



# 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, September 11, 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** 6 - Susan M. Bowyer, Kevin S. Brown, Dale Hetrick, James Kubicina, Stephanie Morita and Mark A. Tisdell

**Absent** 1 - Thomas W. Wiggins

## Others Present:

*Bryan Barnett, Mayor  
Mallory Boyd, Rochester Hills Government Youth Council Representative  
Alan Buckenmeyer, Parks Operations Manager  
Sean Canto, Chief of Fire and Emergency Services  
Ann Christ, City Attorney  
Bill Cooke, Assistant Chief/Fire Marshal  
Lance DeVoe, Park Ranger II  
Ken Elwert, Director of Parks and Forestry  
Larry Gambotto, Captain/Training Officer  
Todd Gary, Deputy Chief  
Pamela Gordon, Director of Human Resources  
Tim Hollis, Supervisor of Inspection Services  
Captain Michael Johnson, Oakland County Sheriff's Office  
Kevin Krajewski, Network Administrator/Deputy Director of MIS  
Gerry Lee, Forestry Operations Manager  
Pat McKay, Museum Manager  
Sara Roediger, Director of Planning and Economic Development  
Allan Schneck, Director of DPS/Engineering  
Leanne Scott, Deputy Clerk  
Joe Snyder, Chief Financial Officer  
Laurie Taylor, Acting Director of Assessing  
Bob White, Supervisor of Ordinance Services  
Maria Willett, Special Assistant to the Mayor*

*Mr. Wiggins provided prior notice that he would be unable to attend.*

## PLEDGE OF ALLEGIANCE

*The Pledge of Allegiance was led by representatives of the Ahmadiyya Muslim Women's Association.*

## APPROVAL OF AGENDA

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdel

**Absent** 1 - Wiggins

## COUNCIL AND YOUTH COMMITTEE REPORTS

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

**President Tisdel** introduced **Mallory Boyd**, RHGYC Representative, noting that she is a Junior at Rochester Adams High School and is in her second year on the RHGYC. He stated that she sings in the Oakland University Music Preparatory Division and is Vice President of Adams' Theater Club.

**Ms. Boyd** reported that the RHGYC members donated the proceeds from their recent 5K Run/Walk to the Assistance League of Southeast Michigan. She stated that the 5K was a fulfilling experience for the members and the Assistance League thanked them for their hard work. She announced that returning RHGYC members welcomed new members to begin the 2017-2018 year. Upcoming events include volunteering at the Brooksie Way Race manning a water and Gatorade station, and holding a three-day fund raiser in conjunction with Carson's Department Store's Community Days event November 8 through 11. Proceeds from the Carson's fund raiser will go toward next year's 5K set for June 2018. She stated that the first official meeting for the 2017-2018 RHGYC will be held on Saturday, September 16, 2017, at Fire Station #1.

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

**Mr. Kubicina** announced that RARA would be hosting a kids' Heroes vs Villain one mile Fun Run on October 6, 2017. The cost to enter is \$15 and includes a shirt and participants' medal. Parents are welcome to participate and can purchase their own shirt for \$10.

### **Paint Creek Trailways Commission (PCT):**

**Dr. Bowyer** reported that last week's Paint Creek Trail Labor Day Walk was attended by 350 walkers and runners, raising \$1,300 to provide bike helmets for the Lids for Kids program. She gave a special thanks to Ken and Amy Elwert, Council Member Brown, Tom Blackstone, and Beth and Brian Giles for helping with the event.

**Avondale Youth Assistance (AYA):**

*Vice President Morita reported that Avondale Youth Assistance has several programs coming up, including a parent education program helping navigate the transition from adolescence to adulthood on September 27, 2017 through November 8, 2017. A Parent Talk is scheduled for November 17, 2017, and will be presented in cooperation with Ascension Health-Crittenton Hospital. Anyone interested in more information or attending the programs can contact her or AYA at avondaleyouth@gmail.com.*

**RECOGNITIONS**

**2017-0392** Proclamation in Recognition of September 11-17, 2017 as Patriot Week in the City of Rochester Hills

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Mayor Barnett introduced Circuit Court Judge Jeffery Matis, noting that he was in attendance to accept a proclamation to recognize September 11 through 17, 2017 as Patriot Week. He explained that Patriot Week was the idea of Circuit Court Judge Michael Warren. He stated that later in the meeting he would report on a memorable service held this morning at Fire Station #1, to recognize those who lost their lives in that horrific attack 16 years ago today and honor those first responders who answer that uncommon call across the nation.*

*He commented that he was pleased that Judge Matis was able to attend this evening, and noted that he previously served as a Rochester City Council Member and has been a strong advocate for the community.*

*Judge Matis stated that the idea of Patriot Week was the brainchild of Judge Warren and his daughter Leah, who felt that it was worthy of recognition and remembrance. He expressed his appreciation for the proclamation.*

**Presented.**

**Whereas**, in reverence to the victims of the 9/11 attacks, we acknowledge that American citizens must take time to honor the principles, founders, documents, and symbols of their history; and

**Whereas**, the events that led to the signing of The Constitution of the United States of America by the delegates of the Constitutional Convention on September 17, 1787 have significance for every American; and

**Whereas**, Revolution, the rule of law, social compact, equality, unalienable rights, and limited government are the First Principles upon which America was founded and flourishes; and

**Whereas**, we recognize with great respect, the exceptional, visionary, and indispensable Americans who founded and advanced the United States; and

**Whereas**, we honor and respect the physical symbols of American history that should be studied and remembered by each American citizen.

**Now, Therefore Be It Resolved**, that the Mayor and City Council of the City of Rochester Hills hereby recognize September 11-17, 2017 as Michigan Patriot Week.

**Be It Further Resolved**, that in observing Patriot Week, we appreciate the renewal of America's spirit by celebrating the First Principles, persons, documents, and flags that make America the greatest nation in world history.

## PRESENTATIONS

### 2017-0405 Deer Management Advisory Committee Status Report

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Presentation.pdf](#)

**Ken Elwert**, Director of Parks and Forestry and **Deborah Barno**, Chairperson, Deer Management Advisory Committee (DMAC), were in attendance to present the DMAC's annual status report. Mr. Elwert noted that Lance DeVoe, Park Ranger II, was also in attendance to answer any questions.

**Ms. Barno** noted that she would be presenting the DMAC's recommendations for 2017.

*The presentation included acknowledgment of the DMAC members, and a map representing the deer vehicle crash locations for 2016 according to the Southeast Michigan Council of Government's report that the City received in late July.*

*Ms. Barno noted that there were 176 reported deer vehicle crashes in 2016, up 26 accidents from 2015. She pointed out that there were areas considered to be hot spots including Tienken, Avon and Hamlin Roads; and September through January is a very active season.*

*She noted that the aerial survey was not able to be flown this year as the weather did not cooperate with the needed six inches of fresh snow. As such there is no objective measure of the population trend. She mentioned that the City receives resident complaints primarily regarding vegetation damage and people feeding deer against the City's Ordinance. She noted that as there has been continuing booming development in the city with wooded lots cleared that are places of deer and coyote habitat, the animals are migrating north to get away from the activity.*

*She pointed out that the overall trend of crashes from 1999 to present is still downward, and remaining below the high mark of 219 in 2007.*

*She listed the DMAC's recommendations for 2017 to continue and expand the 2016 recommendations, which include the following:*

- *Increase the number of changeable message boards to six from four in high deer/traffic crash areas, and expand the time period from October 1 to December 1. Cost not to exceed \$6,000 plus 2016 funds. Mr. DeVoe works with the sign company to ensure the message boards are moved every two weeks to cover the various crash hot spots.*

- Continue the aerial deer count survey.
- Continue with Fall 2017 and Spring 2018 educational campaign with a message on the utility bills. Mr. Elwert has confirmed that a message will be going out on Fall utility bills.
- Maintain reflective tape on the City-controlled deer traffic signs.

New actions recommended include:

- Change the moveable sign message to read "High Deer Crash Area, Deer Alert, Reduce Speed" instead of the "Don't Veer for Deer" message.
- Add one solar flashing LED deer road sign for trial in a high deer crash area (after Engineering's review for feasibility). Estimated cost \$4,000.
- Establish a Community Outreach Program suggested to include an annual deer gardening seminar (beginning March/April 2018), publish a seasonal deer management brochure in Spring 2018, and establish community partnerships with local garden/nursery stores.

Ms. Barno reviewed a mockup brochure that had been prepared that she suggested be incorporated with information. She noted that the DMAC has established subcommittees to work on the annual deer gardening seminar and brochures.

**Public Comment:**

**Lee Zendel**, 1575 Dutton Road, noted that not every deer vehicle crash is reported to authorities. He stated that the DMAC is not interested in managing deer, and only strives to manage human behavior. He commented that the City should take efforts to manage the deer and should consult the City of Ann Arbor that has undertaken a culling program for the past two years.

**Council Discussion:**

**President Tisdell** questioned how many deer were harvested in the Ann Arbor program.

**Mr. Elwert** responded that roughly 70 to 76 deer were harvested at a cost of approximately \$450 to \$500 per deer. He noted that Ann Arbor also invested in a sterilization program.

**President Tisdell** commented that Mr. Zendel's point is valid regarding the reported deer crashes. He noted that the deer population is reduced by crashes, and he stated that State Farm Insurance estimates a loss of \$4,200 per deer vehicle crash. He commented that he is glad to see that the message boards will be changed, as subtlety does not work. He questioned how the aerial count relates to total deer population in the city.

**Mr. Elwert** responded that a limited number of parcels can be flown, and it may not be possible to gather a total population count. He noted that it is substantially more than the 311 counted in the last aerial survey.

**President Tisdell** commented that the count could extrapolate out to 1,200 to 1,800 deer in the city.

**Mr. Kubicina** mentioned that the City undertook a culling program in 2009, which culled 16 deer over a six week period, and resulted in some problems and resident complaints. He commented that he did not believe that the City would be anxious to go back to revisit that program. He thanked the DMAC members, and noted that Monique Balaban will visit any resident with concerns regarding deer and will take them products to try to deter deer damage. He stated that he would be in favor of changing the message on the signs, and questioned whether the City would need the permission of the Road Commission for Oakland County. He noted that the gardening seminar was a great idea as one was held in 2009 which was well attended. He commented that he also favored developing community partnerships.

**Mayor Barnett** noted that Ann Arbor sterilized 96 deer at a cost of \$450 per deer, and an overall cost of their deer management and sterilization program of a little over \$100,000. He commented that of all the issues the City deals with, this is one that much time is spent on. He stated that the City focuses on education, and will continue to look at new ideas and innovative solutions. He pointed out that the City does not have an area such as Stony Creek Metropark that can be sealed off for any culling operation. He expressed his thanks to the DMAC members for their work.

**Dr. Bowyer** stated that she is a Council Representative to the DMAC, and the two problems that the committee focuses on are vegetation damage and deer vehicle accidents. She pointed out that deer previously located in the southern part of the city are moving north. She expressed her appreciation to DMAC Member Monique Balaban for her efforts to visit residents. She commented that development of a brochure is a good idea, and noted that many individuals do not realize that information is available on the City's website. She noted that it is important during springtime to inform individuals that fawns are not abandoned and should be left alone. She pointed out that Ann Arbor's deer management budget is substantially more than the City's. She stated that it is a good idea to change the message on the signs.

**Mr. Hetrick** stated that he is proud of the work that the Committee did to develop their recommendations, and he noted that community outreach is key. He pointed out that \$6,000 was budgeted for signs, and noted that the solar LED lights are in the process of being evaluated. Should that move forward, a budget amendment would be required.

**Mr. Brown** commented that the number of emails he receives regarding deer concerns fluctuates, and he noted that he has been able to direct residents to the City's website for information. He suggested that the rotation on the scrolling banner on the website focus on deer awareness as it is difficult to direct residents to the information pages.

**Presented.**

## PUBLIC HEARINGS

2017-0347 Public Hearing for the Rochester Avon Recreation Authority Proposed Fiscal Year 2018 Budget

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[082117 Budget Presentation Schedule.pdf](#)  
[RARA Budget 2018 \[Budget Package\].pdf](#)  
[RARA Budget 2018 \[Technical Appendix\].pdf](#)  
[Suppl RARA Presentation.pdf](#)  
[081417 Agenda Summary.pdf](#)  
[081417 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, and **Ron Jewell**, Executive Director, Rochester Avon Recreation Authority, were in attendance.

**President Tisdel** questioned the status of the Certificate of Occupancy relative to the rental space for Orthopedic Spine & Support Therapy.

**Mr. Jewell** responded that Orthopedic Spine & Support Therapy was going through the planning process with the Rochester Planning Commission and the project was expected to be on the Planning Commission's October agenda.

**President Tisdel** questioned whether the process was expected to be completed by the start of the fiscal year.

**Mr. Jewell** responded that it was hoped that the results from the October meeting would be favorable as the project has a low buildout. He noted that the project plan was short one parking space.

**President Tisdel Opened the Public Hearing at 7:48 p.m.  
Seeing No Public Comment, President Tisdel Closed the Public Hearing at 7:49 p.m.**

Discussed.

2017-0348 Public Hearing for the Older Persons' Commission Proposed Fiscal Year 2018 Budget

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[082117 Budget Presentation Schedule.pdf](#)  
[OPC Budget 2018 \[Budget Package\].pdf](#)  
[OPC Budget 2018 \[Technical Appendix\].pdf](#)  
[Suppl OPC.pdf](#)  
[081417 Agenda Summary.pdf](#)  
[081417 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, and **Tim Soave**, Financial Director for the Older Persons' Commission (OPC), were in attendance.

**President Tisdel Opened the Public Hearing at 7:50 p.m.**

**Seeing No Public Comment, President Tisdel Closed the Public Hearing at 7:51 p.m.**

**Mayor Barnett** commented that the OPC had a fantastic weekend at the Art and Apples Festival selling over 1,400 apple pies as a fund raiser for the Meals on Wheels program.

**Discussed.**

**2017-0346** Public Hearing for the City of Rochester Hills Proposed Fiscal Year 2018

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[082117 Agenda Summary.pdf](#)  
[082117 Budget Presentation Schedule.pdf](#)  
[Suppl Budget Overview Presentation.pdf](#)  
[081417 Agenda Summary.pdf](#)  
[081417 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, was in attendance. He recapped the budget planning process including the presentation of the Proposed 2018 and Projected 2019 and 2020 Budgets to Council on August 14, 2017, and the presentations by the various departments and Council discussion over a five-and-one-half hour meeting on August 21, 2017. He listed the four proposals included on Council's Straw Poll, and noted their results:

- The proposal to fund construction of the Cemetery Maintenance Barn from the Cemetery Perpetual Trust Fund was approved unanimously by Council. Use of the Fund for this purpose is allowable as it will directly impact the maintenance of the Cemetery. The Trust Fund currently has a \$1.5 million balance.
- The proposal to draw down the Local Street Fund \$1 million each year for the next three years, in turn reducing the amount of General Fund Transfer to the Fund, was approved unanimously by Council. Incorporating this shift will increase the projected General Fund Fund Balance from the proposed \$20.1 million to \$23.4 million in 2020. The Local Street Fund will move from a projected Fund Balance of \$5.5 million in 2020 to \$2.5 million, which is still a solid level representing 25 percent of annual Local Street Fund total expenditures, operating and capital. The Government Finance Officers Association recommends a minimum of 20 percent of operations. The projected Local Street Fund Balance after the change is at a financially sound level which can be maintained into the future.
- The Fitness Station at Bloomer Park was considered for the 2018 Budget, and Council concurred that it should be kept in the Budget by a five-to-two vote.
- The inclusion of a Tennis and Pickleball Court at Borden Park for the 2019 Projected Budget was approved by Council by a four-to-three vote. Council will once again be able to consider the project when the 2019 Proposed Budget is presented.

**President Tisdel Opened the Public Hearing at 7:55 p.m.**

**Public Comment:**

**Ken Peacock**, 3272 Fulham, stated that he was in favor of the inclusion of the pickleball courts at Borden Park. He commented that it is a chance to see families come and play at no expense as not everyone can afford a club membership. He noted that the courts are currently not suited for playing pickleball and the paving will make all the difference.

**Seeing No Additional Public Comment, President Tisdel Closed the Public Hearing at 7:57 p.m.****Council Discussion:**

**Mr. Kubicina** questioned whether a formal motion was required to accept the Straw Poll results.

**Mr. Snyder** responded that it was not.

**Mr. Hetrick** expressed his appreciation to the residents in attendance to support the Pickleball Courts and stated that he hoped they would return to comment next year as well. He noted that with the change proposed for the General Fund Fund Balance, Mr. Wiggins' suggestion for a targeted amount would be realized.

**Discussed.**

**2017-0372** Adoption of the 2017 Millage Rates (for Fiscal Year 2018)

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Joe Snyder**, Chief Financial Officer, stated that the next step in the Budget process is to hold a Public Hearing on the proposed 2017 Millage Rates, to provide funding for the 2018 Budget. He explained that a millage rate of 10.4605 is proposed, which is the same as the current year's millage rate and held the same for the third year in a row.

**President Tisdel Opened the Public Hearing at 7:59 p.m.**  
**Seeing No Public Comment, President Tisdel Closed the Public Hearing at 8:00 p.m.**

**A motion was made by Hetrick, seconded by Morita, that the proposed 2017 Millage Rates be Adopted by Resolution. The motion carried by the following vote:**

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdel

**Absent** 1 - Wiggins

Enactment No: RES0268-2017

**Whereas**, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and Section III of the Charter for the City of Rochester Hills; the Mayor, as the Chief Administrative and Executive Officer for the City, has prepared and proposed the budget for the ensuing year and submitted it to the City Council at its first meeting in August; and

**Whereas**, at its August 14, 2017 meeting City Council acknowledged receipt from the Mayor of the 2018 Proposed Budget and the 2019-2020 Projected Budgets and set a Public Hearing for September 11, 2017 at 7:00 p.m. to hear comments on the Proposed Budget Plan and Millage Rates; and

**Whereas**, at its September 11, 2017 meeting City Council held said Public Hearing and heard comments on the Proposed Budget Plan and Millage Rates.

**Now, Therefore, Be It Resolved**, the City Council hereby adopts the following tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millage(s) Limitation, to be levied in December 2017 to provide the tax revenues included in the Proposed Fiscal Year 2018 Budget:

**PROPOSED MILLAGE RATES**

<b>Operating Millages</b>	<b>2017</b>
General Fund (Charter)	2.2561
Local Street I (Voted)	0.3470
Local Street II (Voted)	0.4753
Local Street III (Voted)	0.2908
Fire Fund (Charter)	2.7000
Special Police I (Voted)	1.1829
Special Police II (Voted)	1.4693
Pathway (Voted)	0.1817
RARA Operating (Voted)	0.1907
OPC Operating (Voted)	0.2352
OPC Transportation (Voted)	0.0979
Library Operating (Charter)	0.7658
<b>Operating - Subtotal</b>	<b>10.1927</b>
<b>Debt Millages:</b>	
Chapter 20 Drain Debt	0.0413
OPC Building (Voted)	0.2265
<b>Debt - Subtotal</b>	<b>0.2678</b>
<b>TOTAL MILLAGES</b>	<b>10.4605</b>

The Total Millage rate of 10.4605 is per Thousand Dollars (\$1,000) of taxable valuation, as equalized; and

**Be It Further Resolved**, the City Council hereby adopts the following Special Lighting levies for the Christian Hills Subdivision at the rate of \$17.24 per lot or description; and for the Denison Acres Subdivision at the rate of \$4.55 per lot or description; and

**Be It Further Resolved**, that the Assessor of the City of Rochester Hills be and hereby is authorized to have said amounts spread on the 2017 Tax Rolls.

**Be It Further Resolved**, that the City Council hereby adopts the following proposed tax rate in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millage(s) Limitation, to be levied in December 2017 to provide the tax revenues included in the Proposed Fiscal Year 2018 Budget.

## PLANNING AND ECONOMIC DEVELOPMENT

**2014-0497** Request for Conditional Use Approval - Silver Spoon Ristorante, a proposed 3,986 square-foot restaurant at 6780 Old Orion Ct., north of Tienken, west of Rochester Rd., zoned R-1 One Family Residential with an FB-1 Flexible Business Overlay on 1.8 acres of the three-acre parcel; The Silver Spoon Ristorante Italiano, LLC, Applicant

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Suppl Presentation 091117.pdf](#)  
[Memo Kapelanski 082517.pdf](#)  
[Engineering Response to PC concerns 082417.pdf](#)  
[Staff Report 081117.pdf](#)  
[Review #3 Comments.pdf](#)  
[Map aerial.pdf](#)  
[EIS.pdf](#)  
[DRAINAGE.pdf](#)  
[WALL SECTION.pdf](#)  
[SITE PLAN PARKING REVISED.pdf](#)  
[2016RosettaBrochure.pdf](#)  
[Site Plans.pdf](#)  
[Colored Renderings.pdf](#)  
[Minutes PC 082917.pdf](#)  
[Minutes PC 121614.pdf](#)  
[Public Hearing Notice 081517.pdf](#)  
[011215 Resolution.pdf](#)  
[012615 Agenda Summary.pdf](#)  
[Ordinance \(Revised\).pdf](#)  
[011215 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Letter of Intent 102814.pdf](#)  
[Staff Report 121214.pdf](#)  
[Public Hearing Notice 121614.pdf](#)  
[012615 Resolution \(Draft\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Director of Planning and Economic Development, stated that she has been working with the owners of the Silver Spoon Restaurant, and noted that the location was previously reviewed for rezoning for an Flex Business-1 overlay. She explained that it is a deep parcel, split zoned, with R-1 as an underlying zoning. She noted that the property has substantial wetlands, which will be left intact and used as a buffer to the adjacent residential properties. She commented that it is a fairly small-scale use for a restaurant with limited hours and a European feel. She noted that the owners want a secluded feel with many trees.

**Vice President Morita** stated that she sits on the Planning Commission and noted that she was a bit surprised that the proprietors were not in attendance this evening. She explained that the owners worked with the neighboring residents to address their concerns, and attended two meetings in August addressing Planning Commission concerns within two weeks. She stated that the Planning Commission is happy with the efforts of the property owner.

**Dr. Bowyer** commented that it appears that the property has excessive wetlands, and she is glad to see that they will not be impacted.

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdell

**Absent** 1 - Wiggins

Enactment No: RES0269-2017

**Resolved**, that the Rochester Hills City Council hereby approves a Conditional Use Permit for the Silver Spoon Ristorante Italiano, a 3,986 square-foot restaurant at 6780 Old Orion Ct., north of Tienken, west of Rochester Rd., zoned R-1 One Family Residential with an FB-1 Flexible Business Overlay on 1.8 acres of the three-acre parcel, Parcel No. 15-03-476-013, The Silver Spoon Ristorante Italiano, LLC, Applicant, based on plans dated received by the Planning Department on July 6, 2017, plus the additional prints dated August 1, 2017 with the following findings and condition.

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 dining 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.

Condition:

1. Hours of operation shall be, as stated by the applicant, 5:00 to 10:00 p.m. Mondays through Thursdays and 5:00 to 11:00 p.m. Fridays and Saturdays.

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

*Dr. Kishwar Tahir, Public Affairs Secretary for the Ahmadiyya Muslim Women's Association (AMWA), 1730 West Auburn Road, noted that she and members of her organization were in attendance this evening to introduce the AMWA to Council. She stated that the nationwide organization was founded in 1922 and elected their first president in the United States in 1950. She stated that the organization*

*promotes loyalty to nation and youth, and noted that members can be good citizens and contribute to the communities in which they live. She recited the AMWA's pledge, and stated that the group brings the same seriousness to the Pledge of Allegiance. She listed some activities that the AMWA has undertaken, including adopting shelters for abused victims, providing scholarships for women, participating in a program to feed the hungry, helping disaster victims, and donating to various charities and rescue missions. She noted that they host an interfaith dialogue and interfaith events.*

**President Tisdell** stated that he was first introduced to the Ahmadiyya Muslim community during a 2012 blood drive. He noted that the City has had a good working relationship with Mahir Osman of the Ahmadiyya Muslim Youth Association.

**Mr. Kubicina** expressed his thanks to the AMWA members for their service to the community. He thanked Vice President Morita for inviting the group to lead the Pledge of Allegiance this evening.

## 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.

**2017-0390** Approval of Minutes - City Council Special Meeting - August 21, 2017

**Attachments:** [CC Special Mtg Min 082117.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0270-2017

**Resolved**, that the Minutes of a Rochester Hills City Council Special Meeting held on August 21, 2017 be approved as presented.

**2017-0395** Approval of Minutes - City Council Regular Meeting - August 28, 2017

**Attachments:** [CC Min 082817.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0271-2017

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on August 28, 2017 be approved as presented.

**2017-0379** Request for Acceptance of the Amended Watermain Easement granted by Michael W. Fox Real Estate, L.L.C., a Michigan limited liability company, for Fox Automotive Addition and Renovation

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Amendment to WM Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0272-2017

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the amended watermain easement from Michael W. Fox Real Estate, L.L.C., a Michigan limited liability company, whose address is 755 South Rochester Road, Rochester Hills, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as for Parcel No. 15-14-351-060, for Fox Automotive Addition and Renovation.

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

- 2017-0380** Request for Approval of the Amendment to the Agreement for Maintenance of the Storm Water Detention System between the City of Rochester Hills and Michael W. Fox Real Estate, L.L.C., a Michigan limited liability company, for Fox Automotive Addition and Renovation

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Amendment to Storm Maint Agreemt.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0273-2017

**Resolved**, that the Rochester Hills City Council approve the Amendment to the Agreement for Maintenance of the Storm Water Detention System, from Michael W. Fox Real Estate, L.L.C., a Michigan limited liability company, 755 South Rochester Road, Rochester Hills, Michigan 48307, for Fox Automotive Addition and Renovation, Parcel No. #15-14-351-060.

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

- 2017-0375** Request for Purchase Authorization - MIS: Blanket Purchase Order for Annual Support and Maintenance for the City's Asset Management Software in the amount not-to-exceed \$55,000.00; Lucity, Inc., Overland Park, KS

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0274-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for annual support and maintenance for the City's Asset Management Software to Lucity, Inc., Overland Park, Kansas in the amount not-to-exceed \$55,000.00 through September 30, 2018.

**2017-0394** Request for Adoption of the 2018 Annual Permit for Work on State Highways

**Attachments:** [091117 Agenda Summary.pdf](#)  
[MDOT Annual Permit 082517.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0275-2017

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

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

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL AGENCY's facilities according to a PERMIT issued by the DEPARTMENT.

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

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

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

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

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

**2017-0407** Request for Approval - DPS/ENG: Request for Approval of new METRO Act Telecommunications Right-of-Way permit (Bilateral Form); MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Verizon letter recd 073117.pdf](#)  
[METRO Act Permit Application.pdf](#)  
[Exhibit 1 - Map of Existing Routes.pdf](#)  
[Exhibit 2 - Map of Proposed Route.pdf](#)  
[Exhibit 3 - MPSC Cert.pdf](#)  
[Exhibit 4 - State Corporate Certificate.pdf](#)  
[Exhibit 5 - Insurance.pdf](#)  
[Memo Re John Staran Approval.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0276-2017

**Whereas**, MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services has applied for and requests City Council to issue a permit utilizing the standard METRO Act Permit Bilateral form, with a 15-year initial term.

**Resolved**, that the Rochester Hills City Council hereby approves MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services' application for a Telecommunications Right-of-Way Permit (Bilateral form).

**Be It Further Resolved**, that City Council authorizes the Mayor to sign the permit agreement and to undertake any and all other necessary and appropriate action in

furtherance thereof.

- 2017-0406** Request for Approval of a Fireworks Display Permit for the Falcon Frenzy Pep Rally, September 15, 2017; Wolverine Fireworks Display, Inc., Applicant

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Display Permit Approval 082517.pdf](#)  
[Application for State Permit.pdf](#)  
[Display Application Requirements.pdf](#)  
[Insurance.pdf](#)  
[Permit Fee Letter.pdf](#)  
[Site Map.pdf](#)  
[Rochester High School Falcon Frenzy 2017 Display Fireworks Requirements.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0277-2017

**Whereas**, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan, is providing the fireworks display for the Falcon Frenzy Pep Rally at Rochester High School, Rochester Hills, Michigan; and

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

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

**Resolved**, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. to provide a fireworks display for the Falcon Frenzy Pep Rally on Friday, September 15, 2017, subject to the following conditions:

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

**Passed the Consent Agenda**

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdell

**Absent** 1 - Wiggins

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Kubicina** reported that he attended the ceremony at Fire Station #1 to commemorate 9/11. He stated that attendees planted 411 flags around the memorial at the Fire Station, each representing one of the 411 fire and police personnel lost in the tragedy. He mentioned that in speaking with Chief Canto, far more were lost after the event who passed away later from health issues or suicides.

**Mr. Hetrick** commented that it was an outstanding and very moving ceremony. He announced that the survey for the Southeast Michigan Council of Government's 2045 Regional Transportation Plan was still available on the website at [semcog.org](http://semcog.org). He mentioned that there are public outreach meetings scheduled for the Plan set for Tuesday, September 26, 2017 from 1:00 p.m. to 2:30 p.m. and again from 6:00 p.m. to 7:30 p.m. The meetings will be held at the Executive Office Building on the Oakland County Campus.

**Mr. Brown** complimented Bill Cooke, Assistant Chief/Fire Marshal, for doing a great job as master of ceremonies for the 9/11 memorial event. He noted that Sean Canto, Chief of Fire and Emergency Services, had mentioned at the August 21 Budget Meeting that he was going to get more of his team engaged in Department activities. He thanked Dr. Bowyer for her work on the Paint Creek Trail's Labor Day Walk, and commented that it was nice to see representatives there from the local communities. He mentioned that his mother-in-law was visiting as she had been displaced by the hurricane in Ft. Lauderdale, Florida, and he noted that he realized that his home was not even close to being handicap-accessible. He noted that the Older Persons' Commission lent all the equipment he needed for her visit.

**Dr. Bowyer** noted that Florida was greatly impacted by the hurricane and she had convinced her relatives to leave. She announced the following:

- The Michigan Ovarian Cancer Alliance Wheels and Teal event is set for this Saturday at the Village of Rochester Hills and includes a 5K.
- The Brooksie Way will be held on Sunday, September 24, 2017 beginning at 8:00 a.m.
- The Stonewall Pumpkin Festival will be held on October 14, 2017.

She commented that the 9/11 remembrance ceremony was very nice. She noted that a beautiful mural was painted on the inside of the Fire Station.

**Vice President Morita** expressed her appreciation to Assistant Chief Cooke for the great job he did this morning at the ceremony. She commented that the OPC's apple pie fund raiser was great, and encouraged everyone to buy pies next year.

**Mayor Barnett** stated that the *Wheels and Teal* event this coming Saturday holds a special interest for him as ovarian cancer has struck his family. He noted that his mother will be joining him this weekend at the event. He pointed out that the *Brooksie Way* will be held before the next Council meeting, and he expressed his appreciation for the community's patience as the event creates some traffic challenges. He mentioned that the *Brooksie Way* presented all of its mini-grant monies to Innovation Hills Park, and a section of the trail will be named the *Brooksie Way Trail*. He stated that any residents with concerns regarding commuting that morning from their neighborhoods could call his office.

He thanked the women of the Ahmadiyya Muslim Women's Association for attending the meeting tonight.

He reported on the following projects:

- The Concrete Rehabilitation Program is approximately 75 percent complete.
- The Pathway Program is approximately 90 percent complete.
- The Hot Melt Asphalt program is complete for the year.
- The Eddington Road project is progressing. The traffic light has been installed and the Drexelgate side is open. The project should be completed on time.

Mayor Barnett noted that the 9/11 Memorial Service will be available for viewing on the City's YouTube channel. He commented that new fire apparatus were put into commission this morning, being ceremoniously pushed into their bays.

He read several paragraphs from an article appearing in the online *Downtown Rochester Hills* publication's page, noting that Rochester Hills has the "Right Stuff". He expressed appreciation for Council's participation in the Budget process.

## ATTORNEY'S REPORT

*City Attorney Ann Christ* had nothing to report.

## NOMINATIONS/APPOINTMENTS

- 2017-0349      Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Study Committee, to fill the unexpired term of Devin Sykes ending December 31, 2018

**Attachments:** [091117 Agenda Summary.pdf](#)  
[Nomination Form.pdf](#)  
[Calderwood, Christina CQ.pdf](#)  
[Izzathullah, MD, Lubna CQ.pdf](#)  
[Koski, David CQ.pdf](#)  
[Mazur-Abeare, Donna CQ.pdf](#)  
[Siegfried, Steve CQ.pdf](#)  
[Notice of Vacancy.pdf](#)  
[081417 Agenda Summary.pdf](#)  
[Sykes Resignation Letter.pdf](#)  
[081417 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Tisdel Opened the Floor for Nominations** to the Historic Districts Study Committee.

*Mr. Hetrick* nominated Christina Calderwood.

**Seeing No Further Nominations, President Tisdel Closed the Floor for Nominations**, and asked for a motion to appoint Ms. Calderwood to the Historic Districts Study Committee.

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdel

**Absent** 1 - Wiggins

Enactment No: RES0278-2017

**Resolved**, that the Rochester Hills City Council hereby appoints Christina Calderwood to the Historic Districts Study Committee, to fill the unexpired term of Devin Sykes ending December 31, 2018.

## NEW BUSINESS

**2017-0393** Request for Approval of the Cross Connection Control Plan for the City of Rochester Hills

**Attachments:** [Divi091117 Agenda Summary.pdf](#)  
[Rochester Hills CCC Plan.pdf](#)  
[Division 5 Ordinance.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Director of DPS/Engineering, stated that the request to adopt the Cross Connection Control Plan is a housekeeping issue required by Public Act 399. He noted that the City abides by Ordinance and State Law; however, the Michigan Department of Environmental Quality (MDEQ) is asking that Council adopt the plan.

**Public Comment:**

**Lee Zendel**, 1575 Dutton Road, reviewed several sections of the proposed Cross Connection Control Plan and requested clarification on how cross connections would be inspected by entering the facility and tracing piping. He questioned

how over 23,000 residences and businesses would be inspected by an outside company, if background checks would be required on all employees, and whether property owners who both work would have to incur a private inspection. He commented that it is sad that the City is being forced to comply.

In response to Mr. Zendel, **Mr. Schneck** noted that the Cross Connection Program is broken into high-hazard and low-hazard areas, with residential properties considered low-hazard. He stressed that HydroCorp employees have proper identification and letters sent to residents are on City letterhead to let residents know that this is not an inappropriate program or a scam. In addition, information on the Cross Connection Program is on the DPS web page on the City's web site. He suggested that the Department could work with the Clerk's Department to perform any required background checks. He commented that it is his understanding that HydroCorp has highly-trained individuals working in many states.

**President Tisdell** requested that Mr. Schneck obtain some follow up information regarding the background checks. He questioned whether any City identification is issued to subcontractors going into private residences.

**Mr. Schneck** noted that the Clerk's Office has a permit program for door-to-door solicitors that include a background check and provide solicitors with a badge.

**President Tisdell** commented that this would be an impracticality for this program.

**Leanne Scott**, Deputy Clerk, noted that a fee would be required.

**Mr. Schneck** stated that he would check with HydroCorp as to how they screen their employees. He pointed out that the City provides them with a City magnetic decal for their vehicles and noted that correspondence is sent out in advance to the residences requiring inspection.

**President Tisdell** questioned whether these requirements were in response to heightened sensitivity to water issues related to the Flint water crisis. He mentioned that the Clean Water Act goes back to 1976.

**Mr. Schneck** responded that water quality and water safety have recently come to the forefront. He noted that legislation is amended from time to time to further protect against things that would harm water quality.

**President Tisdell** stated that private residences are relatively low risk for contaminated backflow into the City's water system from hose bibbs and in ground sprinkler systems. He noted that a fall in pressure could cause a draw in the system. He questioned whether there were any other areas in the home that could generate that type of risk.

**Mr. Schneck** responded typically no. He explained that a visual inspection of residential property of the hose bibbs and backflow assembly for sprinkler systems are undertaken. He noted that one of the most prevalent issues

encountered is the lack of a vacuum breaker on the hose bibbs. He stated that the City actually provides a vacuum breaker along with instructions to the resident to ask them to screw it onto the hose bibb, making the property compliant. He commented that it is a low cost item that is an acceptable expense for the Water Fund.

**President Tisdell** stated that providing the breaker is less expensive than compliance follow up activities.

**Mr. Hetrick** questioned whether HydroCorp had a reason to enter residential property given the scope of their assignment.

**Mr. Schneck** responded that complexity of piping systems would trigger entry. He noted that properties are broken into two categories, including high and low hazards. High hazards include piping galleries and multiple backflow preventers. He stated that there should not be any reason for a representative to enter a house for a possible cross-connection.

**Mr. Hetrick** commented that a couple of years ago an inspector came by his home and left something for him to connect to his system. He stated that this should be a benign program for homeowners.

**Dr. Bowyer** questioned whether there would be a time when an inspector would want to come into a home.

**Mr. Schneck** responded that it is not reasonable nor is it meeting the intent of the Public Act. He stated that the City is looking at the greatest exposure based on best management practices, and the intent is not to enter.

**Dr. Bowyer** questioned what would happen if a business refused entry.

**Mr. Schneck** responded that the City has not run into that. He noted that advance notice is provided along with an explanation of the program and the legislation that the City must abide by.

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdell

**Absent** 1 - Wiggins

Enactment No: RES0279-2017

**Resolved**, that the Rochester Hills City Council hereby approves the Cross Connection Control Plan for the City of Rochester Hills.

**2017-0408** Request for Purchase Authorization - FACILITIES: Contract/Blanket Purchase Order for construction management services for the Fire Station #1 Training Tower Project in the amount not-to-exceed \$116,632.76; George W. Auch Company, Pontiac, MI

**Attachments:** [091117 Agenda Summary.pdf](#)  
[FS#1 Training Tower GMP Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bob White**, Supervisor of Ordinance Services, **Bill Cooke**, Assistant Chief/Fire Marshal, and **Larry Gambotto**, Captain/Training Officer, were in attendance.

**Mr. White** stated that Fire Station #1's training tower has stood for at least 27 years, enduring rain, snow and ice. The Department has conducted life, fire, smoke and water exercises inside the tower, and these exercises along with the elements have resulted in significant damage to the masonry and metal.

**Assistant Chief Cooke** stated that the tower is in poor condition, and he displayed photographs showing the masonry damage, door damage and rusting frames. He also noted that a section of wall would be removed to allow for repelling, and coping around the exterior parapet wall would be replaced. The interior surfaces would be painted and sealed to protect from the elements. He noted that renovating the training tower would keep the fire companies within the City's jurisdiction to allow for training while on duty. He explained that training has been a priority in the organization, and he noted that 3,600 hours of training were undertaken in 2013 and 10,000 hours in 2016.

**Captain Gambotto** stated that the City has a lack of fires, and the only way to prepare personnel for what they go into to protect citizens is to train. He commented that fire situations are recreated to give personnel a better understanding of what they are going into.

**Mr. White** stated that H2A Architects identified the scope of work and identified contractors. He commented that this is a budgeted item for \$110,000, and has a \$6,632.76 shortfall. He noted that the 3rd Quarter Budget Amendment would show that additional funding needed for the shortfall would be drawn from excess funds from another budgeted project, the access drive behind Fire Station #1 that came in under budget. He stated that no additional draw from Fund Balance would be needed. He pointed out that completion would be anticipated by October 31, 2017.

**Mr. Brown** questioned what the expected life of the tower would be once renovations were completed. He questioned whether the project was a band aid and a longer-term fix would be warranted.

**Assistant Chief Cooke** stated that while he would agree that this is a band aid to a long-term issue, the tower is sturdy overall with precast concrete floors and masonry construction. He commented that the exterior photographs show the condition; however, repairs would allow for 10 to 15 more years of use.

**Mr. Brown** suggested that a quick check of the structure be undertaken. He commented that if the architect feels that a 10 to 15 year lifespan is reasonable, the project can be placed into the long-term budget plan. He stated that the Fire Capital Fund is one that is typically of concern.

**Mr. Hetrick** concurred with Mr. Brown's suggestion. He questioned why the project included painting.

**Assistant Chief Cooke** responded that only the steel sections would be painted to provide corrosion resistance. Masonry stain would be applied to the outside in a grey color.

**Dr. Bowyer** commented that eliminating the paint would reduce the project by \$17,000. She questioned what a ballpark price would be on a new building and suggested that she would agree with reviewing the structure.

**Captain Gambotto** responded that a steel construction building would be in the range of \$500,000 to \$600,000. He commented that the Department has not been able to burn in the training tower for some time. He noted that by sealing up the building the Department could simulate smoke conditions.

**Dr. Bowyer** commented that she would love to join the Department on a ride along day as Mr. Kubicina had done.

**Vice President Morita** questioned whether the Department wished to do actual burn training in the building and questioned how much it would require to get that capability up and running.

**Captain Gambotto** responded that it was \$150,000 to construct the building in 1990, and to make it compatible to burn might make a new building more feasible.

**Vice President Morita** noted that Chief Canto gave her a tour of the disrepair today, which is why she suggested that pictures be shown this evening. She commented that it is less expensive to be able to train on-site and questioned whether a cost-benefit analysis could be undertaken versus sending those training to the Oakland Community College (OCC) facility.

**Captain Gambotto** responded that the Department undertakes training at the OCC facility every year or two, at a cost of approximately \$1,500 a day for a crew. He pointed out that the Department uses its own training tower two to three times a week and trains four to five times a month.

**Vice President Morita** noted that in addition to the hard costs of using the OCC tower, additional employee costs are required to have crew available back at the City. She stated that she wants all departments to feel valued and have the best facilities in order to be trained, noting that this helps the citizens of the city.

**Mr. Brown** stated that going into a smoke-filled tower is not pleasant, and he noted that he would be happy to help put together a business case for a burn room.

**Mayor Barnett** commented that he and Chief Canto have been in review of this multiple times, and he stated that the Administration is always looking to innovative approaches. He noted that he believes that this approach is appropriate; however, the Administration is always looking to move forward.

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

**Aye** 6 - Bowyer, Brown, Hetrick, Kubicina, Morita and Tisdell

**Absent** 1 - Wiggins

Enactment No: RES0280-2017

**Resolved**, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for construction management services for the Fire Station #1 Training Tower Project to the George W. Auch Company, Pontiac, Michigan in the amount not-to-exceed \$116,632.76 and further authorizes the Mayor to execute a contract on behalf of the City.

## **ANY OTHER BUSINESS**

*None.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, September 25, 2017 - 7:00 p.m.*

## **ADJOURNMENT**

*There being no further business before Council, it was moved by Morita, seconded by Hetrick to adjourn the meeting at 9:11 p.m.*

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

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*LEANNE L. SCOTT, MMC, Deputy 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.*