



# 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)

*David J. Blair, Jason Carlock, Ryan Deel, Carol Morlan, Theresa Mungiola, Marvie Neubauer and David Walker*

**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, April 22, 2024

7:00 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

*President Deel called the Regular Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time.*

#### ROLL CALL

**Present** 7 - David Blair, Jason Carlock, Ryan Deel, Carol Morlan, Theresa Mungiola, Marvie Neubauer and David Walker

#### Others Present:

*Bryan Barnett, Mayor  
Dan Christ, City Attorney  
Bill Fritz, Public Services Director  
Chris McLeod, Planning Manager  
Sara Roediger, Planning and Economic Development Director  
Leanne Scott, City Clerk  
Mike Viazanko, Building/Ordinance/Facilities Director  
Jodi Welch, Manager of Ordinance Services  
Captain Russ Yeiser, Oakland County Sheriff's Office*

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

A motion was made by Walker, seconded by Carlock, to Approve the Agenda as Presented. The motion carried by the following vote:

**Aye** 7 - Blair, Carlock, Deel, Morlan, Mungiola, Neubauer and Walker

#### COUNCIL AND YOUTH COMMITTEE REPORTS

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

*President Deel introduced RHGYC Representative, Eliza Pizzuti.*

**Ms. Pizzuti** shared that she is a Sophomore at Rochester Adams High School and that she has been on the RHGYC for two years, where she serves on the Green Space Advisory Board and as Vice Chair of the Youth Council. She explained that a majority of the time this year has been spent planning the Cultural Fair, which will take place on May 11, 2024 from 12:00 p.m. to 3:00 p.m. at Rochester Christian University. She commented that teams were formed to focus on marketing, volunteering, vendors, logistics, and decorations. She concluded that the next RHGYC meeting will be on May 1, 2024.

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

**Ms. Mungoli** thanked all of the residents that are serving on any of the City's Boards and Committees.

She announced that RARA has released their catalog outlining all of their upcoming programming.

**Advisory Traffic and Safety Board:**

**Mr. Blair** shared the following information regarding the City's new policy on Dead End and No Outlet signage:

- The Dead End (W14-1) sign shall be used at the entrance of a single road or street that terminates in a non-cul-de-sac dead end.
- The No Outlet (W14-2) sign shall be used at the entrance to a road or road network from which there is no other exit or at a dead end with a cul-de-sac.

**Green Space Advisory Board:**

**Mr. Carlock** announced that a Garlic Mustard Pull will be held in the Harding Green Space on May 2, 2024 from 5:30 p.m. to 7:00 p.m.

**Avondale Youth Assistance:**

**Ms. Morlan** stated that they are getting ready for the 2024 Student Recognition Awards Ceremony which will be on April 24, 2024 at Avondale Middle School at 7:00 p.m.

## RECOGNITIONS

2024-0206 Proclamation in Recognition of the Stoney Creek High School Girls Varsity Cheer Team

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)

**Mayor Barnett** stated that Rochester Hills is the epicenter of competitive cheerleading in the State. He presented a proclamation to the Stoney Creek High School Girls Varsity Cheer Team for winning the State Championship.

**Tricia Williams**, Head Coach, Stoney Creek High School Girls Varsity Cheer

*Team, commented that the athletes display leadership in every aspect of their lives. She shared that the team has an overall GPA of 3.80, six first-place finishes, seven All-League athletes, four first-team All-District athletes, six first team All-Region and All-State athletes, a regional championship, and a State championship.*

**Presented.**

**2024-0208** Proclamation in Recognition of Building Safety Month

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mayor Barnett** presented a proclamation to Mike Viazanko, Building/Ordinance/Facilities Director, in recognition of Building Safety Month.

**Mr. Viazanko** thanked the City Council and the Mayor for their support in making Building Safety Month possible in the City. He added that Building Safety Month is recognized nationally and that they will be in Stoney Creek High School and Rochester Adams High School to promote building safety.

**Presented.**

**Whereas**, the City of Rochester Hills is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster; and

**Whereas**, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians - building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry - who work year-round to ensure the safe construction of buildings; and

**Whereas**, these guardians are dedicated members of the International Code Council, a U.S. based organization that brings together local, state and federal officials who are experts in the built environment to create and implement the highest quality codes to protect us in the buildings where we live, learn, work and play; and

**Whereas**, the International Codes used by the City of Rochester Hills include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fire, floods and earthquakes; and

**Whereas**, Building Safety Month is an opportunity to remind the public about the critical role of our community's largely unknown protectors of public safety - our local code officials - who assure us of safe, efficient and livable buildings that are essential to America's prosperity; and

**Whereas**, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in

protecting lives and property; and

**Whereas**, "Mission Possible," the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local and global scale.

**Now, Therefore, Be It Resolved**, that May 2024 will be designated Building Safety Month in the City of Rochester Hills. Accordingly, our citizens are encouraged to join their fellow Americans in participating in Building Safety Month awareness by assisting in efforts to improve building safety.

## PRESENTATIONS

2024-0219 Legislative Update by State Senator Michael Webber

**Attachments:** [042224 Agenda Summary.pdf](#)

**State Senator Michael Webber** provided the following Legislative Updates:

- The budgeting process is currently underway and should be complete by late June.
- Statutory Revenue Sharing is up five percent.
- There is a two percent one-time allocation specifically designated for public safety. This could include recruitment/retention efforts, training programs, new equipment purchases, equipment replacements, or capital improvements to public safety buildings or structures.
- There is a three percent one-time incentive for local governments to obligate all of their COVID-19 relief funds.
- Constitutional Revenue Sharing is down by about \$2.9 million.
- The Governor's budget includes almost \$400 million more for roads, with half for State projects and the other half to local projects.
- There is \$55 million allocated to local bridge projects, which is down from \$80 million in the current budget.
- They are still working on the Revenue Sharing Trust Fund, which has passed in the House of Representatives.
- He is working with State Representative Tisdell to name a portion of Rochester Road after Former Congressman William Broomfield.
- He is a cosponsor of Senate Bill 699, which deals with ensuring that all transportation debt services is paid out of MDOT's funding. This would add over \$30 million in road funding each year.

**President Deel** remarked that it is so important to have Representatives in Lansing that have served on the City Council because it impacts the local government.

**Presented.**

2024-0215 Presentation by Rochester Area Youth Assistance

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Presentation.pdf](#)

**Kristen Landis-Piwowar**, Secretary, Rochester Area Youth Assistance (RAYA), shared that she has lived in the City for fourteen years and works at Oakland University. She expressed her thanks to Councilwoman Mungoli for serving on the RAYA Board. She presented the following information on the Rochester Area Youth Assistance:

- Rochester Area Youth Assistance (RAYA) is a nonprofit organization serving the Rochester community for decades, our passion at RAYA is to strengthen youth and families and reduce delinquency.
- Their mission is supported through the following sponsors: Oakland County Circuit Court Family Division, Rochester Community Schools, the City of Rochester, the City of Rochester Hills, and Oakland Township.
- Financial Assistance: Parents may apply for help covering student expenses such as sports, lessons, or tutoring.
- Counseling: Voluntary, confidential, professional short-term counseling by our certified case worker.
- Family Education: Workshops, guest speakers, and classes addressing current issues facing our youth.
- Every service we provide is free or low-cost.
- In addition, we host an annual Youth Recognition Banquet to honor extraordinary students, we partner with RARA to offer Camp Safari, a low-cost summer day camp, and we support a Mentors Plus Program to provide positive role models to struggling youth.
- Camp Safari is an incredibly important resource for the community and services children ages six to 12. The cost for the transportation has increased exponentially over the years and RARA has asked RAYA to increase the amount they contribute to Camp Safari and they plan to do so. They are also requesting an additional \$1,000 from the City to help support the increased cost of this Camp.

**Ms. Mungoli** questioned President Deel what must be done to allocate these funds.

**President Deel** responded that he believes it would have to be done during the budget process.

**Mayor Barnett** stated that it is Council's prerogative on how to allocate the funds.

**Ms. Mungoli** shared that there is a decline in the number of students that are served through the Camp because the cost has gone up over the years.

**Mayor Barnett** explained that Council could allocate the funds as a part of the 2nd Quarter Budget Amendments, but that there should probably be a policy set in place on how to handle requests like this in the future.

**President Deel** commented that they should have a policy to address these requests on a case by case basis.

**Ms. Mungoli** noted that RAYA has a different Fiscal Year than the City does and that she doesn't believe it can be done in this year's budget and that it will

have to wait until 2025.

**Mayor Barnett** stated that he will start working on a policy to handle requests like this one in the future.

**Mr. Carlock** questioned if this is a one-time request for \$1,000 or if it is going to be an ongoing request.

**Ms. Landis-Piwowar** responded that it is a one-time request at this time.

**President Deel** inquired whether they have sought additional funding from other community partners like the Oakland County Circuit Court or the school districts.

**Ms. Landis-Piwowar** responded that they have not sought funding from any other community partner as of yet.

Presented.

## ORDINANCE FOR ADOPTION

**2024-0072** Request for Acceptance of Second Reading and Adoption - An Ordinance to Amend Chapter 86, Solid Waste, Article III, Waste Haulers, Sections 86-62 - Application, 86-63 - Issuance or Denial, 86-66 - Inspection of Solid Waste Transporting Units, and 86-70 - Regulations, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify application, issuance or denial, inspection of solid waste transporting units to license decals, and regulations; repeal conflicting ordinances, and prescribe a penalty for violations

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[040824 Agenda Summary.pdf](#)  
[040824 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mike Viazanko**, Building/Ordinance/Facilities Director, **Jodi Welch**, Manager of Ordinance Services, and **Captain Russ Yeiser**, Oakland County Sheriff's Office, were present.

**Mr. Viazanko** shared that this request is for the Second Reading of the Ordinance Amendment to make the licensing for solid waste hauler vehicles a more efficient process.

**Mayor Barnett** thanked Ms. Welch and Captain Yeiser for their work on this.

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Munglioli, Neubauer and Walker

Enactment No: RES0131-2024

**Resolved**, than an Ordinance to Amend Chapter 86, Solid Waste, Article III, Waste Haulers, Sections 86-62 - Application, 86-63 - Issuance or Denial, 86-66 - Inspection of Solid Waste Transporting Units, and 86-70 - Regulations, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify application, issuance or denial, inspection of solid waste transporting units to license decals, and regulations; repeal conflicting ordinances, and prescribe a penalty for violations is hereby Accepted for Second Reading and Adoption and shall become effective April 29, 2024 following its publication in the Oakland Press on Sunday, April 28, 2024.

## PLANNING AND ECONOMIC DEVELOPMENT

**2024-0176** Request for Final One Family Site Condominium Plan Approval for Walton Oaks Site Condominiums, a proposed 11-unit, detached single family condominium development on approximately 6.8 acres at 3510 Walton Blvd., located on the north side of Walton Blvd. and west of Adams Rd., zoned R-2 One Family Residential; Bruce Michael, Walton Oaks LLC, Applicant

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Staff Report 032724.pdf](#)  
[Plans \(Pt. 1 of 3\).pdf](#)  
[Plans \(Pt. 2 of 3\).pdf](#)  
[Plans \(Pt. 3 of 3\).pdf](#)  
[Master Deed and Bylaws.pdf](#)  
[Development Application.pdf](#)  
[Environmental Impact Statement 032724.pdf](#)  
[Public Comment.pdf](#)  
[Minutes PC 040224 \(Draft\).pdf](#)  
[CC Min 052223.pdf](#)  
[Minutes PC 050223.pdf](#)  
[Minutes PC 022123.pdf](#)  
[Notice of Public Meeting.pdf](#)  
[Resolution \(Draft\).pdf](#)  
[Suppl Email McLeod 042224.pdf](#)  
[Suppl Presentation.pdf](#)

**Chris McLeod**, Planning Manager, **Bruce Michael**, Applicant, **David Mingle**, Rochester Housing Solutions, and **Bill Godfrey**, Three Oaks Communities, were present.

**Mr. McLeod** presented the following information regarding the request for final site plan approval:

- Site
  - 6.85 acres
  - North side of Walton Boulevard between Adams Road and Firewood Drive
- Request
  - 11 sites
  - Final Site Condominium Plan
- Previous Approvals
  - Preliminary Site Condominium (Planning Commission and City Council)
  - Tree Removal

- Sidewalk Modification
- Planning Commission Recommendation of Final Approval 4/2/2024
  
- Updates
  - Plan remains largely unchanged from Preliminary Site Condominium approval
  - Modified turn around at terminus of roadway
  - Minor engineering items to be finalized (retaining wall structural calculations, finalization of easements, etc.)
  - Additional street name for end units
  - Final acceptance of Master Deed and Bylaws
  - Review of Single-Family Status
    - City Attorney has reaffirmed opinion

**Public Comment:**

**Ray Toma**, 202 Stonetree Circle, shared that he has been a resident of the Brookdale West subdivision for 43 years and that he is also a practicing attorney. He continued that the opinion letter from Mr. Staran provided a definition that IDD individuals are a family. He stated that the IDD units do not conform to the R-2 District that this area requires, since they are multiple units. He added that this is not an 11-unit development, it is a 20-unit development since each unit will require their own insurance, deed, and financing mechanisms. He noted that the City has an Ordinance that states that for up to four units, each dwelling must contain its own separate kitchen and bathroom areas and that shared facilities are not permitted. He added that the proposed facilities are four units and that they have a shared kitchen, which does not reconcile with the City's Ordinance. He noted another City Ordinance that states no attached unit structures with three or more dwelling units shall be erected on a lot or parcel of land which has an area of less than one-half acre. He commented that the State Statute allows residential facilities like this one in a residential district if they are licensed and that the proposed facilities will not be licensed.

**David Mingle**, 1555 Rochester Road, shared that he is the Chair of Rochester Housing Solutions, which is a 501(c)(3) nonprofit which is partnering with the applicant to make this project a reality in the City. He added that he is the parent of a 32-year-old with autism and that he deserves to have the right to choose where he wants to live. He explained that his son and many others are choosing the Walton Oaks neighborhood because it gives him the opportunity to live in a home that cannot be taken away from him. He stated that Walton Oaks is the first of two neighborhoods that they plan to build in the City and they will be back in front of Council with a Preliminary Site Plan for Auburn Oaks. He explained that when both of the projects are completed, more than 35 IDD individuals will be living within the City in these developments.

**Council Discussion:**

**President Deel** questioned Mr. Christ what the impact would be if the City's counsel is incorrect on the opinion they rendered that was mentioned by Mr. Toma.



**Mr. Christ** responded that the opinion by Mr. Staran is strong, based on the City's Ordinances and that a family does not have to be related according to the language outlined in the City's Ordinances.

**Ms. Mungoli** inquired whether funding is available for homes that are designated for IDD individuals.

**Mr. McLeod** responded that the City does not normally focus on the funding mechanisms used to purchase property.

**Mr. Michael** stated that several of the families will be paying cash for their units. He added that there are several banks that offer portfolio loans as another source of funding. He commented that all of the units are already pre-sold in this community.

**Ms. Mungoli** questioned how many units were being paid with cash and how many were being financed. She also inquired how the units will be insured.

**Mr. Michael** responded that he does not know which units were paid with cash and which units were being financed. He continued that there will be two insurance policies: one through the Homeowner's Association for the common areas and one through the owner of the unit for their individual space.

**Ms. Mungoli** questioned how a foreclosure on one of the units would be handled. She also inquired if the selling of the units would have to abide by the deed restrictions.

**Mr. McLeod** responded that from the City's perspective, it would be handled no differently than one of the regular homes.

**Mr. Michael** added that there is a separate declaration filed with each individual unit that prescribes that the unit must be occupied by an IDD individual, as defined by Medicaid.

**Ms. Mungoli** questioned how the voting will be done in the Homeowners Association.

**Mr. Mingle** shared that they have set up a structure where the general common elements for all of the buildings are through a separate budget that is spread equally amongst the units. He continued that the expenses that are specific to the IDD units are a separate budget and that those families will vote on that budget.

**Ms. Mungoli** questioned how the bylaws can be changed in the Homeowners Association. She stated that she wants to make sure the IDD individuals are capable of understanding the legal ramifications of the decisions that may be made in regards to changing the bylaws.

**Mr. Mingle** responded that there will be a Board comprised of both IDD individuals and non-IDD individuals, that will be structured so group can overrule

*the other. He added that the IDD individuals can represent themselves if they are capable, but it is more typical that they will have a representative on their behalf.*

**Ms. Mungiola** questioned how tax bills will be issued for these units and how many units will be in each of the structures.

**Mr. McLeod** responded that he spoke with the City's Assessor and that there will be a tax bill sent to each unit for their own individual area. He noted that each unit will have their own parcel number.

**Mr. Michael** added that some of the units presently have three residents and that some have four residents.

**Ms. Mungiola** questioned if the footprint of the building changes if a fourth bedroom is added. She also questioned if a change in the footprint would affect the approval that the Planning Department gives this property.

**Mr. Michael** responded that the footprint could change and that the master deed would also have to be amended.

**Mr. McLeod** added that it will be a case-by-case basis if a new approval process will need to go through the Planning Department. He noted that the current master deed is already set up for each of the buildings to have four units.

**Ms. Mungiola** inquired whether there is a way to increase the number of plantings between the new development and the homes along Bellarmine Drive.

**Mr. Michael** responded that there is a continuous row of evergreen trees being planted at 12 feet or taller and that they are separated approximately 20 feet. He noted that they have planted as many as they can and that the plantings have come from a tree farm.

**Ms. Mungiola** shared that the residents of Brookdale West are concerned with the flooding that occurs in their backyards.

**Mr. Michael** responded that the flooding should improve with the new detention pond.

**Mr. McLeod** shared that he spoke with the City's Engineering department and that they feel the drainage for the overall area should improve.

**President Deel** noted that the master deed indicates that it can be amended and that there is not a wide market for these types of units.

**Mr. Michael** responded that there is a separate declaration that has been drafted and recorded for each of the units that states that the only occupants can be IDD individuals. He added that there are nine million IDD individuals in the United States and that there is a large market for these units.

**Mr. Mingle** commented that there is a vetting process where families apply for housing to Rochester Housing Solutions and then a recommendation is forwarded to the Homeowners Association.

**Vice President Walker** questioned how their development in Saline, Michigan, Maple Oaks, is similar and dissimilar to Walton Oaks.

**Mr. Michael** explained that development is about the same size and that there are ten single family units sold to non-IDD individuals, 16 duplexes sold to non-IDD individuals, and two four-plexes sold to IDD individuals. He noted that the IDD units are completely occupied and that there has only been one turnover in the past six years. He added that they wanted to do similar four-plex condominiums for Walton Oaks but that they ran into opposition for that idea based on the City's zoning requirements on the property. He commented that they have found that there are a number of people that would prefer the suite-style type living rather than separate condominium living.

**Vice President Walker** questioned if they are getting the same level of demand for the non-IDD homes as they are the IDD units.

**Mr. Michael** responded that the waiting lists for the IDD units are so long that they have developed a following of families that were interested in these properties. He added that they have met with about 15 probable buyers for the non-IDD homes and that they are pushing for construction to begin on these homes.

**Ms. Morlan** questioned if all of the IDD units are spoken for at Walton Oaks and how many units were planned for originally.

**Mr. Michael** responded that all of the IDD units are spoken for and that they originally planned for 35 to 36 units.

**Ms. Morlan** questioned how it is decided who lives where and if each building contains only occupants of the same gender.

**Mr. Mingle** explained that the families decide that for themselves and that Rochester Housing Solutions creates an environment for the families to get to know one another. He added that one of the buildings will be co-ed because there were two families that are friends and they requested that.

**Ms. Morlan** questioned what would happen in the case of a home emergency like a flooded basement or sump pump.

**Mr. Mingle** stated that under Medicaid, each of the IDD individuals qualify for direct-care services that will be on site to assist the residents with any needs that they may have.

**Ms. Morlan** inquired what would happen if one of the IDD individuals is no longer compatible with the other occupants of the building.

**Mr. Mingle** responded that the families would need to work with the Oakland

Community Health Network and decide what the next best setting for the individual should be. He added that if the individual need to move out, they could rent their unit to another qualified IDD individual or they sell the unit to another qualified IDD individual.

**Ms. Morlan** questioned what the IDD individuals use for modes of transportation.

**Mr. Mingle** shared that they use any mode of transportation that they can. He added that there is a new transit policy from Oakland County with the SMART bus system that the individuals can use.

**Ms. Morlan** inquired why a group home is not an option for these IDD individuals.

**Mr. Mingle** responded that this is an ownership model and it provides a forever home for these individuals, whereas a group home is usually owned by a third-party.

**Ms. Neubauer** shared that this a unique plan and that she is a Probate lawyer who is dedicated to the IDD community. She commented that parents of the IDD individuals need to consult with their attorneys to ensure that the ownership of these units is protected. She questioned if the IDD individuals would lose their Medicaid benefits if they own the units through a Special Needs Trust. She inquired how a separate tax bill can be issued to these units when only one kitchen exists. She also questioned why such a small percentage of the community is for IDD individuals. She inquired if these units will be rented from a Special Needs Trust or if they will be rented from an organization. She stated that she wants the IDD community to be protected.

**Mr. Mingle** responded that in most cases, the families will have a Special Needs Trust that is written to protect the benefits of the IDD individuals, so they are confident that a home can be owned by the Trust while still receiving benefits. He added that they are coaching their families on ABLE accounts that can also be used to protect benefits. He stated that group homes in Oakland County are typically not licensed, and that this community won't be licensed either. He continued that in regards to the tax bill, common elements like the kitchen would be shared by the parcels.

**Ms. Neubauer** questioned why the application is coming to Council as a single-family lot site plan.

**Mr. McLeod** responded that the Zoning Ordinance allows for the development of site condominiums, which is a mechanism of ownership. He explained that it has been determined that since there is only a single kitchen, laundry unit, and living unit, that it is a functioning single-family unit. He stated that the City Assessor will assess the amenities and space provided in each of the individual units and assign a parcel number and tax bill accordingly. He noted that this project has gone through almost ten reviews by City staff and that it has also gone through multiple reviews by legal staff.

**Mr. Mingle** mentioned that the entire neighborhood is not comprised of IDD individuals because they want these individuals to be included in the community with non-IDD individuals.

**Ms. Neubauer** questioned how they came up with the number of IDD units.

**Mr. Mingle** responded that the decision was arbitrary, but that they prefer to keep it under 35 percent. He continued that whether the resident is renting or owning a unit, they must go through the same qualification process. He noted that in one of the homes they have a family that is purchasing two of the units and that one of the units will be rented to an IDD individual who is unable to purchase a unit on their own.

**Ms. Neubauer** questioned who sets the rent prices.

**Mr. Mingle** responded that the rent prices will be set by the owner of the unit/property. He added that the Homeowners Association will also have to approve the lease agreement. He stated that the role of Rochester Housing Solutions is to help provide support to the IDD individuals and their families.

**Mr. Blair** commented that this project offers significant benefits to the community and that he believes the development complies with the City's Zoning Ordinances. He added that his decision will be based on expert opinions, including the opinion written by the City Attorney.

**President Deel** questioned if there is a plan in place for taxing the IDD units moving forward and for calculating water/sewer bills.

**Mr. McLeod** responded that in his conversations with the City Assessor, that is his understanding. He added that he is sure everything will be appropriately metered and billed for water and sewer services.

**President Deel** remarked that this project has been in the works for a long time and that the Council has had the goal of ensuring that anything done complies with the City's Zoning Ordinances as they are. He stated that he believes this project does meet the Zoning Ordinances.

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

**Aye** 5 - Blair, Carlock, Deel, Neubauer and Walker

**Nay** 2 - Morlan and Mungiola

Enactment No: RES0132-2024

**Resolved**, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan, based on plans received by the Planning Department on March 5, 2024, with the following findings and subject to the following conditions:

Findings

1. The site plan and supporting documents demonstrate that all applicable requirements of

the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.

2. The proposed project will be accessed from Walton Blvd., thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street.
3. Adequate utilities are available to the site.
4. The final plan represents a reasonable street and lot layout and orientation.
5. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
6. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

#### Conditions

1. Address all applicable comments from other City departments and outside agency review letters.
2. Provide a landscape bond in the amount of the landscape installation cost estimation shown on the site plan, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.
3. Provide Master Deed and all related exhibits to the Department of Public Services/Engineering and City Attorney for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
4. Landscape boulders be used at the T intersection as approved by City Staff.

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

*Mark Lula, 196 Stonetree Circle, shared that Stonetree Circle is in poor condition and it is causing the driveway easement in front of his home to collapse.*

## **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.

**2024-0220** Approval of Minutes - City Council Regular Meeting - February 12, 2024

**Attachments:** [CC Min 021224.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0133-2024

**Resolved**, that the Minutes of the Rochester Hills City Council Regular Meeting held on February 12, 2024 be approved as presented.

- 2024-0207** Adoption of a Street Resolution to place a previously constructed and unaccounted for portion of Lomond Lane, within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Map.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0134-2024

**Whereas**, it is necessary to furnish information to the State of Michigan to place said streets within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

**Now, Therefore, Be It Resolved,**

1. That the said streets are described as:

134 feet of Lomond Lane from the intersection of Tartan Drive proceeding northwest to the terminus in Lochmoor Hills #1, a Subdivision of part of S.W. ¼ of Section 9, T.3N., R11E, Avon Twp, Oakland County, Michigan

2. That said streets are located within City right-of-way and are under the control of the City of Rochester Hills, and
3. That said streets are certified as public streets and are for public street purposes, and
4. That said streets are accepted into the City Local Street System, and
5. That said streets have been open for traffic and have been constructed according to City standards.

- 2024-0218** Request For Approval of Traffic Control Order SS-155-24

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Traffic Control Order.pdf](#)  
[Map.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0135-2024

**Whereas**, Traffic Control Order No. SS-154-24 has been issued by the City Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.: and

**Whereas**, said Traffic Control Order covers:

SS-155--24 Eastbound Cross Creek Blvd. STOP for Otter Drive

**Whereas**, said Traffic Control Orders shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

**Whereas**, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Orders and recommends that the Orders be approved;

**Resolved**, that the Rochester Hills City Council approves the issuance of the Traffic Control Order SS-155-24 to be in effect until rescinded or superseded by subsequent orders; and

**Now Therefore Be It Resolved**, that a certified copy of this Resolution is filed together with the Traffic Control Orders, with the City Clerk of Rochester Hills, Oakland County, Michigan.

## Passed the Consent Agenda

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Mungioli, Neubauer and Walker

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Blair** announced the passing of Ed Kane, a Rochester Postal Worker for 56 years.

**Mayor Barnett** provided the following City Updates:

- He attended the Community Foundation's Annual Scholarship Awards and he presented the Kenneth J. Barnett scholarships to four different students.
- The Planning Department team is working to talk with residents in the development of the City's Master Plan.
- Two plantings will be done at Meadowbrook Hall and Wabash Park in recognition of Arbor Day.
- The City is in the process of hiring Lifeguards for the Summer season and interested applicants can apply at [rochesterhills.org/lifeguard](http://rochesterhills.org/lifeguard).
- Parks passes are being sold at half price this year due to planned park closures this season.
- The Neighborhood Road Construction is starting soon and information can be found on the Department of Public Services website.
- Walton Boulevard and Barclay Circle are currently under construction.
- Today is Earth Day and the start of the SMART Bus Route 492 in the City.
- The Fire Department is hosting a Car Seat Check event on May 3, 2024 from 1:30 p.m. to 4:00 p.m.
- The Oak in the Hills Event will be May 18, 2024 from 11:00 a.m. to 3:00 p.m. at Spencer Park.

**President Deel** questioned if there is a hotline that residents can call if they have questions about the new SMART bus routes.



*Mayor Barnett responded that the phone number for the Customer Care Center at SMART is 866-962-5515.*

## ATTORNEY'S REPORT

*City Attorney Dan Christ had nothing to report.*

## NEW BUSINESS

**2024-0197** Request for Approval of Grant Submission - DPS/ENG: Support for the submission of an application for the Safe Streets and Roads for All Federal Grant Program

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Bill Fritz, Public Services Director, stated that this request is to authorize the application to the Safe Streets and Roads for All Federal Grant Program. He explained that this would be used to study the ways to improve the safety of the City's pathways and streets.*

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Munglioli, Neubauer and Walker

Enactment No: RES0136-2024

**Resolved**, that the Rochester Hills City Council hereby supports the submission of an application to request the action plan grant funding through the Safe Streets and Roads for All (SS4A) Federal Grant Program and authorizes the Mayor to execute any agreements required for successful submission of the grant application.

**2024-0198** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for the Judson Park and Brabach Orchards Watermain Replacement Project in the amount of \$3,824,140.00 with a 10% project contingency in the amount of \$382,414.00 for a total not-to-exceed amount of \$4,206,554.00; Bidigare Contractors, Inc., Plymouth, MI

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Bill Fritz, Public Services Director, shared that this is the annual watermain replacement project and that it is a budgeted item.*

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Munglioli, Neubauer and Walker

Enactment No: RES0137-2024

**Resolved**, that the Rochester Hills City Council hereby authorize a Contract/Blanket Purchase Order for the Judson Park and Brabach Orchards Watermain Replacement Project to Bidigare Contractors, Inc., Plymouth, Michigan in the amount of \$3,824,140.00 with a 10% project contingency in the amount of \$382,414.00 for a total not-to-exceed project amount of \$4,206,554.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

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

**2024-0216** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for the 2024 Concrete Road and Sidewalk Replacement Program in the amount of \$1,744,280.58 with a 10% project contingency in the amount of \$174,428.00 for a total not-to-exceed project amount of \$1,918,708.58; Koala-T Construction Corporation, Pontiac, MI

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Bid Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, stated that this is the annual program to replace the failed concrete in the City's roads and pathways and that it is a budgeted item.

**Ms. Mungoli** addressed the public comment from earlier regarding the condition of Stonetree Circle and explained that it appears that road will be included in this year's program.

**Mr. Fritz** responded that he will confirm that and contact the resident.

**President Deel** noted that this is the lowest bidder for this project.

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Mungoli, Neubauer and Walker

Enactment No: RES0138-2024

**Resolved**, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for the 2024 Concrete Road and Sidewalk Replacement Program to Koala-T Construction Corporation, Pontiac, Michigan in the amount of \$1,744,280.58 with a 10% project contingency in the amount of \$174,428.00 for a total not-to-exceed project amount of \$1,918,708.58 and further authorizes the Mayor to execute an agreement on behalf of the City.

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

**2024-0217** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase

Order for construction engineering services for the 2024 Concrete Road Replacement Program in the amount not-to-exceed \$244,199.00; Spalding DeDecker, Rochester Hills, MI

**Attachments:** [042224 Agenda Summary.pdf](#)  
[Proposal for Services.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Bill Fritz**, Public Services Director, stated that this is the engineering portion for the 2024 Concrete Road and Sidewalk Replacement Program.

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

**Aye** 7 - Blair, Carlock, Deel, Morlan, Mungioli, Neubauer and Walker

Enactment No: RES0139-2024

**Resolved**, that the Rochester Hills City Council hereby authorize a Contract/Blanket Purchase Order for construction engineering services for the 2024 Concrete Road Replacement Program to Spalding DeDecker, Rochester Hills, Michigan in the amount not-to-exceed \$244,199.00 and further authorizes the Procurement Manager to execute an agreement on behalf of the City.

## ANY OTHER BUSINESS

**NEXT MEETING DATE - City Council Regular Meeting - May 6, 2024 - 7:00 p.m.**

## ADJOURNMENT

*There being no further business before Council, it was moved by Neubauer and seconded by Mungioli to adjourn the meeting at 9:22 p.m.*

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*RYAN DEEL, President  
Rochester Hills City Council*

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*LEANNE SCOTT, MMC, Clerk  
City of Rochester Hills*

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*AARON GEER  
Administrative Coordinator  
City Clerk's Office*

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