



Rochester Hills Minutes

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City Council Regular Meeting

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

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, September 10, 2018

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdel called the Regular Rochester Hills City Council Meeting to order at 7:02 p.m. Michigan Time.

ROLL CALL

Present 6 - Ryan Deel, Dale Hetrick, James Kubicina, Jenny McCardell, Stephanie Morita and Mark A. Tisdel

Absent 1 - Susan M. Bowyer

Others Present:

*Tina Barton, City Clerk
Sean Canto, Fire Chief/Emergency Services Director
Bill Cooke, Assistant Chief/Fire Marshal
Scott Cope, Building/Ordinance/Facilities Director
Paul Davis, Deputy Public Services Director/City Engineer
Ken Elwert, Parks and Natural Resources Director
Pamela Gordon, Human Resources Director
Captain Michael Johnson, Oakland County Sheriff's Office
Kristen Kapelanski, Planning Manager
Kevin Krajewski, Acting Information Services Director
Rochelle Lyon, Information Systems Administrator II
Zoe Pizzuti, Rochester Hills Government Youth Council Representative
Sara Roediger, Planning and Economic Development Director
Allan Schneck, Public Services Director
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Maria Willett, Chief Assistant to the Mayor*

PLEDGE OF ALLEGIANCE

President Tisdel introduced **Kim Whitney**, Ms. Senior Michigan 2018, who led the Pledge of Allegiance.

After the Pledge, **President Tisdell** requested Council observe a moment of silence for City Employee Bill Mansfield, who passed away.

(Dr. Bowyer entered at 7:04 p.m.)

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

APPROVAL OF AGENDA

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

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

Mr. Deel introduced **Zoe Pizzuti**, RHGYC Representative, and noted that she is a Junior at Rochester Adams High School and is in her third year on the RHGYC.

Ms. Pizzuti announced that the RHGYC held its first meeting of the year this evening at the DPS Facility. During the meeting, they elected their officers and chose the City committees that they will be sitting on as RHGYC Representatives.

Older Persons' Commission (OPC):

Mr. Kubicina announced that the OPC will host a Picnic at Bloomer Park to commemorate 35 years of the OPC. He reviewed the schedule of events for the Picnic and noted that the entertainment will include a performance by Ms. Senior Michigan 2018. He noted that the Picnic is free and open to the public; however, anyone interested must call ahead to preregister at 248-656-1403, extension 0.

Paint Creek Trailways Commission (PCTC):

Dr. Bowyer reported that the PCTC hosted the annual Labor Day Bridge Walk this past holiday weekend and had 400 participants. Over \$1,500 was donated toward trail improvements. In addition, Back to the Beach runners donated \$2,500 to the Friends of the Paint Creek Trail. She thanked the many volunteers and sponsors who made the event possible, including Trader Joe's, Starbucks, and Grand Traverse Pie Company.

She apologized for being a few minutes late for the start of the meeting.

Green Space Advisory Board (GSAB):

Dr. Bowyer reported that the guided hike through the Harding Green Space on

September 8 had a great turnout. She noted that the next hike will take place on October 13 at the Ruby Green Space. She mentioned that the hikes have been very successful, and some winter hike dates are being considered.

RECOGNITIONS

2018-0386 Proclamation in Recognition of Kim Whitney, Ms. Senior Michigan 2018

Attachments: [091018 Agenda Summary.pdf](#)
[Proclamation.pdf](#)
[Resolution \(Draft\).pdf](#)

President Tisdell noted that Mayor Barnett was sorry that he could not be in attendance this evening to present the proclamation to **Kim Whitney**, named Ms. Senior Michigan 2018. He read the proclamation honoring Ms. Whitney.

Ms. Whitney stated that it is an honor to represent Rochester Hills and the State of Michigan, and stated that she will now have the opportunity to represent Michigan in the Senior America Pageant. She expressed her thanks for the recognition the City has given her.

Council congratulated Ms. Whitney.

Presented.

Whereas, the Ms. Senior Michigan Pageant is a search for the gracious lady who best exemplifies the dignity, maturity and inner beauty of all Michigan senior citizens; and

Whereas, the Ms. Senior Michigan Pageant is Michigan's first and foremost pageant to emphasize and give honor to women who have reached the "Age of Elegance"; and

Whereas, the Ms. Senior Michigan Pageant is based upon the belief that seniors are the foundation of America, our most valuable treasure, and it is upon their knowledge, experience and resources that the younger generation has the opportunity to build a better society; and

Whereas, the 2018 Ms. Senior Michigan Pageant took place on July 18, 2018 at the Rochester Older Persons' Commission and each contestant was judged based upon her interview, talent, philosophy of life and poise; and

Whereas, the very talented and ever gracious Rochester Hills resident, Kim Whitney, was awarded the title Ms. Senior Michigan 2018 and will beautifully represent Michigan at senior community events throughout Michigan, at the Ms. Senior American Pageant in October, and throughout life wherever she goes.

Now, Therefore, Be It Resolved, that the Mayor and City Council of the City of Rochester Hills hereby congratulate Kim Whitney on being crowned Ms. Senior Michigan 2018 and offer their best wishes for her happiness and success in all her future endeavors.

PUBLIC HEARINGS

2018-0329 Public Hearing for the Older Persons' Commission Proposed Fiscal Year 2019 Budget

Attachments: [091018 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[082018 Budget Presentation Schedule.pdf](#)
[Suppl OPC 2019-21 Budget Presentation.pdf](#)
[OPC 2019-2021 Proposed Budget Package.pdf](#)
[081318 Agenda Summary.pdf](#)
[081318 Resolution.pdf](#)

Joe Snyder, Chief Financial Officer, stated that he and **Renee Cortright**, Executive Director of the Older Persons' Commission, were in attendance to take any public comment or Council discussion on the OPC Budget.

He noted that the proposed budgets were submitted per the City Charter at the August 13, 2018 City Council Meeting, and a Budget Workshop was held on August 20, 2018 which was open to the public.

President Tisdell Opened the Public Hearing at 7:16 p.m.
Seeing No Public Comment, President Tisdell Closed the Public Hearing at 7:17 p.m.

Discussed.

2018-0330 Public Hearing for the Rochester Avon Recreation Authority Proposed Fiscal Year 2019 Budget

Attachments: [091018 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[082018 Budget Presentation Schedule.pdf](#)
[RARA 2019-2021 Proposed Budget Package.pdf](#)
[Suppl RARA 2019-21 Budget Presentation.pdf](#)
[081318 Agenda Summary.pdf](#)
[081318 Resolution.pdf](#)

Joe Snyder, Chief Financial Officer, stated that he and **Ron Jewell**, Executive Director of the Rochester Avon Recreation Authority (RARA), were in attendance to take any public comment or Council discussion on the RARA Budget.

He noted that the proposed budgets were submitted per the City Charter at the August 13, 2018 City Council Meeting, and a Budget Workshop was held on August 20, 2018 which was open to the public.

President Tisdell Opened the Public Hearing at 7:18 p.m.
Seeing No Public Comment, President Tisdell Closed the Public Hearing at 7:19 p.m.

Discussed.

2018-0328 Public Hearing for the City of Rochester Hills Proposed Fiscal Year 2019

Attachments: [091018 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[082018 Agenda Summary.pdf](#)
[082018 Budget Presentation Schedule.pdf](#)
[Suppl Budget Overview.pdf](#)
[081318 Agenda Summary.pdf](#)
[081318 Resolution.pdf](#)

Joe Snyder, Chief Financial Officer, stated that he had the results of the two Straw Poll questions submitted to Council after the Budget Workshop.

He noted that the question regarding whether to add \$10,000 to the Proposed Budget to provide a source of funding for the Diversity and Inclusion Committee was approved and funds will be added.

He stated that the question regarding the addition of LED Signs at all five Fire Stations was not approved by a vote of three to four; therefore, that item will not move forward as presented.

He explained that there is maintenance work to be done to the current signs. He stated that in discussions with the Facilities and Fire staff, approximately \$15,000 will be required for each of the Substation signs, and \$25,000 will be required for work on Fire Station #1's sign. He stated that if LED signs will not be included, the Administration requests that \$85,000 be added to bring those signs up to the level of aesthetics of the fire stations that they stand in front of.

President Tisdell noted that an email distributed to Council today indicated that it appears that the Fire Station Renovation Projects will come in approximately \$200,000 under budget overall, and consideration could be given to taking that \$200,000 and phasing in some of the signs over the next two-to-three years.

Mr. Snyder responded that Council has approved up to \$11.3 million for the Fire Station work, and it appears that it will come in at least \$100,000 under. He noted that perhaps a LED sign each year could be undertaken. He stated that should Council not wish to go that route, there are other options as well.

Mr. Kubicina stated that based on that email he received, he would like to change his vote on the Straw Poll on this item to a yes.

President Tisdell stated that he would like to get a consensus of what Council would like to do and then bring it up for a final vote.

Ms. McCardell noted that she was one of the votes against this Straw Poll item, and stated that it is her opinion that much money is being spent on ancillary things. She suggested that the signs be made presentable, and the \$200,000 under budget be used for something else.

Mr. Hetrick stated that he would be in favor of phasing in the signs. He commented that it is a better way to communicate to the public any emergency information.

Vice President Morita concurred with Ms. McCardell, noting that there are better places to use the excess funding. She commented that while she would not be opposed to an LED sign for Fire Station #1, the others should be cleaned up and refurbished.

Dr. Bowyer concurred with Ms. McCardell, and stated that she did not wish to see LED signs on any fire station. She commented that the funds should be used for the Stations themselves, ambulances, or apparatus. She stated that Fire Station #1 might warrant a monument sign; however, she would not be in favor of an LED sign.

President Tisdell stated that he would be reluctant to start a refurbishing of the existing signs only to have them phased out in a year or two. He suggested that a follow-up Straw Poll question be distributed prior of the next meeting.

Vice President Morita questioned whether staff has explored any other types of signs or any alternative pricing.

Mr. Snyder responded that monument signs could be plain, or incorporate a scrolling bar of LED type. He stated that this would be much less costly than a full LED sign.

Vice President Morita noted that the current signs are metal frames with back-lit glass. She suggested a stone sign may have more permanence and less maintenance, and questioned whether staff looked at any pricing for those signs.

Mr. Snyder noted that it has been discussed. He suggested that the Straw Poll question could include a rough budget and some conceptual information. He commented that Fire Station #1's sign is a bit farther from the road and could warrant a larger sign.

Vice President Morita stated that she does not want to spend \$100,000 this year, and another \$100,000 in subsequent years.

President Tisdell questioned how effective a scrolling LED text line would be to motorists.

Vice President Morita noted that most of the Fire Stations are near homes. She stated that she would like to see information included for a second Straw Poll.

Mr. Deel stated that the signage would be effective as the City's five Fire Stations are strategically placed throughout the city. He noted that two boil water advisories were issued so far this year, and many seniors have no internet access to receive information. He commented that it would provide a means for communication with residents and would be well worth the money. He suggested the Straw Poll follow-up questions include phasing in the signs over time using the surplus money from the renovations.

Dr. Bowyer commented that distracted driving is a great concern. She noted that she does not pass a fire station on her way to work and home, and stated that neighborhoods do not need these signs. She suggested that they could cause accidents.

President Tisdel stated that he would work with Mr. Snyder and Scott Cope, Building/Ordinance/Facilities Director, to put together a multi-part Straw Poll question.

President Tisdel Opened the Public Hearing for the City's Budget at 7:35 p.m. Seeing No Public Comment, President Tisdel Closed the Public Hearing at 7:36 p.m.

Discussed.

2018-0347 Adoption of the 2018 Millage Rates (for Fiscal Year 2019)

Attachments: [091018 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated that the City's overall millage rate will be maintained at 10.4605 for the fourth consecutive year. He noted that the millage rate is the second-lowest of all cities in Oakland County with a population over 3,000 residents. He explained that included in the proposed resolution for adoption are the special lighting levies for Christian Hills and Denison Acres Subdivisions.

President Tisdel Opened the Public Hearing at 7:37 p.m. Seeing No Public Comment, President Tisdel Closed the Public Hearing at 7:38 p.m.

President Tisdel reiterated that this will be the fourth consecutive year at this rate, and he noted that the only additions to millages have been for items that have been approved by the voters.

Vice President Morita questioned whether the Christian Hills and Denison Acres levies have been in existence for some time and will continue.

Mr. Snyder responded that they have been in existence for some time. He explained that the two subdivisions do not have homeowners' associations that will administer the billing; therefore, the special levy goes to the residents.

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

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

Enactment No: RES0232-2018

Whereas, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, and Section III of the Charter for the City of Rochester Hills; the Mayor, as the Chief Administrative and

Executive Officer for the City, has prepared and proposed the budget for the ensuing year and submitted it to the City Council at its first meeting in August; and

Whereas, at its August 13, 2018 meeting City Council acknowledged receipt from the Mayor of the 2019 Proposed Budget and the 2020-2021 Projected Budgets and set a Public Hearing for September 10, 2018 at 7:00 p.m. to hear comments on the Proposed Budget Plan and Millage Rates; and

Whereas, at its September 10, 2018 meeting City Council held said Public Hearing and heard comments on the Proposed Budget Plan and Millage Rates.

Now, Therefore, Be It Resolved, the City Council hereby adopts the following tax rates in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millage(s) Limitation, to be levied in December 2018 to provide the tax revenues included in the Proposed Fiscal Year 2019 Budget:

PROPOSED MILLAGE RATES

Operating Millages:	2018	
General Fund (Charter)	2.4959	
Local Street I (Voted)	0.3444	
Local Street II (Voted)	0.4718	
Local Street III (Voted)	0.2886	
Fire Fund (Charter)	2.7000	
Special Police I (Voted)	1.1742	
Special Police II (Voted)	1.2725	
Pathway (Voted)	0.1803	
RARA Operating (Voted)	0.1893	
OPC Operating (Voted)	0.2334	
OPC Transportation (Voted)	0.0971	
Library Operating (Charter)	<u>0.7602</u>	
Operating - Subtotal		10.2077
Debt Millages:		
Chapter 20 Drain Debt	0.0394	
OPC Building (Voted)	<u>0.2134</u>	
Debt - Subtotal		<u>0.2528</u>
TOTAL MILLAGES		10.4605

The Total Millage rate of 10.4605 is per Thousand Dollars (\$1,000) of taxable valuation, as equalized; and

Be it Further Resolved, the City Council hereby adopts the following Special Lighting levies for the Christian Hills Subdivision at the rate of \$18.07 per lot or description; and for the Denison Acres Subdivision at the rate of \$4.82 per lot or description; and

Be It Further Resolved, that the Assessor of the City of Rochester Hills be and hereby is authorized to have said amounts spread on the 2018 Tax Rolls.

Be It Further Resolved, that the City Council hereby adopts the following proposed tax rate in accordance with Chapter IV, Taxation, specifically Section 4.1, Power to Tax and Secure Revenue, and Section 4.2, Charter Tax Rate & Special Voted Millage(s) Limitation, to be levied in December 2018 to provide the tax revenues included in the Proposed Fiscal Year 2019 Budget.

PLANNING AND ECONOMIC DEVELOPMENT

2018-0335 Request for Conditional Use Approval - Detroit Meeting Room - South Boulevard, a proposed 1,370 square foot meeting room for a small congregation located on the north side of South Boulevard, west of Crooks, zoned R-4 One Family Residential

Attachments: [091018 Agenda Summary.pdf](#)
[Staff Report 082118.pdf](#)
[Map aerial.pdf](#)
[EIS Revised 082918.pdf](#)
[Site Plans.pdf](#)
[Colored Rendering.pdf](#)
[Minutes PC 082118.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, **Michael Gordon**, Moiseev/Gordon Associates, and **Charles Truan**, Detroit Meeting Rooms, were in attendance.

Ms. Kapelanski explained that the Applicant is proposing the construction of a 1,370 square foot building for religious use on the north side of South Boulevard just west of Crooks Road. She noted that a Conditional Land Use is required for this use in an R-4 residential district, and explained that the Applicant has met all conditions. She stated that all staff reviews recommend approval.

Dr. Bowyer mentioned that she used to live in the house behind the proposed property. She questioned what time the church will be starting its services and whether it will present a noise concern due to any music.

Mr. Truan responded that there would be no noise issue. He noted that a few of the residents they had contact with expressed appreciation that there would not be a fast food restaurant going in at that location and liked the greenery proposed. He mentioned that the parking will be structured so that all lights from vehicles will face outward.

Dr. Bowyer stated that the parking configuration will be good for the homeowner immediately behind the property, as he has an observatory.

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

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

Enactment No: RES0233-2018

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use for Detroit Meeting Room - South Boulevard, a proposed 1,370 square foot meeting room for a small congregation on .84 acre, located on the north side of South Boulevard, west of Crooks, zoned R-4 One Family Residential, Parcel Nos. 15-32-481-022, -023 and -024, based on plans dated received by the Planning and Economic Development Department on June 14, 2018, Michael Gordon, Moiseev Gordon Associates, Applicant with the following findings:

Findings:

1. The proposed building and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The proposed use will promote the intent and purpose of the zoning ordinance.
3. The proposed building has been designed and is proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2018-0284 Request for Conditional Use Approval to allow attached housing in the MR Mixed Residential Overlay district for Breckenridge Condominiums, a proposed 12-unit residential development located on the south side of Hamlin, west of Livernois

Attachments: [091018 Agenda Summary.pdf](#)
[Staff Report 082118.pdf](#)
[Map aerial.pdf](#)
[EIS.pdf](#)
[Letter Polyzois Neighbors 062718.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 082118.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, **Jim Polyzois**, Hamliv, LLC, and **Ralph Nunez**, Nunez Design, were in attendance.

Ms. Kapelanski explained that a 12-unit development is proposed consisting of six duplex-style buildings on a property that is zoned R-3 with a Mixed Residential overlay. She noted that a Conditional Land Use is required for approval of the proposal. She explained that one exception will be required for a modification to request approval of a deficient lot size. She noted that the parcel is 3.73 acres and contains 9,671 square feet of low-quality wetlands. She stated that the Conditional Use and Wetland Use Permit which will immediately follow this item are recommended for approval, and noted that the Tree Removal Permit, Natural Features Setback Modification, and Site Plan has been approved. She mentioned that the Planning Commission recommended approval after review at their August 21, 2018 meeting.

President Tisdell questioned whether the project density will be within zoning limits.

Ms. Kapelanski responded that the project is within the zoning limits; and an exception is required as 10 acres is the minimum parcel size specified in the

Ordinance for a Mixed Residential overlay. She noted that the project will be 3.45 units per acre.

Dr. Bowyer questioned whether a fence or dense tree planting is planned for the wetland area, as she noted that the owner of the home to the south has requested a fence. She commented that it is good that the wetlands will be kept in a fairly natural state.

Mr. Nunez responded that conversations were held with two of the neighbors to the south and there was a concern expressed on how close to the property the development would be. He explained that the residence to the south is 127 feet to the property line, and will be 187 feet to the back of the proposed residence. He stated that a fence is not proposed for the middle of the wetland. He noted that that area has deciduous vegetation consisting of a cottonwood grouping, and he stated that six or seven of the pine trees proposed to the south off of the wetlands will be moved to the rear yards of the units. He commented that they will work with the adjacent homeowner to place the vegetation so that a screen is provided.

Dr. Bowyer commented that she likes the design and it fits in well.

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

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

Enactment No: RES0234-2018

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to allow attached housing in the MR Mixed Residential Overlay district for Breckenridge Condominiums, a 12-unit residential development location on the south side of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-023 and -024, Jim Polyzois, Hamliv, LLC, Applicant, based on plans dated received by the Planning and Economic Development department on July 24, 2018 with the following findings:

Findings:

1. The proposed development and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The use will promote the intent and purpose of the zoning ordinance.
3. The proposed units have been designed and are proposed to be constructed, operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering another housing option.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.

6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
7. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

2018-0277 Request for a Wetland Use Permit - for impacts of up to 9,671 square feet associated with construction activities for Breckenridge Condominiums, a proposed 12-unit duplex residential development located on the south side of Hamlin, west of Livernois

Attachments: [091018 Agenda Summary.pdf](#)
[ASTI Rev 072718.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, **Jim Polyzois**, Hamliv, LLC, and **Ralph Nunez**, Nunez Design, were in attendance.

Ms. Kapelanski stated that the Planning Commission recommended approval of the Wetland Use Permit.

Ms. McCardell commented that she thinks of a wetland as something to be preserved; however, upon review she noted that this is a low-quality wetland that does not hold much water. She stated that moving forward is the best route for the development of this property.

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

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

Enactment No: RES0235-2018

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for impacts of up to 9,671 square feet for construction activities associated with Breckenridge Condominiums, a 12-unit residential development on 3.63 acres located on the south side of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-023 and -024, based on plans dated received by the Planning and Economic Development Department on July 24, 2018, Jim Polyzois, Hamliv, LLC, Applicant, with the following findings and conditions:

Findings:

1. Of the approximately 50,500 s.f of City-regulated wetlands on site, the applicant is proposing to impact approximately 9,671 s.f.
2. Wetlands A and B are of low quality and function, and should not be considered a vital natural resource to the City, according to the ASTI Environmental letter of July 27, 2018. Wetland C is not regulated by the City.

Conditions:

1. If required, that the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.
2. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetlands areas, prior to issuance of a Land Improvement Permit.

PUBLIC COMMENT for Items not on the Agenda

Greg Guidice, 1470 Ranch Road, Holly, announced that the Brooksie Way race will be held on September 23, 2018. He stated that the race events have something for everyone, with the main race on Sunday, September 23, a Kids' Race on Saturday, September 22, and an Expo at the Oakland University Recreation Center running from 3:00 p.m. to 8:00 p.m. on Friday and 9:00 a.m. to 6:00 p.m. on Saturday. He expressed his thanks to all of the sponsors, supporters, and fire, law enforcement and medical personnel that are there to ensure a safe race.

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.

2018-0294 Approval of Minutes - City Council Regular Meeting - June 18, 2018

Attachments: [CC Min 061818.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0236-2018

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on June 18, 2018 be approved as presented.

2018-0363 Approval of Minutes - City Council Special Meeting - July 16, 2018

Attachments: [CC Special Mtg Min 071618.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0237-2018

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on July 16, 2018 be approved as presented.

2018-0364 Approval of Minutes - City Council Regular Meeting - July 16, 2018

Attachments: [CC Min 071618.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0238-2018

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on July 16, 2018 be approved as presented.

2018-0365 Approval of Minutes - City Council Regular Meeting - July 30, 2018

Attachments: [CC Min 073018.pdf](#)
[0365 Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0239-2018

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on July 30, 2018 be approved as presented.

2018-0366 Approval of Minutes - City Council Regular Meeting - August 13, 2018

Attachments: [CC Min 081318.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0240-2018

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on August 13, 2018 be approved as presented.

2018-0370 Request for Acceptance of the Sanitary Sewer Easement granted by Cedar Valley Living, LLC, a Michigan limited liability company, for Cedar Valley Apartments

Attachments: [091018 Agenda Summary.pdf](#)
[Sanitary Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0241-2018

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the sanitary sewer easement from Cedar Valley Living, LLC, a Michigan limited liability company, whose address is 31100 Telegraph Road, Suite 250, Bingham Farms, Michigan 48025, 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 No. 15-23-152-025, for Cedar Valley Apartments.

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

2018-0371 Request for Acceptance of the Watermain Easement granted by Cedar Valley Living, LLC, a Michigan limited liability company, for Cedar Valley Apartments

Attachments: [091018 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0242-2018

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the watermain easement from Cedar Valley Living, LLC, a Michigan limited liability company, whose address is 31100 Telegraph Road, Suite 250, Bingham Farms, Michigan 48025, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel No. 15-23-152-025, for Cedar Valley Apartments.

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

- 2018-0372** Request for Approval of a Hold Harmless Agreement between the City of Rochester Hills and Cedar Valley Living, LLC, a Michigan limited liability company, for Cedar Valley Apartments

Attachments: [091018 Agenda Summary.pdf](#)
[Hold Harmless Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0243-2018

Resolved, that the Rochester Hills City Council, hereby approves the hold harmless agreement, relative to the trash enclosure to be constructed within the sanitary sewer easement from Cedar Valley Living, LLC, a Michigan limited liability company, whose address is 31100 Telegraph Road, Suite 250, Bingham Farms, Michigan 48025, for Cedar Valley Apartments, Parcel No. 15-23-152-025.

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

- 2018-0373** Request for Approval of a Storm Water System Maintenance Agreement between the City of Rochester Hills, and Cedar Valley Living, LLC, a Michigan limited liability company, for Cedar Valley Apartments

Attachments: [091018 Agenda Summary.pdf](#)
[Storm Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0244-2018

Resolved, that the Rochester Hills City Council, hereby approves the storm water system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system from Cedar Valley Living, LLC, a Michigan limited liability company, whose address is 31100 Telegraph Road, Suite 250, Bingham Farms, Michigan 48025, Cedar Valley Apartments for Parcel No. 15-23-152-025.

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

- 2018-0378** Request for Purchase Authorization - BUILDING/FACILITIES: Purchase Order/Contract for bathroom partition replacement at the Bloomer Park Pine Grove & Hilltop Restrooms in the amount of \$24,386.28 with a 10% project contingency in the amount of \$2,438.63 for a total not-to-exceed amount of \$26,824.91; Allied Building Services Company of Detroit, Inc., Detroit, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0245-2018

Resolved, that the Rochester Hills City Council hereby authorizes a contract for bathroom partition replacement at the Bloomer Park Pine Grove & Hilltop Restrooms to Allied Building Services Company of Detroit, Inc., Detroit, Michigan in the amount of \$24,386.28 with a 10% project contingency in the amount of \$2,438.63 for a total not-to-exceed amount of \$26,824.91 and further authorizes the Mayor to execute the contract on behalf of the City.

- 2018-0380** Request for Purchase Authorization - BUILDING/FACILITIES: Purchase Authorization for parking lot crack sealing and striping at twelve city-owned parking lots in the amount not-to-exceed \$43,300.00; A&R Sealcoating of Waterford, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0246-2018

Resolved, that the Rochester Hills City Council hereby authorizes the purchase for parking lot crack sealing and striping services for twelve city-owned parking lots to A&R Sealcoating of Waterford, Michigan in the amount not-to-exceed \$43,300.00.

- 2018-0381** Request for Acceptance of the Pathway Easement granted by Frederick T. and Kathryn K. Dunn, husband and wife, for property located at 1841 Crooks Road

Attachments: [091018 Agenda Summary.pdf](#)
[Pathway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0247-2018

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the pathway easement from Frederick T. and Kathryn K. Dunn, husband and wife, whose address is 1104 Maple Leaf Drive, Rochester Hills, Michigan 48309, for the construction, operation, maintenance, repair and/or replacement of a pathway over, on, through and across land more particularly described as for Parcel No. 15-20-428-003.

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

- 2018-0385** Request for Approval of the Winter Maintenance Agreement for Livernois Road between the Road Commission for Oakland County and the City of Rochester Hills for 2018-2019

Attachments: [091018 Agenda Summary.pdf](#)
[2018-2019 Winter Maintenance Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0248-2018

Resolved, that the Rochester Hills City Council hereby approves the 2018-2019 Winter Maintenance Agreement between the City of Rochester Hills and the Road Commission for Oakland County (RCOC) for Livernois Road and further authorizes the Mayor to execute the contract on behalf of the City.

Passed the Consent Agenda

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

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Ms. McCardell noted that web information on the Brooksie Way includes traffic and road closures. She suggested this information be added to the City's website soon.

Mr. Kubicina invited everyone to attend the 9/11 Remembrance Ceremony at Fire Station #1 tomorrow from 9:00 a.m. to 10:00 a.m.

Mr. Hetrick encouraged everyone to attend the 9/11 Ceremony. He noted that he will try to maintain his title as "Fastest Man on Council" at the Brooksie Way.

Mr. Deel stated that he is wearing a pink tie this evening as he has been selected as a Oakland County representative for the Real Men Wear Pink fight against breast cancer. He commented that Blaine Wing, Rochester City Manager, is also a representative, and he encouraged everyone to participate and show their support.

Dr. Bowyer noted that she will be at the Brooksie Way and will do the 10K race. She announced the following upcoming events:

- The Stonewall Pumpkin Festival will be held at the Rochester Hills Museum at Van Hoosen Farm on October 13, 2018 from 10:00 a.m. to 4:00 p.m. Pumpkins will be lit from 7:00 p.m. to 9:00 p.m. Participants can carve a pumpkin for \$5 for Museum Members, and \$8 for non-members.
- There are still some hikes planned for Bloomer Park and Innovation Hills. The Hoot and Howl Hayride is also planned. Registration can be done on the City's website.
- Today is World Suicide Prevention Day. Over 800,000 people die by suicide each year, which is one person every 40 seconds. If someone needs help, they should call the National Suicide Prevention Line at 1-800-273-8255, or locally the Common Ground Resources and Crisis Center at 1-800-231-1127. The American Foundation for Suicide Prevention holds walks promoting awareness.

Walks are scheduled throughout Michigan, including Detroit, Ann Arbor, and Lapeer.

- The Wheels and Teal 5K and Car Show will be held on September 15, 2018 at the Village of Rochester Hills. Funds raised will fight ovarian cancer.
- The Brooksie Way is set for September 23, 2018. Over 4,000 runners will be participating this year.
- Scare Away Hunger 5K for Neighborhood House is set for October 21, 2018. The race will begin at Rochester College with the event activities at 2:00 p.m. and the race at 3:00 p.m.

Vice President Morita noted that last night was the first night of Rosh Hashanah.

Maria Willett, Chief Assistant to the Mayor, made the following announcements:

- An ongoing labor dispute has affected road projects statewide. While the dispute is going on, all available lanes of traffic have been opened up on Hamlin Road.
- The Water Booster Station construction on Adams Road just north of Tienken is progressing. The station will help ensure that appropriate water pressures will be delivered especially during peak demands.
- Last week 65 residents and community leaders gathered for the groundbreaking at Innovation Hills.
- The City has been recognized as the eighth best small city in America in which to start a business by Verizon Business.
- The next Master Plan Open House will be held on Thursday, September 13, 2018, from 4:00 p.m. to 7:00p.m. at the Village of Rochester Hills in the Festival Park area.
- A few years ago, City Employee Bill Mansfield was recognized as a part of the "Caught in the Act" program for taking exceptional care of the Stoney Creek Schoolhouse. Mr. Mansfield will be missed.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NEW BUSINESS

- 2018-0377** Request for Purchase Authorization - MIS: Purchase Order for Hosted Google Apps Email Services and BetterCloud Google Apps Management Tool in the amount of \$38,630.80 for a one-year term to expire on September 27, 2019; Onix Networking Corporation, Lakewood, OH

Attachments: [091018 Agenda Summary.pdf](#)
[Pricing Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Kevin Krajewski, Acting Director of Information Services, stated that Council is requested to approve the annual renewal of Google services through Onix Networking. He explained that the use of the Google Suite has been working

well and has been expanded over the years. He mentioned that the same vendor has been used to date; and while it was explored whether a bid process could be undertaken this year, it would be more complicated than anticipated. He explained that cloud services are typically arranged through an authorized reseller. He commented that most vendors price the Google Suite similarly.

President Tisdell commented that it comes down to known service and support through this vendor.

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

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

Enactment No: RES0249-2018

Resolved, that the Rochester Hills City Council hereby authorizes a Purchase Order for Hosted Google Apps Email Services and BetterCloud Google Apps Management Tool to Onix Networking Corporation, Lakewood, Ohio in the amount of \$38,630.80 for a one-year term to expire on September 27, 2019.

2017-0559 Request for Purchase Authorization - DPS/ENG Increase to Blanket Purchase Order/Contract for engineering design services for the Auburn Road Reconstruction Project in the amount of \$222,400.00 for a new not-to-exceed amount of \$665,524.86; OHM Advisors, Livonia, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Proposal for Auburn Amendment 082918.pdf](#)
[120417 Agenda Summary.pdf](#)
[Letter from OHM 112117.pdf](#)
[OHM Advisors Individual Project Services Agreement 014.pdf](#)
[120417 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Paul Davis, Deputy Public Services Director/City Engineer, introduced Mark Loch, OHM Advisors, and stated that the OHM has been leading the design effort along with City staff for the Auburn Road Reconstruction Project. He noted that the project costs have increased as the scope of the project has increased, and the original contract for OHM did not include the increased scope. An amendment is requested in order to complete design. Subsequent to design completion, the project will go out for bid.

President Tisdell commented that it appears that surplus funds from another project will be able to cover the additional cost.

Mr. Davis responded that Mr. Snyder will be determining where the funds can be used.

Vice President Morita questioned whether City Attorney John Staran has reviewed the proposed Amendment.

Mr. Staran responded that he had not yet seen it.

President Tisdell questioned whether the Amendment encompassed a material change to the original contract.

Vice President Morita requested that something be included in the packet for all contract reviews to note that Mr. Staran has reviewed and approves any contract coming to Council.

President Tisdell responded that a policy is under review.

Mr. Staran stated that a meeting has been held administratively and something will be forthcoming.

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

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

Enactment No: RES0250-2018

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order/Contract for engineering design services for the Auburn Road Reconstruction Project to OHM Advisors, Livonia, Michigan in the amount of \$222,400.00 for a new not-to-exceed amount of \$665,524.86 and further authorizes the Mayor to execute the contract addendum on behalf of the City.

2018-0382 Request for Acceptance of Grant - DPS/ENG: Authorization to the City to request transportation enhancement funding for the Auburn Road Streetscape Project from Culbertson to Hessel from the Michigan Department of Transportation; Michigan Department of Transportation, Lansing, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Award Letter.pdf](#)
[RH_TAP_ApplSummary.pdf](#)
[Resolution \(Draft\).pdf](#)

Paul Davis, Deputy Public Services Director/City Engineer, stated that the City has received approval of a Transportation Alternatives Program grant from the Michigan Department of Transportation. As a part of the requirements for receipt of the grant monies, a resolution is needed from the community to indicate that it will agree to not only provide the local share of matching funds, but will maintain the project for the future.

President Tisdell noted that it is a rather sizeable grant.

Mr. Deel commended staff for seeking grants and outside funding sources to help put the project together.

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

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

Enactment No: RES0251-2018

Whereas, Rochester Hills submitted an application and was selected to receive a grant from the Office of Economic Development Transportation Alternatives Program (TAP) for fiscal year 2019 in the amount of \$481,318.00 for the Auburn Road Streetscape Project.

Now, Therefore Be It Resolved, that the Rochester Hills City Council authorizes the

Mayor to act as the applicant agency's agent during project development and sign a project agreement upon receipt of a funding award; and

Be It Further Resolved, that the City of Rochester Hills commits to owning, operating, and funding/implementing a maintenance plan/program over the design life of the facility constructed with TAP funds; and

Be It Further Resolved, that the City Council certify that financing is secured, available, and committed for use in constructing the project. This includes matching funds, nonparticipating funds if applicable, and cash flow available for a locally-let project.

- 2018-0383** Request for Acceptance of Agreement - DPS/ENG: Approval of the contract with the Michigan Department of Transportation for the South Boulevard road resurfacing project between Adams and Crooks Roads; Michigan Department of Transportation, Lansing, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Contract.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated that the City recently received substantial funding arranged through State Senator Marty Knollenberg. He stated that \$625,000 of this funding will be used toward a contract between the Michigan Department of Transportation and the City of Rochester Hills for the South Boulevard Project, which is currently underway. He explained that the funding will offset the City's participatory share and help improve the City's Major Road Fund Balance.

Vice President Morita questioned whether City Attorney John Staran reviewed the contract.

Mr. Staran responded that he reviewed this contract, and the contract for the next item Council will consider this evening.

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

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

Enactment No: RES0252-2018

Resolved, that the Rochester Hills City Council hereby approves the contract with the Michigan Department of Transportation for the South Boulevard road resurfacing project between Adams and Crooks Roads and appoints Mayor Bryan K. Barnett to be the authorized representative to sign the contract on behalf of the City.

- 2018-0384** Request for Acceptance of Agreement - DPS/ENG: Acceptance and approval of the contract with Michigan Department of Transportation for Livernois Road rehabilitation project from Avon Road to just north of Walton Boulevard; Michigan Department of Transportation, Lansing, MI

Attachments: [091018 Agenda Summary.pdf](#)
[Contract.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated that the other portion of the

\$1.3 million funds earmarked for the City with the help of State Senator Marty Knollenberg will be used for the Livernois Road project. He commented that there was a short window of opportunity to secure this funding, and he expressed his thanks to State Senator Knollenberg for his work on securing the monies. He explained that \$700,000 will go toward the City's participatory share of the Livernois Project. He mentioned that the Road Commission for Oakland County (RCOC) secured Federal funding for 2021; and the RCOC agreed that if the City would advance the Federal portion of the funding, the project could be advance-constructed for next year.

Mr. Deel expressed his thanks for the great work done by staff to complete this work as time is of the essence. He expressed his thanks to Senator Knollenberg.

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

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

Enactment No: RES0253-2018

Resolved, that the Rochester Hills City Council hereby accepts and approves the contract with Michigan Department of Transportation for Livernois Road rehabilitation project from Avon Road to just north of Walton Boulevard and appoints Mayor Bryan K. Barnett to be the authorized representative to sign the contract on behalf of the City.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, September 24, 2018 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 8:21 p.m.

*MARK A. TISDEL, President
Rochester Hills City Council*

*TINA BARTON, MMC, Clerk
City of Rochester Hills*

*MARY JO PACHLA, CMMC
Administrative Coordinator - City Council
City Clerk's Office*

Approved as presented at the September 24, 2018 Regular City Council Meeting.