



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

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

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

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

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Monday, July 7, 2014

7:00 PM

1000 Rochester Hills Drive

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## CALL TO ORDER

*President Hooper called the Regular Rochester Hills City Council Meeting to order at 7:01 p.m. Michigan Time.*

## ROLL CALL

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

**Absent** 1 - Kevin S. Brown

## Others Present:

*Ed Anzek, Director of Planning and Economic Development*

*Bryan Barnett, Mayor*

*Tina Barton, City Clerk*

*Sean Canto, Chief of Fire and Emergency Services*

*Scott Cope, Director of Building/Ordinance Compliance*

*Dhruva Govil, Rochester Hills Government Youth Council Representative*

*Tara Presta, Chief Assistant*

*Chamele Sanders, Adult Advisor to the Rochester Hills Government Youth Council*

*Allan Schneck, Director of DPS/Engineering*

## PLEDGE OF ALLEGIANCE

*Mr. Tisdell introduced Dr. Mansoor A. Qureshi, noting that he is an Interventional Cardiologist and Director of Research in the Vascular Lab at the Michigan Heart and Vascular Institute in Ann Arbor, and is President of the Ahmadiyya Muslim Community of Metro Detroit located in Rochester Hills.*

*Mr. Tisdell stated that he was first introduced to the Ahmadiyya Muslim Community during a Muslims for Life Red Cross Blood Drive commemorating the 911 victims. The Ahmadiyya Muslim Community is the 73rd and latest Muslim sect founded in India in the late 19th Century and later moved their headquarters to Pakistan after the 1947 Partition. The Ahmadi were forced to flee Pakistan in the 1980s*

*because of religious persecution. The Ahmadiyya Community champions peace, service to humanity and loyalty to one's country of residence. This month, Muslims are celebrating Ramadhan, the 9th month of the Muslim Calendar, when the text of the Holy Quran was revealed. Fasting is prescribed during Ramadhan to promote self discipline, moral strength and to reinforce the bonds of human sympathy and awareness of the world's hungry and poor. The Ahmadi Muslims were forced to flee Pakistan to escape religious persecution.*

*He noted that Dr. Qureshi's professional colleague in Ohio, Dr. Mehdi Ali Kumar, also a Cardiologist and American Citizen regularly returned to Punjab Province, Pakistan, as does Dr. Qureshi as a volunteer at the Tahir Cardiac Hospital, a hospital that serves everyone regardless of race, religion or gender. Dr. Kumar was assassinated in May, when by chance, Dr. Qureshi had switched rotation with Dr. Kumar at that time.*

*He thanked Dr. Qureshi for driving in from Ann Arbor to attend this evening. He expressed his sympathy for the loss of his friend and colleague, Dr. Kumar.*

**Dr. Qureshi** led the Pledge of Allegiance.

## APPROVAL OF AGENDA

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

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

**Absent** 1 - Brown

## PUBLIC COMMENT

*The following individuals spoke on the topic of Oil and Gas Exploration:*

**Clark Barrett**, 1376 Kingspath, stated that the City's signing of a lease for oil and gas exploration endorses the legitimacy of the lease. He requested Council assist the residents in Lansing in opposing drilling. He noted that West Bay has obtained a permit to dig at 25 Mile and Dequindre in Shelby Township.

**Robert Kendig**, 2484 Wortham, commented that baseline studies to determine the current land and water quality should be undertaken prior to drilling. He mentioned that the health effects of Agent Orange exposure were not known at the time it was used in Vietnam.

**Joe Doyle**, 1446 Burhaven, stated that the Mayor and City Council are elected to protect the health and welfare of citizens of Rochester Hills, and commented that they have abrogated their responsibility and violated the City Charter by denying residents the right to vote on the issue. He noted that the oil and gas exploration industry has a marginal safety record, with events seven times greater than the average for United States industries. He questioned the interpretation of the Charter Amendment clause.

**Denise Doyle**, 1446 Burhaven, commented that the concerns expressed by citizens during public comment on oil and gas exploration are rational, well thought out and well researched. She stated that the 2011 Parks Charter Amendment has been violated.

**Gail Hammill**, 1434 Burhaven, commented that there are risks in drilling in bedroom communities, including heavy impacts on property values, homeowners' insurance and mortgages. She stated that drilling impacts truck traffic, and carries risk for pollution and health effects. She noted that Fowlerville has three well sites, and residents complain of the odor. She cited information contained on the Michigan Department of Environmental Quality's website on how incidents need to be reported.

**Philip Barker**, 1434 Burhaven, noted that while the City Attorney stated on June 16th that to his knowledge no permit has been applied for to drill in Rochester Hills, Auburn Hills or any surrounding community by Jordan Oil, West Bay Exploration applied for a well permit in Shelby Township on May 7th which was granted on June 17th.

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

Council Members expressed their hopes that everyone had a safe and happy Fourth of July holiday.

**President Hooper** stated that under the advice of the City Attorney, no public comment would be made or public forums held on oil and gas issues until the lawsuit is settled.

**Mr. Webber** congratulated the Mayor and City Staff on a great Festival of the Hills.

**Mr. Kochenderfer** reminded everyone that fireworks are only allowed the day before, the day of, and the day after a holiday. He noted that State Law restricts how the City can regulate fireworks, and the City has created an ordinance which is as strict as is allowed by the Law.

**Ms. Morita** expressed her appreciation for public comment. She stated that she had a great time at the Festival of the Hills, and commented that it was a great show and a great event for children. She reported that she had a meeting with representatives of the Road Commission for Oakland County a couple of months ago, and noted that she received a letter in response that will be circulated on some of the traffic concerns. She commented that there may be a potential for minor solutions, and work will progress toward major solutions for the future.

**Mr. Tisdell** expressed his appreciation to the Rochester Hills Government Youth Council members that came out to the Festival of the Hills. He noted that they manned the petting farm food sales table, earning a few hundred dollars.

*He thanked Charnele Sanders, Adult Advisor to the RHGYC, for her work with the youth council.*

**Mr. Wiggins** expressed his appreciation for the public comments. He noted that the Festival of the Hills is a great event.

**Dhruv Govil**, Rochester Hills Government Youth Council Representative, expressed his thanks to the Mayor and to the City Clerk for allowing the group to participate in the Festival of the Hills and the City's Community Garden. He noted that all produce grown in the garden plot will be donated. He reported that 28 students were interviewed for next year's Youth Council, and he stated that the Youth Council is looking forward to working with the incoming 15 members selected.

**Mayor Barnett** expressed his thanks to those in attendance for their comments. He stated that the City received a handful of calls regarding fireworks, and he noted that the City of Rochester Hills has the strictest Ordinance that can be enacted in the State of Michigan for fireworks. He pointed out that fireworks can be used the day before, the day of and the day after all holidays; however, not during the hours of midnight to 8:00 a.m. He noted that it is difficult for the Sheriff's Department to locate the source of fireworks to enforce the Ordinance, and he commented that he appreciates the residents' patience.

*He displayed a video and photos highlighting the following events:*

- *An estimated 45,000 attended the Festival of the Hills. The successful event received only one traffic complaint and no arrests were made. TTI Global was a major sponsor of this event, and along with the other community sponsors, \$80,000 was raised to allow the Festival to be held with no City funds expended. Spalding DeDecker provided the camera shots for a video highlighting the event.*
- *Wet and Wild Wednesdays are ongoing at the Rochester Hills Museum at Van Hoosen Farm. Between 800 to 1,500 people enjoy the event each week. The Fire Department adds to the fun with a large slip and slide down the hill.*
- *Terrific Tuesdays at the Museum feature activities dealing with gardening fun. Parent/Child programs are \$3 for members and \$5 for the public and include activities for ages three to five, and six to ten.*
- *The Rochester Hills Fire Department is handing out ice cream coupons to bicycle riders sporting helmets.*

*He noted that road construction is ongoing and the City appreciates motorists' patience. He highlighted the following projects:*

- *The section of Avon Road from Livernois west to Crooks is now open. The intersection at Crooks is closed and Avon is closed west of Crooks.*
- *Eight different subdivisions currently have concrete repair ongoing.*
- *A preconstruction meeting will be held July 10, 2014 for the Tienken Road project. Construction activities should start shortly after that meeting.*
- *The Bloomer Road paving project is progressing.*

*Mayor Barnett noted, in addition:*

- A Rochester Hills home was hit by lightning this morning. Everyone got out safely and Fire responders were able to save most of the structure.
- Plans have been received for a new Tim Horton's to be located at Crooks and Avon Industrial.
- The City is experiencing growth both in residential homes and commercial development.

**Tina Barton**, City Clerk, noted that the Primary Election will be held on Tuesday, August 5th. She encouraged anyone wishing to vote absentee to submit an application for an absent voter ballot. She pointed out that the application can be used to request ballots for August, November or both elections. She mentioned that those requesting absentee ballots must indicate that they meet one of six reasons to request the ballot. She noted that over 5,000 absentee ballots have been issued so far and approximately 900 returned to date.

## ATTORNEY MATTERS

## 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.

### The following six (6) legislative files are related to Somerset Pines

**2014-0260** Request for Acceptance of a Sanitary Sewer Easement granted by MJC Somerset Pines, LLC, a Michigan limited liability company, for Somerset Pines

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

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

Enactment No: RES0155-2014

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a sanitary sewer easement granted by MJC Somerset Pines, LLC, of 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044, 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. 15-32-300-007, 008, 009 & 010.

**2014-0261** Request for Approval of the Storm Sewer Maintenance Agreement between the City of Rochester Hills and MJC Somerset Pines, LLC, a Michigan limited liability company, for Somerset Pines

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

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

Enactment No: RES0156-2014

**Resolved**, that the Rochester Hills City Council, approves the Storm Sewer Maintenance Agreement, relative to the details of the development and use, repair and maintenance of the storm sewer system, from MJC Somerset Pines, LLC, of 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044, for Somerset Pines, for City File #06-012.2 for Parcel Nos. 15-32-300-007, 008, 009 & 010.

- 2014-0262** Request for Acceptance of a Watermain Easement granted by MJC Somerset Pines, LLC, a Michigan limited liability company for Somerset Pines

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

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

Enactment No: RES0157-2014

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by MJC Somerset Pines, LLC, of 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044, 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. 15-32-300-007, 008, 009 & 010.

- 2014-0263** Request for Acceptance of a warranty deed for public road right-of-way work for Somerset Pines, granted by MJC Somerset Pines, LLC, a Michigan limited liability company

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

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

Enactment No: RES0158-2014

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a warranty deed granted by MJC Somerset Pines, LLC, 46600 Romeo Plank Rd., Ste 5, Michigan 48044, for part of Parcel Nos. 15-32-300-007, 008, 009 & 010, for Somerset Pines.

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

- 2014-0264** Request for Approval of the Sedimentation Basin Agreement between the City of Rochester Hills and MJC Somerset Pines, LLC, a Michigan limited liability company, for Somerset Pines

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

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

Enactment No: RES0159-2014

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Sedimentation Basin Agreement, an agreement for the protection of adjacent and downstream properties, watercourses and wetlands for Somerset Pines, City File #06-012.2, between the City of Rochester Hills and MJC Somerset Pines, LLC, of 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044, for Somerset Pines, for City File #06-012.2 for Parcel Nos. 15-32-300-007, 008, 009 & 010.

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

- 2014-0265** Request for Acceptance of an Easement for Ingress and Egress for public and emergency vehicles granted by MJC Somerset Pines, LLC, a Michigan limited liability company, for Somerset Pines

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

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

Enactment No: RES0160-2014

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts an easement for ingress and egress for public and emergency vehicles and for the performance of public and emergency services over the internal, undedicated roads and/or driveways being used in common for vehicular travel, granted by MJC Somerset Pines, LLC, of 46600 Romeo Plank Rd., Ste 5, Macomb, MI 48044, over, on, under, through and across land more particularly described as Somerset Pines, for Parcel Nos. 15-32-300-007, 008, 009 & 010.

- 2014-0281** Request for Approval of a new Telecommunications Right-of-Way Permit for Fiber Technologies Networks, LLC

**Attachments:** [Agenda Summary.pdf](#)  
[Bilateral Permit.pdf](#)  
[Fibertech Route Map.pdf](#)  
[Resolution.pdf](#)

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

Enactment No: RES0161-2014

**Whereas**, Fiber Technologies Networks, L.L.C. has applied for and requests City Council to issue a telecommunications right-of-way permit utilizing the standard METRO Act Permit Bilateral form, with a 15-year term.

**Therefore, It Is Resolved** the Rochester Hills City Council approves Fiber Technologies Networks, L.L.C.'s application for a METRO Act Telecommunications Right-of-Way Permit (Bilateral form).

**It Is Further Resolved** that the City Council authorizes the Mayor to sign the permit agreement on the City's behalf and to undertake any and all other necessary and appropriate action in furtherance thereof.

**It Is Further Resolved** that in accordance with Section 8.1 of the Permit and Section 15(3) of the METRO Act, Fiber Technologies Networks, L.L.C. shall be required to post a bond, in an amount determined by the Mayor, to ensure that the public right-of-way is returned to

its original condition during and after Fiber Technologies' access and use.

***It Is Further Resolved*** that the City Clerk shall notify the Michigan Public Service Commission of this permit approval.

- 2014-0272** Request for Adoption of Resolution Authorizing the Parks & Forestry Director to be the Agent for the City of Rochester Hills for Oakland County's West Nile Virus Fund Program

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

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

Enactment No: RES0162-2014

**Whereas**, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

**Whereas**, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding, or focused adult mosquito insecticide spraying in designated community green areas; and

**Whereas**, the City of Rochester Hills, Oakland County, Michigan, has or will incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program;

**Now, Therefore, Be It Resolved** that the City Council of Rochester Hills authorizes and directs its Parks & Forestry Director, as agent for the City of Rochester Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

### **Passed the Consent Agenda**

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

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

**Absent** 1 - Brown

### **The following Consent Agenda Item was Discussed and Adopted by Separate Motion.**

- 2014-0235** Approval of Minutes - City Council Regular Meeting - June 2, 2014

**Attachments:** [CC Min 060214.pdf](#)  
[Resolution.pdf](#)



*Ms. Morita requested the Minutes be amended to change a sentence in the Committee Report regarding the Paint Creek Trailways Commission. She noted that she wished the minutes to reflect that she had attended the Trailways meeting, and Mr. Webber was available to attend; however, neither citizen representative was there.*

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

**Aye** 6 - Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

**Absent** 1 - Brown

Enactment No: RES0163-2014

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on June 2, 2014 be approved as amended to change a sentence in the Committee Report regarding the Paint Creek Trailways Commission, to read: "she attended and Mr. Webber was available to attend; however, neither citizen representative was there".

## NOMINATIONS/APPOINTMENTS

**2014-0282** Appointment of Youth Members to the 2014/2015 Rochester Hills Government Youth Council (RHGYC)

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

*Mr. Tisdel reported that 30 students submitted applications for the 2014-2015 Rochester Hills Government Youth Council (RHGYC). Twenty-eight were available for the interview process, held over three full days. He stated that Charnele Sanders, Adult Advisor to the RHGYC, reviewed the interview scoring and 15 applicants have been selected. He expressed his thanks to Ms. Sanders for her hard work, along with other members of the Clerk's Office staff. He mentioned departing Senior Scott Schlagel, a four-year member, assisted with interviews for the three days. He gave special recognition to Mr. Charles Rowland, Rochester High School (RHS) Principal, noting that almost half of the applicants, and eight of the 15 members selected are from Rochester High. He commented that RHS has promoted the RHGYC very successfully.*

*Mr. Tisdel read the resolution, listing the students recommended for appointment.*

*President Hooper noted that the RHGYC has been a huge highlight for Rochester Hills. He noted that the City is one of the leaders in the engagement of youth in city government and city politics. He expressed his thanks to Mr. Tisdel for his leadership.*

*Mr. Tisdel commented that the City can be proud of its high school students.*

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

**Aye** 6 - Hooper, Kochenderfer, Morita, Tisdel, Webber and Wiggins

**Absent** 1 - Brown

Enactment No: RES0164-2014

**Resolved**, that the Rochester Hills City Council hereby concurs with the recommendation

of the Rochester Hills Government Youth Council (RHGYC) Interview Team and waives Article II, Membership and Terms, Section 1.a. of the RHGYC Bylaws and Rules of Procedure to allow the appointment of fifteen (15) members to the RHGYC for the 2014/2015 term.

**Be it further resolved**, that the Rochester Hills City Council concurs with the recommendation of the RHGYC Interview Team and appoints the following students to the 2014/2015 term beginning September 1, 2014 and ending August 31, 2015.

| Representative  | High School           | District |
|-----------------|-----------------------|----------|
| Jasneet Aulakh  | Rochester High        | 3        |
| Ali Ahmed       | Adams High School     | 1        |
| Lizabeth Desmet | Rochester High        | 4        |
| Omar Ilyas      | International Academy | 4        |
| Ramona Johnson  | Rochester High        | 4        |
| Hannah Kowalski | International Academy | 2        |
| Maura Losh      | Rochester High        | 3        |
| Brianna Morris  | Avondale              | 3        |
| Sharanya Pai    | International Academy | 4        |
| Matthew Randall | Rochester High        | 1        |
| Shreya Reddy    | Rochester High        | 4        |
| Chris Russell   | Rochester High        | 3        |
| Alexis Smith    | Stoney Creek HS       | 2        |
| Isabella Tan    | Rochester High        | 3        |
| Taylor Thorpe   | Adams High School     | 2        |

## NEW BUSINESS

- 2014-0283** Request to schedule a Public Hearing regarding the request for Approval of a Brownfield Redevelopment Plan for General Trucking, a proposed 40,000 square foot trucking facility on 10.9 acres, located at the northwest corner of Hamlin and Dequindre Roads, zoned I, Industrial, General Trucking, Applicant

**Attachments:** [Agenda Summary.pdf](#)  
[Brownfield Plan.pdf](#)  
[Minutes BRA 061914.pdf](#)  
[Cover Memo 061114.pdf](#)  
[Memo Wackerman 052714.pdf](#)  
[Memo Wackerman 061014.pdf](#)  
[Rochester Hills Application.pdf](#)  
[Email Dawson 061014.pdf](#)  
[Memo Besaw 060214.pdf](#)  
[Resolution.pdf](#)

**Ed Anzek**, Director of Planning and Economic Development, noted that tonight's request was to schedule a Public Hearing. He explained that the Brownfield Redevelopment Authority (BRA) did hear the matter and gave its unanimous approval. The item now moves to City Council for consideration to adopt. Subsequent to its adoption, the project would move into the development of a reimbursement agreement.

**Mr. Wiggins** questioned whether the trucks utilizing the development would be carrying material.

**Mr. Anzek** responded that he is not fully aware of the specifics of the operation at this time. He noted that the current facility operates in Warren, Michigan, and the company has overgrown their current building. The company is seeking a new building with expansion capabilities. He explained that the development will be a depot for a company that trucks cross-country and throughout the Midwest. Activities would also include small delivery trucks to take items to their destination, along with pickup for items for shipment. He commented that it is difficult to estimate how many truck trips would occur. He pointed out that 40,000 square feet is less than an acre and is unlike the huge depots one sees along interstates. He stated that the request is from a viable company that is performing well.

**Mr. Wiggins** questioned what environmental impact the facility would have as the property is currently an undisturbed landfill, and whether there have been any past cases or history of this type of development which could demonstrate the impact to the environment of building on the landfill with respect to particles in the air or dust, impact to water or methane gas.

**Mr. Anzek** noted that Ms. Morita might be able to respond to the questions. He commented that the process goes through great length to ensure that the property is continued to be kept safe from harmful materials that may be in the ground or come out of the ground during construction. He explained that any dirt excavated must be hauled away and taken to a Class II landfill. He added that any trenches must be lined with materials to ensure that there is no intrusion or gasses passed through the trenches through water and sewer lines. He stated that the Brownfield Plan is undertaken in the hopes of recovering some of these extreme or additional costs incurred over and above normal construction procedures. He noted that the BRA reviewed the project in depth and he pointed out that the Brownfield Plan is quite thick and includes survey sampling. He stated that the materials in the ground are known. He mentioned that the City's consultant has overseen the project and feels very confident that it would be safe and would include proper venting.

**Mr. Wiggins** questioned whether the consultant has past history of similar situations where this has been done and whether the history over three or five years is known.

**Mr. Anzek** responded that Tom Wackerman, President of ASTI Environmental, is one of the state's premier individuals involved in these projects. He mentioned that they have done quite a bit of work in downtown Detroit on brownfields along with other projects throughout the state. He stated that they are well recognized and well known.

**Mr. Wiggins** commented that he is in agreement with moving to the Public Hearing phase as these are the types of questions and answers that will be needed to know. He questioned whether this is the first time that this type of development has been experienced in the city. He stated that he has reviewed the paperwork and it sounds great; however, he would like to learn how it has worked in the past and what the long term effect will be going forward for the City and the residents. He expressed concern over trucks running through the main roads and what might be stirred up in the process.

**President Hooper** questioned whether Mr. Wackerman will be in attendance at the Public Hearing.

**Mr. Anzek** responded that there will be an extensive presentation of how the project will be accomplished.

**Mr. Webber** noted that he spent time on the BRA and stated that the concerns expressed by Mr. Wiggins will come to light at the Public Hearing. He commented that having a site that is cleaned up through the brownfield process will be ultimately better than having a site that is not cleaned up at all. He stated that he is looking forward to the Public Hearing.

**Mr. Anzek** responded that the objective of the BRA is to put contaminated or landfill properties back into productive use for the citizenry of the city.

**Ms. Morita** stated that she would like to address and allay some of Mr. Wiggins' concerns, and noted that she does not wish to see them be blown out of proportion before the Public Hearing. She explained that this is not a situation where the developer is planning on digging everything up out of the ground and transporting it out. She stated that the residents need not be concerned about having trucks with contaminated waste driving by. She pointed out that this is a former landfill, and noted that she understands that the biggest issue for the site is methane. She stated that from the plans received, the developer is planning on pretty much leaving everything in place, installing a methane containment system, and then building on top of it. She noted that one of the biggest issues they have with the site is compaction because of the amount of fill. She commented that with that amount of fill and big trucks entering the site, one of the concerns was being required to put down a parking lot when compaction is expected. She noted that the Brownfield Redevelopment Authority reviewed a request that the developer not be required to construct a parking lot right away. She explained that it is expected that only product will be trucked in, and it is not expected that there would be a hazardous situation or hazardous materials. She noted that she has been on the BRA for approximately seven years, and commented that this is one of the easiest plans that she has had seen come before the BRA to approve. She added that it is one of the least complicated and definitely one of the easiest to see in terms of economic viability and benefit to the surrounding community. She stated that what is proposed is to take a piece of property with about \$14,000 in taxable value which is not generating any income for the City and turning it into a viable productive property that will also provide a benefit to the surrounding properties because of the methane containment that will be in place. She stated that this is one of the plans that she is excited about that has come before the BRA in the recent past.

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

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

**Absent** 1 - Brown

Enactment No: RES0165-2014

**Whereas**, Act 381 of 1996, the Brownfield Redevelopment Financing Act requires the City's Brownfield Redevelopment Authority to recommend to City Council approval of a Brownfield Redevelopment Plan; and

**Whereas**, the City of Rochester Hills Brownfield Redevelopment Authority recommended approval of a Brownfield Redevelopment Plan for General Trucking on June 19, 2014; and

**Whereas**, Act 381 of 1996, the Brownfield Redevelopment Financing Act, Title 125.2663, Section 13 (10) requires a public hearing to consider the request for approval of a Brownfield Redevelopment Plan.

**Resolved**, that the Rochester Hills City Council hereby sets a Public Hearing on September 8, 2014 to consider the request for approval of a Brownfield Redevelopment Plan for General Trucking.

2014-0286

Request for Purchase Authorization - MAYOR: Contract/Blanket Purchase Order for governmental representation and consulting services in the amount not-to-exceed \$144,000.00; Strategic Communication Solutions, Inc., Novi, MI

**Attachments:** [Agenda Summary.pdf](#)  
[SCS Projects/Processes - RochesterHills.pdf](#)  
[Resolution.pdf](#)

**Robert Law, Gary Anderson, and Bill Bullard** were in attendance representing Strategic Communication Solutions, Inc. (SCS).

**Mr. Bullard** noted that SCS gave a presentation to Council in May, and has included a three-page summary of projects it has undertaken in tonight's packet. He commented that the company is excited to be working with Rochester Hills and looks forward to continuing that representation.

**President Hooper** commented that he thinks that SCS has been a great addition to Rochester Hills. He stated that the company has proved its worth to the City, and he noted that he looks forward to more opportunities that they can bring to the table.

**Mr. Kochenderfer** stated that each year's report has been better and better. He mentioned the North Oakland County Water Authority, and questioned the company's activities to address rising water rates in the area.

**Mr. Bullard** responded that SCS has been integral in getting that group organized and stated that it is just about ready to move forward with an authority. He stated that it will save a significant amount of money with respect to water rates in the long term.

**Mr. Law** mentioned that SCS's representative John Kerr has spent an enormous amount of time in meetings with the different communities. He stated that anything that will give Rochester Hills an advantage in the future is a plus.

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

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

**Absent** 1 - Brown

Enactment No: RES0166-2014

**Resolved**, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for governmental representation and consulting services to Strategic Communication Solutions, Inc., Novi, Michigan in the amount not-to-exceed \$144,000.00 through August 1, 2016 and further authorizes the Mayor to execute a contract on behalf of the City.

**2014-0293** Request for Purchase Authorization - CLERK: Blanket Purchase Order for Postage by Phone in the amount not-to-exceed \$120,000.00 through December 31, 2017; Pitney Bowes, Inc., Louisville, KY

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

***Tina Barton**, City Clerk, stated that in the past, Council has been requested to approve a Blanket Purchase Order for postage for \$40,000. She noted that Fiscal has advised that a three-year Blanket could be requested for a total of \$120,000.*

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

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

**Absent** 1 - Brown

Enactment No: RES0167-2014

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Pitney Bowes, Inc. of Louisville, Kentucky for Postage by Phone in the amount not-to-exceed \$120,000.00 through December 31, 2017.

## **COUNCIL COMMITTEE REPORTS**

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

***Mr. Webber** reported that at the last OPC Governing Board meeting, the Budget was unanimously approved. He noted that as noted in the Inter Local Agreement between the three participating communities, the OPC's budget will be coming to Council as a part of its Budget Workshops in August. He mentioned that the Board recognized retiring Executive Director Marye Miller. He mentioned that a Resolution is in the works that will grant her emeritus status as the founder of the OPC.*

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

*Mr. Tisdell* stated that it is a great privilege and benefit to have Charnele Sanders, Youth Advisor, working with the RHGYC. He mentioned that Deputy Clerk Leanne Scott previously manned that task, and he noted that the Clerk's Department Staff jump in to help whenever needed.

**Public Safety and Infrastructure Technical Review Committee:**

*President Hooper* noted that the Public Safety and Infrastructure Technical Review Committee will be making a presentation to City Council at the July 21, 2014 Regular Meeting regarding the Fire Department.

**ANY OTHER BUSINESS**

*Mayor Barnett* stated that he has asked City Attorney John Staran to begin to put thoughts together for Council's consideration regarding an Ordinance to regulate the use of e-cigarettes. He commented that many communities are looking at how they would like to approach the regulation of e-cigarettes.

**NEXT MEETING DATE**

*Regular Meeting - Monday, July 21, 2014 - 7:00 p.m.*

**ADJOURNMENT**

*There being no further business before Council, President Hooper adjourned the meeting at 8:03 p.m.*

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GREG HOOPER, President  
Rochester Hills City Council

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TINA BARTON, MMC, Clerk  
City of Rochester Hills

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MARY JO PACHLA  
Administrative Secretary  
City Clerk's Office

*Approved as presented at the July 28, 2014 Regular City Council Meeting.*