



Rochester Hills Minutes

1000 Rochester Hills Dr
Rochester Hills, MI 48309
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City Council Special Meeting

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

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

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

Monday, December 11, 2017

5:30 PM

1000 Rochester Hills Drive

In accordance with the provisions of Act 267 of the Public Acts of 1976, as amended, the Open Meetings Act, notice was given that a Special Rochester Hills City Council Meeting would commence at 5:30 p.m. on Monday, December 11, 2017, to consider a resolution to adjourn to Closed Session immediately following the Special Meeting to consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, namely, Penberthy v Kaltz Excavating, et al, Oakland County Circuit Court Case No. 2016 154978 ND; and to discuss written attorney/client privileged communication.

CALL TO ORDER

President Tisdell called the Special Rochester Hills City Council Meeting to order at 5:33 p.m. Michigan Time.

ROLL CALL

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

Others Present:

*Tina Barton, City Clerk
John Staran, City Attorney*

PUBLIC COMMENT

None.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

None.

ATTORNEY MATTERS

2017-0586 Adoption of a Resolution to Adjourn to Closed Session immediately following the adjournment of the Special Meeting held Monday, December 11, 2017 at 5:30 p.m. to consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, namely, *Penberthy v Kaltz Excavating, et al*, Oakland County Circuit Court Case No. 2016-154978-ND; and to discuss written attorney/client privileged communication

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

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

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

Enactment No: RES0384-2017

Resolved, that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCL 15.268 on Monday, December 11, 2017 at 5:30 p.m. Michigan Time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Michigan. The purpose of the Closed Session is to consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation, namely, *Penberthy v Kaltz Excavating, et al*, Oakland County Circuit Court Case No. 2016-154978-ND; and to discuss written attorney/client privileged communication.

ADJOURNMENT

There being no further business before Council, President Tisdell adjourned the meeting at 5:35 p.m.

MARK A. TISDELL, President
Rochester Hills City Council

TINA BARTON, MMC, Clerk
City of Rochester Hills

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

Approved as presented at the January 8, 2018 Regular City Council Meeting.