



Rochester Hills

Minutes

City Council Regular Meeting

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

*Susan M. Bowyer Ph.D., Kevin S. Brown, Dale A. Hetrick, James Kubicina,
Stephanie Morita, Mark A. Tisdell and Thomas W. Wiggins*

Vision Statement: The Community of Choice for Families and Business

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

Monday, February 6, 2017

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 7 - Susan M. Bowyer, Kevin S. Brown, Dale Hetrick, James Kubicina, Stephanie
Morita, Mark A. Tisdell and Thomas W. Wiggins

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Dan Christ, City Attorney
Ken Elwert, Director of Parks and Forestry
Gerry Lee, Forestry Operations Manager
Jack Sage, Ordinance Inspector
Allan Schneck, Director of DPS/Engineering*

PLEDGE OF ALLEGIANCE

*President Tisdell invited Mahir Osman, Secretary of Public Affairs for the
Ahmadiyya Muslim Community of Metro Detroit, to lead the Pledge of Allegiance.*

APPROVAL OF AGENDA

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

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Tisdell introduced **Zoe Pizzuti**, RHGYC Representative, and noted that she is a Freshman at Rochester Adams High School and is in her first year on the RHGYC. He stated that she is a member of the Rochester United Figure Skating Team, and volunteers at Kensington Church.

Ms. Pizzuti reported that the RHGYC is busy planning their upcoming 5K Run/Walk and will be distributing flyers soon to promote the event. She noted that members are looking forward to volunteering at the Mayor's State of the City in March.

Avondale Youth Assistance (AYA):

Vice President Morita announced that the AYA Appreciation Dinner will be held tomorrow, beginning at 4:30 p.m.

Southeast Michigan Council of Governments (SEMCOG):

Mr. Hetrick noted that at the last meeting, he announced that SEMCOG is requesting input on K-12 education in Michigan. He stated that a link to the study has been posted on the City's Facebook page, or can be obtained by emailing him.

Rochester Avon Recreation Authority (RARA):

Mr. Kubicina announced that RARA will host a Mother-Son Date Night on Wednesday, March 15, 2017. Anyone interested in attending should contact RARA.

Rochester Area Youth Assistance (RAYA):

Mr. Kubicina announced that RAYA will host a four-class series for girls in grades three through five. The Girls Stand Strong event will be held in conjunction with Rochester Community Education on Mondays, April 10, 17, 24 and May 1. Contact RAYA for more information. He noted that RAYA's Youth Recognition Awards Banquet is set for March 28, 2017 at the RiverCrest Banquet Facility. RAYA is looking for more nominations; and students in grades K-12 who have done community service or have overcome an obstacle in life can be nominated by parents, teachers, administrators or business owners. Nomination forms are available at City Hall or on the RAYA website.

PUBLIC COMMENT for Items not on the Agenda

Mahir Osman, Secretary of Public Affairs for the Ahmadiyya Muslim Community of Metro Detroit, expressed his organization's undying love for the city and for this country. He stated that fear around the nation is fast becoming a part of life and the best way to combat that fear is by love. He noted that the Ahmadiyya Muslim Community is committed to spreading the word of love and peace. He invited anyone interested to attend their Open House - Coffee, Cake and True Islam, held each Thursday evening at 7:00 p.m.

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.

Dr. Bowyer stated that she would recuse herself from voting on the Consent Agenda, noting that she has a family relationship with one of the sellers relative to the legislative items regarding the Enclaves development.

2017-0043 Approval of Minutes - City Council Regular Meeting - January 23, 2017

Attachments: [CC Min 012317.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0042-2017

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on January 23, 2017 be approved as presented/amended.

2017-0034 Request for Acceptance of a Watermain Easement granted by TJ Realvest, LLC, a Michigan limited liability company, for Rochester Enclaves

Attachments: [020617 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0043-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a watermain easement granted by TJ Realvest, LLC, a Michigan limited liability company, whose address is 54153 Deer Ridge Court, Rochester, MI 48307, 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. 15-02-102-023 and 15-02-177-001.

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

2017-0035 Request for Acceptance of a Sanitary Sewer Easement granted by TJ Realvest, LLC, a Michigan limited liability company, for Rochester Enclaves

Attachments: [020617 Agenda Summary.pdf](#)
[Sanitary Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0044-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a sanitary sewer easement granted by TJ Realvest, LLC, a Michigan limited liability company, whose address is 54153 Deer Ridge Court, Rochester, MI

48307, 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. 15-02-102-023 and 15-02-177-001.

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

- 2017-0036** Request for Approval of the Agreement for Use and Maintenance of Private Roads between the City of Rochester Hills and TJ Realvest, LLC, a Michigan limited liability company, for Rochester Enclaves

Attachments: [020617 Agenda Summary.pdf](#)
[Private Rd Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0045-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the Agreement for Use and Maintenance of Private Roads, 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 TJ Realvest, LLC, a Michigan limited liability company, whose address is 54153 Deer Ridge Court, Rochester, MI 48307, for Rochester Enclaves, for Parcel Nos. 15-02-102-023 and 15-02-177-001.

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

- 2017-0037** Request for Approval of a Storm Sewer Maintenance Agreement between the City of Rochester Hills and TJ Realvest, LLC, a Michigan limited liability company, for Rochester Enclaves

Attachments: [020617 Agenda Summary.pdf](#)
[Storm Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0046-2017

Resolved, that the Rochester Hills City Council, hereby approves the storm sewer system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm sewer system from TJ Realvest, LLC, a Michigan limited liability company, whose address is 54153 Deer Ridge Court, Rochester, MI 48307, for Rochester Enclaves, Parcel Nos. 15-02-102-023 and 15-02-177-001.

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

- 2017-0038** Request for Acceptance of a Quit Claim Deed granted to the City of Rochester Hills by TJ Realvest, LLC, a Michigan limited liability company, for a 60' wide right-of-way easement for Rochester Road, for Part of Parcel Nos. 15-02-102-023 and 15-02-177-001, for Rochester Enclaves

Attachments: [020617 Agenda Summary.pdf](#)
[Quit Claim Deed.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0047-2017

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Quit Claim Deed granted by TJ Realvest, LLC, a Michigan limited liability company, whose address is 54153 Deer Ridge Court, Rochester, MI 48307, for a 60' wide road right-of-way easement for Rochester Road, for Part of Parcel Nos. 15-02-102-023 and 15-02-177-001.

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

- 2017-0040** Request for Approval of the Standard Agreement for Municipal Sign Posts between the City of Rochester Hills and the Adams West Subdivision Association for the upgrade of the public street sign posts at the entrances to the subdivision

Attachments: [020617 Agenda Summary.pdf](#)
[Street Sign Post Agreement-Adams West.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0048-2017

Resolved, that the Rochester Hills City Council hereby approves the Standard Agreement for Municipal Street Sign Posts between the City of Rochester Hills and the Adams West Subdivision Association for the street sign posts to be installed in the right-of-way of the entrance streets to the subdivision.

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

- 2017-0042** Request for Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for 2017 Oakland County Household Hazardous Waste (No-Haz) Program in the amount not-to-exceed \$45,000.00; Oakland County Waste Resource Management Division, Waterford, MI

Attachments: [020617 Agenda Summary.pdf](#)
[Interlocal Agreement No Haz 2017.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0049-2017

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and

Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and

Whereas, recognizing there is a need to provide regular and easily accessible household hazardous waste collection services to North Oakland County residents; and

Whereas, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale; and

Whereas, Oakland County, through its Waste Resource Management Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ); and

Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program; and

Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program; and

Whereas, the NO HAZ Interlocal Agreement establishes a NO HAZ advisory board to assist and advise Oakland County in the development of the NO HAZ program.

Now, Therefore Be It Resolved, that our community, the City of Rochester Hills, hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature; and

Be It Further Resolved, that we hereby appoint Jack Sage as our official representative to the NO HAZ Advisory Board to work with the Oakland County Waste Resource Management Division as needed to plan the NO HAZ program for 2017.

Be It Further Resolved, that the Rochester Hills City Council hereby authorizes the Blanket Purchase Order to Oakland County Waste Resource Management Division in the amount not-to-exceed \$45,000.00 for the 2017 Oakland County Household Hazardous Waste (NO HAZ) Program and further authorizes the Mayor to execute the contract on behalf of the City.

Passed the Consent Agenda

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

Aye 6 - Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Abstain 1 - Bowyer

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Kubicina noted that Mike Hartner was one of the returning former employees who came to give best wishes to Ed Anzek on his retirement. He mentioned that Tigers' pitchers and catchers report to Lakeland next Wednesday. He announced that this is Black History Month; and he recognized Jackie Robinson, the first African American player in Major League Baseball, deuting into the league on August 15, 1947.

Mr. Wiggins announced that he, Joe Snyder, Chief Financial Officer, Sara Roediger, Manager of Planning, and Paul Shumejko, Transportation Engineer, met to continue the process for the Auburn Road Corridor Study, to begin the next steps of identifying the implementation costs. He stated that a request will be submitted to Council most likely at the next meeting for approval to move forward with a detailed road survey.

Mayor Barnett announced the following:

- The City's winter maintenance budget measuring costs from November 1 through January 31 is running approximately four percent behind last year, at \$278,000 this year versus \$290,000 last year.
- The RecycleBank Green Schools Program continues through March 15. The City wants to retain the designation as the number one city in the nation for redeeming RecycleBank points and gaining up to \$25,000 for the 12 participating schools. Residents are asked to go to recyclebank.com/greenschools to donate their points.
- A Michigan Department of Transportation Video highlighted the addition of green flashing lights to help motorists see snow plow equipment.
- Fire Department award winners honored for 2016 include:
 - * Retirement Recognition - Ron Crowell - 36 years of service
 - * Benjamin Franklin Fire Service Leadership Awards:
 - Captains Pat McKay, Mark McLocklin, Steve Sebert and Dave Wood
 - Lieutenants Nancy Butty, Geoff Elliott, Ryan Reseigh and Mark Belkoff
 - * Officer of the Year - Tim Matz
 - * Firefighter of the Year - Mike Reamer
 - * EMS Provider of the Year - Paul Terback
 - * Spirit of Volunteerism and Community Award - Jessup Engineering
 - * Medal of Merit - Chris Kraft
 - * Unit Citation - Auburn Hills Apartment Fire (Beacon Hill Drive) - 11/08/16
 - Ladder 4 Crew: Nick Laking, Mike Reamer and Pat McKay
- Community Mural Update: Volunteers can sign up to paint sections of the community mural that will be displayed along the Clinton River Trail behind a building on Rochester College's campus. Painting of the sections are being done at the DPS Facility. The Mural is sponsored by Chief Financial Credit Union.
- A Ribbon Cutting was held at the All Seasons of Rochester Hills facility as they opened a new Bistro and Conservatory.
- The Spencer Park Pond Hockey Classic will be held Saturday, February 11, weather permitting.
- City Hall is closed for President's Day on Monday, February 20.

President Tisdell thanked Mr. Osman for leading the Pledge of Allegiance and for his thoughtful words. He commented that he met Mr. Osman five years ago at an annual blood drive that the Ahmadiyya Muslim Community holds to memorialize the 9-11 victims. He noted that the group has been involved helping the Rochester Hills Government Youth Council in their projects.

He mentioned that he had the privilege of attending a reception last Thursday evening recognizing Deerfield Elementary as once again being named a National

Blue Ribbon Award Winner. He commented that one-third of the school-age students in Rochester Hills attend Avondale Schools. He noted that only 13 schools in the state were named this year.

Vice President Morita expressed her thanks to Mr. Osman for coming out tonight. She read a letter she received from Girl Scout Dana White thanking the City for its investment in the development of Riverbend park. She noted that she saw many previous City employees at Mr. Anzek's retirement reception.

Dr. Bowyer expressed her appreciation to Mr. Osman for the Ahmadiyya Muslim Community's support of the city. She announced that a Homeowner's Association Forum was set for Thursday, March 30, 2017, at City Hall. Anyone interested in submitting a topic for the agenda should send an email to Bob White at whiteb@rochesterhills.org before March 17, 2017. She announced that the Environmental Education Center would host a Great Backyard Bird Count on February 11, 2017. An adult session would be held from 10:00 to 11:00 a.m., and a family session would be held 1:00 p.m. to 3:00 p.m. She noted that the Green Space Advisory Discovery Walk is set for April 29, 2017 at the Harding Green Space.

Mr. Hetrick thanked Mr. Osman for his comments, noting that Rochester Hills is a community of diversity. He stated that he was very enthusiastic about seeing the Community Mural as he runs the Clinton River Trail in that area three days a week.

ATTORNEY'S REPORT

City Attorney Dan Christ has nothing to report.

NOMINATIONS/APPOINTMENTS

2017-0003 Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Study Committee, to fill the unexpired term of Susan McKinnon ending December 31, 2017

Attachments: [020617 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Calderwood CQ.pdf](#)
[Izzathullah CQ.pdf](#)
[Koski CQ.pdf](#)
[Mazur-Abeare CQ.pdf](#)
[Morris CQ.pdf](#)
[Thompson CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[010917 Agenda Summary.pdf](#)
[McKinnon Resignation.pdf](#)
[010917 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

President Tisdell Opened the Floor for Nominations.

Dr. Bowyer nominated Jason Thompson.

Mr. Hetrick nominated Christina Calderwood.

Seeing No Further Nominations, President Tisdell Closed the Floor for Nominations.

He stated that as there were two nominees, this item would be brought back to the next Council Meeting for a vote.

Discussed; Nominated Christina Calderwood and Jason Thompson.

2017-0049 Confirmation of the Mayor's Appointment of Tom Talbert to the Naming Standing Committee, to fill the unexpired term of Luke Fleer ending December 31, 2017

Attachments: [020617 Agenda Summary.pdf](#)
[Talbert, T. CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett announced that the Naming Standing Committee would hold their first meeting on Thursday, February 9, 2017.

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

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0050-2017

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's Appointment of Tom Talbert to the Naming Standing Committee, to fill the unexpired term of Luke Fleer ending December 31, 2017.

NEW BUSINESS

2017-0031 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for calcium chloride and brine for dust control in the amount not-to-exceed \$272,280.00 through December 31, 2018; Liquid Calcium Chloride Sales, Kawkawlin, MI

Attachments: [020617 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that Calcium Chloride and Brine are used as dust control agents on the City's 21 miles of gravel roads. He commented that dust control can be challenging at times and is weather dependent.

Mr. Brown pointed out that the recommended supplier was the low bidder.

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

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0051-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for calcium chloride and brine for dust control to Liquid Calcium Chloride Sales, Kawkawlin, Michigan in the amount not-to-exceed \$272,280.00 through December 31, 2018.

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.

2017-0032 Request for Purchase Authorization - PARKS/FORESTRY: Blanket Purchase Order for 2017 Street Tree Planting in the amount not-to-exceed \$225,000.00; Michigan Lawn Maintenance, Inc., dba Sherman Nursery Farms, Columbus, MI

Attachments: [020617 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Director of Parks and Forestry, and **Gerry Lee**, Forestry Operations Manager, were in attendance.

Mr. Lee stated that Sherman Nursery Farms has been the City's contractor since 2006. He pointed out that the request for the 2017 program includes both spring and fall street tree planting. He explained that trees are planted at no cost to the property owner as long as there is enough space in the right-of-way and the homeowner will comply with the Ordinance. He noted that funds come from fees paid by the developers under the Subdivision Control Ordinance, and are paid per lot into the escrow account to fund the planting of one tree per lot once the homes are occupied.

He mentioned that the City of Rochester Hills Street Tree Planting Program was authorized by Council in 2015, for planting at no cost to the adjacent property owner, and to fund up to 500 trees per year through 2020. He stated that funding comes from the City's Tree Fund, which was established in 1988 by the Tree Conservation Ordinance. He noted that no General Fund dollars are used for any of these programs.

President Tisdell questioned whether monies in the Tree Fund were exclusively to be used for the planting of trees.

Mr. Lee responded that the escrowed funds must be used for planting; however, the Fund itself can be used for planting, treatment and maintenance as well.

President Tisdell questioned whether the Forestry Division is able to manage the planting of 400 to 500 trees per year.

Mr. Elwert responded that it could.

President Tisdell pointed out that the Tree Fund is only earning approximately a 0.6 percent investment on the \$1.5 million it contains. He commented that a maturing tree gains value far faster than the money does sitting in the bank. He mentioned that the Fund has enough to address the largest loss of trees with over 1,900 ash trees lost to the emerald ash borer.

Mr. Lee responded that if the City were to replace all the ash trees lost in house, the cost would have been close to \$600,000.

Mr. Kubicina expressed his thanks to Mr. Lee and Mr. Elwert for their dedication to the Forestry Department. He commented that he is the proud recipient of a Buckeye tree.

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

Aye 7 - Bowyer, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0052-2017

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to Michigan Lawn Maintenance, Inc., dba Sherman Nursery Farms, Columbus, Michigan in the not-to-exceed amount of \$225,000.00.

ANY OTHER BUSINESS

Mayor Barnett stated that several Council Members have contacted him regarding recent legislation on gravel road speed limits. He pointed out that there is a 90-day waiting period after the bill is signed before groups can act on it, and he explained that the City is in discussion with the State regarding the bill, with the Midwest Strategy Group helping the City with coordination.

President Tisdell stated that when the legislation becomes effective, the City could be ready to go with its own Ordinance.

Mayor Barnett noted that the City would be responsible for the production of any speed limit signs. He mentioned that appropriate speed studies will be needed, and Mr. Schneck and Mike Compagnoni of Midwest Strategy Group have been in discussions. He stressed that the City must wait 90 days before moving forward.

NEXT MEETING DATE

Regular Meeting - Monday, February 27, 2017 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Tisdell adjourned the meeting at 7:51 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 March 13, 2017 Regular City Council Meeting.