup contrary to what has been reported in the media. He noted that the City has taken steps and has already paid these people an amount that two independent appraisers have said that their right-of-way is worth. He commented that while these people have a right to demand more, the amount will be litigated in due time. He stated that it is also important to know that the City has bent over backwards from day one trying to assist these people and get them back in their home. He pointed out that Mayor Barnett immediately offered to pay for their temporary residence and for storage for their personal property. He noted that DPS Personnel were directed to go over to the site immediately to see if they could help them, and he explained that City personnel tried to assist them through the claims process. The Mayor's office offered assistance through the myriad of governmental agencies, multiple contractors, and public utilities; and he noted that this assistance has been continuing.*

*He stated that it is also important to know that, contrary to what was read or was implied in media coverage, the City has reached out and has gone through the process of obtaining information and an estimate from a contractor that performs this type of environmental remediation and repair. He commented that in addition, the City has offered to advance that money and take on the burden of going against the responsible contractor, while the City has no liability or responsibility. He noted that both this offer and an additional offer were rejected. He commented that the residents want multiples of what the City has offered.*

*He commented that the City is very interested and motivated in resolving this matter and getting these people back in their home; however, it must be on reasonable terms. He stated that the City will not accept legal liability for the acts of other parties, nor will it pay unreasonable amounts. He stressed that the City will continue to try to assist in a legal and responsible manner. He commented that the City is following the law and the Charter, and does not intend to give away the taxpayer's dollars nor pay unreasonable amounts for liability that rests with*

others. He stressed that one should not believe everything read in the paper, and noted that the Rochester Post published a picture that was not of the home. He stated that this is bad journalism, and is unfair and misleading; and was used as a direct attempt to influence this Council and last week's election. He commented that this is not how legal issues are resolved, and he noted that the City will continue to try to resolve this matter in an amicable, legal, and responsible way.

**President Hooper** congratulated City Clerk Tina Barton and Deputy Clerk Leanne Scott for their work on the election, noting the professionalism of the election workers and the extensive training provided them.

**Mr. Tisdell** concurred in congratulating Clerk Barton and Deputy Clerk Scott. He mentioned that both this and the previous election were under the supervision of Deputy Clerk Scott, and he noted the absolute accuracy of the machine counts versus the hand counts of all the write-ins.

**Mr. Hetrick** congratulated Clerk Barton for the accuracy of the voting process. He expressed his thanks and extended his congratulations to the Firefighter/EMTs being promoted to Lieutenant, noting that it is a great honor. He mentioned the promotion of Ann Echols, and stated that he will tell a story on her involvement at the Oath of Office Ceremony this coming Thursday.

**Mr. Kochenderfer** commented that he was surprised at how fast the election results came in. He congratulated and thanked Clerk Barton and her staff.

**Ms. Morita** noted that she and Clerk Barton attended the Ahmadiyya Muslim Women's Association's event on November 7th, along with women from all over the state. She stated that at the conclusion of the event, both she and Clerk Barton were asked to speak on strengthening the communities. She commented that she felt very welcome, and hopes to be able to attend next year.

**Mr. Wiggins** expressed his thanks to Clerk Barton and her staff for their election efforts. He commented that this is another great promotion of the City of Rochester Hills.

**Mayor Barnett** reported on the following:

- Tienken Road from Livernois to Brewster opened this past Monday at 3:30 p.m. The project was three years in the making, and the new section opened one year ahead of schedule. The City has received no complaints since it reopened.
- Groundbreaking was held last week for the new Fire Station projects. Thanks go to Council for their investment in the projects.
- Clerk Barton and Deputy Clerk Scott should be considered County superstars for conducting an election with the largest write-in campaign in history of the County, and the second-largest campaign in the State. A 250-member election team supported them. The result for the most challenging election in the history of the City was known by 9:30 p.m.
- Congratulations go to Council Members Tisdell, Kochenderfer and Hetrick, along with a welcome to incoming Council Member Susan Bowyer.

- *The Veteran's Day Ceremony will be held on Wednesday, November 11, 2015, at 11:00 a.m. The keynote speaker will be Council Member Kevin Brown. Thanks are extended to Ed Leafdale, General Foreman, for his efforts at Veteran's Memorial Pointe.*
- *The new Stein Mart will hold a ribbon-cutting ceremony this coming Thursday morning at 9:45 a.m., with the store opening at 10:00 a.m.*
- *City employees will once again participate in Thirty Days of Giving, providing support to non-profits.*
- *The Giving Tree, supporting needy individuals and families through the Rochester Area Neighborhood House, is once again up in front of the Mayor's Office.*
- *The annual Paint the Plow event will be held this coming Saturday.*
- *Light the Village at the Village of Rochester Hills will be held on Friday, November 20, 2015. The event continues to grow, and will feature Santa's arrival and fireworks.*

**City Clerk Tina Barton** extended her thanks for everyone's kind words. She congratulated those who participated in the election, noting that even those who did not win put themselves out there. She stated that she could not say enough about her team members, noting that this was a unique and important election and Clerk's Office team members had to be very cautious of what was said and how it was said. She commented that the team felt like it was under a microscope and came through it beautifully. She mentioned the countless hours for a solid three to four weeks leading up to the election, along with 13 to 14 hours days to ensure that the election went well. She noted that 250 election workers participated in four hours of training, undertook a mock election, and worked about 14 hours on election day for approximately \$195 to ensure the election's success. She mentioned that Council Member Brown has worked for every election. She noted that residents should thank election workers for their service to the community.

## ATTORNEY'S REPORT

None.

## NEW BUSINESS

- 2015-0423 Request for Purchase Authorization - BLDG/FACILITIES: Contract/Blanket Purchase Order for janitorial services in the amount not-to-exceed \$132,332.40 through December 31, 2016; The Professional Group, Detroit, MI

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Proposals Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bob White**, Supervisor of Building Services, expressed his appreciation to President Hooper for his service, noting that there was not one time when he visited City Hall where he did not greet employees. He commented that the mutual respect and kindness shown to everyday employees has filtered across the entire Council.

*He noted that the proposal this evening is for janitorial services to be rendered at City Hall, the DPS Building, Fire Station 1, and the Museum. He explained that eight companies responded to the Request for Proposal (RFP), and a selection committee made up of end users reviewed written proposals and selected three firms to interview. The Professional Group is recommended. He stated that while the recommended contractor did not submit the lowest bid, the RFP process looks at a company's overall qualifications with price being only one factor considered. He explained that the committee felt that the lowest two bidders did not fully grasp the scope of work nor had the capacity to perform the work. The next two low bidders are past providers, and did not perform to staff's satisfaction. He explained that the Professional Group stood head and shoulders over the other companies, and offer value to the City for the cost and price proposed. He pointed out that the contract is for one year through December of 2016.*

**Mr. Hetrick** expressed his appreciation for the insight provided into the selection process.

**Ms. Morita** noted that the item is coming in under the budgeted amount. She questioned whether the Administration expects to spend the remaining \$7,600 budgeted on something else over the year.

**Mr. White** responded that it does not.

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

**Aye** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

Enactment No: RES0306-2015

**Resolved**, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for janitorial services to The Professional Group, Detroit, Michigan in the amount not-to-exceed \$132,332.40 through December 31, 2016 and authorizes the Mayor to execute the 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.

**2015-0480** Request for Approval of Fireworks Display Permit for Light the Village, November 20, 2015; Wolverine Fireworks Display, Inc., Applicant

**Attachments:** [110915 Agenda Summary.pdf](#)  
[Memo from Fire Department.pdf](#)  
[Aerial Photo.pdf](#)  
[Permit Application.pdf](#)  
[Plan for Proximate Christmas Display.pdf](#)  
[Insurance Certificate.pdf](#)  
[MSDS Sheets.pdf](#)  
[Firework Detail List.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mayor Barnett** noted that Captain Todd Gary, Fire Marshall, was in attendance to answer any questions. He mentioned that the fireworks are paid for by donations collected from the summer fireworks sponsors, and he stressed that no City tax dollars are expended.

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

**Aye** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

Enactment No: RES0307-2015

**Whereas**, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan, is providing the fireworks display for The Village of Rochester Hills, Rochester Hills, Michigan; and

**Whereas**, Wolverine Fireworks Display, Inc. has provided the necessary insurance with the City of Rochester Hills; and

**Whereas**, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit providing their safety procedures are followed.

**Resolved**, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. to provide a fireworks display for The Village of Rochester Hills on Friday, November 20, 2015, subject to the following conditions:

1. The display shall be in conformance with the 2014 Edition of NFPA 1123, and the 2006 International Fire Code.
2. During the firing of the display, all personnel in the discharge site shall wear head protection, eye protection, hearing protection, and foot protection and shall wear cotton, wool, or similarly flame-resistant, long-sleeved, long-legged clothing.
3. No smoking shall be allowed in the discharge area where fireworks or other pyrotechnic materials are present.
4. No person shall be allowed in the discharge area while under the influence of alcohol, narcotics, or drugs that could adversely affect judgment, movement, or stability.
5. Subject to onsite inspection the night of the display.

**2015-0332** Adoption of the 2015 Revised Millage Rates (for Fiscal Year 2016)



**Attachments:** [110915 Agenda Summary.pdf](#)  
[091415 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[091415 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Keith Sawdon**, Director of Finance, noted that voters overwhelmingly approved a reinstatement of the Older Persons' Commission Transportation Millage at 0.10 mills. When the millage rates were adopted on September 14, 2015, it was noted that an amendment to Form 4029 would be necessary to submit any change in the rates to the County.

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

**Aye** 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

**Absent** 1 - Brown

Enactment No: RES0308-2015

**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 17, 2015; and at its September 14, 2015 meeting City Council held a Public Hearing and heard comments on the Proposed 2016 Proposed Budget and 2017-2018 Projected Budgets and related millage rates; and

**Whereas**, at its September 14, 2015 meeting City Council adopted a total Millage rate of 10.3605 per Thousand Dollars (\$1,000) of taxable valuation, as equalized, which included 0.0000 mills for OPC Transportation; and

**Whereas**, on November 3, 2015 the residents of Rochester Hills voted and approved an OPC Transportation millage levy of 0.1000 mill; and

**Now, Therefore, Be It Resolved**, the City Council hereby adopts recently voter approved OPC Transportation millage of 0.1000 mill 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, 2015 to provide the tax revenues included in the Fiscal Year 2016 Adopted Budget:

**FY 2016 MILLAGE RATES**

	<b>Revised Millage Rate</b>
<b>Operating Millages:</b>	
General Fund (Charter)	2.0275
Local Street I (Voted)	0.3542
Local Street II (Voted)	0.4851
Local Street III (Voted)	0.2969
Fire Fund (Charter)	2.7000
Special Police I (Voted)	1.2073
Special Police II (Voted)	1.6036
Pathway (Voted)	0.1856

RARA Operating (Voted)	0.1948
OPC Operating (Voted)	0.2401
<b>OPC Transportation (Voted)</b>	<b>0.1000</b>
Library Operating (Charter)	0.7816
<b>Operating - Subtotal</b>	<b>10.1767</b>
<b>Debt Millages:</b>	
Chapter 20 Drain Debt	0.0426
OPC Building (Voted)	0.2412
<b>Debt - Subtotal</b>	<b>0.2838</b>
<b>TOTAL MILLAGES</b>	<b>10.4605</b>

The Total Millage rate of 10.4605 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 December 2015 Tax Rolls.

## ANY OTHER BUSINESS

*None.*

## NEXT MEETING DATE

*Regular Meeting - Monday, December 7, 2015 - 7:00 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Hooper adjourned the meeting at 9:34 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.*