



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Carol Morlan,
Theresa Mungioli 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."*

Monday, August 29, 2022

7:00 PM

1000 Rochester Hills Drive

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, Susan M. Bowyer, Ryan Deel, Dale Hetrick, Carol Morlan, Theresa Mungioli and David Walker

Others Present:

*Bryan Barnett, Mayor
Nicholas Birchmeier, Battalion Chief
Sean Canto, Fire Chief/Emergency Service Director
Chelsea Ditz, Human Resources Director
Bill Fritz, Public Services Director
Larry Gambotto, Captain/Training Officer
Sean Mangan, Lieutenant/Paramedic
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Mike Viazanko, Building/Ordinance/Facilities Director
Maria Willett, Chief of Staff*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Mungioli, seconded by Walker, that the Agenda be Approved as Presented. The motion CARRIED by the following vote:

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungioli and Walker

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Avon Youth Assistance (RAYA):

Ms. Mungoli shared that RAYA assists families in need and will be hosting a Business Card Placemat Fundraiser. She explained that interested participants can place their business card on a placemat and the placemat will be used at multiple RAYA events and activities throughout the year. She stated that it is a \$50 donation to participate and help a good cause.

Green Space Advisory Board (GSAB):

Vice President Bowyer shared that the next Saturday hike for the GSAB will be on September 10, 2022 at the Harding Green Space. She added that the Harding Green Space has 26 acres of land located between Harding Road east of Livernois. She noted that this is a free event and participants can either meet at City Hall at 10:00 a.m. and carpool to the property or meet at the Harding Green Space entrance on the Clinton River Trail.

Paint Creek Trail Commission:

Mr. Walker reminded residents about the Paint Creek Trail Labor Day Bridge Walk and Run. He noted that registration will start at 8:00 a.m. and stated that this event helps support the Paint Creek Trail.

PRESENTATIONS

2022-0388 Swearing-In Ceremony for Fire Staff Members and New Firefighter Candidates

Attachments: [082922 Agenda Summary.pdf](#)

Sean Canto, Fire Chief/Emergency Services Director, explained that two Members of the Fire Department have successfully achieved a promotion. He shared that each day these two individuals are on the front lines and are the first contact residents and visitors in need will have with the Fire Department. He noted that they have accepted the responsibilities and risks that are associated with their positions. He congratulated Battalion Chief Nick Birchmeier and Lieutenant/Paramedic Sean Mangan on their promotions and dedication to the Fire Department.

City Clerk Leanne Scott, administered the Oath of Office to Battalion Chief Birchmeier and Lieutenant/Paramedic Mangan.

Larry Gambotto, Captain/Training Officer, shared that the American Fire Service has a rich tradition and fascinating history. He stated that tonight is where it all starts and where the Fire Department makes an impression and have an impact on these new firefighters careers. He noted that some fire departments hold a ceremony when the firefighter is first hired and become a new member and some fire departments wait until the member has graduated from the Fire Academy. He added regardless of when the ceremony is held, it is

an honor and reward for graduating the Fire Academy. He stated that the new firefighters know right from the beginning that they will be held accountable and are aware that it is a privilege and honor to wear the City of Rochester Hills Fire Badge. He introduced the following candidate firefighters that will be sworn in:

- Kevin Palain, Firefighter/EMT
- Andrew Liebert, Firefighter/EMT

Clerk Scott administered the Oath of Office to Firefighter/EMT Palain and Firefighter/EMT Liebert.

Presented.

PLANNING AND ECONOMIC DEVELOPMENT

2022-0393 Request to Refer Parcel #15-15-429-026, #15-15-429-027 and #15-15-405-004 to the Planning Commission for consideration of rezoning from industrial to single family residential

Attachments: [022723 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Agenda Summary 020623.pdf](#)
[Staff Report Rezoning 011723.pdf](#)
[Updated Public Comment 011723.pdf](#)
[PC Minutes 011723 \(Draft\).pdf](#)
[PC Regular Minutes 111522.pdf](#)
[Roediger Memo 111522.pdf](#)
[Updated Public Comment 111522.pdf](#)
[PC Regular Minutes 092022.pdf](#)
[Roediger Memo 091422.pdf](#)
[Public Comment 092122.pdf](#)
[Public Hearing Notice.pdf](#)
[Agenda Summary 082922.pdf](#)
[Resolution 082922.pdf](#)
[Resolution 020623.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel explained that City Council is requesting this amendment based on discussions regarding the Flex-Business (FB) Overlay District. He added that it was discovered that three parcels located south of Cloverport and west of Rochester Road are currently zoned industrial and due to their zoning designation are without street access. He stated that this has the potential of rendering these parcels with no use under the City's Zoning Ordinance and this zoning designation is unlike any of the surrounding parcels and an industrial use would not be harmonious with the surrounding land uses. He stated for that reason City Council is proposing that this item be forwarded to the Planning Commission to consider rezoning these parcels into some form of single family residential.

Vice President Bowyer stated that this issue was discovered during the FB Overlay discussions and the industrial zoning does not make sense in this area.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungoli and Walker

Enactment No: RES0027-2023

Resolved, that the Rochester Hills City Council hereby refers parcel #15-15-429-026, #15-15-429-027 and #15-15-405-004 to the Planning Commission for consideration of rezoning from industrial to single family residential in order to allow access to the property from Cloverport and to remain harmonious with the surrounding land uses.

PUBLIC COMMENT for Items not on the Agenda

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.

- 2022-0365** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for service and overhead door maintenance services at City owned properties the amount not-to-exceed \$40,000 through September 30, 2023; Garrett Door Company, Pontiac, MI

Attachments: [082922 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Enactment No: RES0222-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for service and overhead door maintenance services for City owned properties to Garrett Door Company, Pontiac, Michigan in the amount not-to-exceed \$40,000 through September 30, 2023 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.

- 2022-0366** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for HVAC Preventable Maintenance and Repair Services for City owned buildings in an amount not-to-exceed \$70,000.00 through September 30, 2023; K&S Ventures, Inc., Rochester Hills, MI

Attachments: [041723 Agenda Summary.pdf](#)
[082922 Agenda Summary.pdf](#)
[082922 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0223-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for HVAC Preventable Maintenance and Repair Services for City-owned buildings to K&S Ventures, Inc., Rochester Hills, Michigan in the amount not-to-exceed

\$70,000.00 through September 30, 2023 and further authorizes the Mayor to execute a contract on behalf of the City.

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

- 2022-0386** Request for Purchase Authorization - DPS/ENG: Blanket purchase order/contract for catch basin and manufactured treatment device cleaning services in the amount not-to-exceed \$56,000.00 through December 31, 2022; United Resource, LLC., Livonia, MI

Attachments: [082922 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0224-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for catch basin and manufactured treatment device cleaning services to United Resource, LLC., Livonia, Michigan in the amount not-to-exceed \$56,000.00 through December 31, 2022 and further authorizes the Mayor to execute the contract on behalf of the City.

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

- 2022-0373** Request for Approval of FY 2023 Suburban Mobility Authority for Regional Transportation (SMART) Municipal Community Credit Contract between SMART and the City of Rochester Hills in the amount of \$71,412.00

Attachments: [082922 Agenda Summary.pdf](#)
[Contract.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0225-2022

Resolved, that the Rochester Hills City Council hereby approves the transfer application for the Suburban Mobility Authority for Regional Transportation (SMART) for Fiscal Year 2023 Municipal Community Credits to the Older Persons' Commission as presented.

Further Resolved, that the Mayor is authorized to execute and deliver the transfer agreement on behalf of the City.

- 2022-0374** Request for Purchase Authorization - DPS/ENG: Cost Participation Agreement approval between the Board of Commissioners (BOARD) for the County of Oakland and the City of Rochester Hills for the Local Government Critical Infrastructure Planning Grant Program for receipt of funding in the amount of \$100,000.00.

Attachments: [082922 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Award Letter.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0226-2022

Resolved, that the Rochester Hills City Council hereby approves the Cost Participation Agreement between the City of Rochester Hills and the Board of Commissioners (BOARD) for the County of Oakland for Local Government Critical Infrastructure Grant Program for receipt of funding in the amount of \$100,000.00 and further authorizes that designated signing authority for the agreement be given to the City's Chief Financial Officer to execute an agreement on behalf of the City.

Passed the Consent Agenda

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungioli and Walker

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Deel shared that the League of Women Voters Oakland Area will conduct a Candidate Forum on September 7, 2022 at 7:00 p.m. at City Hall for the candidates that will appear on the November 2022 ballot for the State Senate 9th District and the State House of Representatives 55th District, representing the cities of Rochester and Rochester Hills, a portion of Troy, Oakland Township, and others. He added that all questions to the candidates will come from residents in the audience. He noted if anyone interested is not able to attend this Forum live, they can tune in to the City cable channels: Comcast - 20, Wow - 10, and AT&T - 99.

He wished all the Rochester Hills children a happy first day of school.

Vice President Bowyer shared that the Community Foundation Greater Rochester will be hosting its First Annual Golf Outing on September 12, 2022 at Pine Trace Golf Course. She stated that it is \$150 per player and interested participants can register at [cfound.org](#). She stated that the Community Foundation Greater Rochester Annual Tailgate Party will be held on October 27, 2022 at Royal Park Hotel.

She wished her son Michael and daughter-in-law Erica a Happy One Year Anniversary.

She stated that the Paint Creek Trail Labor Day Bridge Walk is September 5, 2022 at Rochester Park. She noted that the Brooksie Way will no longer take place; however, the Golden Grizzlies 10k/5k will take place on September 25, 2022 at Oakland University.

Mayor Barnett provided the following City updates:

- The City is monitoring the storm and outages throughout Rochester Hills. He added that the DTE website provides useful information regarding outages and anticipated restore times. He noted that the City generally does not have anymore information than what the DTE website has.
- The State of the City event was a successful event that was held in the Brooklands. He stated for the first time ever Auburn Road was closed and an old fashioned block party took place. He added that it was one of the highest attended events in the City and they received positive feedback from attendees. He thanked the Brooklands residents for their support and also thanked the City employees that assisted at the event.
- Jenny Brown and Ziad Kassab were featured on the latest edition of the Mayor's podcast, *Right Down the Street*.
- Rochester Hills Through My Eyes Program is a program through the Create Collective a local 501(c)(3) organization, that is trying to create more connections between art and culture within the community. He stated that this program is designed to showcase talents of individuals with special needs throughout the community. He encouraged residents to visit <https://mmlfoundation.org/vote> to vote for Rochester Hills.
- The Play Ball Event that took place about a month ago resulted in one of its participants, Allison Neederhide, to qualify to advance to Chicago and compete in the seven to eight year old age group. He noted that she won and qualified to be one of five winners that will visit the World Series Field.
- The City is not under any boil water alert; however, the splash pad is turned off temporarily until the water main issue is fixed.
- The Livernois Road resurfacing project has begun from Avon to South Boulevard.
- Auburn Road has been prepped for paving and should be complete in September.
- Old Perch has begun Phase II of the road resurfacing and should be completed in October.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NEW BUSINESS

2022-0390 Approval of the Settlement Agreement between the City of Rochester Hills and the International Association of Fire Fighters (IAFF) Local 3472

Attachments: [082922 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Chelsea Ditz, Human Resources Director, and **Chief Sean Canto**, Fire Chief/Emergency Services Director, were present.

Ms. Ditz explained that she is very excited to bring before City Council for their

approval, the 2022-2024 IAFF Local 3472 Contract. She noted that the terms of the contract are consistent with the City's other bargaining unit contracts that were ratified last year.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungoli and Walker

Enactment No: RES0227-2022

Whereas, negotiations between the City of Rochester Hills and IAFF Local 3472 have resulted in a tentative three-year agreement, for the period of January 1, 2022 through December 31, 2024.

Resolved, that the Rochester Hills City Council hereby grants approval of the settlement agreement for the above contract term.

2022-0367

Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for snow removal services at City Hall, Fire Stations, 52/3rd District Court, Oakland County Sheriff's Office Substation, and two City owned parking lots near Brooklands Plaza in the amount not-to-exceed \$155,000.00 through June 30, 2023; Ultra Professional Outdoor Services, Rochester Hills, MI

Attachments: [082922 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Mike Viazanko, Building/Ordinance/Facilities Director, shared that the request is for snow removal services for the upcoming winter months and added that the services will be maintained by the same contractor as last year.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungoli and Walker

Enactment No: RES0228-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for snow removal services for City Hall, Fire Stations, 52/3rd District Court, Oakland County Sheriff's Office Substation, and two City owned parking lots near Brooklands Plaza to Ultra Professional Outdoor Services, Rochester Hills, Michigan in the amount not-to-exceed \$155,000.00 through June 30, 2023 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.

2022-0391

Request for Approval of Traffic Control Order SL-24-22, SPEED LIMIT OF 25 MPH on Auburn Road from Culbertson Ave to Dequindre Road, Sections 25 & 35

Attachments: [082922 Agenda Summary.pdf](#)
[2022 Auburn Corridor TCO.pdf](#)
[SL-24-22 25 MPH.pdf](#)
[Speed Study Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, explained that the Advisory Traffic & Safety Board requests City Council's authorization of a traffic order to confirm 25 miles per hour along the Auburn Road Corridor.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungioli and Walker

Enactment No: RES0229-2022

Whereas, Traffic Control Order No. SL-24-22 has been issued by the Transportation Engineer in accordance within the provisions of Chapter VI of Act No. 300, Public Acts of Michigan of 1949, as amended (Michigan Vehicle Code), and under the provisions of the City of Rochester Hills Code of Ordinances, Chapter 98 (Rochester Hills Traffic Code) as amended: and

Whereas, said Traffic Control Order covers:

Auburn Road from Culbertson Ave to Dequindre Road, Sections 25 & 35

SL-24-22 Speed Limit Twenty-Five (25) miles per hour On Auburn Road from Culbertson Avenue to Dequindre Road.

Whereas, said Traffic Control Order will 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 Order and recommends that the Order be approved;

Resolved, that the Rochester Hills City Council approves the issuance of the Traffic Control Order SL-24-22 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 Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

2022-0346 Discussion - O.P.C. Operating Fund (820) - FY 2023

Attachments: [082922 Agenda Summary.pdf](#)
[082222 Budget Presentation Schedule.pdf](#)
[081522 Agenda Summary.pdf](#)
[2023-25 OPC Budget Package.pdf](#)
[081522 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, shared that the Older Persons'

Commission (OPC) 2023-2025 Budget is presented for City Council's approval. He noted that the proposed OPC Budget was approved by the OPC Board on July 7, 2022 and on that night the OPC also held a Public Hearing. He added that the OPC Budget was presented to the Rochester Hills City Council on August 15, 2022, and the OPC Staff presented their Budget Plan to the Rochester Hills City Council at its August 22, 2022 Budget Workshop.

***President Deel** confirmed that the OPC held a Public Hearing regarding its proposed Budget.*

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morlan, Mungioli and Walker

Enactment No: RES0230-2022

ANY OTHER BUSINESS

***Mayor Barnett** noted that the City took a photo today of the Oakland County Sheriff's Office School Liaison Officers and their dog Tazer with a "first day of school" sign. He encouraged everyone to check out the City's facebook page to view it.*

NEXT MEETING DATE

Regular Meeting - Monday - September 12, 2022 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Morlan to adjourn the meeting at 7:39 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office*

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