



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, Stephanie Morita,
Theresa Mungoli 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, February 10, 2020

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 6 - David Blair, Ryan Deel, Dale Hetrick, Stephanie Morita, Theresa Mungoli and David Walker

Absent 1 - Susan M. Bowyer

Others Present:

*Tina Barton, City Clerk
Hannah Bennett, RHGYC Representative
Ken Elwert, Parks & Natural Resources Director
Pam Gordon, Human Resources Director
Kristen Kapelanski, Planning Manager
Allan Schneck, Public Services Director
John Staran, City Attorney
Helen Sultana-Kelly, Human Resources Program Coordinator
Tom Talbert, Strategic Innovations Specialists*

Vice President Bowyer provided previous notice that she would not be in attendance.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Blair, seconded by Hetrick, that the Agenda be Approved as Amended to move Legislative File 2020-0047 Request for Purchase Authorization - HR: Blanket Purchase Order for Occupational Medicine Services in the amount not-to-exceed \$540,660.00 through December 31, 2023; Ascension Michigan at Work, Rochester, MI before Legislative File 2020-0029 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for the Kayak Landing at Innovation Hills in the amount of \$197,251.00 with a 10% project contingency in the amount of \$19,725.10 for a total not-to-exceed amount of \$216,976.10; WCI Contractors, Inc., Detroit, MI under New Business. The motion carried by the following vote:

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Absent 1 - Bowyer

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced **Hannah Bennett**, RHGYC Representative.

Ms. Bennett stated that she is a student at Rochester High School, and has been a member of the Youth Council for three years. She reported that the Rochester Hills Government Youth Council are meeting this evening to discuss the final planning stages of one of their service projects which they will report on at the next City Council meeting. She announced the next Youth Council meeting will be held on Monday, March 9, 2020, at 6:00 pm at City Hall.

Rochester Area Youth Assistance (RAYA):

Ms. Mungioli announced that the eligibility and nomination for the Youth Recognition Award is under way and stated that the nomination form is available on their website, <https://www.raya-mi.org/2020-youth-recognition-banquet.html>. She noted the forms need to be returned next week for the students to be recognized at the March 24th banquet. She asked Council to hold that date on their calendars for the opportunity to recognize our youth in the community.

Rochester Avon Recreation Authority (RARA):

Ms. Mungioli announced that RARA is planning a series of great activities for both winter and spring. Please show your support and visit their website at <http://rararecreation.org/> for additional information.

Older Persons' Commission (OPC):

Mr. Hetrick announced the following upcoming OPC events:

- Ultimate Date Night featuring Jay and Laura Laffoon on Thursday, February 20, 2020, 6:00 p.m. - 8:00 p.m. This is a 90-minute comedic look at maintaining

healthy relationships using a unique blend of comedy and music to create an entertaining and informational presentation. This event is open to the public, tickets are \$25 per couple. For more information please call 248-608-0251.

- The Motor City Irish Dancers are back for two performances, Saturday, February 29, 2020, and Sunday, March 1, 2020, 2:00 p.m. - 4:00 p.m. in the auditorium. Tickets are \$12 and will go fast. Please call 248-608-0251 for tickets and more information.

ORDINANCE FOR ADOPTION

2019-0597 Request for Acceptance of Second Reading and Adoption - an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone portions of two parcels of land totalling .37 acre from B-3 Shopping Center Business to B-5 Automotive Service Business District with an FB-3 Flexible Business Overlay

Attachments: [021020 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[012720 Agenda Summary.pdf](#)
[Staff Report 121719.pdf](#)
[Cover Letter.pdf](#)
[Justification Statement.pdf](#)
[Map.pdf](#)
[Owner Authorization Letter.pdf](#)
[Covenant Deed TCF.pdf](#)
[Minutes PC 121719.pdf](#)
[012720 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, stated that this a follow-up to the First Reading that was approved at the January 27th meeting, and noted they are asking for approval of the Second Reading this evening.

A motion was made by Mungioli, seconded by Blair, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Absent 1 - Bowyer

Enactment No: RES0051-2020

Resolved, that an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone portions of two parcels of land totaling .37 acre from B-3 Shopping Center Business (Parcel Nos. 15-22-226-014 and 15-22-226-021) to B-5 Automotive Service Business District with an FB-3 Flexible Business Overlay, to repeal conflicting or inconsistent ordinances and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption and shall become effective on Monday, February 17, 2020 following its publication in the Oakland Press on Sunday, February 16, 2020.

PUBLIC COMMENT for Items not on the Agenda

Lee Zendel, 1575 Dutton Rd., referenced the 2009 Council Meeting that established the Deer Management Committee, and noted back then Lance Devoe, Naturalist, estimated that there were 1000 deer in the City. In the 2019 Deer Management Committee presentation to Council, Matt Einheuser, Natural Resources Manager, estimated that there are currently 2200 deer in the City. He pointed out that from 2009-2018, there have been 1518 deer deaths related to car crashes. He went on to state that there is also an unknown number of deer that die from old age. He expressed concern that even with the deaths, the deer population still grew by 120% and stated that there is a city-wide deer problem that is only going to get worse if nothing is done.

Mr. Zendel congratulated the Department of Public Services on their snow removal efforts, stating that they always do a great job.

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.

2020-0054 Approval of Minutes - City Council Special Meeting - August 19, 2019

Attachments: [CC Special Mtg Min 081919.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0025-2020

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on August 19, 2019 be approved/amended as presented.

2020-0033 Request for Purchase Authorization - PARKS: Blanket Purchase Order for Topdressing Sand in the amount not-to-exceed \$45,000.00 through December 31, 2022; Osburn Industries, Inc., Taylor, MI

Attachments: [021020 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0026-2020

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Osburn Industries, Inc., Taylor, Michigan for the purchase of Topdressing Sand in the amount not-to-exceed \$45,000.00 through December 31, 2022.

2020-0038 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for joint sealant material in the amount not-to-exceed \$89,500.00 through

December 31, 2021; National Highway Maintenance Systems LTD, Akron, OH

Attachments: [021020 Agenda Summary.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0027-2020

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to National Highway Maintenance Systems, LTD, Akron, Ohio for joint sealant material in the amount not-to-exceed \$89,500.00 through December 31, 2021.

2020-0049 Request for Acceptance of the 2019 Annual Report for the Planning and Economic Development Department

Attachments: [021020 Agenda Summary.pdf](#)
[PED Annual Report 2019.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0028-2020

Resolved, that the Rochester Hills City Council hereby accepts the 2019 Annual Report for the Planning and Economic Development Department

Passed the Consent Agenda

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

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Absent 1 - Bowyer

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Deel responded to Mr. Zendel's public comment by stating that the deer population is a well-known issue in the City.

Mr. Blair expressed his gratitude to the Webelos Scouts who led the Pledge of Allegiance earlier in the meeting. One of the ways for Scouts to earn a badge is by interviewing and learning from an elected official. He welcomed any Scouts interested in learning more about City Council to contact him.

Tom Talbert, Strategic Innovations Specialist, made the following announcements on behalf of Mayor Barnett:

- Mayor Barnett was recently at the White House for the signing of the United States - Mexico - Canada Agreement (USMCA) on January 29, 2020. This is an important bipartisan trade agreement for businesses in our community, it replaces the NAFTA agreement.
- He provided an update on the U.S. Census, stressing the importance of

residents' participation to be counted by April 1, 2020.

- The Rochester Regional Chamber's Community Outlook Breakfast is on Monday, February 24, 2020, at Oakland University.

- Mr. Talbert provided an update on the Rochester Hills Fire Department's recent partnership with the Waze Navigation App, pointing out that each emergency vehicle is now equipped with a little box on the dashboard that emits a signal to app users through your cell phone or your car's navigation system. When the siren is activated a signal is transmitted to Waze app users in about 15 seconds.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2020-0048 Request to Confirm the Mayor's Appointment of Ben Weaver to the Planning Commission to fill the vacancy left by Ryan Schultz's resignation and complete the three (3) year term to expire March 31, 2021

Attachments: [021020 Agenda Summary.pdf](#)
[Schultz Resignation Letter.pdf](#)
[Ben Weaver CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Ms. Morita expressed her thanks to Mr. Schultz for his outstanding service on the Planning Commission, stating that he was an absolute pleasure to work with.

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

Aye 6 - Blair, Deel, Hetrick, Morita, Mungoli and Walker

Absent 1 - Bowyer

Enactment No: RES0029-2020

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Ben Weaver to the Planning Commission to fill the vacancy left by Ryan Schultz's resignation and complete the three (3) year term to expire March 31, 2021.

NEW BUSINESS

2020-0047 Request for Purchase Authorization - HR: Blanket Purchase Order for Occupational Medicine Services in the amount not-to-exceed \$540,660.00 through December 31, 2023; Ascension Michigan at Work, Rochester, MI

Attachments: [021020 Agenda Summary.pdf](#)
[Proposals Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Pam Gordon, Director of Human Resources, recommended that the City continue to honor its three-year contract for Occupational Medicine services

with Ascension. She explained that Ascension provides the City with new hire physicals, annual physicals for the fire firefighters, as well as treatment of employees with illnesses or injuries that occur in the line of duty.

Mr. Blair pointed out that this is an important decision and he is pleased that the Human Resources Department is recommending Ascension. He stated that they have numerous locations and offer continuity of care. He noted it is important that employees feel valued.

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

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Absent 1 - Bowyer

Enactment No: RES0030-2020

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Occupational Medicine Services to Ascension Michigan at Work, Rochester, Michigan in the amount not-to-exceed \$540,660.00 through December 31, 2023.

2020-0029 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for the Kayak Landing at Innovation Hills in the amount of \$197,251.00 with a 10% project contingency in the amount of \$19,725.10 for a total not-to-exceed amount of \$216,976.10; WCI Contractors, Inc., Detroit, MI

Attachments: [021020 Agenda Summary.pdf](#)
[Kayak Landing Graphic.pdf](#)
[Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, stated this is the second phase of a grant-funded project with a projected mid-summer installation. He mentioned that this grant has also funded one of the boardwalks being built at Innovation Hills..

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

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Absent 1 - Bowyer

Enactment No: RES0031-2020

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for the Kayak Landing at Innovation Hills to WCI Contractors, Inc., Detroit, Michigan in the amount of \$197,251.00 with a 10% project contingency in the amount of \$19,725.10 for a total not-to-exceed amount of \$216,976.10 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.

2020-0050 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for construction engineering services for the Kayak Landing

Project in the not-to-exceed amount of \$25,560.00; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

Attachments: [021020 Agenda Summary.pdf](#)
[HRC Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, stated that this is a supporting request to the previous agenda item. Hubbell, Roth & Clark, Inc. (HRC) is being recommended to fulfill the on-site construction management role for the Kayak Landing project at Innovation Hills. He noted that HRC has also been working with the City in the development of the boardwalks.

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

Aye 6 - Blair, Deel, Hetrick, Morita, Munglioli and Walker

Absent 1 - Bowyer

Enactment No: RES0032-2020

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for construction engineering services for the Kayak Landing Project to Hubbell, Roth & Clark, Inc., Bloomfield Hills, Michigan in the not-to-exceed amount of \$25,560.00 and further authorizes the Mayor to execute the contract on behalf of the City.

2020-0027 Request for Approval of the Art on Auburn Project

Attachments: [021020 Agenda Summary.pdf](#)
[Asphalt Art Map.pdf](#)
[PCCA Letter of Support.pdf](#)
[Reuther MS Letter of Support.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, stated that this request is for an additional \$70,000.00 for art to be installed in a variety of areas on Auburn Road. He explained that this project is a partnership between the City, the Rochester Community School District, and the Paint Creek Center for the Arts. He reported that the City has applied for a grant to support the project, which would reduce the City's cost by approximately \$25,000.00. He stated that if the grant is received, it will require the Paint Creek Center for the Arts to serve as the fiduciary.

Ms. Munglioli thanked Mr. Elwert for responding to her email containing questions relative to this project. She stated that she traveled Auburn Road before tonight's meeting to take a look at the potential art locations and to see how snow, and snow removal, might impact the art. She expressed her concern with the longevity of the material being used and pointed out the possibility that the art will fade over time, similar to the white and yellow stripes on the road. She explained that even though she supports an art project that involves our students, she would like to see the money diverted to other programs in the City such as neighborhood or safety issues, or the storage facility at Innovation Hills.

Mr. Elwert stated that although he is the one presenting the item, it is a multi-department partnership between Planning & Economic Development,

Parks Department, and the Department of Public Services. He stated the concern over the art fading has been discussed quite a bit with the City's engineers. He explained that the area where the art will be placed will not be directly on the road way and will not be plowed often; therefore, the art is expected to hold up longer than the stripes.

Ms. Mungoli responded that she still has concerns about the art being visible during inclement weather and stated there will be times of the year when it would not be viewable.

Ms. Morita questioned what chemicals are being used to create the art on the sidewalk and whether or not it will cause problems for drinking water, after it runs off into the storm water system.

Allan Schneck, Public Services Director, stated that the material is very similar to the thermal plastic they use on the roadways, but the application and installation is different. He explained that it is a hot applied material that molds into the asphalt. He also pointed out that the material is environmentally safe and would not affect the drinking water.

Ms. Morita stated that she has been a big supporter of redeveloping the Auburn Corridor, but not necessarily all of the extra projects the City has been engaging in. She pointed out that she would like to have a clear vision of how the entire streetscape will look before deciding to add additional artwork. She stressed the importance of being good stewards and respecting the students' artwork, pointing out that it would require routine maintenance. She expressed concern that if the City receives the grant, but later decides that in addition to everything else going in the artwork would be too busy, the City would still be obligated to move forward with the project because they accepted the money.

Mr. Schneck responded that they have anticipated a five to seven year design life for the artwork. He explained that they would budget for routine preventative maintenance.

Ms. Morita noted that there will be ongoing expenses with this project. She concluded that she would like to see what this corridor looks like when it is completed before they add any extra details.

Mr. Elwert responded that he understands the temporary nature of this project and noted that the Paint Creek Center for the Arts (PCCA) will ensure that the students are aware that their artwork display will be temporary. He further explained that his team is researching options to have the students' artwork memorialized on the PCCA website.

Mr. Blair stated that this is an innovative project and pointed out that it is a unique opportunity for residents, especially kids, to submit their art and become more engaged within the community. He noted that the temporary nature of this project is appealing; it can be reviewed again in five years.

Mr. Hetrick questioned if the technology used to apply the pictures onto the asphalt has been well established.

Mr. Schneck explained that the art that has been selected will be sent to the vendor, who will then digitize the image to produce an eighth inch thick decal, which will then be hot applied to the asphalt. He stated that his team has used a similar process when they installed the chevrons onto some of the speed bumps around the city.

Mr. Hetrick questioned whether or not the maintenance expense would be reasonable.

Mr. Schneck responded that the maintenance and repairs will be a case-by-case basis, although he does not foresee it accumulating too much of an expense. He stated that he would make sure the decals are applied appropriately and that any kind of product warranty will be strictly enforced.

Mr. Hetrick stated that the email indicated that there is funding within the Auburn Corridor Project that could potentially cover this art project expense without having to take any additional money out of the Capital Improvement Fund.

Mr. Schneck stated that his team worked with Fiscal and consulted with Mr. Davis on project tracking. He explained that the Auburn Road Project is running right on budget, however, the Alley Project and the Parking Lot Project appear to be about \$200,000 under budget. He noted that if half of the remaining budget is left, there will be sufficient funds to cover the entire cost of the Art Project in the event that the grant is not received.

President Deel questioned whether the project needed to be completed within the year in order to receive the grant.

Mr. Elwert responded the grant is dependent on the project being completed within the year, but if the City does not receive the grant there is a more flexible timeline.

President Deel stated that since this project is a collaborative effort among three separate departments, he sees it as more than an art installation project, it is also an economic development project. He explained that the goal for the overall Auburn Corridor is to create economic expansion by place making and redeveloping our existing areas. He noted that there are a lot of intangibles that go beyond the art installation itself; there is the collaboration with Paint Creek Center of the Arts, the grant money, the cooperation with Rochester Community Schools, as well as all the buzz and excitement.

Mr. Elwert concurred, noting that place-making is something being looked at in order to draw a different crowd.

Mr. Schneck explained that it can also be perceived as way-finding since the art decals will help residents identify a particular business.

Mr. Elwert expressed that his team will continue to work on developing this project taking into consideration all of the concerns that were identified.

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

Aye 4 - Blair, Deel, Hetrick and Walker

Nay 2 - Morita and Mungioli

Absent 1 - Bowyer

Enactment No: RES0033-2020

Resolved, that the Rochester Hills City Council hereby authorizes proceeding with the project and to provide up to \$70,000.00 in funds to support the project, regardless of whether the grant is awarded and further authorizes the Mayor to execute an agreement, as developed and reviewed by the City Attorney, with Paint Creek Center for the Arts to act as grant fiduciary to bid and coordinate the project.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, February 24, 2020 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Walker to adjourn the meeting at 7:52 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*LAURA PAUL
Administrative Coordinator - City Council
City Clerk's Office*

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