



# Rochester Hills

## Minutes - Draft

### City Council Regular Meeting

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

*Susan M. Bowyer Ph.D., Kevin S. Brown, Dale A. Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and Thomas W. Wiggins*

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

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

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Monday, March 13, 2017

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

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

## ROLL CALL

**Present** 7 - Susan M. Bowyer, Kevin S. Brown, Dale Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and Thomas W. Wiggins

### Others Present:

*Bryan Barnett, Mayor  
Tina Barton, City Clerk  
Sean Canto, Chief of Fire and Emergency Services  
Scott Cope, Director of Building/Ordinance Compliance  
Allan Schneck, Director of DPS/Engineering  
John Staran, City Attorney  
Tamara Williams, Chief Assistant to the Mayor  
Kelly Winters, Deputy Director of Building*

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

## COUNCIL AND YOUTH COMMITTEE REPORTS

### Rochester Hills Government Youth Council (RHGYC):

*President Tisdell introduced Shreya Reddy, RHGYC Chairperson. He noted that she is a Senior at Rochester High School and this is her fourth year on the RHGYC. He stated that her interests are in tennis, singing, and volunteering in*

community service efforts, and he noted that her favorite part of her involvement in the RHGYC is the up-close view of how government works.

**Ms. Reddy** announced that the RHGYC members would be participating in the following events and activities:

- RHGYC members will partner with the Green Space Advisory Board on their Discovery Hike on April 29, 2017. Members will be walking the Harding Green Space Property with attendees to point out the various plant species.
- Their biggest event of the year, the 5K Run/Walk with proceeds to benefit the Assistance League of Southeast Michigan, will be held on Saturday, June 17, 2017 at Bloomer Park. Sponsors and contributors are still needed.
- Members will participate in the Mayor's State of the City address on April 10, 2017.
- RHGYC members will cultivate a plot at the Community Garden at Wabash Park this summer. Produce will be donated to a local food bank.

**Green Space Advisory Board (GSAB):**

**Dr. Bowyer** announced that the GSAB Discovery Walk is set for April 29, 2017, from 10:00 a.m. to 1:00 p.m. The Harding Green Space property will be toured. Those interested in attending should meet at the tent which will be located at the back of the RiverCrest Professional Building on Avon Road. She noted that hiking boots are recommended as the terrain will be rough. She expressed her appreciation to the RHGYC members who will be helping.

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

**Mr. Hetrick** reported that SEMCOG is looking for survey responses regarding pedestrian and bicycle safety. A link to the survey will be posted on the City's Facebook page. Those interested in participating can also email him for a link to the survey.

**Rochester Avon Recreation Authority (RARA):**

**Mr. Kubicina** noted that six years ago, RARA activities were located in a 10,000 square foot building near the corner of Main and Second Street in Rochester. Since then, thanks to Executive Director Ron Jewell, new buildings were acquired. He stated that the first basketball game was held at their expanded facility; and he highlighted photos of the two basketball courts and the multipurpose room, noting that activities can now include indoor soccer, futsal games, inline hockey and pickleball.

**Rochester Area Youth Assistance (RAYA):**

**Mr. Kubicina** announced that RAYA's annual recognition banquet is set for Tuesday, March 28, 2017 at RiverCrest. He noted that 29 students will be honored for their community service.

**Older Persons' Commission (OPC):**

*Vice President Morita announced that the OPC is hosting many free classes.*

**Avondale Youth Assistance (AYA):**

*Vice President Morita announced that AYA's Youth Recognition Awards will be held Tuesday, March 21, 2017, at Avondale High School. She noted that 50 students will be honored.*

**ORDINANCE FOR INTRODUCTION**

**2017-0111** Acceptance for First Reading - An Ordinance to Amend Sections 54-32, 54-34, 54-45, 54-46, 54-49, 54-51, 54-54, 54-152, 54-153, 54-154, 54-155, 54-156, 54-157, 54-160, 54-161, 54-162, 54-163, 54-165, 54-191, 54-192, 54-196, 54-226, 54-227, 54-228, 54-229, 54-230, 54-231, 54-232, 54-261, 54-262, 54-264, 54-265, 54-266, 54-267, 54-268, 54-302, 54-314, 54-315, 54-316, 54-317, 54-346, 54-347, 54-376, 54-531, 54-533 and 54-587 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for cemetery, copy costs, recording documents, and various documents, maps, permits, reviews, inspections, licenses, and services, and to repeal conflicting or inconsistent Ordinances

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Tina Barton**, City Clerk, stated that Ordinance Chapter 54 included fee changes requested by several departments.

**President Tisdell** noted that a number of emails were sent by Council Members requesting clarification of the changes.

**Vice President Morita** expressed her appreciation to staff members who responded to her questions over the weekend. She commented that copy costs noted in Section 54-34 could be misconstrued as \$0.10 per document copied, and she suggested that the wording be adjusted to reflect that the copy costs were \$0.10 per page copied.

**City Attorney John Staran** stated that the change could be made prior to the Second Reading.

**Scott Cope**, Director of Building/Ordinance Compliance, stated that under Section 54-154 (G), outside consultant review fees were included in the Ordinance as 1.5 times their cost to the City. He explained that the fees are a pass-through cost and the additional 50 percent represents copying, mailing, and other expenses incurred by the City.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

**Resolved**, than an Ordinance to amend Sections 54-32, 54-34, 54-45, 54,46, 54-49, 54-51, 54-54, 54-152, 54-153, 54-154, 54-155, 54-156, 54-157, 54-160, 54-161, 54-162, 54-163, 54-165, 54-191, 54-192, 54-196, 54-226, 54-227, 54-228, 54-229, 54-230, 54-231, 54-232, 54-261, 54-262, 54-264, 54-265, 54-266, 54-267, 54-268, 54-302, 54-314, 54-315, 54-316, 54-317, 54-346, 54-347, 54-376, 54-531, 54-533 and 54-587 of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for cemetery, copy costs, recording documents, and various documents, maps, permits, reviews, inspections, licenses, and services, and to repeal conflicting or inconsistent Ordinances is hereby Accepted for First Reading with Copy Costs noted in Section 54-34 changed to indicate \$0.10 per page copied.

- 2017-0117** Acceptance for First Reading - An Ordinance to Amend Section 58-58, Amendments of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify violation fees, and to repeal conflicting Ordinances

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sean Canto**, Chief of Fire and Emergency Services, stated that Chapter 58 included a change to the fine relative to violations regarding open burning.

**John Staran**, City Attorney, stated that the only change to Chapter 58 was reflected on page 4 of the proposed Ordinance. He noted that Vice President Morita raised questions regarding fire pits and outdoor fireplaces. He explained that the Fire Department is looking at updating the Fire Prevention Code to reflect the current 2015 International Fire Code. He stated that regulations within the 2015 Code are much more specific regarding outdoor fire pits, outdoor burning, and types of fuel used. He commented that very clear and unambiguous language will be proposed.

**Vice President Morita** commented that there has been an inconsistency in enforcement of violations regarding fire pits. She questioned whether the revisions will be completed prior to the summer season.

**Chief Canto** responded that more concerns have been raised regarding the large fire pits that are constructed out of brick rather than the small units that could be purchased at home improvement stores. He pointed out that it is against the ordinance to burn raked leaves in any of the units. He commented that it is hoped that the change can be brought to Council within the next two months.

**Dr. Bowyer** questioned whether a fire pit on the ground requires a burn permit.

**Chief Canto** responded that it does. He added that residents are allowed to burn only dry, clean, seasoned firewood and cannot burn leaves, two-by-fours or construction debris.

**Dr. Bowyer** noted that residents should not burn treated wood, as it releases toxic chemicals.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

**Resolved**, that an Ordinance to amend Section 58-58, Amendments of Chapter 58, Fire Prevention and Protection, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify violation fees, and to repeal conflicting Ordinances is hereby Accepted for First Reading.

**2017-0112** Acceptance for First Reading - An Ordinance to Amend Section 79-7, Fees of Chapter 79, Special Events, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for applications, plan reviews and permits, and to repeal conflicting Ordinances

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Scott Cope**, Director of Building/Ordinance Compliance, stated that fees in the proposed Ordinance are separated out differently for tenants and building owners versus those who come in to the community to run an event. He pointed out that the proposed change will provide a benefit to the business owners who pay taxes in the community.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

**Resolved**, that an Ordinance to amend Section 79-7, Fees of Chapter 79, Special Events, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for applications, plan reviews and permits, and to repeal conflicting Ordinances is hereby Accepted for First Reading.

**2017-0113** Acceptance for First Reading - An Ordinance to Amend Sections 110-56, 110-171, 110-173, 110-201, 110-206, 110-286, 110-371, 110-401, 110-402, 110-403, 110-404 and 110-406 of Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and supplement fees charged for various City services, and to repeal conflicting Ordinances

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Public Comment:**

**Lee Zendel**, 1575 Dutton Road, requested the following information regarding the proposed Ordinance:

- Whether the increased Building Department fees estimated are included in the Building Department Revenue in the 2017 Adopted Budget.
- Why the increases in the fees range from approximately 10 to 15 percent while inflation is only at two percent.
- What total building permit fees are for the average new home construction.

**Scott Cope**, Director of Building/Ordinance Compliance, responded with the following:

- The increased Building Department fees are not included in the adopted 2017 Budget.
- The last increase in Building Department fees occurred in 2010. Since then, salaries have increased approximately 9.5 percent.
- The average priced home of \$500,000 would see permit fees rise from approximately \$3,195 to \$3,713.

**Council Discussion:**

**Vice President Morita** questioned how consultant legal fees could be passed through, rather than charged at a flat amount per document. She commented that a complicated document could take more than one hour for legal review.

**Mr. Cope** responded that fees where consultants are involved are passed through at 1.2 to 1.5 times their actual costs. He suggested that the Legal Fees noted in Section 110-171 (6) could be changed to reflect whatever the City is charged plus a percentage.

**City Attorney John Staran** noted that the Ordinance could be Accepted for First Reading pending this change.

**Vice President Morita** questioned whether the other Council Members would be in agreement with this change.

**President Tisdell** responded that if it is typical to pass along those consultant fees, he would think that it is more than appropriate to make that change for the Second Reading.

**Mr. Hetrick** stated that he would concur that whether legal fees or consultant fees, they should be passed through.

**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, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

**Resolved**, that an Ordinance to amend Sections 110-56, 110-171, 110-173, 110-201, 110-206, 110-286, 110-371, 110-401, 110-402, 110-403, 110-404 AND 110-406 OF Chapter 110, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify and supplement fees charged for various City services, and to repeal conflicting Ordinances is hereby Accepted for First Reading with Section 110-171 (6) changed to reflect a complete pass through of outside legal consultant fees.

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

None.

## 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.

**2017-0075** Approval of Minutes - City Council Regular Meeting - February 6, 2017

**Attachments:** [CC Min 020617.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0066-2017

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 6, 2017 be approved as presented.

**2017-0101** Approval of Minutes - City Council Regular Meeting - February 27, 2017

**Attachments:** [CC Min 022717.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0067-2017

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 27, 2017 be approved as presented.

**2017-0085** Request for Acceptance of a Watermain Easement granted by MacLeish Building, Inc., a Michigan Corporation, for Sanctuary in the Hills East

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Watermain Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0068-2017

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by MacLeish Building, Inc., a Michigan Corporation, whose address is 650 E. Big Beaver, Suite F, Troy, MI 48083, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel Nos. 15-32-476-001, 002-005, & 15-32-477-009 & 016.

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

**2017-0086** Request for Acceptance of a Sanitary Sewer Easement granted by MacLeish Building, Inc., a Michigan Corporation, for Sanctuary in the Hills East

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Sanitary Sewer Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0069-2017

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a sanitary sewer easement granted by MacLeish Building, Inc., a Michigan Corporation, whose address is 650 E. Big Beaver, Suite F, Troy, MI 48083, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer over, on, under, through and across land more particularly described as Parcel Nos. 15-32-476-001, 002-005, & 15-32-477-009 & 016.

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

- 2017-0087** Request for Approval of a Storm Sewer System Maintenance Agreement between the City of Rochester Hills and MacLeish Building, Inc., a Michigan Corporation, for Sanctuary in the Hills East

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Storm Sewer System Maint Agreement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0070-2017

**Resolved**, that the Rochester Hills City Council, hereby approves the storm sewer system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm sewer system from MacLeish Building, Inc., a Michigan Corporation, whose address is 650 E. Big Beaver, Suite F, Troy, MI 48083, for Sanctuary in the Hills East, for Parcel Nos. 15-32-476-001, 002-005, & 15-32-477-009 & 016.

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

- 2017-0088** Request for Acceptance of the Agreement for Maintenance of Private Road between the City of Rochester Hills and MacLeish Building, Inc., a Michigan Corporation, for Sanctuary in the Hills East

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Private Road Maintenance Agreement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0071-2017

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the Agreement for Maintenance of Private Road, 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 MacLeish Building, Inc., a Michigan Corporation, whose address is 650 E. Big Beaver, Suite F, Troy, MI 48083, for Sanctuary in the Hills East, for Parcel Nos. 15-32-476-001, 002-005, & 15-32-477-009 & 016.

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

- 2017-0089** Request for Approval of a Storm Water System Maintenance Agreement

between the City of Rochester Hills RGM Real Estate Holdings, LLC, for RGM Tooling Addition

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Storm Sys Maint Agreement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0072-2017

**Resolved**, that the Rochester Hills City Council, hereby approves the storm water system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm sewer system from RGM Real Estate Holdings LLC, whose address is 2750 Product Drive, Rochester Hills, MI 48309, for RGM Tooling Addition, for Parcel No. 15-28-376-023.

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

**2017-0090**

Request for Acceptance of Highway Easement granted by Timothy Roumayah, aka Tim Roumayah, an unmarried man; Shahegan S. O'Connor, fka Sherry Roumayah; Kim Sanders, fka Kim Roumayah; Glenn Roumayah, an unmarried man; and Jerry Roumayah, a married man, joint tenants with rights of survivorship and survivors of Fathallah Roumayah, and authorization of payment to Chateau De Vin, Inc., 1020 E. Auburn Road, Rochester Hills, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Recorded Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0073-2017

**Resolved**, that the Rochester Hills City Council on behalf of the City of Rochester Hills accepts a Highway Easement granted by Timothy Roumayah, aka Tim Roumayah, an unmarried man; Shahegan S. O'Connor, fka Sherry Roumayah; Kim Sanders, fka Kim Roumayah; Glenn Roumayah, an unmarried man; and Jerry Roumayah, a married man, joint tenants with rights of survivorship and survivors of Fathallah Roumayah whose death certificate is recorded in Liber 47591, Page 478 of Oakland County Records, for the construction, operation, maintenance repair and/or replace roadways, utilities, and other infrastructure improvements in, over, on, under, through and across land of more particularly described as Parcel No. 15-36-101-001 and authorizes payment to Chateau De Vin, Inc., 1020 E. Auburn Road, Rochester Hills, Michigan 48307 in the amount of \$20,746.00.

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

**2017-0091**

Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for Shoulder Right-of-Way and Pathway Mowing Services for the Department of Public Services in the amount not-to-exceed \$50,000.00 through December 31, 2017; Brantley Development, LLC, Inkster, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0074-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Brantley Development, LLC., Inkster, Michigan in the amount not-to-exceed \$50,000.00 through December 31, 2017 and further authorizes the Mayor to execute a contract addendum on behalf of the City.

- 2017-0092** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 6A Natural Stone in the amount not-to-exceed \$7,000.00 through December 31, 2018; Richmond Transport, Lenox, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0075-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Richmond Transport, Lenox, Michigan for the purchase of 6A Natural Stone in the amount not-to-exceed \$7,000.00 through December 31, 2018.

- 2017-0093** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 21AA Natural Stone in the amount not-to-exceed \$25,740.00 through December 31, 2018; Osburn Industries, Inc., Taylor, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0076-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for 21AA Natural Stone to Osburn Industries, Inc., Taylor, Michigan in the amount not-to-exceed \$25,740.00 through December 31, 2018.

- 2017-0094** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 22A Road Gravel in the amount not-to-exceed \$24,260.00 through December 31, 2018; Tri-City Aggregates, Inc., Holly, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0077-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Tri-City Aggregates, Inc., Holly, Michigan for 22A Road Gravel in the amount not-to-exceed \$24,260.00 through December 31, 2018.

- 2017-0095** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for

5G Slag in the amount not-to-exceed \$21,080.00 through December 31, 2018; Gary's Transport, Inc., Macomb, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0078-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Gary's Transport Inc., Macomb, Michigan for 5G Slag in the amount not-to-exceed \$21,080.00 through December 31, 2018.

**2017-0096** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 22X Slag in the amount not-to-exceed \$4,000.00 through December 31, 2018; Edw. C. Levy Co., Detroit, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0079-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Edw. C. Levy Co., Detroit, Michigan for 22X Slag in the amount not-to-exceed \$4,000.00 through December 31, 2018.

**2017-0097** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 21AA Crushed Concrete in the amount not-to-exceed \$12,000.00 through December 31, 2018; B&W Landscape, Clinton Township, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[BID Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0080-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to B&W Landscape, Clinton Township, Michigan for the purchase of 21AA Crushed Concrete in the amount not-to-exceed \$12,000.00 through December 31, 2018.

## Passed the Consent Agenda

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Hetrick** offered his thanks to Tamara Williams, Chief Assistant to the Mayor, for her efforts in ensuring that a warming station was available for residents who had

*no power following last Wednesday's wind storm. He added his thanks to Republic Services workers who brought trash cans up to the homes during the storm to prevent them from blowing away.*

***Mr. Brown** expressed his appreciation for the efforts to open the warming centers, noting that he was with several residents who were concerned what they would do if their power did not come back on. He wished everyone a happy Pi-Day tomorrow.*

***Dr. Bowyer** thanked those involved in providing the warming stations. She announced the following events and activities:*

- Maple Syrup and Pancake Breakfast at the Museum this coming Saturday, March 18, 2017, from 9:00 a.m. to noon.*
- Homeowners Association Leadership Forum on March 30, 2017, at 6:30 p.m. in the City Hall Auditorium.*
- The deadline for donating RecycleBank points to the Green Schools program is this coming Wednesday. Several schools have met their goals and several still need points.*

***Vice President Morita** expressed her thanks to City Staff for their efforts to assist in clean up after the wind storm. She noted that the Forestry Staff had a tree cleaned up in her neighborhood within an hour of its falling.*

***City Clerk Tina Barton** stated that County Clerk Lisa Brown announced that new election equipment has been selected and will be put into place before this year's elections. Hart Intercivic will provide the equipment and will open their first staffed office in Oakland County, which will handle repairs, parts and service. The tabulator selected is the most wheelchair-friendly and is easy to maneuver. The equipment will allow for easy training of poll workers. Additionally, ballots can be printed in the office to avoid any shortages. She noted that funds were placed in the Capital Improvement Plan Budget several years ago to cover the costs.*

***Mayor Barnett** noted that there are two days left to donate RecycleBank points to the Green Schools program. He stated that six schools have met their points goals, and he encouraged residents to donate to those that still need points.*

*He expressed his appreciation to DPS, Parks and Forestry Staff, and his Mayor's Office Staff for their efforts during and after last week's windstorm. He commented that approximately 300 people in the city still do not have power. He commented that this was the most significant weather event of the last 100 years for DTE Energy, with 9,000 reported downed power lines and more than 800,000 DTE customers impacted. He asked **Tamara Williams**, Chief Assistant to the Mayor, to comment on efforts to provide a warming shelter.*

***Ms. Williams** stated that Homeland Security officials contacted Fire Chief Canto to express concerns that residents would need shelter. Chief Canto called an emergency coordination meeting, and the City's CERT Team arranged to staff the center 24 hours per day for residents to stay. The Rochester Community School*

System opened Hart Middle School to residents, Oakland County provided cots, and the Salvation Army provided snacks and water.

**Mayor Barnett** noted that the City's Public Safety team worked very hard responding to downed power lines and other damage. He commented that the team will be debriefing soon to discuss the event.

He announced the following:

- Rochester High School's Cheerleading Team was once again crowned State Champions. He pointed out that Rochester High, Rochester Adams and Stoney Creek each had cheerleading teams that qualified for the State Finals.
- The Clinton River Trail received a TAP Grant.
- Crews repaired a watermain break along Dutton Road.
- Grand Traverse Pie Company will have a contest for Pi-Day. Schools are encouraged to post a video of their classrooms reciting Pi for a chance to win \$150 for their class. Awards will be given for the most creative video, the most digits reported in 15 seconds, and a category for children under age 12.
- Mayor Barnett spent the weekend at an innovation conference and shared photos.

## ATTORNEY'S REPORT

*City Attorney John Staran had nothing to report.*

## NOMINATIONS/APPOINTMENTS

2017-0070 Nomination/Appointment of one (1) Citizen Representative to the Zoning/Sign Board of Appeals for a three-year term to expire March 31, 2020

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Braun III CQ.pdf](#)  
[Colling, Jr. CQ.pdf](#)  
[Deel CQ.pdf](#)  
[Dunn CQ.pdf](#)  
[Graves CQ.pdf](#)  
[Lyons CQ.pdf](#)  
[Reina CQ.pdf](#)  
[Tischer CQ.pdf](#)  
[Notice of Vacancy.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Tisdell Opened the Floor for Nominations:**

*Mr. Kubicina* nominated Stephen Dunn.

*Mr. Hetrick* nominated Ernest Colling, Jr.

**Seeing no further nominations, President Tisdell Closed the Floor for Nominations.**

He noted that as there were two individuals nominated, this item would return to the next Council Meeting for a vote.

**Discussed.**

- 2017-0048** Request for Appointment of a Planning Commission Representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2018

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Minutes PC 022117.pdf](#)  
[Memo PC Rep to ZBA 021717.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Vice President Morita noted that she sits on the Planning Commission with Deborah Brnabic and would be happy to make the motion to appoint her as the Planning Commission Representative to the Zoning/Sign Board of Appeals.*

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0081-2017

**Resolved**, that the Rochester Hills City Council hereby appoints Deborah Brnabic as the Planning Commission representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2018.

## NEW BUSINESS

- 2017-0106** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for 2017 Asphalt Road Rehabilitation Program in the amount of \$1,891,730.15 with a 10% project contingency in the amount of \$189,173.00 for a total not-to-exceed project amount of \$2,080,903.15; Pro-Line Asphalt, Washington Township, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[2017 Overall Proj. Map.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Allan Schneck, Director of DPS/Engineering, stated that plans and specifications were assembled according to the Capital Improvement Plan, and funds are allocated in the 2017 Budget.*

*Mr. Brown noted that the recommended bidder was the lowest.*

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0082-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Pro-Line Asphalt, Washington Township, Michigan in the amount of \$1,891,730.15 with a 10% project contingency in the amount of \$189,173.00 for a total not-to-exceed project amount of \$2,080,903.15 for the 2017 Asphalt Road Rehabilitation Program and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

- 2017-0107** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for 2017 Asphalt Road Rehabilitation Program Construction Engineering Services in the amount of \$208,213.00; Spalding DeDecker, Rochester Hills, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Spalding DeDecker CE Services Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, stated that this request is for construction engineering for the 2017 Asphalt Rehabilitation Program that was approved this evening.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0083-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Spalding DeDecker, Rochester Hills, Michigan in the amount of \$208,213.00 for the 2017 Asphalt Road Rehabilitation Construction Engineering Services and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

- 2017-0105** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for 2017 Concrete Road Replacement Program in the amount of \$2,419,401.50 with a 10% project contingency in the amount of \$241,940.15 for a total not-to-exceed project amount of \$2,661,341.65; Cipparone Contracting Inc., Southfield, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[2017OverallConcreteProjectMap.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, stated that Option 2 is recommended, which due to favorable bids would allow \$500,000 more work to be completed for the total budgeted amount.

**Mr. Brown** commented that DPS Staff found a way to craft a request for proposal to allow for favorable bids.

**Vice President Morita** questioned which streets would be added in Option 2.

**Mr. Schneck** responded that Option 2 would allow several courts to be replaced in their entirety including Millbrook Court, Eagle Court, Pheasant Ring Court, Chancery Court and Michele Court. Lengths added to the project in would include 180 feet on Shellbourne, 300 feet on Greenspring Lane, and 250 feet on Eagle Drive.

**Mayor Barnett** noted that as the work progresses, condition of the existing concrete would be taken into account.

Council concurred with proceeding with Option 2.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0084-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Cipparone Contracting Inc., Southfield, Michigan in the amount of \$2,419,401.50 with a 10% project contingency in the amount of \$241,940.15 for a total not-to-exceed project amount of \$2,661,341.65 for the 2017 Concrete Road Replacement Program and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

**2017-0102** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for 2017 Concrete Road Replacement Program Construction Engineering Services in the amount of \$48,388.00; Spalding DeDecker, Rochester Hills, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Spalding DeDecker CE Services Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, noted that construction engineering services would include staking to re-establish the grade of the road prior to concrete removal.

**Mr. Hetrick** expressed his appreciation that Spalding DeDecker will maintain its fee structure for Option 2.

**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 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0085-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Spalding DeDecker, Rochester Hills, Michigan in the amount of \$48,388.00 for the 2017 Concrete Road Replacement Program Construction Engineering Services and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

**2017-0104** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for 2017 Pathway Rehabilitation Program in the amount of

\$438,166.95 with a 10% project contingency in the amount of \$43,816.70 for a total not-to-exceed project amount of \$481,983.65; Florence Cement Company, Shelby Township, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[OverallMap.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, expressed his appreciation to his Engineering Division Staff for the tremendous amount of work they did to get plans and specifications ready in time to secure favorable bids. He explained that the 2017 Pathway Program will construct a continuous pathway on Rochester Road from Wimberly south to Tienken. He pointed out that the developer of a project on Rochester Road will be constructing their portion of the pathway. In addition, a portion along Walton will be milled, filled and rehabilitated.

**Mr. Hetrick** noted that he had emailed requesting information on how the overage above the budgeted funds would be covered.

**Mr. Schneck** responded that the project bids came in approximately \$18,000 over budget. He pointed out that a surplus was left over in the Pathway Funds for 2013, there was no pathway program in 2014, the 2015 program came in \$17,000 under budget, and the 2016 program came in \$2,400 under budget. He stated that this will provide approximately \$23,000 of funds that were not expended that would cover the overage. He added that whatever is not spent on pathway maintenance is also transferred to construction; and he pointed out that with the mild winter and few snow events, there would funds left over there as well.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0086-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Florence Cement Company, Shelby Township, Michigan in the amount of \$438,166.95 with a 10% project contingency in the amount of \$43,816.70 for a total not-to-exceed project amount of \$481,983.65 for the 2017 Pathway Rehabilitation Program and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

**2017-0103** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for 2017 Pathway Rehabilitation Program Construction Engineering Services in the amount of \$51,250.00; Anderson, Eckstein and Westrick, Inc., Shelby Township, MI

**Attachments:** [031317 Agenda Summary.pdf](#)  
[Proposal AEW CE Services Pathway Program.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, stated that as Anderson, Eckstein and Westrick designed the pathway program, it was felt that they would be the best consultant to oversee the project. He commented that while funds are not identified for this expenditure, retained earnings in the Pathway Fund are over \$1 million. He stated that the expense would not have much impact on the fund.

**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, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0087-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract to Anderson, Eckstein and Westrick, Shelby Township, Michigan in the amount of \$51,250.00 for the 2017 Pathway Rehabilitation Program Construction Engineering Services and further authorizes the Mayor to execute the contract on behalf of the City.

**Further Resolved**, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

**2017-0110** Request for Approval of the Conditional Commitment for the Hamlin Road Reconstruction Project, a Transportation Economic Development Fund - Category A (TEDF-A) project

**Attachments:** [031317 Agenda Summary.pdf](#)  
[MDOT TEDA Application.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, explained that the stretch of Hamlin Road between Old Adams and New Adams is currently under the jurisdiction of the Road Commission for Oakland County (RCOC). He stated that when Adams Road was realigned a number of years ago, that stretch of road was supposed to be conveyed to the City of Rochester Hills; however, there had been a right-of-way issue that had not been resolved and it remained under the RCOC's jurisdiction. He noted that that particular stretch of roadway is in very bad condition. He stated that Category A funding may be available, as any time a development comes into a city, the development can be leveraged to garner funding for improvements to the infrastructure within the influence of that development. He noted that Pamela Valentik, Manager of Economic Development, was recently before Council regarding Molex, which has now occupied the former Volkswagen building; and it was determined that the application for Category A funding may have viability. He mentioned that even prior to Molex's entry into the city, Mayor Barnett has been working with the RCOC to determine how the road can be improved.

He explained that Council is being asked to provide a letter of support and conditional commitment should the grant be awarded through the Michigan Department of Transportation (MDOT). He commented that this would be a

very good partnership between the RCOC, the City of Rochester Hills, and MDOT. He noted that the request is for \$1.2 million in commitment of funding, with a total project cost of approximately \$5 million. He stated that the project will include a total removal and replacement of that stretch of roadway; and once completed, the roadway would be conveyed to the City.

**Vice President Morita** questioned whether the project will include the adjacent intersection and east to the first turnaround. She commented that she drove that section recently and it is in very bad shape. She commented that it would be great to undertake the project with cost sharing.

**Mr. Schneck** responded that it would include the intersection and to the first turnaround.

**Mr. Wiggins** questioned when the City would learn whether the project will receive the funding and what the timing would be for the work.

**Mr. Schneck** responded that it is his understanding that MDOT will meet in mid-April to consider all applications across the entire state. He explained that if a favorable response is received, Council would then be asked to consider a funding agreement. He stated that the project would be anticipated for 2018, and he noted that an application for the project has been included for consideration in the Capital Improvement Plan for 2018.

**Dr. Bowyer** commented that the roadway is in very bad shape and was pleased that cost sharing would be explored.

**Mr. Brown** stated that DPS Staff have done a great job in finding opportunities to partner with others.

**Mr. Schneck** commented that Mayor Barnett deserves much credit for lobbying Oakland County to consider the project. He stated that after his efforts, Oakland County came up with the concept of splitting the project. Once Molex came forward, the City had more leverage to pursue the project, with an intent of delivering the work in 2018.

**Mr. Hetrick** stated that the City's fiscal responsibility has allowed it to maintain very favorable fund balances. He noted that when opportunities arise, the City can take advantage of them.

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

**Aye** 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0088-2017

**Whereas**, the Hamlin Road Project within the City of Rochester Hills, Oakland County is to be a public facility within the City of Rochester Hills.

**Now, Therefore Be It Resolved**, that the Rochester Hills City Council supports the Road Commission for Oakland County (RCOC) request for funding through the Michigan Department of Transportation (MDOT) Transportation Economic Development Fund - Category A program; and

***Be It Further Resolved***, that the Rochester Hills City Council supports the Road Commission for Oakland County (RCOC), as the Agency's applicant; and

***Be It Further Resolved***, that the City Council attests to the existence of and commits to the matching funds necessary to carry out the project in the amount of \$ 2,092,214.00 if awarded the TEDF.

## **ANY OTHER BUSINESS**

***Vice President Morita*** noted that her father has served on Southfield's Senior Adult Commission for 35 years and was recently responsible for the project to refurbish the McDonnell Tower senior apartment community. She stated that he will be recognized for his efforts with a plaque. She commented that both she and her brother have used his example to find ways to contribute to the community, and she stated that she is grateful that he will be receiving this recognition. She urged parents to show their own children responsibility to contribute to the community.

***President Tisdell*** offered congratulations on behalf of Council to Vice President Morita's father.

## **NEXT MEETING DATE**

*Regular Meeting - Monday, March 27, 2017 - 7:00 p.m.*

## **ADJOURNMENT**

*There being no further business before Council, President Tisdell adjourned the meeting at 8:30 p.m.*

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

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

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*MARY JO PACHLA, CMMC  
Administrative Secretary  
City Clerk's Office*

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