



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

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

Vision Statement: The Community of Choice for Families and Business

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

Monday, January 13, 2014

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:04 p.m. Michigan Time.

ROLL CALL

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

Others Present:

*Jasneet Aulakh, Rochester Hills Government Youth Council Representative
Bryan Barnett, Mayor
Tina Barton, City Clerk
Scott Cope, Director of Building/Ordinance Compliance
Tara Presta, Chief Assistant
Allan Schneck, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

Led by Camille Douglas, Senior, Rochester High School.

APPROVAL OF AGENDA

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

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

PUBLIC COMMENT

Philip Barker, 1434 Burhaven Drive, expressed concerns over the underground oil drilling and requested Council rescind the agreement it accepted with Jordan Development. He quoted from a New York Times article which stated that property owners signing these lease agreements are encountering complications in the mortgage lending process and could experience problems selling their homes.

Jim Przybzo, 3779 Tienken Road, Auburn Hills, stated that he turned down the lease agreement he was offered and expressed disappointment that a nearby church signed an agreement. He stated that he opposed drilling in any residential neighborhood.

Dawn DeRose, 910 Seward, Detroit, requested Council rescind the contract it signed with Jordan Development and distribute information to every resident to allow fully informed consent. She cited the recent environmental spill in Virginia and commented that this type of energy harvesting should not be expanded into the Great Lake State.

Clark Barrett, 1376 Kingspath Drive, stated that he stands with other Thornridge Subdivision homeowners in rejecting any oil exploration in their neighborhood. He commented that other homeowners' associations that have approved leases have gone after quick short term gains instead of looking at the viability of the City. He noted that the Thornridge Homeowners' Association held a vote, resulting in 92 percent of those voting opting against any initiative to lease any common areas to Jordan.

Michael Gruber, 3628 Aynsley Drive, commented that he has seen inconsistencies in the information presented on oil exploration. He noted that the contract calls for no fracking and no surface activities without permission; however, he questioned whether trucks will be traveling within the City's borders. He mentioned that Ann Arbor, Novi and Farmington Hills found successful ways to regulate oil operation within their cities.

Thomas Parkhill, 1197 Olympia Drive, read excerpts from a document prepared by Jordan Development. He noted that oil exploration is exempt from a many environmental acts and legislation, is responsible for ruptures and the expulsion of toxic gasses, and depletes local fresh water resources. He mentioned that waters contain naturally occurring radioactive materials and noted that chemicals are added to the water used in the process.

Izzy Khapoya, 729 McGill Drive, stated that while gas and oil companies claim that they use horizontal drilling and not fracking, they must use water, chemicals and pressure to extract oil. She commented that these chemicals end up in the water system. She disputed claims that these companies have been operating for over 60 years without mishaps. She noted that while vertical drilling has been done for decades and does not create much concern, horizontal drilling has caused documented problems. She commented that drilling to date has been focused on areas of low income and near communities of color and stated that these same companies are now encroaching on middle class America.

Lauren Shepherd, 624 Sorbonne Court, questioned whether the money gained from these leases would be used to improve park properties. She questioned where the drilling sites would be located, and she noted that Rochester Hills is the location of headwaters of the Rouge River, Galloway Creek runs through Oakland University property, and the Clinton River runs through the community. She

questioned whether the City has been involved in any negotiations for leases for Oakland University property.

Thorold Field, 181 Wimberly Drive, expressed concern over fracking. He commented that public forums held by West Bay officials appealed to individuals' wallets and did not present objective information. He noted that he lived in Durango, Colorado, from 1979 to 1984; and noted that AMOCO Oil owned the drilling rights there and had access to forest lands. He reported that their drilling released methane into the environment, and contaminated the area. He requested the process be opened up to the public to make it more transparent.

Clifford Johnson, 3542 Charlwood Drive, stated that he would not have moved to Rochester Hills if he had known that drilling would be going on in residential areas. He stated that Rochester Hills is the opposite of areas with empty fields and he questioned how home values will be affected.

Jennifer Curran, 2461 Rancroft Beat, cited statistics on problems caused by drilling and read from an article in the Beacon Journal from January of 2012, which reported that two homes in Granger County, Ohio have been deemed public health threats due to explosive levels of natural gas in their drinking water from nearby drilling. She commented that in December 2007, a home exploded in Bainbridge Ohio, after methane entered the water well. She read a letter from Camille Prescott, who she stated was a neighbor of hers who could not attend the meeting, requesting Council stop drilling activities.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment regarding oil and gas leases, **President Hooper** noted the following:*

- *Discussions regarding oil and gas leases were conducted during two open meetings of City Council in late 2012. The agenda was advertised and noticed on the City's web page.*
- *The lease includes specific exhibits that were agreed to, including a provision for no high volume hydraulic fracturing. While questions have been raised about the different types of fracturing, an October 11, 2012 memo noted that the operation is to include conventional oil wells and does not include fracking.*
- *The lease also specifies that no surface activities whatsoever will be conducted and structures or drilling on City property are prohibited. Drilling activities are conducted first downward elsewhere, and then horizontally approximately 6,500 feet below ground. Residents will feel no activity.*
- *The City is not a party to any other private property owners' leases.*
- *The City has been assured that there is no possibility for contamination of groundwater in Rochester Hills.*
- *The purpose of the recently passed Green Space was to make funding available to conduct stewardship and maintenance of those properties purchased with Green Space funds. The City's citizen-driven advisory board requested a revenue source for stewardship be sought, as the original Millage specified that funding only be*

used to purchase Green Space properties. The park properties included in lease agreements were not purchased with Green Space funds.

- Revenue amounts are set in the lease at \$150 per acre plus one-sixth of any royalties. During presentations by the Michigan Department of Environmental Quality (MDEQ) and Jordan Development, it was noted that the company will make a reasonable attempt to contact all property owners with 160 acre quadrants. Any owners who do not sign will fall into a compulsory pool and will receive a lesser royalty amount.

- The City Attorney will be requested to review any ordinances enacted by other cities.

- He is not aware of any agreements signed by Oakland University.

- Questions on home values are raised when any development issue is considered. Each Council member resides in the City and has a vested interest in maintaining values. A Sunoco Oil pipeline is located four feet below ground in his own neighborhood, and has not seemed to affect values.

Mr. Webber expressed his appreciation for President Hooper's review and summary of the information reviewed by Council in 2012.

Mr. Brown thanked the residents who offered their comments and stated that they should continue to communicate with Council members by email.

Mr. Kochenderfer commented that mineral rights are extremely complicated. He noted that during discussions, the City Attorney was asked for an opinion of what the City can and cannot do. He stated that if City Council were to do everything asked of it tonight, including terminating the lease agreement, adopting an ordinance prohibiting activities, and saying no to having drilling under City-owned properties, none of that would prohibit Jordan Development from drilling for oil in Rochester Hills. He explained that State Law supersedes any City ordinance.

Ms. Morita stated that she has been aware of concerns on this issue for several months now. She mentioned that residents held a meeting with the Mayor on Friday and commented that this issue is not being ignored by the City. She noted that the Mayor has taken the issue very seriously and Council is trying to find a way to deal with the situation in a way that helps residents and the City. She pointed out that there has been no drilling to date, and commented that there is only so much that the City can do.

Mr. Tisdell pointed out that the City did not allow Jordan to come in here and seek leases. He noted that they were commissioned by the State. He mentioned that all 400-plus leases signed to date are non-developmental leases and include no surface activities. He explained that the city's population puts it into a category where no drilling site or wellhead can be located closer than 450 feet to an occupied structure. He commented that he moved the approval of the lease, noting that it improves the City's financial situation from a one-sixth royalty rather than a one-eighth royalty, and improves the City's control of park properties. He added that it includes a specific ban of high volume fracking. He mentioned that low volume fracturing or fracking has been going on in this state since 1952 and noted that there are 12,000 wells in existence where low volume fracking has been involved. He stated that he is not anticipating that this will be a part of the

process. He pointed out that if the City did not sign a lease, it could still be pulled into the compulsory pool and would not receive any funds until the company recouped all of its costs plus a penalty to the City. He noted that in 2013 the United States became a world leader in the production of gas and oil, surpassing Russia and improving the United States' trade balance.

Mr. Wiggins expressed his appreciation to everyone attending and stated that the City will commit the resources to ensure that these activities are regulated properly.

Jasneet Aulakh, Rochester Hills Government Youth Council (RHGYC) representative, stated that the RHGYC helped out at City's Family Fun night in early December, conducting games and craft activities for children. The group walked in the Rochester Hometown Christmas Parade, highlighting a Caribbean theme. The RHGYC is in the midst of planning their annual 5K, with proceeds slated for donation to Blessings in a Backpack. The group is also selling \$5 coupon books valuable for Community Days at Carson's.

Mayor Barnett made the following comments and announcements:

- He thanked residents and DPS workers for their efforts during this difficult weather period, noting that snow, extreme cold and torrential rains have occurred in the city, challenging City crews. He pointed out that DPS crews worked 16 straight hours for two days in a row to have the City streets as clear as possible.
- Next Monday, January 20th, is Martin Luther King Day. City offices will be closed. Celebration activities are planned by the school district.
- A ribbon cutting ceremony was held for Crittenton Hospital Medical Center's new South Tower. Crittenton is the second largest employer in the City.

Regarding gas and oil exploration, he noted that he has had conversation with the Mayor of Livonia and City Manager of Auburn Hills. He pointed out that the City does not have authority to prohibit oil and gas drilling and noted that the ordinances enacted by other communities are not enforceable. He mentioned that one city had to pay \$800,000 in a lawsuit as a result of language in their ordinance. He stated that the City does not encourage or discourage owners to sign leases. Those interested in receiving more information should go to the MDEQ website, as they are in charge of the drilling process. He noted that City Attorney John Staran was asked to provide an update to Council on how the company could receive permission for surface use. Permission would have to be granted by the voters at the next election.

Tina Barton, City Clerk, stated that the City was chosen for a random-draw audit of the November 2013 election. She commented that she was proud to announce that out of 42 audits, Rochester Hills was only the third community to receive a 100 percent score. She mentioned that the Clerk's Office staff process passport applications. During a recent audit of 96 agencies in Southeast Michigan, the Clerk's Department was only one of five acceptance agencies to receive a 100 percent score. She expressed appreciation to Clerk's Department staff for their efforts.

ATTORNEY MATTERS

None.

RECOGNITIONS

2014-0007 Proclamation in Recognition of Camille Douglas

Attachments: [Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution.pdf](#)

President Hooper read a proclamation recognizing Camille Douglas highlighting her accomplishments as a senior at Rochester High School and a staff member of the award winning high school newspaper, *The Talon*.

Camille Douglas expressed her appreciation for the recognition, stating that it has been an amazing year for *The Talon* and for her.

Council congratulated Ms. Douglas.

Presented.

Whereas, Camille Douglas is a senior at Rochester High School and staff member of the award winning high school newspaper, *The Talon*; and

Whereas, Camille traveled along with three other students and their adviser to Boston for the Journalism Education Association/National Scholastic Press Association Fall National High School Journalism Convention from November 14-17, 2013; and

Whereas, Camille was awarded 5th place out of 750 other scholastic journalists in the nation for "News Story of the Year" for her story about Common Core; and

Whereas, while attending the conference, Camille received honorable mention in the feature write-off competition and she and her team accepted the Pacemaker Award acknowledging *The Talon* as one of the best high school newspapers in the country.

Now Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills hereby recognize Camille Douglas for being an outstanding writer for *The Talon* school newspaper and congratulate her on her great success.

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.

2013-0433 Approval of Minutes - City Council Regular Meeting - October 28, 2013

Attachments: [CC Min 102813.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0001-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on October 28, 2013 be approved as presented.

2013-0434 Approval of Minutes - City Council Regular Meeting - November 11, 2013

Attachments: [CC Min 111113.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0002-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on November 11, 2013 be approved as presented.

2013-0499 Approval of Minutes - City Council Regular Meeting - December 2, 2013

Attachments: [CC Min 120213.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0003-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on December 2, 2013 be approved as presented.

2013-0504 Approval of Minutes - City Council Regular Meeting - December 9, 2013

Attachments: [CC Min 120913.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0004-2014

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on December 9, 2013 be approved as presented.

2013-0490 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Rochester Hills Real Estate, LLC, a Michigan limited liability company, for Wellbridge of Rochester Hills

Attachments: [Agenda Summary.pdf](#)
[Stormwater Sys Maint Agreement.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0005-2014

Resolved, that the Rochester Hills City Council hereby approves the storm water maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Rochester Hills Real Estate, for Wellbridge of Rochester Hills, for City File No. #05-016.2, for Parcel No. 15-22-226-016.

2013-0491 Request for Acceptance of a Watermain Easement granted by Rochester Hills Real Estate, LLC, a Michigan limited liability company, for Wellbridge of Rochester Hills

Attachments: [Agenda Summary.pdf](#)
[Watermain Easement Agrmt Appd 112813.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0006-2014

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by Rochester Hills Real Estate, LLC, a Michigan limited liability company, of 10503 Citation Drive, Brighton, Michigan 48116, 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. 15-22-226-016.

- 2013-0492** Request for Acceptance of an Easement for Ingress and Egress for public and emergency vehicles granted by Rochester Hills Real Estate, LLC, a Michigan limited liability company, for Wellbridge of Rochester Hills

Attachments: [Agenda Summary.pdf](#)
[Ingress/Egress Easement Agrmt.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0007-2014

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an easement for ingress and egress for public and emergency vehicles and for the performance of public and emergency services over the internal, undedicated roads and/or driveways being used in common for vehicular travel, granted by Rochester Hills Real Estate, LLC, a Michigan limited liability company, 10503 Citation Drive, Brighton, Michigan 48116, over, on, under, through and across land more particularly described as Wellbridge of Rochester Hills, Parcel No. 15-22-226-016.

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

- 2013-0496** Request for Purchase Authorization - DPS/ENG: Cost Participation Agreement between the City of Rochester Hills and the City of Rochester for the Bloomer Road Paving (Windridge Blvd. to Bloomer Ridge) for Design Engineering Services in the amount of \$11,200.00

Attachments: [Agenda Summary.pdf](#)
[Cost Participation Agreement.pdf](#)
[AEW Design Engineering Proposal.pdf](#)
[Bloomer Gravel-Paved Areas.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0008-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Cost Participation Agreement between the City of Rochester Hills and the City of Rochester for Bloomer Road Paving (Windridge Blvd. to Bloomer Ridge) for Design Engineering Services in the

amount of \$11,200.00 and further authorizes the Mayor to execute a contract on behalf of the City.

- 2013-0497** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for crack sealant material to National Highway Maintenance Systems, LTD in the amount not-to-exceed \$73,050.00 through December 31, 2014

Attachments: [Agenda Summary.pdf](#)
[BID Tabulation.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0009-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for crack sealant material to National Highway Maintenance Systems, LTD in the amount not-to-exceed \$73,050.00 through December 31, 2014.

- 2013-0502** Request for Purchase Authorization - DPS/ENG: Extension of Agreement for monitoring the City's Supervisory Control and Data Acquisition (SCADA) System in the amount not-to-exceed \$24,312.00 through December 31, 2015; Oakland County Department of Facilities Management-Building Safety Division, Waterford, MI

Attachments: [Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0010-2014

Resolved, that the Rochester Hills City Council hereby authorizes the extension of the Agreement for monitoring the City's Supervisory Control and Data Acquisition (SCADA) System with Oakland County Department of Facilities Management-Building Safety Division, Waterford, Michigan in the amount not-to-exceed \$24,312.00 through December 31, 2015 and further authorizes the Mayor and City Clerk to execute a contract extension on behalf of the City.

- 2013-0503** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance of the Rochester Hills Supervisory Control and Data Acquisition (SCADA) System in the amount not-to-exceed \$60,000.00 through December 31, 2014; Perceptive Controls, Inc., Plainwell, MI

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

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0011-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the maintenance of the Rochester Hills Supervisory Control and Data Acquisition (SCADA) System to Perceptive Controls, Inc., Plainwell, Michigan in the amount not-to-exceed \$60,000.00 through December 31, 2014.

Passed the Consent Agenda

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

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

NEW BUSINESS

2014-0003 Request for Approval of a Grant Application to the Michigan State Housing Development Authority Certified Local Government Program for the Stoney Creek Interpretive Overlook Project

Attachments: [Agenda Summary.pdf](#)
[HDC Study Overlook.pdf](#)
[Resolution.pdf](#)

Tara Presta, Chief Assistant, noted if the grant is received, the proposed project's 40 percent grant match will be 100 percent funded from private donations through the Museum and Community Foundations. She showed renderings which highlighted the proposed project, and stated that the location of the project adjacent to the Museum property will allow it to act as a gateway to the historic district. She explained that the proposed resolution will confirm Council's support of the project and is required as a part of the grant application process. She commented that a response is expected in March or April.

Mr. Kochenderfer expressed his appreciation for exploring this grant and noted that the proposed location is ideal. He commented that if the grant is received, the Administration should strive to obtain as much feedback from residents as possible.

Ms. Presta responded that the concept drawing shown was the result of discussions with area residents.

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

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

Enactment No: RES0012-2014

Whereas, the City of Rochester Hills is eligible for funding through the Michigan State Housing Development Authority Certified Local Government program; and

Whereas, the City has identified a project titled *Stoney Creek Interpretive Overlook* as identified in the 2010 Stoney Creek and Winkler Mill Pond Historic Districts Study which will provide a unique location to provide interpretive information and a pedestrian gateway to our historic districts; and

Whereas, the City will utilize matching funds through the Community Foundation of Greater Rochester and in-kind services from City Departments to create this scenic, informative, and educational location.

Be It Resolved, that the Rochester Hills City Council hereby supports the grant

application to the Michigan State Housing Development Authority Certified Local Government program and, if awarded, approves funding for the project in the amount of \$14,000 as the required 40% match for the Stoney Creek Interpretive Overlook.

Be It Further Resolved, that the Mayor or his designee is authorized to execute the application on behalf of the City.

2010-0464 Request for Approval of Amendment No. 2 to the Detroit Water & Sewerage Department (DWSD) Contract

Attachments: [Agenda Summary.pdf](#)
[Amendment #2.pdf](#)
[111010 Agenda Summary.pdf](#)
[110510 Amendment #1.pdf](#)
[100209 DWSD Contract.pdf](#)
[110310 W&S Tech Rev Cmte Resolution.pdf](#)
[111010 Resolution.pdf](#)
[Resolution.pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the Administration recommends approval of Amendment No. 2 to the Agreement with the Detroit Water and Sewerage Department (DWSD). He explained that the initial water model contract was entered into in 2009, and provided for a two-year reopener, a three-year reopener, and a rolling five-year reopener. He stated that the Administration met with DWSD personnel, and stated that components and parameters discussed included volume, max day, peak hour and pressures where feeds enter the City. The Administration provided Council information regarding trending of consumption levels.

Mr. Brown noted the projection for reduced water usage over time and questioned what will happen if the City exceeds 370,000 thousand cubic feet (Mcf) of annual usage.

Mr. Schneck responded that there would be no penalty. He explained that the DWSD looks at historical consumption of all its member communities and attempts to target what that consumption will be. The City's rate is structured based on volume, max day and peak hour, and attempts are made to be as accurate as possible. He pointed out that 410,000 Mcf provided for in the previous contract period was not accurate.

President Hooper noted that should the City exceed the 370,000 Mcf level, it would affect the City's rate in the future.

Mr. Schneck responded that it would.

Mr. Wiggins questioned how it was determined to reduce the amount to 370,000 Mcf and questioned whether there is a point of diminishing returns.

Mr. Schneck responded that the DWSD arrives at what they feel should be a volume component. He explained that a higher consumption volume cannot be justified based on trending over the last couple of years.

Mr. Wiggins questioned whether a pressure increase is reasonable.

Mr. Schneck responded that there are four feeds that come into the community. He explained that ideally the pressure to these feeds should be fairly high. He pointed out that pressure reducing valves located at various points within the city keep pressures constant. He mentioned that low pressure from a feed tends to alter the manner in which water is drawn from the DWSD. He stated that higher pressures are better, and noted that the pressure delivered is dependent upon the DWSD's ability to pump at those levels.

Mr. Kochenderfer noted that the City is actively trying to promote decreased consumption. He questioned whether there are any other factors leading to a decrease in peak hour.

Mr. Schneck responded that the City's Sprinkler Ordinance was enacted with the goal of shifting peak hour consumption to the exclusionary period. He added that the City's water campaign was conducted to contact the top 100 users to reinforce the Ordinance and promote a staggered start for sprinkler systems. He pointed out that the City is not telling users to conserve water, but to shift the time when the water is used.

Mr. Kochenderfer pointed out that the City is not lowering rates. He commented that it is striving to keep any increases less than where they could be. He noted that efforts are paying off.

President Hooper noted that two-thirds of the City's rate is relative to peak hour. He questioned whether a peak hour maximum flow rate of less than 35.0 million gallons per day (Mgd) should be sought.

Mr. Schneck responded that the trending of when peaks occurred was reviewed. He commented that it is his opinion that 35.0 Mgd is appropriate. He pointed out that there should be safeguards in the event that max day is exceeded.

President Hooper stated that he would rather see a lower rate with a lower peak hour, and noted that the proposed amendment will lock the City into 35.0 Mgd for five years.

Mr. Schneck pointed out that when the City first entered into the contract, peak was 54 Mgd. That number was subsequently dropped to 37.5 Mgd, and is being rationed down again. He stated that the DWSD wanted a peaking factor of 39.0. The City also requested the max day volume remain at 410,000 Mcf; however, the DWSD determined that 370,000 Mcf is more appropriate.

Mr. Wiggins questioned whether rates would remain the same for the City. He questioned whether the monthly charge is being decreased.

Mr. Schneck responded that it is slightly lower, but is not a significant change when viewed over 22,000 accounts. He mentioned that the DWSD has scheduled an upcoming meeting to discuss the 2014-2015 rates.

Mr. Tisdell noted that Keith Sawdon, Director of Finance, has been managing

the Water and Sewer finances. He commented that the City has done an excellent job in smoothing rates for users and rebuilding a significant capital fund to ensure that maintenance is properly undertaken.

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

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

Enactment No: RES0013-2014

Resolved, that the Rochester Hills City Council hereby approves Amendment No. 2 to the Detroit Water & Sewerage Department (DWSD) Contract and further authorizes the Mayor and City Clerk to execute the updated contract on behalf of the City.

2013-0483 Request for Purchase Authorization - DPS/FLEET: Blanket Purchase Order for unleaded gasoline and diesel fuel in the amount not-to-exceed \$732,460.00 through January 31, 2016; Petroleum Traders Corporation, Fort Wayne, IN; RKA Petroleum Companies, Inc., Romulus, MI

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

Allan Schneck, Director of DPS/Engineering, noted that approval of the request will authorize the purchase of the fuel housed at the DPS facility. He explained that the award is based on a solicitation led by Sterling Heights in 2011, and will exercise a two-year option that is available.

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

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

Enactment No: RES0014-2014

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for unleaded gasoline and diesel fuel to Petroleum Traders Corporation, Fort Wayne, Indiana and RKA Petroleum Companies, Inc., Romulus, Michigan in the amount not-to-exceed \$732,460.00 through January 31, 2016.

2013-0274 Request for Purchase Authorization - BLDG/FAC: Increase of Blanket Purchase Order for janitorial services in the amount of \$40,000.00 for a new not-to-exceed amount of \$135,400.00; Du All Cleaning Inc., Macomb, MI

Attachments: [Agenda Summary.pdf](#)
[072913 Agenda Summary.pdf](#)
[Extension Letter 070813.pdf](#)
[072913 Resolution.pdf](#)
[Resolution.pdf](#)

Scott Cope, Director of Building/Ordinance Compliance, explained that the request for a \$40,000 increase is to add Fire Station #1 and the Museum complex to the contract resulting in a cost savings to the City. He explained that cleaning services are currently provided by a maintenance technician, paid at a higher rate of pay. By transferring these services to the contract, the maintenance technician will be able to perform other needed duties.

President Hooper questioned whether this increase will result in the layoff of any City personnel.

Mr. Cope responded that it will not.

Mr. Webber questioned whether the cleaning contract is for more than one year.

Mr. Cope responded that there is a one-year Blanket Purchase Order running from August to August. The increase will cover the remaining seven months of this year's contract.

Mr. Webber questioned whether the City will see the contract go up in price substantially in August.

Mr. Cope responded that the Administration does not anticipate the cost going up. He explained that the competitive bidding process has actually reduced the City's cost. He commented that the contract should stay the same or decrease.

President Hooper questioned when the contract would go out for bid.

Mr. Cope responded that he was not certain if there is an option to renew. He explained that if bids are sought, it would most likely be in June of this year.

Mr. Kochenderfer questioned whether there are tasks that the maintenance technician should be doing that are not being done.

Mr. Cope responded that there are a number of projects that staff have not been able to work on. He explained that the City completed a survey of its buildings which identified many needed maintenance projects. Staff reductions led to a lack of manpower to perform maintenance on many of the Parks buildings.

President Hooper commented that he would assume that negotiations were held with DuAll.

Mr. Cope responded that bids were provided at \$17.00 per hour for Museum services and \$15.00 per hour for Fire Station #1. He pointed out that the Museum requires more care and a full-time person is needed.

President Hooper questioned whether Museum services include the Museum building, the Schoolhouse and the Calf Barn.

Mr. Cope responded that they do.

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

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

Enactment No: RES0015-2014

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the

Blanket Purchase Order to Du All Cleaning Inc., Macomb, Michigan in the amount of \$40,000.00 for a new not-to-exceed amount of \$135,400.00 through August 1, 2014.

COUNCIL COMMITTEE REPORTS

Older Persons' Commission (OPC):

Mr. Webber reported that the OPC Governing Board held its first meeting of the year last Thursday. He noted that the process is moving along to hire a new Director, and the consultant has been tasked to attract candidates. He stated that the hope is to have interview sessions on an upcoming Saturday.

Mr. Brown announced that the OPC would hold a Sock Hop on Friday, January 24th from 6:00 p.m. to 9:00 p.m. on the OPC Gym. Towne Square Pizza will be provided. He noted that the public is encouraged to attend and individuals do not have to be over 50 years of age. Tickets are \$16.00.

Planning Commission:

President Hooper reported that the Planning Commission took up a request by residents to begin the process to refer discussion of the Eddington Boulevard relocation back to the Commission.

Rochester Avon Recreation Authority (RARA):

Mr. Wiggins reported that the RARA Board had a meeting in December and will continue to work on projects.

Paint Creek Trailways Commission:

Ms. Morita reported that the Commission met in December, and discussed the Livernois traffic circle at Tienken and the closure of the Tienken Road parking lot. She noted that users will be requested to park at the Rochester Municipal Park and at one other unpaved location.

Brownfield Redevelopment Authority:

Ms. Morita reported that the Authority is in the process of updating its policy to reflect changes in the law. She noted that State Law now allows for the inclusion of historical buildings in Brownfield Redevelopment Plans. The Authority expects to have one more meeting to develop a revised policy for Council's approval.

Avondale Youth Assistance (AYA):

Ms. Morita reported that the Youth Assistance is seeking a speaker for its March 13th Youth Recognition Ceremony.

Rochester Area Youth Assistance:

Mr. Brown reported that the Rochester Area Youth Assistance Board will hold its first meeting of 2014 on Tuesday, January 28th at 5:00 p.m.

ANY OTHER BUSINESS

President Hooper noted that *Ms. Morita* has requested moving the second Budget discussion meeting from Monday, August 25th to Wednesday, August 20th.

Mr. Kochenderfer stated that while he would most likely be unable to attend the meeting if it were moved to August 20th, he would not oppose the change.

After discussion, it was determined that the Budget discussions would be held on Monday, August 18th and Wednesday, August 20th.

NEXT MEETING DATE

Regular Meeting - Monday, January 27, 2014 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 9:05 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*TINA BARTON, 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.