



Rochester Hills Minutes - Draft

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Home Page:
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City Council Regular Meeting

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,
Jenny McCardell, Stephanie Morita and Mark A. Tisdel*

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, January 22, 2018

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdel called the Regular Rochester Hills City Council Meeting to order at 7:07 p.m. Michigan Time.

ROLL CALL

Present 7 - Susan M. Bowyer, Ryan Deel, Dale Hetrick, James Kubicina, Jenny McCardell, Stephanie Morita and Mark A. Tisdel

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Sean Canto, Fire Chief/Emergency Services Director
Rogers Claussen, Battalion Chief
Paul Davis, Deputy Public Service Director/City Engineer
Kristen Kapelanski, Planning Manager
Sara Roediger, Planning and Economic Development Director
Jack Sage, Ordinance Inspector
John Staran, City Attorney
Natalie Vaglia, Rochester Hills Government Youth Council Representative*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdel

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Tisdel introduced Natalie Vaglia, RHGYC Representative, and

noted that she is in her second year on the RHGYC. He stated that she is a junior at Adams High School, on Student Council, is a member of the DECA Business Club, Youth in Government, and the National Honor Society. He mentioned that Ms. Vaglia also caddies at Oakland Hills Country Club.

Ms. Vaglia announced that the RHGYC is in the process of planning its 5K Walk/Run set for June 16, 2018 at Bloomer Park, and a Youth Summit set for May 5, 2018 at City Hall.

Rochester Avon Recreation Authority (RARA):

Dr. Bowyer noted that she is on the RARA Oversight Committee. She reported that the Committee met with Human Resources Study Consultant Dr. McGrath, City of Rochester Council Member Ben Giovanelli, and RARA Board Vice-Chair Dan Hauser to discuss the RARA Compensation Study. She stated that the consultant has identified approximately ten communities having recreation authorities; and out of these ten, four will be studied for the market survey. She commented that if a RARA staff member's job description does not fit within the studied positions, the consultant will reach out to other communities. She stated that the study will most likely be finished by the end of March of this year.

Older Persons' Commission (OPC):

Mr. Kubicina reported that the OPC has an upcoming event, Perfect Pairing - An Evening in Paris, wine and cheese tasting on February 15, 2018 from 6:00 p.m. to 8:00 p.m. in OPC's dining room. The event is sponsored by American House, and is open to the public. Tickets are \$15 per person.

Mr. Deel stated that he wanted to give Council an update on concerns expressed at the last meeting by resident Carmen Skrzyniarz regarding issues her neighborhood was having with the new Barrington Park development. He noted that Ms. Skrzyniarz wanted to convey to Council that she was very impressed with the City's response and feels that progress toward a solution is being made. He stated that Ms. Skrzyniarz expressed her appreciation for Council and the Administration's prompt attention to her concerns.

ORDINANCE FOR INTRODUCTION

- 2017-0525** Acceptance for First Reading - an Ordinance to add Section 138-10.108 and amend sections 138-1.203, 138-4.300, 138-4.415, 138-4.433, 138-5.101, 138-6.303, 138-8.603, 138-10.102, 138-10.104, 138-10.108, 138-11.102, and 138-13.101 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to require posting of notification signs on sites proposed for rezoning or conditional land use approval; to change regulations to places of worship, libraries and museums; to modify requirements relating to yard setbacks in residential and commercial improvement zoning districts; to modify sign regulations applicable in the Flex Business Overlay districts; to modify floor area and setback limitations applicable to detached accessory

structures; to require a permit for fences over 3 feet in height or more than 16 feet in length; to modify off-street parking setback; to modify the definition of "fence" and modify the definition of "yard"; and to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations

Attachments: [Ordinance 011018.pdf](#)
[012218 Agenda Summary.pdf](#)
[Suppl Presentation 012218.pdf](#)
[Memo Kapelanski 011218.pdf](#)
[Staran Ltr -State Licensed Residential Facility 121517.pdf](#)
[Giffels Webster Ordinance Overview.pdf](#)
[ZO Amendments Draft for PC 121917.pdf](#)
[Sign Ordinance Draft for PC 121917.pdf](#)
[Minutes PC 121917.pdf](#)
[ZO Amendments Draft for PC 112117.pdf](#)
[Minutes PC 112117.pdf](#)
[PHN 112117.pdf](#)
[012218 Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, and **Kristen Kapelanski**, Planning Manager, were in attendance.

Ms. Kapelanski reviewed the changes to Chapter 138, Zoning, in the proposed Ordinance Amendment, noting that the following is now included:

- Requiring on-site signage for proposed rezoning and conditional use requests, providing additional notification beyond the mailings and notices required to be placed in the paper.
- To address the moratorium in place, the location of places of worship, libraries and museums are changed from permitted to conditional use in single family districts. Planned right-of-way of 120 feet or greater (previously 86 feet) and landscape buffer will be required.
- "Municipal buildings/uses" and "Utilities" were consolidated under "Utilities and Publicly Owned Buildings and Uses".
- Eliminate established building line and add regulations for average front setback.
- Text regarding sign regulations in the FB District is eliminated and is proposed for inclusion in the Sign Ordinance to follow this item.
- At the direction of the Zoning/Sign Board of Appeals, a sliding scale is allowed for the permitted size of detached accessory structures.
- Add a new section regulating residential and non-residential fences. Fences three feet in height or greater would not be permitted in the front yard. Side and rear yard fences for non-residential properties could be higher.
- At the direction of the City Attorney, right-of-way references were changed to eliminate "proposed right-of-way" in favor of "right-of-way".

President Tisdell stated that the Planning and Economic Development Department has been working on these changes for approximately one year. He noted that the Planning Commission held a Public Hearing on November 21, 2017 and unanimously recommended approval at their December 19, 2017 meeting.

Public Comment:

Erin Howlett, 3597 Aynsley, questioned whether the changes to setbacks were being rushed to favor one project. She noted that these changes would apply to all areas of Rochester Hills, and stated that there could be unintended consequences.

Tony Dellazanna, 2272 Rancroft Beat, questioned whether the proposed changes to right-of-way references would make it more difficult to expand Adams Road in the future should the Premier Academy project up for discussion this evening be positioned where proposed. He questioned whether the change was directed toward a specific development.

Dale Smith, 1611 Crooks Road, questioned whether the changes would then make the City responsible for buying property back or taking by eminent domain if expanding Adams Road.

Vince Mungoli, 3435 Palm Aire Drive, questioned whether the changes addressed sound. He mentioned that when first constructed at Walton and Adams, the shopping center included a large clock that chimed 24 hours a day, seven days a week. He questioned who receives notification of a proposed development and at what distance. He expressed concern that changes in fences not result in a stockade-type fence such as exists on Livernois north of Avon, and suggested that living shrubs be required to cover fencing. He questioned whether the County Road Commission was consulted regarding the right-of-way reference changes.

Leo Mendez, 774 Medinah, stated that while he supports 90 percent of the proposed changes, he would suggest that the right-of-way and yard references be made to cohesively work with other sections of the Ordinance.

President Tisdell requested clarification on the setback references, and questioned how the City has traditionally handled the setbacks.

Ms. Kapelanski responded that the City traditionally tried to look at the proposed right-of-way; however, under current case law, the City Attorney has instructed the Administration to remove the reference. She noted that the measurement would be taken from the right-of-way.

John Staran, City Attorney, stated that this is not something new, and noted that he has been discussing this reference with Ms. Roediger and her predecessors. He stated that case law has been very clear for over 20 years that having a requirement in the Ordinance to measure setbacks from a proposed right-of-way is unconstitutional. He noted that the City cannot legally require people to reserve a portion of their property for the City to acquire as a future right-of-way; and should the City want this right-of-way, it either has to be granted voluntarily by the property owner or the City must pay for it. He commented that this has been incorporated as Ms. Roediger and Ms. Kapelanski have been addressing several changes in the Zoning and Sign Ordinances. He stated case law is very clear in Michigan that setbacks cannot be measured from a proposed right-of-way, and the case law and the State Constitution supersede the City's Ordinance.

President Tisdel questioned whether this is consistent throughout multiple communities.

Mr. Staran responded that every community in the state is required to comply.

President Tisdel questioned whether noise and nuisance is addressed.

Ms. Kapelanski responded that the Zoning Ordinance includes a section on noise and vibration that applies to any property.

President Tisdel questioned what the distance of notification is for possible zoning changes.

Ms. Kapelanski responded that a notice is placed in the paper and property owners within 300 feet are notified, as per the State of Michigan requirements.

Mr. Staran commented that the City follows the requirements from the Michigan Zoning and Enabling Act. He added that a few years ago these requirements were actually expanded somewhat and they are uniform throughout the state.

Ms. Roediger commented that the Administration has heard through the past few projects submitted that people want more notification, and the Administration is looking at alternative ways to reach the public. She stated that many communities use signs, and commented that signage coupled with the use of social media, the City's website and the Notify Me subscription service is a more efficient use of staff resources than a traditional mailing.

President Tisdel stated that the City will remain in compliance with the 300 foot requirement.

Ms. Roediger responded that these notification methods will be in addition.

President Tisdel requested further explanation of the fencing changes.

Ms. Kapelanski responded that fences can be six feet side and rear and ornamental fences up to three feet in the front. She noted that a typical example would be a small white picket fence or wrought iron ornamental fence which is decorative and not functional.

Council Discussion:

Ms. McCardell expressed her appreciation for the efforts toward further transparency in notifying residents, and questioned whether notification goes out 15 days prior to a Planning Commission meeting by mail. She questioned how soon signage would be posted.

Ms. Roediger and **Ms. Kapelanski** both confirmed that the State's requirement for notification is 15 days prior to the Public Hearing.

Ms. McCardell expressed concern that a proposal is put through the Administration months in advance of notification, and questioned why there is so much Planning activity on a project before residents are notified.

Ms. Roediger responded that there is a process that any plan goes through which includes information and conversation, conceptual plans, and potentially a number of iterations prior to being ready for review. She stated that the applicants are encouraged to reach out to neighbors. She commented that often a site is redesigned three or four times, and it would be confusing to have a first option and then a redesign. She stated that notification is made when the project is ready for review by the Planning Commission.

Ms. McCardell questioned whether there might be value in having a community or resident component added during the review process to bring residents in earlier.

Ms. Roediger noted that the City maintains an online map which includes the status of any development. She stated that the intent is to facilitate the process as it meets the Ordinance, and commented that putting out plans that will change leads to miscommunication.

Ms. McCardell suggested that other cities be reviewed to determine what they do to document the care and concerns of stakeholders in the area.

Ms. Roediger noted that it is a significant part of the Master Plan process to go out proactively.

Ms. McCardell commented that the City is doing a great job with the Master Plan process and she stated that she looks forward to open houses on the Master Plan, along with the Master Thoroughfare Plan. She thanked Ms. Roediger for her assistance.

Vice President Morita noted that the Planning Commission is made up of residents from the community. She pointed out that the proposed Ordinance was reviewed in November, changes were made, and it was brought back to the Planning Commission in December. She concurred that notification was discussed in terms of when notification must be made or published so as not to pay for more than is required. She stated that it will be difficult to send notice out more than 15 days ahead of time. She noted that the Department is exploring other means for communicating notifications; however, the notification needs to remain at 15 days to keep the property owners in mind.

Dr. Bowyer commented that it is unfortunate that the change in the right-of-way language is coming to Council for consideration this evening, as these Ordinance changes have been in development over a long period of time. She expressed her appreciation that the signage will allow for more transparency, and noted that she likes the "Notify Me" option on the website. She stated that by extending the right-of-way requirement for churches and museums, it will prevent them from being allowed in residential areas.

Mr. Hetrick commented that the changes work to simplify and make the Ordinance language cleaner. He noted that as a member of the Zoning/Sign Board of Appeals, he appreciates the changes to the building line. He questioned whether the language changes regarding right-of-way is consistent throughout the Ordinance.

Ms. Kapelanski noted that the elimination of "proposed" in reference to right-of-way was made throughout the Ordinance.

Mr. Hetrick questioned how the fence regulations would work with homeowners' associations.

Ms. Kapelanski responded that any homeowners' association that does not permit fences would not be affected. She stated that the City does not enforce association by-laws.

Ms. McCardell commented that although a city can abide by minimum requirements, it may choose to go above and beyond. She noted that while she is not saying that it would make sense to extend the notification time period, she would suggest that the option be explored.

President Tisdell suggested visiting the City's website to review any development maps.

A motion was made by Morita, seconded by Kubicina, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Resolved, that an Ordinance to add Section 138-10.108 and amend sections 138-1.203, 138-4.300, 138-4.415, 138-4.433, 138-5.101, 138-6.303, 138-8.603, 138-10.102, 138-10.104, 138-10.108, 138-11.102, and 138-13.101 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to require posting of notification signs on sites proposed for rezoning or conditional land use approval; to change regulations to places of worship, libraries and museums; to modify requirements relating to yard setbacks in residential and commercial improvement zoning districts; to modify sign regulations applicable in the Flex Business Overlay districts; to modify floor area and setback limitations applicable to detached accessory structures; to require a permit for fences over 3 feet in height or more than 16 feet in length; to modify off-street parking setback; to modify the definition of "fence" and modify the definition of "yard"; and to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

Sean Canto, Fire Chief/Emergency Services Director, stated that due to safety concerns regarding overcapacity in the auditorium individuals in chairs in exit areas and aisle ways would be asked to move outside of the auditorium. He explained that a monitor and speakers outside of the auditorium will allow those asked to move to hear and see Council's proceedings.

2018-0007 Acceptance for First Reading - An Ordinance to Repeal Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and replace it with new Chapter 134 to update, reorganize and clarify regulations related to signs, repeal conflicting or inconsistent Ordinances, and prescribe a penalty for violations

Attachments: [Ordinance.pdf](#)
[012218 Agenda Summary.pdf](#)
[Suppl Presentation 012218.pdf](#)
[Giffels Webster memo 081017.pdf](#)
[012218 Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, and **Kristen Kapelanski**, Planning Manager, were in attendance along with consultants **Rod Arroyo** and **Jill Bahm** from Giffels Webster.

Ms. Kapelanski stated that the proposed Ordinance will completely replace the Sign Ordinance, which was reorganized for clarity. She noted that the Flexible Business sign ordinance requirements were now incorporated, and several definitions changed. She pointed out that monument signs were reduced in size from 52 to 48 square feet, corner clearance was incorporated, and provisions included for electronic message signs.

Mr. Arroyo stated that Giffels Webster worked closely with Planning staff and met with the Planning Commission. He noted that the Ordinance has been brought up to date to changes in the industry and to reflect case law.

President Tisdell noted that similar to the Zoning Ordinance accepted for first reading this evening, the Sign Ordinance has also been under review for over a year. He stated that a Public Hearing was held at the November 21, 2017 Planning Commission meeting, with unanimous recommendation for approval at the December 19, 2017 Planning Commission meeting.

Vice President Morita noted that she is Council's representative to the Planning Commission, and stated that the Commission reviewed the duration of messages on electronic signs, how often the messages are allowed to turn over, and the sign lumens allowed. She pointed out that the Planning Commission members include an architect, builder, and contractors; and the review was undertaken with business in mind and an end result of something that everyone can live with.

A motion was made by Morita, seconded by Hetrick, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Resolved, that an Ordinance to Repeal Chapter 134, Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and replace it with new Chapter 134 to update, reorganize and clarify regulations related to signs, repeal conflicting or inconsistent Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

PLANNING AND ECONOMIC DEVELOPMENT

2017-0577 Request for Conditional Use Approval to construct a drive-through at a relocated Burger King restaurant at The Winchester District, an outlot on the property at the southwest corner of Rochester and Avon Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay; Craig Singer, Rochester KM Partners, LLC, Applicant

Attachments: [012218 Agenda Summary.pdf](#)
[Suppl Presentation 012218.pdf](#)
[Map aerial.pdf](#)
[Staff Report 121517.pdf](#)
[EIS Report 092217.pdf](#)
[Review comments.pdf](#)
[Response Letter PEA 120617.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 121917.pdf](#)
[PHN OP.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, **Kristen Kapelanski**, Planning Manager, and **Craig Singer**, Rochester KM Partners, LLC, representing the Applicant, were in attendance.

Ms. Kapelanski explained that The Winchester District covers 12.9 acres and is zoned B-3 with an FB-3 overlay. She noted that this is the site of the former Kmart, and currently has a Burger King which will be relocated. She stated that the request this evening is for the conditional use for the Burger King, as the rest of the items were approved at the Planning Commission level. She pointed out that the development incorporates FB-3 elements including green space and a center drive aisle. She stated that a couple of other outbuildings are proposed for the site, including a new Aldi's and a restaurant. The larger portion of the shopping center will be redeveloped. She noted that the Planning Commission as well as staff recommend approval of the conditional land use.

Dr. Bowyer commented that the proposal is a work of art after looking at the empty Kmart building for so long.

Mr. Deel concurred, stating that he has driven by that intersection for over 14 years and welcomes the new development after seeing the empty Kmart for so long.

Mayor Barnett stated that he is frequently asked what will be going in that area. He noted that Mr. Singer and his team have been redeveloping that property, and the Aldi's will be located where the current Burger King stands, and Art Van will be operating in part of the Kmart building. He stated that everything will receive a new facade, and the development will be much more attractive and will create jobs and investment in the community. He mentioned that Mr. Singer received an award from the Fire Department as he has allowed Fire staff to train in the building. He pointed out that details of all proposed developments are viewable on the City's website.

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0013-2018

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to construct a drive-through at a relocated Burger King restaurant at The Winchester District, on an outlot on the property at the southwest corner of Rochester and Avon Roads, zoned B-3 Shopping Center Business with an FB-3 Flexible Business Overlay, Parcel No. 15-22-226-014, based on plans dated received by the Planning and Economic Development Department on November 20, 2017, Craig Singer, Rochester KM Partners, LLC, Applicant, with the following findings.

Findings:

1. The proposed drive-through and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The expanded use will promote the intent and purpose of the zoning ordinance.
3. The proposed drive-through has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by offering an improved drive-through restaurant.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
7. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2007-0190 Request for Approval of the Final Site Condominium Plan - The Commons South, a twelve-unit, single-family site condominium development on 3.98 acres located on the north side of Shortridge, east of Livernois, Zoned R-4 One Family Residential; Vaqar Siddiqui, Applicant

Attachments: [012218 Agenda Summary.pdf](#)
[Suppl Presentation 012218.pdf](#)
[Map Aerial.pdf](#)
[Final Staff Report 121517.pdf](#)
[Review Comments.pdf](#)
[Site Plans.pdf](#)
[Site Plans 2.pdf](#)
[Landscape Plan.pdf](#)
[Minutes PC 121917.pdf](#)
[Minutes PC 081815.pdf](#)
[121415 Agenda Summary.pdf](#)
[Staff Report 081415.pdf](#)
[Review Comments.pdf](#)
[EIS Revised 091115.pdf](#)
[Hickory Ridge Email 111815.pdf](#)
[Landscape Plan.pdf](#)
[PHN 081815.pdf](#)
[Minutes PC 011006.pdf](#)
[Minutes PC 031808.pdf](#)
[Site Plans 0815.pdf](#)
[040708 Agenda Summary.pdf](#)
[Staff Report 031808.pdf](#)
[Plans 2008.pdf](#)
[Assessing Dept Memo.pdf](#)
[041107 Agenda Summary.pdf](#)
[Plans 041107.pdf](#)
[Staff Report 010506.pdf](#)
[EIS dated 092414.pdf](#)
[Memo Delacourt 031207.pdf](#)
[Minutes PC 011006.pdf](#)
[041107 Resolution.pdf](#)
[040708 Resolution.pdf](#)
[121415 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, **Kristen Kapelanski**, Planning Manager, and **Bob Lindh**, Urban Land Consultants, representing the Applicant, were in attendance.

Ms. Kapelanski stated that Council granted preliminary site plan approval for the Commons South project in December of 2015. She noted that Staff and the Planning Commission recommended site plan approval at the December 19, 2017 meeting. She pointed out that a couple of items were addressed by the Applicant including allowing for some additional tree preservation on the east and north property line, and agreeing to extend the open space preservation easement along the east property line.

Dr. Bowyer stated that she was pleased to see that more trees will be preserved. She questioned whether the home elevations will have some uniformity.

Mr. Lindh responded that the developer is currently entertaining a couple of builders that will construct homes in the 2,500 to 3,000 square foot range.

Dr. Bowyer commented that the plan allows for the most house possible on the property.

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0014-2018

Resolved, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan for Commons South, a 12-unit, single-family site condominium development on 3.98 acres located on the north side of Shortridge, east of Livernois, Zoned R-4 One Family Residential, Parcel Nos. 15-34-3031-016 and -017, Vaqar Siddiqui, Applicant

Findings:

1. Upon compliance with the following conditions, the proposed Final Condominium Plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The Final Plan represents a reasonable and acceptable plan for developing the property.
4. The applicants have worked diligently with the neighbors to provide acceptable screening from the development.
5. The final plan is in conformance with the preliminary plan approved by City Council on December 14, 2015.

Conditions:

1. Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to construction plan approval.
2. Provide landscape bond in the amount of \$12,500, plus inspection fees, prior to issuance of a Land Improvement Permit by Engineering. The maintenance bond will be held for 4 years instead of 2 because irrigation is not proposed, and a note must be added to the homeowner's association language that explicitly states the association is responsible for maintaining all landscape common areas. Those two items must be noted on the plan as well, prior to issuance of a Land Improvement Permit by Engineering.
3. Payment of \$2,400 into the tree fund for street trees prior to issuance of a Land Improvement Permit by Engineering.
4. Approval of all required permits and approvals from outside agencies, prior to Engineering Department issuing Preliminary Acceptance of any site improvements.
5. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements. See seven below.
6. Compliance with applicable staff memos, prior to final approval by staff.

7. Add a tree preservation easement along the entire eastern property line, to be added to the condo Documents, prior to final approval by staff.

2017-0363 Request for Conditional Use Approval - Premier Academy, a proposed 14,911 square-foot childcare center on 1.6 acres at the southeast corner of Tienken and Adams Rds., zoned R-1 One Family Residential; Jeff Schmitz, JS Capitol Group, Applicant

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[Suppl Applicant Presentation 012218.pdf](#)
[Map aerial.pdf](#)
[Staff Report 121917.pdf](#)
[Review comments.pdf](#)
[EIS.pdf](#)
[Letter Gaber 111617.pdf](#)
[Traffic Impact Study Tetra Tec.pdf](#)
[Traffic Study Summary.pdf](#)
[Email - Premier Academy Traffic Impact Study Summary.pdf](#)
[Open House Notice.pdf](#)
[Site Plans 121917.pdf](#)
[Emails For as of 121417.pdf](#)
[Emails Against as of 121417.pdf](#)
[Emails For after 121917 5 p.m.pdf](#)
[Emails against after 121917 5 p.m.pdf](#)
[Minutes PC 121917.pdf](#)
[Minutes PC 082917.pdf](#)
[Staff Report 082517.pdf](#)
[City Review Response Letter 082317.pdf](#)
[Letter Traffic Response 082517.pdf](#)
[Cover sheet with parking stats G.001.pdf](#)
[Parking Modification Request.pdf](#)
[Premier Academy Hours of Operational Parking.pdf](#)
[Premier Academy Classes.pdf](#)
[Correspondence from 082917 Mtg.pdf](#)
[Site Plans 082917 mtg.pdf](#)
[PHN CU OP.pdf](#)
[Resolution \(Draft\).pdf](#)

*Present representing Staff for this item were **Sara Roediger**, Planning and Economic Development Director, **Kristen Kapelanski**, Manager of Planning, and **Paul Davis**, Deputy Public Service Director/City Engineer. Present for the applicant were **Jeff Schmitz**, JS Capitol, **Jeff Klatt**, Krieger Klatt Architects, **Mike Labadie**, Vandenbrink, **Angela Elliott**, Director of the Oakland Township Premier Academy, and **John Gaber**, attorney with Williams, Williams, Plunkett and Rattner.*

***Ms. Roediger** stated that the developers of the proposed Premier Academy first came to the Planning and Economic Development Department staff with conceptual plans in February of 2017. She noted that staff met with the applicant many times and also met with the Road Commission for Oakland County (RCOC) as the property is located at the intersection of two road under RCOC's jurisdiction.*

She stated that the Planning Commission reviewed the project at their August meeting, and the item was tabled as the Commission required additional information regarding access. Revised plans were submitted in November of 2017, requesting approval of the site plan, tree removal permit, and a recommendation to City Council for the conditional land use. She noted that the Planning Commission unanimously approved the site plan and the tree removal permit, and Council's request for consideration is the conditional land use.

She explained that child care centers are permitted in residential districts, along with schools, daycare centers, places of worship, cemeteries and libraries. She noted that conditional land uses are not rezonings; however they may have conditions attached that must be met. She pointed out that the Planning Commission found that the plan met the five findings required in the Zoning Ordinance, and recommended two conditions relative to road improvements.

She noted that since the Council agenda packet was prepared, the Planning and Economic Development Department has received five additional public communications regarding the proposal, one in support and four in opposition. She stated that 130 emails for the proposal and 90 emails against the proposal were sent to the Planning Commission.

Ms. Kapelanski explained that the applicant has proposed a day care center for 162 students just under 15,000 square feet in size. Two access points are proposed; one off of Adams which will be a right turn in and right turn out only, and one off of Tienken which will permit both right and left turns. The applicant has proposed to extend the right turn lane on Adams to east bound Tienken by 130 feet and provide an access taper, and to extend the left turn lane on Tienken to southbound Adams by 150 feet. The proposed site will include a circular drive drop-off area, and a fence with landscape screening will be at both property lines.

Mr. Davis pointed out that Adams Road is owned by the RCOC. Tienken Road is owned by the RCOC east of Adams; however, the City owns the leg west of Adams. The RCOC maintains jurisdiction of the intersection. He noted that the RCOC provides review comments when a permit application is submitted, and it was noted in their review that they wanted to see the left turn lane extended easterly. He pointed out that the RCOC did not require a traffic impact study; however, the applicant prepared one. He explained how a level of service for an intersection is determined, from A for a free-flowing intersection to F for a very poor intersection with delays greater than 80 seconds; and he noted that a level service D or E is accepted in urban areas.

He noted that stormwater associated with the site includes some upstream pass through flow which does not originate from the site. He explained that the existing flow will continue to pass through; however, the site flow is proposed to be pumped.

President Tisdell reviewed the Zoning Ordinance language regarding Conditional Use Approval, noting that the Ordinance applies a consistent and uniform method for review of applications, to ensure full compliance with the Ordinance standards, and facilitate development in accordance with the Master Plan objectives. He noted that Council has three options: deny the conditional use, approve it, or approve it with conditions. He stated that upon review if the request is in

compliance with the standards, Council shall grant the approval. If not deemed to be in compliance, Council shall deny it. He pointed out that Ms. Roediger and Planning staff have been looking at the proposal for 11 months prior to arriving at City Council. He stated that this is an administrative decision.

Mr. Gaber introduced Mr. Schmitz and noted that he is the owner of Premier Academy, grew up in Shadow Woods Subdivision and attended Adams High School. He introduced Ms. Elliott, Mr. Klatt, and Mr. Labadie.

He stated that traffic congestion and traffic issues were the main topic of discussion at the Planning Commission. He mentioned the recent accident involving Oakland County Sheriff's Deputy David Hack and commented that their hearts and prayers go out to his family. He pointed out that the incident is not relevant to the situation as it was not an intersection-related accident and occurred 1,000 feet to the west on Tienken Road.

Ms. Elliott stated that Premier Academy has been in Oakland Township since February of 2009, and is a locally-owned preschool and child care center. The school encompasses traditional preschool and Montessori classes, serves infants through kindergarten, and employs degreed teachers. She noted that the Oakland Township location is wait-listed. She stated that parents can choose between the traditional program or a Montessori method that utilizes a mixed group of ages three, four and five.

Mr. Schmitz highlighted the site location, noting that it is zoned R-1. He reviewed the timeline after the first meeting with the Planning Commission, and explained that they met with City staff and the RCOC regarding road improvements, conducted a traffic count at peak periods, and analyzed parking counts at their current location. He mentioned that an open house was held in December at their Oakland Township location and 3,000 neighbors surrounding the proposed site were invited.

He reviewed the site plan, noting that the building footprint is 14,911 square feet. He explained that driveways are pushed to the outer boundaries of the site, with longer-term staff parking located at the east. Six stacking spaces and a covered canopy encompass the drop-off area. He noted that the driveway from Adams was originally proposed as a one-way; however, to accommodate fire and traffic concerns, 7.5 more feet was acquired from the property to the south and the drive was reconfigured to be two-way. Proposed road improvements were highlighted, including 150 feet of additional left hand turn stacking on westbound Tienken and 130 feet of additional right-hand turn stacking on northbound Adams. He reviewed the landscape plan. He noted that a waiver was requested from the Ordinance requirement of 38.5 spaces to 37, and he stated that based on their Oakland Township location, 37 spaces would be more than adequate. He pointed out that as the employee spaces abut landscape areas, the Ordinance allows the length of these spaces to be reduced by two feet; and he noted that 16 foot-six inches is proposed for the employee spaces. He stated that the drainage and detention facilities will be code compliant. He explained that Civil Engineer Mike Peterson noted that the intersection drains through the site from the northwest to the southeast, and the proposal is to take that flow and redirect it around the site. Detention will be provided on the site for the improvements being made, along with

cleaning the storm water. The stormwater will be pumped out of the detention pond and the water outlet pump will be no greater than the current agricultural rate for what is leaving the site. He commented that Shadow Woods will not be affected.

Mr. Klatt reviewed the first floor plan for the building, noting that it will include five classrooms with gym access to the outside and barrier free restrooms. Each classroom on the first floor will have an exit. The second floor will be for children older than age two-and-a-half and is based on the 2015 Michigan Building Code. An outdoor playground is mandated at 1,200 square feet minimum, and 2,164 square feet is proposed. City requirements are that 21 students maximum may be in the play area at any one time. He pointed out that a 1,014 square foot indoor gym will be available for indoor activities and inclement weather.

He stated that the goal is to complement the existing residential neighborhood, with an exterior of modular brick and cast stone, residential-style windows, hip roof elements at the center of the building, and a small cupola. He mentioned that the height is comparable or even lower than some single family homes.

Ms. Elliott stated that no more than 21 teachers and one administrator would be on site at any one time. She explained that the morning typically starts with three or four teachers for before-care, which runs 6:30 a.m. to 9:00 a.m. She noted that the preschool program runs from 9:00 a.m. to 3:00 p.m., with after-care from 3:00 p.m. to 6:00 p.m. She commented that a portion of their students are picked up between 11:30 a.m. and 1:00 p.m., and a minimal number are picked up between 1:00 p.m. and 3:00 p.m., as this is nap time and parents typically do not want to wake a sleeping child. Pickup begins again between 3:00 p.m. to 6:30 p.m. She stated that this staggers the flow of traffic throughout the day. She commented that 80 percent of their current students live within a three mile radius of the Oakland Township campus, and they do not anticipate the new facility will generate large quantities of new traffic. She mentioned that cameras on the roof of the Oakland Township site documented the car count during the day, and she highlighted the dismissal times of the middle and high school relative to their times.

Mr. Gaber reviewed the traffic study highlighting the turning movements collected on Wednesday, November 29, 2017 between 7:00 a.m. and 9:00 a.m. and again between 4:00 p.m. and 6:00 p.m. The traffic study built in a 0.5 percent annual growth rate for background traffic. He noted that the intersection functions at a level of service E both morning and evening, and by optimizing the traffic signal the intersection should operate at a level of service D. He stated that the road improvements to be made will also help.

He mentioned that two conditions requested by Vice President Morita were added to the Planning Commission's recommendation for approval relative to the road improvements that will promote and protect the community's interests.

He reviewed SEMCOG crash rates at Rochester Hills intersections; and noted that out of 25 Rochester Hills intersections, this intersection was number 22 out of 25 in the number of crashes.

He stated that the proposal complies with the Zoning Ordinance as a conditional land use, and complies with the master plan. He commented that the

requirements for conditional land use have been met. He pointed out that the site is too expensive for a single family home use and has traffic concerns. He commented that development would have already occurred for single family if it had been feasible. He stated that alternatives for the property for rezoning to multi-family or commercial are inconsistent with the Master Plan; and he noted that this leaves institutional-type uses including daycares, schools, churches, funeral homes, group homes or municipal buildings. He stated that none of the other uses are feasible for the site. He stated that this is the best use for the location.

Mr. Schmitz expressed his thanks to his architect, staff and supporters, and stated that a preschool is the best use for the site.

Public Comment:

The following individuals spoke in opposition to the conditional land use:

- **Andy Knaack**, 2292 Rancroft Beat, stated that he has lived in Georgetown Subdivision for 31 years and has experienced the growth in traffic. He stated that a D rating for the intersection is unacceptable.
- **Tony Dellazanna**, 2272 Rancroft Beat, questioned the one-day traffic study and commented that residents who spend winters elsewhere may have already left the area and are not accounted for in the traffic numbers. He noted that the Blossom Ridge development in Oakland Township will increase traffic.
- **Jim McClelland**, 3326 Palm Aire Drive, stated that this location is not the best location for a daycare center, and commented that the building is too big for the property.
- **Terry Stephens**, 3056 Rolling Green Circle South, expressed concern over construction traffic, and stated that the location is inappropriate for the business and the development could be injurious to the public safety, welfare and health of the city.
- **Grant Bassett**, 1065 Clopton Bridge Drive, commented that the building is too large, and the development will add one more hazard to traffic in the area.
- **Marge Huggard**, 3286 Aquinas Drive, stated that while she appreciates what the school has done for its students, it is too big for the site. She noted that Blossom Ridge will add more traffic.
- **Tom Mikoy**, 3342 Palm Aire Drive, requested the proposal be tabled, noting that traffic is horrendous and the school will add to cut-through traffic in the neighborhoods.
- **Sandy Knaack**, 2292 Rancroft Beat, stated that drivers attitudes are changing, and expressed concern that a student would be hit crossing the road.
- **Jay Hohausser**, 2948 Mohawk Lane, commented that this is the wrong location for the school.
- **Barry Boardman**, 2915 W. Tienken Road, stated that traffic backs up all the way to his home on West Tienken. He expressed concern for emergency vehicle traffic that must navigate through that area.
- **Karen MacKay**, 1371 Potomac Drive, stated that traffic is horrendous, especially cut-through traffic in Judson Park Subdivision. She mentioned that speed humps are not a solution.

- **Tom Koempel**, 3393 Charlwood Drive, expressed concern that the traffic study was conducted by the applicant's consultant. He stated that the accident involving the Oakland County Sheriff's Deputy was related to traffic at the corner.
- **Leo Mendez**, 774 Medinah Drive, commented that the project is not in compliance with zoning and front yard setbacks to the right-of-way.
- **Scott Maynard**, 779 Medinah, stated that the appearance and character of the building do not meet the adjacent residential neighborhood. He commented that changing the light timing is not a long-term solution.
- **Jamie Hilliard**, 2953 Leyton Court, pointed out that after school activities at the middle and high school keep the parking lots full well past 3 p.m. She stated that the school is too big for the location, is not in harmony with its surroundings, and parking lot lighting will be a nuisance. She commented that a D rated intersection is unacceptable.
- **Allen Quail**, 2682 Tallahassee, expressed concerns over air quality with the addition of more cars. He noted that cars will not be able to make a left-hand turn onto Tienken and will turn right and go to the subdivisions. He expressed concern for students walking to the middle and high school.
- **Tim Brooks**, 1115 Chaffer Drive, stated that the intersection is currently deficient and leads to cut-through traffic, and drivers who run the red lights. He noted that this development will add an ingress and egress to a commercial property close to an intersection, in a residential area.
- **Kerry Mendez**, 774 Medinah Drive, commented that they had no idea how bad cut-through traffic was when they purchased their home. She noted that a Michigan Department of Transportation 2007 study already deemed the intersection over capacity, and commented that this should be addressed before adding traffic.
- **William Wood**, 3392 Innsbrook Drive, stated that individuals run the red lights and there have been significant accidents at Adams and Raintree. He noted that the parking areas should not be allowed to be shortened.
- **Alicia Grifka**, 537 Rolling Green Circle, noted that there is a setback issue to the right-of-way, mentioned traffic, and expressed concern over potential power outages and pump failures for the drainage system.
- **Gerard Welsh**, 986 Homestead Court, stated that the project is out of scale to adjacent residential homes, and is a for-profit school. He suggested that approving the use would make it easier for the two parcels to the south to go commercial. He noted that the traffic improvements would be inadequate.
- **Linda Mayer**, 1732 Grandview Drive, expressed concern that the two parcels to the south would not be suitable for residential if the project is approved. She stated that the proposal is too large and too close to the street, and commented that having children on the second floor could be an issue.
- **Vince Mungoli**, 3435 Palm Aire Drive, stated that the proposal does not meet the Ordinance; therefore, the Ordinance is being changed. He expressed traffic concerns, and noted that a one-day traffic study is not adequate.
- **Scott Schmitt**, 2335 Rancroft Beat, commented that traffic affects the quality of life in Rochester Hills. He suggested that the improvements to the intersection be made without the development, and that it should be located elsewhere.
- **Rachelle Hartley**, 1955 Kilburn, suggested that an alternate location such as Adams and Hamlin or Avon and Livernois would be more suitable for the school.
- **Scot Beaton**, 655 Bolinger, commented that the building is too large. He suggested that a historic-style building be constructed, suggested the City perform a one-week traffic study and consider different uses, and questioned what would happen if the academy fails.

- **Cameron Evans**, 1452 Royal Crescent, stated that traffic is a nightmare. He suggested that the intersection of Rochester Road and Tienken be reviewed as to how it has been improved, and noted that the City's hands would be tied if a 15,000 square foot building was constructed on the corner.
- **Pablo Fraccaroli**, 1263 Cobridge Drive, suggested that the setback be made a condition for approval and the building made smaller or relocated; or a more suitable location be found along Walton.

The following individuals spoke in favor of the conditional land use:

- **Adam Drankhan**, 1157 Hayfield Road, stated that he currently drives six miles out of his way to take his children to the Oakland Township location. He commented that the school has varied start times.
- **Nick Lionas**, 3539 Normandy Drive, Oakland Township, stated that he drives south through that corridor and looks forward to the traffic improvements that the school will make. He noted the school takes good care of his three-year-old, who has cystic fibrosis.
- **Sara Jung**, 2243 Norfolk Drive, stated that she is happy that Rochester Hills was selected as a second location for the school, and commented that children and their families need educational options.
- **Tony Scott**, 1427 Oakbrook East, stated that the school's addition will make the city a better community to live, work and raise a family.
- **Rochelle Scott**, 1427 Oakbrook East, stated that she grew up in Brookdale Woods and her parents still live there and will see the school. She noted that they are happy to know that it will no longer be an eyesore.
- **Scot Persinger**, 512 Plymouth Court, pointed out that The Goddard School was recently approved in a similar location. He stated that the site meets all regulations. He noted that he grew up in Judson Park and that intersection has not been improved in 20 years. He commented that there is a need for educational child care in Rochester Hills.
- **James Lewis**, 3223 Parkwood Drive, stated that the school represents an opportunity to fill a gap in the northwest quadrant of Rochester Hills and meets a need for the young growing families in the area.
- **Rito Lisi**, 1356 Crescent Lane, stated that traffic is everywhere, and this school would be great for the city.
- **David Scharrer**, 4774 Goodison Place Drive, Oakland Township, stated that he travels that way to get to his business on Technology Drive in Rochester Hills. He commented that many subdivisions are dealing with cut-through traffic, and noted that the middle and high school have pickup times within three minutes of each other, and lack of bussing for many students is more of an issue. He stated that there is a sound reason why the zoning was set up this way.

Lee Zendel, 1575 Dutton Road, commented that the biggest problem is that three governmental entities control the roads in Rochester Hills. He questioned what would happen in the past when a similar request had come before Council and was turned down, and whether it would end up in court where the cities typically lose.

Council recessed from 10:10 p.m. to 10:20 p.m. during the Public Comment portion of this item.

President Tisdell noted that those commenting identify traffic as the number one concern. He questioned what a common rating is for an intersection of this size in the community, and what traffic counts are for Adams and Tienken Roads.

Mr. Davis responded that intersection ratings vary throughout the day, from a level E during peak hour, to free-flowing at other times. He stated that unless roadway widths are widened, a D or an E most likely will not improve. He commented that it is not prudent to overbuild roads to handle peak hour traffic. He noted that the 2015 traffic count on Adams north of Tienken is 22,300, and on Tienken west of Brewster is 9,100.

President Tisdell commented that the traffic engineers note that there would be 663 trips in and out of the proposed development each week day, representing an increment of approximately two percent. He suggested that as the school typically draws from a one-to-three-mile radius, some of the vehicles are already utilizing the intersection and would not represent an increase.

Mr. Davis stated that the City's obligation is to determine whether the proposal meets the engineering standards and requirements of other agencies. He noted that in this instance, RCOC requires a center turn lane improvement. He pointed out that the RCOC did not require a traffic impact study for this development as it was not deemed large enough to require one.

President Tisdell questioned whether the six stacking spaces proposed would be adequate during the busiest hours.

Mr. Schmitz responded that the Oakland Township facility is larger with more students and has the same radius on its turnaround. He stated that the spaces are empty by 9:00 a.m.; and as pickup times are staggered, they do not fill up in the evening.

President Tisdell questioned whether the timing of the traffic study was adequate based on those residents who might have left for warmer climates, whether the Blossom Ridge development was taken into account, and how construction traffic would be routed.

Mr. Davis responded that Blossom Ridge's impact on Adams will be unrelated to this development. He commented that "snowbird" residents typically have minimal impact on traffic counts, and he noted that traffic studies typically do not vary much over time. He noted that for this type of development roadway detours are typically not needed. He stated that detours are not planned for the upcoming work on the school's property.

President Tisdell questioned what could be done for cut-through traffic, noting that he sat with Mr. Davis and Allan Schneck, Public Services Director, on Mohawk one day in October for approximately 45 minutes. He questioned whether some of the streets could be posted no-entry during certain times of the day.

Mr. Davis responded that the preferred option is to widen the road or improve the intersection so motorists are not choosing the subdivisions as an option. He pointed out that Tienken Road was recently improved to the east. He stated that the option available is for speed humps in the subdivisions. He commented that speed humps can slow both cut-through and subdivision resident traffic. He noted that Judson Park is moving forward with speed humps similar to those installed in Hawthorn Hills. He stated that speeds were checked on Judson Park streets and they were at the threshold of 31 miles per hour. He commented that posting streets for no entry would not just apply to cut-through but to all traffic. He noted that the postings are typically for certain times of the day and could be explored through the Advisory Traffic and Safety Board.

President Tisdell commented that signage must be enforced; however, speed humps are effective at all times. He questioned whether the building height is in character with the corner, how long the property has been on the market, why this location was selected, and what would happen if the project failed.

Ms. Roediger responded that this property has been for sale for as long as she has been with the City, approximately three-and-one-half years. She noted that this is a residentially-zoned district; and historically it has been acceptable to have nonresidential uses such as this in such a location.

Mr. Schmitz stated that he has developed over \$4 million in real estate and this location fits all the demographics. He noted that he was approached by national franchises that wanted him to develop the site and lease it back to them. He commented that this serves a growing need for young families. He pointed out that during the timeframe of 2008 through 2010, he was the only developer that did not lose a project to a bank or have a failure. He noted that anyone purchasing the facility would have to do a rezoning request to convert it to anything different.

President Tisdell questioned where the children could be located throughout the building, and the difference between a daycare and a school, and how the floor-to-floor height is considered.

Mr. Klatt responded that children two-and-one-half years of age and older can be on the second floor.

Ms. Roediger responded that schools are permitted by right; however, because it is licensed through the State as a child care facility, there are different requirements including the conditional land use. She noted that there are more restrictions and play areas are required. She pointed out that there is a maximum building height specified by Ordinance, and the project meets the requirements for the district.

President Tisdell pointed out that as this is a for-profit daycare center, it would be paying in excess of 50 mills in property tax rather than the 32 mills assessed for residential. He questioned whether approving this location would set a precedent.

Ms. Roediger responded that the area as planned is zoned for residential use, and any other use for office or commercial would require rezoning.

President Tisdell questioned how consideration of the proposed right-of-way versus the current right-of-way affected the project, and commented that the Ordinance change happened to come up this evening.

John Staran, City Attorney, noted that as he discussed earlier in the meeting during consideration of the Zoning Amendment, this change in language has been on its own path for years and is reflective of the laws of the State of Michigan and the country. He stated that it is not debatable and is long-settled law in this state that it is unconstitutional to measure setbacks from a proposed right-of-way. He noted that the City has known for a long time that it cannot enforce what the courts have said is unconstitutional, and for many years it has been unenforceable. He stated that staff have properly determined that the setback measurement is to be from the actual right-of-way. He commented that he would assure everyone that there is no conspiracy or collusion and it is the law. He stated that any city attorney could be consulted in any community and they would provide the same answer.

President Tisdell questioned who would be responsible if the retention pumping system failed.

Mr. Staran responded that the property owner is responsible. He stated that a property owner has no legal right to increase the flow onto adjoining property, and only has the right to continue the natural surface flow, or agricultural flow. He noted that if there was a problem on the site causing an unnatural flow, it would be this property owner's responsibility to correct the problem.

Mr. Davis concurred, noting that the stormwater facilities on the site will be privately owned and the City would have a stormwater maintenance agreement in place with language that if a failure occurs which is not being addressed, the City will go in and remedy the problem and charge the property owner. He stated that it is his understanding that a generator will be on site in the event that the power would go out. He added that the City has generators at the DPS Facility that could be used in an emergency to prevent a health, safety, and welfare issue. He stated that while the City would rather not have a pump system and ideally a gravity outlet is preferred, the site would have to be raised five to seven feet to have a gravity discharge, which is not feasible. He commented that the pump system will comply with the City standards.

Mr. Gaber confirmed that a generator will be in place to service the location, both for child safety and for the pump systems.

President Tisdell stated that the purpose of the conditional land use in the Ordinance is to establish a consistent, predictable and routine way to determine that a project meets the Ordinance and requirements. He noted that it cannot go unrecognized that the current landowner and developer have rights as well, having the right to sell a property and develop it consistent with the Ordinance in place.

Council Discussion:

Mr. Hetrick questioned the following:

- How the height is determined.
- Whether the brick and stone materials are in compliance.

- Is a 0.5 percent increase in traffic over time an industry standard for traffic growth, and whether Blossom Ridge would be included in that increase.
- Where the RCOC stands on upgrading the signalization.

Ms. Roediger responded that the maximum height is 35 feet to the midpoint of the pitched roof, and explained that building height is always measured to the midpoint of a gabled roof. She noted that homes in the area have mixed building materials, and stated that the developer is not proposing an EIFS façade or anything more common in commercial buildings.

Mr. Labadie stated that when considering traffic growth, known things are taken into account. He commented that historic traffic trends are taken into consideration and growth is projected. He stated that SEMCOG data for 2012 through 2015 was reviewed, and pointed out that it stayed steady or decreased slightly. Background growth was added in. The 0.5 percent increase was assumed as there was no other data to consider.

Mr. Davis responded that the RCOC will review the intersection after construction to determine whether adjustment needs to be made to the signalization. He stated that the RCOC has a history in reviewing the intersection and determined that when adjustments were made to the Tienken Road leg of the signal, Adams Road backed up further. He commented that the signal would not necessarily stay in the current configuration if the development goes forward. He mentioned that Rochester Hills' intersections are more sophisticated than some communities as they include the SCATS control system. He noted that at this time the RCOC does not feel that the intersection needs a revision.

Mr. Labadie noted that the idea of the study is not to look for what is wrong with an intersection, but to identify what the traffic impact is for the development, measured by changes in the level of service. He stated that the development impact is estimated at 0.7 of a second in the morning, and 4.3 seconds in the afternoon. He noted that the RCOC will review the intersection once things are up and operating.

Mr. Hetrick commented that if nothing happens, traffic volumes would remain unchanged. He questioned how the safety of children would be affected by adding 600 vehicles a day.

Mr. Labadie responded that based on the traffic impact study, there would not be much change.

Mr. Schmitz stated that a twelve-hour video was taken at their larger Oakland Township facility that counted 650 vehicles. As this facility will be smaller, he would estimate 480 trips per day, which in effect represents only a one percent increase in traffic count. He stressed that he has committed to improve Tienken and Adams Roads by up to a half-million dollars in improvements.

Mr. Hetrick stated that it has been confirmed that the site meets all setback requirements, including a front yard setback to Adams Road. He questioned

whether the project would fit within the constraints of a setback should Adams be widened to five lanes.

Ms. Roediger confirmed that the project meets a 40-foot front yard setback to the existing right-of-way on Adams.

Mr. Davis responded that it would fit as Adams currently has a right-turn lane, a through lane, and a left-turn lane. He explained that to create a five-lane road, the right-turn lane would be extended to the south; and he noted that there is more room on the west side of Adams to create a five-lane road.

Mr. Hetrick commented if residents were to support that improvement, perhaps the City could sway Oakland County to consider that improvement.

Mr. Davis stated that the City could pursue the topic with the RCOC and ask that they apply for funding to widen Adams Road. He commented that the RCOC would want the City to be supportive of that idea before they would undertake a road-widening project.

Mr. Hetrick requested additional clarification on stormwater detention and the rate of release.

Mr. Davis responded that stormwater control consists of detaining the volume once a site is paved and controlling the rate of release. He noted that the City now computes the volume of detention basin storage needed based on a 25-year design storm, beyond the 10-year design storm utilized by Oakland County. He noted that 28 percent more volume is being provided than was previously used in detention basin sizing. He commented Oakland County allows a maximum rate of discharge of 0.2 cubic feet per second (CFS) per acre of land. In the 25-year event, that rate has not changed and remains at 0.2 CFS per acre; however, more on-site storage is provided.

Mr. Hetrick stated that Shadow Woods would not see an increase in storm water into their subdivision.

Mr. Davis stated that it would not. He discussed how runoff is computed in an undeveloped versus a developed site. He noted that using the Oakland County method, the development actually decreases the amount of rate theoretically calculated from an undeveloped site to a developed site.

Dr. Bowyer questioned whether the water would stay in the storage unit and overflow if the pump shuts down.

Mr. Davis responded that it would flood their site.

Dr. Bowyer commented that the drainage would always be the problem of the owner of the property. She stated that she personally received 88 emails in support of the project, with 50 of those emails being from residents; and 62 residents against the project. She commented that Ms. Roediger provided details on the proposed versus existing setbacks, and she noted that the setback is 40 feet from the road. She stated that Mr. Davis confirmed that if the road were widened

to five lanes, the project would not have any effect. She commented that the fencing to the east and south appear to nicely screen the neighbors. She pointed out that if a church had been proposed, this item would never have come to City Council. She stated that Rochester Hills is growing everywhere. She commented that no one speaking had anything against Premier Academy being on that corner, except that it would add to the traffic. She noted that as the City is highly regarded as one of the best and safest, people want to come here, and people have a right to develop their land. She mentioned that the area where she resides near Hamlin and Rochester Roads has multiple housing developments going in with hundreds of homes; and she commented that everywhere is noticing an increase in traffic. She stated that of the 600 cars projected to use the site, many of those added cars most likely already travel that way and are included in the 30,000 that currently flow through the area. She questioned whether a roundabout could be installed.

Mr. Davis responded that a roundabout is more efficient than a traffic signal, and stated that if it were configured similar to Hamlin and Livernois and were shifted a little to the west, it would fit.

Dr. Bowyer questioned whether a box span would improve the intersection.

Mr. Davis responded that it would be a bit of an improvement. He mentioned pending projects in the Capital Improvement Plan include extending a couple of the right-turn lanes and moving toward a box span configuration. He stated that the corner already has ADA pedestrian ramps at the corners.

Dr. Bowyer noted that Mayor Barnett was able to obtain crash information, and that intersection had 32 crashes in the last three years. She commented that this is not one of the City's bad intersections. She mentioned that it is great that Adams High School will be closing the two entrances close to Tienken.

Mr. Davis commented that the school administration has looked at internal circulation on its site to make improvements, and will be removing two easterly approaches to Tienken Road. In addition, they will incorporate a parent drop-off loop.

Dr. Bowyer stated that as traffic is a main complaint, what the schools will be doing will improve the situation. She pointed out that the school will not be open on weekends or evenings; and there will be no duplexes, apartments or strip malls south of that. She mentioned that the Green Space Advisory Board approached the property owner to sell the property to the City as Green Space; however, he declined.

Vice President Morita noted that while she could not respond to all emails, she did see them all. She noted that one concern was whether a fence would be placed along Adams, and she commented that the fencing will be perpendicular to Adams and not running along it.

Mr. Schmitz responded that the fencing will be along with building and will be hidden with landscape shrubs.

Vice President Morita questioned whether there will be a safety path installed on Adams.

Mr. Schmitz responded that pathway would be in place along Adams and Tienken. He noted that there is none currently on Adams.

Vice President Morita questioned how parking lot lighting would affect the area, and if the lighting would be kept on all night.

Ms. Roediger responded that in terms of lighting for any project, light poles located within 50 feet of a residential district have a maximum height of 15 feet, with downward shield, and zero foot candles measured at the property lines. The property line would be dark.

Mr. Schmitz responded that lighting at their current location is shut off one hour after school is closed and comes on with a timer at 6:00 a.m., one-half hour before they open.

Vice President Morita noted that when this item came before the Planning Commission, a condition was placed upon approval that the road improvement construction had to occur when the school term was done for the year.

Mr. Schmitz responded that he inquired whether the City would allow the road improvement to proceed prior to having a building permit; and was informed that as long as school was out, it would most likely be agreeable to the City. He commented that he has constructed numerous projects and could have 15 to 20 individual trades on that site any day.

Vice President Morita commented that she has heard concerns expressed regarding traffic and school hours. She questioned how the applicant intends to lessen the impact so students are not driving to school in construction zones.

Mr. Schmitz responded that they are prepared to do the road improvements during the summer.

Vice President Morita commented that light timing is not accurate and the RCOC's opinion is different as to the level of improvement. She noted that drivers on their way home could wait 146 seconds at a traffic light. She commented that she finds the traffic impact study confusing, and requested Mr. Davis' view of what the impact of 600 cars would be.

Mr. Davis responded that the worst impact would be during the peak time of 7:00 a.m. to 7:30 a.m. with drivers going to school, work, and dropping students off at the facility. He stated that the turn lane extensions will make the situation somewhat better and the delay will be reduced because drivers will be able to get into the lanes that they need to be in.

Vice President Morita questioned how much longer motorists might have to wait, or if there would be no difference.

Mr. Davis responded that the wait would be about the same. He commented that a synchro analysis was performed on the intersection, which is not typical at

this type of intersection. He noted that this analysis was performed at Tienken and Rochester Roads.

Ms. McCardell stated that she would like to disclose that she received campaign contributions from Mr. Schmitz, and their daughters play soccer together. She noted that she is looking at what is best for residents, and she displayed an excerpt from the City's Master Plan. She questioned whether any of the changes mentioned in the Plan had been made to improve the Adams Road corridor.

Mr. Davis responded that focusing on Tienken and Adams Roads, these improvements had not occurred. He noted that improvements made subsequent to the Master Plan included the lengthening of the turn lane and right-turn lane extension for westbound Tienken; however, none of the others listed in the plan had been made.

Ms. McCardell stated that if the City is going to prepare a Master Plan, it should be looking at investing in infrastructure. She commented that the developer would be fulfilling one of the City's short-term goals.

Mr. Davis pointed out that the Road Commission for Oakland County created the dedicated right-turn lane.

Ms. McCardell questioned whether the development could be constructed to accommodate a 120-foot right-of-way.

Mr. Klatt responded that he would have to review the development to determine whether that could be done.

Mr. Davis commented that the drawing Ms. McCardell displayed from the Master Plan indicated two through lanes and one dedicated right-turn lane in each direction. He stated that this configuration could not be accommodated with a dedicated right-turn lane as it would represent six lanes in each direction.

Mr. Schmitz stated that it would be similar to the intersection at Tienken and Rochester Roads.

Ms. McCardell commented that it appears that the applicant is putting an investment into the road. She noted that she reviewed the character of the intersection versus the character of Tienken and Rochester Roads. She mentioned that she is keenly sensitive to safety issues as she was hit by a drunk driver at 19 while she was in the Navy. She noted that the development will increase the decisions that must be made at the intersection, and she stated that safety and character are her main reservations for this project.

Mayor Barnett stated that he appreciates the amount of public participation, and encouraged everyone to visit the website to weigh in on the upcoming Master Plan Update. He discussed that the supporters were wearing red shirts and provided reasons for approving the project, and those in opposition were wearing green shirts and gave reasons for denying it. He noted that positives and negatives

have been raised by individuals residing on the same streets. He pointed out that there was no one from the group in red shirts when The Goddard School was under consideration, as these individuals are here tonight as they have a personal relationship with Premier Academy. He stated that Council must have consistency with all decisions and these decisions must be driven by data.

He mentioned that Rochester Hills has high rankings in the nation based on its home values, educational opportunities, and safety. He stated that road improvements are challenging, and it is difficult to make improvements when the road is owned by another entity. He noted that recent discussions with Oakland University have yielded a view that Oakland's students are being affected by the two-lane road and traffic on Adams. He stated that Tienken Road had been in terrible shape, and a funding allocation for its rehabilitation took nine years to spend. He noted that the residents did not want Tienken Road widened.

Mr. Kubicina noted that one of the individuals speaking tonight challenged him to listen to the residents. He stated that he listened to every speaker, and every one of their points has been addressed in tonight's discussion. He complimented Mr. Schmitz and his team, stating that he did a great job answering every question.

Mr. Deel commented that while he has been rather quiet thus far this evening, he has spent his time listening. He noted that he read every single email both for and against, and listened to every speaker. He stated that he altered his route home to travel through that intersection, and he feels the motorists' pain. He thanked everyone for the tone and content of their comments, and stated that everyone has come with a cogent argument. He noted that he works in the Oakland County Probate Court; and his job would be ten times easier if lawyers and litigants would be as civil as everyone has been this evening.

He noted that one of the ways Council maintains consistency is it has a law to follow in the City's Zoning Ordinance. He stated that City Council has an independent obligation to look at the proposal and plan for the property; however, it is not an unlimited discretion independent of the Planning Commission. He pointed out that the language from the ordinance states that approval "shall" be granted. He read an excerpt from Ordinance Chapter 138 addressing each of the five criteria; and stated that one of the ways Council remains consistent is to follow the rubric of the law. He noted that this is not a political question, such as rezoning; and stated that this is an administrative decision.

President Tisdell commented that Council utilizes a consistent and uniform method to protect the interests of the population. He pointed out that some of that protection includes the right to sell property and pursue legitimate business.

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

Aye 6 - Bowyer, Deel, Hetrick, Kubicina, Morita and Tisdell

Nay 1 - McCardell

Enactment No: RES0015-2018

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use for Premier Academy, a proposed 14,911 square-foot childcare center on 1.6 acres at the southeast corner of Tienken and Adams Rds., zoned R-1, One Family Residential, Parcel Nos. 15-08-100-021, -022, and a portion of -004, based on plans dated received by the Planning and Economic Development Department on November 16, 2017, Jeff Schmitz, JS Capital Group, Applicant, with the following findings and conditions.

Findings:

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

Conditions:

1. Due to current traffic conditions at the intersection, applicant shall work with Engineering to review the light timing optimization, prior to the issuance of a Land Improvement Permit.
2. Improvements to Adams and Tienken Roads, to be completed outside of the school year term, shall be at the sole cost of the applicant, and be completed prior to issuance of a Certificate of Occupancy by the Building Department.

PUBLIC COMMENT for Items not on the Agenda

Lee Zendel, 1575 Dutton Road, stated that he has received 65 points each week for 32 straight weeks for his RecycleBank account, even though he did not put any recycling out for December 18, 2017 and January 15, 2018. He noted that Ann Arbor has already culled 70 deer with no problems and are continuing the program.

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.

2018-0010 Approval of Minutes - City Council Special Meeting - January 8, 2018

Attachments: [CC Special Mtg Min 010818.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0016-2018

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on January 8, 2018 be approved as presented.

2018-0011 Approval of Minutes - City Council Regular Meeting - January 8, 2018

Attachments: [CC Min 010818.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0017-2018

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 8, 2018 be approved as presented.

2018-0008 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance and repairs or upgrades of the existing traffic signals and SCATS costs in the amount not-to-exceed \$80,000.00 through January 31, 2019; Road Commission for Oakland County, Waterford, MI

Attachments: [012218 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0018-2018

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the maintenance and repairs, or upgrades of the existing traffic signals and SCATS costs to the Road Commission for Oakland County, Waterford, Michigan in the amount not-to-exceed \$80,000.00 through January 31, 2019.

Passed the Consent Agenda

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Hetrick reported that he ran Oakland County's Chill at the Mills 5K in Rochester this past weekend.

Dr. Bowyer responded to Public Comment noting that RecycleBank uses the average of the neighborhood when assigning recycle points.

Mr. Kubicina expressed his thanks to those in attendance who have remained after such a long evening.

Vice President Morita invited Council Members to attend the Avondale Youth Assistance Volunteer Appreciation Dinner on January 31, 2018 from 6:00 p.m. to 8:00 p.m. She expressed concern regarding the condition of Livernois Road north of Avon, and commented that the road is not safe to walk or drive on. She announced that her son's hockey team, the Rochester Onyx's Rochester Rattlers Black 05 team won the Roc-City Cup championship in a tournament in Rochester, New York. She noted that her son, Drew, received the Most Valuable Player award; and she displayed a photo of Drew and teammate Tyler Long, holding the award and trophy.

Ms. McCardell expressed her thanks to the residents and the developer who participated this evening.

Mayor Barnett noted that a video captured through the City's security camera showed a good view of the recent meteor. He reported that Deputy David Hack is still hospitalized in the intensive care unit and is showing signs of being responsive to others. He announced that Rochester Hills has been recognized by SafeHome as the number one safest city in Michigan and the sixth in the nation.

City Clerk Tina Barton congratulated Maria Willett, Chief Assistant to the Mayor, for being selected as Oakland County's L. Brooks Patterson's 40 Under 40. She stated that Ms. Willett has earned this honor and is doing fantastic things.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NEW BUSINESS

- 2017-0042** Request for Purchase Authorization - BLDG: Increase to the Inter-Local Agreement/Blanket Purchase Order for 2017 Oakland County Household Hazardous Waste (No-Haz) Program in the amount of \$1,437.24 for a new not-to-exceed amount of \$46,437.24; Oakland County Waste Resource Management Division, Waterford, MI

Attachments: [012218 Agenda Summary.pdf](#)
[2017 No-Haz Program \(Final Invoice\).pdf](#)
[020617 Agenda Summary.pdf](#)
[Interlocal Agreement No Haz 2017.pdf](#)
[020617 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Jack Sage, Ordinance Inspector, was joined by Oakland County representatives Brett Rasegan, Planning Manager, and Whitney Calio, Senior Manager-Planner.

Mr. Sage noted that the No-Haz program has been a huge success for Rochester Hills residents. He stated that last year there were five collection events with Rochester Hills residents accounting for 27 percent of the participants, or 1,348 residents. He reported that 196,000 pounds of various hazardous waste material was collected. He noted that the budgeted amount of \$45,000 was exceeded, with a year-end cost of \$46,437.24. He explained that there was a 22 percent increase from 2016 to 2017. He asked for the budgeted amount to be increased this evening by \$1,437.24 to reflect the final cost.

Dr. Bowyer expressed her thanks to Mr. Sage, Mr. Rasegan, and Ms. Calio for staying through this long evening.

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0019-2018

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Inter-Local Agreement/Blanket Purchase Order for 2017 Oakland County Household Hazardous Waste (No-Haz) Program to Oakland County Waste Resource Management Division, Waterford, Michigan in the amount of \$1,437.24 for a new not-to-exceed amount of \$46,437.24.

2018-0009 Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for 2018 Oakland County Household Hazardous Waste (No-Haz) Program in the amount not-to-exceed \$55,000.00; Oakland County Waste Resource Management Division, Waterford, MI

Attachments: [012218 Agenda Summary.pdf](#)
[2018 No-Haz Program \[Estimated Charges Worksheet\].pdf](#)
[Resolution \(Draft\).pdf](#)

Jack Sage, Ordinance Inspector, was joined by Oakland County representatives Brett Rasegan, Planning Manager, and Whitney Calio, Senior Manager-Planner.

Mr. Sage stated that the actual cost per vehicle is \$36.00 less the \$10.00 participant's fee, and the total estimated cost is \$49,109.06. He noted that the request for 2018 of \$55,000 includes a proposed increase in participation of nine percent, with a five percent contingency added in. He commented that while participation leveled off four years ago, it has picked up again.

Dr. Bowyer questioned what it would cost for the City to provide this service

free to the residents, as some other cities provide this service for their residents for free.

Mr. Sage responded that the total cost for this year will be approximately \$36.15 per vehicle.

President Tisdell commented that the City had approximately 1,500 vehicles last year.

Mr. Sage responded that it was 1,348, or approximately 1,400 residents. He stated that it varies from community to community as some charge \$15.00. He noted that years ago the City did not charge its residents anything; and one year the City had 2,100 or 2,200 vehicles participating. He commented that it was quite expensive with the program over \$100,000 at the time.

President Tisdell noted that with an estimate of 1,500 cars, the program would be approximately \$15,000 higher with no participatory fee.

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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0020-2018

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and

Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and

Whereas, recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and

Whereas, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale, and

Whereas, Oakland County, through its Waste Resource Management Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ), and

Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program, and

Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program, and,

Whereas, the NO HAZ Interlocal agreement establishes a NO HAZ advisory board to assist and advise Oakland County in the development of the NO HAZ program.

Now Therefore Be It Resolved, that our community, the City of Rochester Hills, hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature, and

Be It Further Resolved, that we will charge residents \$10 to participate in NO HAZ events in 2018, and

Be It Further Resolved, that we hereby appoint Jack Sage as our official representative to the NO HAZ Advisory Board, to work with the Oakland County Waste Resource Management Division as needed to plan the NO HAZ program for 2018.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, February 5, 2018 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 1:18 a.m.

*MARK A. TISDEL, President
Rochester Hills City Council*

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

*MARY JO PACHLA, CMMC
Administrative Coordinator-City Council
City Clerk's Office*

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