



Rochester Hills Minutes

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Rochester Hills, MI 48309
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Home Page:
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City Council Regular Meeting

*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, August 29, 2016

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdell called the Regular Rochester Hills City Council Meeting to order at 7:05 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
Sean Canto, Chief of Fire and Emergency Services
Scott Cope, Director of Building/Ordinance Compliance
Kevin Krajewski, Network Administrator/Deputy Director of MIS
Sara Roediger, Manager of Planning
Allan Schneck, Director of DPS/Engineering
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Hetrick, seconded by Brown, 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

Vice President Morita *reported that the subcommittee for Special Assessment Districts (SADs) met prior to the Council Meeting and is now prepared to make recommendations to the Public Safety and Infrastructure Technical Review Committee (PSITRC). She noted that Mr. Brown will be drafting a memorandum which should go out within the next few weeks.*

ORDINANCE FOR INTRODUCTION

2016-0306 Acceptance for First Reading - An Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add a Flex Business Overlay District to 13 parcels of land totaling approximately 22.5 acres: Parcel Nos. 15-35-352-001, -061, -066, -067, -019, and 15-35-353-055, -039, -040, -041 with an FB-2 Flex Business Overlay; and Parcel Nos. 15-34-429-019, -021, 15-34-477-015 and -016 with an FB-3 Flex Business Overlay, to repeal conflicting ordinances and to prescribe a penalty for violations; City of Rochester Hills, Applicant

Attachments: [091216 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[082916 Agenda Summary.pdf](#)
[Suppl Presentation 082916.pdf](#)
[Map aerial.pdf](#)
[Staff Report 081816.pdf](#)
[Letter to Property Owners 072916.pdf](#)
[Minutes ZBA 060816.pdf](#)
[Minutes PC 081616.pdf](#)
[PHN FBO 081616.pdf](#)
[082916 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, noted that the Zoning Board of Appeals (ZBA) thought it was more appropriate to extend the Flexible Business (FB) zoning district to 13 parcels near Rochester Road between M-59 and South Boulevard. She explained that nine parcels on the east side of Rochester Road were recommended for FB-2, and four parcels on the west side were recommended for FB-3. She commented that this will present an option as these parcels come forth for redevelopment.

She stated that the maximum height for the parcels on the east side of Rochester Road is three stories, and the setback is 100 feet from any residential district. On the west side, four stories would be permitted, with a setback of 125 feet from any residential district. She noted that the Planning Commission reviewed the proposed Ordinance in August and unanimously recommended its approval.

Council Discussion:

Mr. Brown questioned what different uses are permitted in FB-2 versus FB-3.

Ms. Roediger responded that B-2 allows smaller development, B-3 allows larger, and B-5 allows automotive. Most uses are still allowed, and retail can have a residential component. She explained that it would be similar to a development just to the south in Troy that has townhomes behind it. She noted that the difference between FB-2 and FB-3 is one story in height. She stated that FB-2 allows hotels as a conditional use, and FB-3 permits hotels.

Mr. Hetrick expressed his appreciation that this Ordinance was brought forward so quickly from the ZBA recommendation.

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

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

Resolved, that an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to add a Flex Business Overlay District to 13 parcels of land totaling approximately 22.5 acres: Parcel Nos. 15-35-352-001, -061, -066, -067, -019, and 15-35-353-055, -039, -040, -041 with an FB-2 Flex Business Overlay; and Parcel Nos. 15-34-429-019, -021, 15-34-477-015 and -016 with an FB-3 Flex Business Overlay, to repeal conflicting ordinances and to prescribe a penalty for violations is hereby Accepted for First Reading.

PLANNING AND ECONOMIC DEVELOPMENT

- 2008-0302** Request for Approval of an Extension of the Final Site Condominium Plan until July 14, 2017 - Pine Woods Site Condominiums, a proposed 28-unit development on 9.6 acres, located south of Auburn, east of Livernois, zoned R-4, One Family Residential; L&R Homes, Inc., Applicant

Attachments: [082916 Agenda Summary.pdf](#)
[Map.pdf](#)
[Suppl Presentation 082916.pdf](#)
[Final Site Condominium Plan-28 lots.pdf](#)
[Extension Letter 062016.pdf](#)
[Memo Anzek 081616.pdf](#)
[Site Plans 2008.pdf](#)
[Minutes PC 081616.pdf](#)
[081015 Agenda Summary.pdf](#)
[Memo Anzek 071715.pdf](#)
[Extension Letter 061615.pdf](#)
[Minutes PC 072115.pdf](#)
[072114 Agenda Summary.pdf](#)
[Extension Letter 060914.pdf](#)
[Memo Anzek 061314.pdf](#)
[Minutes PC 061714.pdf](#)
[072913 Agenda Summary.pdf](#)
[Minutes PC 071613.pdf](#)
[Letter Vito Ext 061313.pdf](#)
[Memo Anzek 071213.pdf](#)
[071612 Agenda Summary.pdf](#)
[V. Randazzo Ltr 060712.pdf](#)
[Minutes PC 062612 \(Excerpt\).pdf](#)
[Memo Anzek 062212.pdf](#)
[080811 Agenda Summary.pdf](#)
[Minutes PC 071911.pdf](#)
[Memo Anzek 071911.pdf](#)
[080910 Agenda Summary.pdf](#)
[Letter Randazzo 060211.pdf](#)
[Signed Request for Extension.pdf](#)
[Memo Delacourt 072010.pdf](#)
[Minutes PC 072710.pdf](#)
[Minutes PC 061708.pdf](#)
[Minutes PC 032007.pdf](#)
[Minutes PC 020706.pdf](#)
[071408 Agenda Summary.pdf](#)
[Staff Report 061708.pdf](#)
[Review Comments.pdf](#)
[071408 Resolution.pdf](#)
[080910 Resolution.pdf](#)
[080811 Resolution.pdf](#)
[Final Site Condo Plans Rev.pdf](#)
[071612 Resolution.pdf](#)
[072913 Resolution.pdf](#)
[072114 Resolution.pdf](#)
[081015 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, introduced Vito Randazzo, of L&R Homes. She noted that the development was originally approved in 2008; and was reduced from the originally proposed 29 homes to 28 homes due to updated stormwater management regulations. She stated that L&R is hoping to get a one-year extension, and commented that the Planning Commission recommended approval.

President Tisdell noted that Council has approved each extension.

A motion was made by Kubicina, seconded by Brown, 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: RES0188-2016

Resolved, that the Rochester Hills City Council hereby approves an Extension of the Final Site Condominium Plan until July 14, 2017 for Pine Woods Site Condominiums, a proposed 28-unit development on 9.6 acres, located south of Auburn, east of Livernois, zoned R-4, One Family Residential, Parcel Nos. 15-34-101-012 and -013, L&R Homes, Inc. Applicant.

2015-0224 Request for Final Site Condominium Plan Approval - Nottingham Woods, a proposed 17-unit, single-family site condominium development on 8.7 acres, located on the north side of Hamlin, east of Livernois, west of Crestline, zoned R-3, One Family Residential with an MR Mixed Residential Overlay; Vanguard Equity Management, LLC, Applicant

Attachments: [082916 Agenda Summary.pdf](#)
[Map aerial.pdf](#)
[Suppl Presentation 082916.pdf](#)
[Final Staff Report 081616.pdf](#)
[Review Comments.pdf](#)
[Final Site Condo Plans.pdf](#)
[Architectural Rendering.pdf](#)
[Letter to homeowners 102715.pdf](#)
[Email DiNello 012716.pdf](#)
[Minutes PC 081616.pdf](#)
[Minutes PC 081815.pdf](#)
[020816 Agenda Summary.pdf](#)
[Giffels Letter 012716.pdf](#)
[Letter Vanguard 011316 Neighborhood Mtg.pdf](#)
[Letter to Homeowners 122215.pdf](#)
[011116 Draft CC Min.pdf](#)
[Site Plans 012716.pdf](#)
[Neighborhood Info Mtg Distribution List.pdf](#)
[012016 Neighborhood Meeting Sign In Sheet.pdf](#)
[Suppl Presentation 011116.pdf](#)
[011116 Agenda Summary.pdf](#)
[Site Plans 122315.pdf](#)
[Giffels Webster Response Ltr 122115.pdf](#)
[Planning Comm Conditions 121715.pdf](#)
[Site Plan Review 3 - 121115.pdf](#)
[Prelim. Staff Report 081415.pdf](#)
[Review 2 Comments, EIS, and response.pdf](#)
[PHN 081815.pdf](#)
[011116 Resolution \(Draft\).pdf](#)
[020816 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, stated that Council approved the preliminary site plan for the Nottingham Woods site condominiums in February for 17 single

family homes. She noted that the Planning Commission recommended approval at its August meeting. She mentioned that during the preliminary approval process, residents spoke of a landscaping buffer. She explained that Staff and the Applicant met with the residents on a number of occasions and added landscaping. She pointed out that for residential development abutting residential, no buffer is required. She noted that the Applicant went above the ordinance to add landscaping.

President Tisdell noted that a proposed detention pond was moved.

Ms. Roediger confirmed that it was.

Public Comment:

Lakshmi Rao, 642 W. Hamlin Road, stated that she wanted to ensure that an existing fence was kept and maintained. She commented that they are already having problems with animals intruding on their property from the site.

Ms. Roediger responded that during the meetings between Staff, the Applicant, and the residents, it was clarified that existing fences will remain.

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, Brown, Hetrick, Kubicina, Morita, Tisdell and Wiggins

Enactment No: RES0189-2016

Resolved, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan for Nottingham Woods, a proposed 17-unit, single-family site condominium development on 8.7 acres, located on the north side of Hamlin, east of Livernois, west of Crestline, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel No. 15-22-376-039, based on plans dated received by the Planning and Economic Development Department on June 23, 2016, Vanguard Equity Management, LLC, Applicant with the following findings and conditions:

Findings:

1. Upon compliance with the following conditions, the proposed final condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.
3. The final plan represents a reasonable and acceptable plan for developing the property.
4. The applicants have worked diligently with the neighbors to provide acceptable screening from the development.
5. The final plan is in conformance with the preliminary plan approved by City Council on February 8, 2016.

Conditions:

1. Provide all off-site easements, on-site conservation easement and agreements for approval by the City prior to issuance of a Land Improvement Permit.

2. Provide landscape bond in the amount of \$93,049.00 plus inspection fees, prior to temporary grade certification being issued by Engineering.
3. Provide an irrigation plan and cost estimate, prior to temporary grade certification being issued by Engineering.
4. Payment of \$3,400.00 into the tree fund for street trees prior to temporary grade certification being issued by Engineering.
5. Approval of all required permits and approvals from outside agencies.
6. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.
7. Compliance with applicable staff memos, prior to Final Site Condo Plan Approval.

2016-0300

Request for Conditional Use Approval - for a proposed drive-through at a 4,062 square-foot Culver's Restaurant on 1.08 acres to be located on an outlot on the Meijer property at the southeast corner of Rochester Rd. and Auburn Rd., zoned B-3 Shopping Center Business with an FB-3 Flex Business Overlay; Andrew Zielke, Just Burgers & Fries, Applicant

Attachments: [082916 Agenda Summary.pdf](#)
[Map aerial.pdf](#)
[Suppl Presentation 082916.pdf](#)
[Staff Report 081616.pdf](#)
[Review Comments.pdf](#)
[EIS.pdf](#)
[Site Plans.pdf](#)
[Elevations.pdf](#)
[Minutes PC 081616.pdf](#)
[PHN PC.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, introduced **Andrew Zielke**, Just Burgers & Fries, the Applicant. She noted that a conditional land use is sought for a new Culver's to be located in the existing Meijer outlot at Rochester Road and Auburn Road. She stated that Staff has worked with the Applicant over the past year to arrive at the best site plan. She mentioned that a Public Hearing was held at the Planning Commission's August meeting, and approval was unanimously recommended. She stated that the existing Meijer drive will be realigned and pushed southward, and no new curb cut to Auburn Road will be required. She pointed out that a temporary fire access lane on Auburn Road will be provided until cross-access is established.

Mr. Wiggins questioned whether moving the drive will improve congestion.

Ms. Roediger responded that the parking lot flow will be improved. She mentioned that the drive will be delineated with trees and a crosswalk established from the Meijer to the Culver's.

Mr. Brown noted that the existing curb cut to Auburn is a right-turn only. He questioned whether that would change.

Ms. Roediger responded that it would not.

Mr. Brown commented that those wishing to turn left could do so from a driveway farther to the east.

Ms. Roediger commented that perhaps something else would be done at a future time when the Stone Shop would be redeveloped.

Mr. Hetrick questioned whether the Culver's footprint is smaller than their typical restaurant.

Mr. Zielke stated that it is a smaller location to make it fit on the site easier and allow for additional parking. He commented that while the drive-through will be popular, there will be people who want to dine inside.

Mr. Hetrick commented that there should be adequate stacking space in the driveway.

Mr. Brown expressed his thanks to the Applicant for their investment in the City. He commented that in an area that has a sea of asphalt, it is good to see that this corner is being developed.

A motion was made by Hetrick, seconded by Kubicina, 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: RES0190-2016

Resolved, that the Rochester Hills City Council hereby approves the request for a Conditional Use Approval to construct a proposed drive-through at a 4,062 square-foot Culver's restaurant on 1.08 acres on an outlot on the Meijer property at the southeast corner of Rochester Rd. and Auburn Rd., zoned B-3 Shopping Center Business with an FB-3 Flex Business Overlay, Parcel No. 15-35-100-053, based on plans dated received by the Planning and Economic Development Department on July 19, 2016, Andrew Zielke, Just Burgers & Fries, 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 expanded 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 proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining 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.

2016-0302 Request for a Wetland Use Permit Approval - Henry Ford Pharmacy Advantage, for impacts to approximately 965 square feet associated with the construction of a 25,667 square-foot office building on 3.2 acres located on the north side of South Boulevard, between John R and Dequindre, zoned O-1 Office Business; Glenn Jones, Dembs Development, Applicant

Attachments: [082916 Agenda Summary.pdf](#)
[Map aerial.pdf](#)
[Suppl Presentation 082916.pdf](#)
[Staff Report 081616.pdf](#)
[ASTI Rev 080816.pdf](#)
[Boji Property Access Ltr 072616.pdf](#)
[Site Plans.pdf](#)
[Colored Renderings.pdf](#)
[Minutes PC 081616.pdf](#)
[PHN WUP.pdf](#)
[Resolution \(Draft\).pdf](#)

Dr. Bowyer noted that as she is an employee of Henry Ford, she would recuse herself from discussion and vote on this item.

Sara Roediger, Manager of Planning, introduced **Tom Gizoni**, Alpine Engineering, engineer for the development. She stated that this is a straightforward site plan, and she explained that the strip of land in question has long been zoned for Office, waiting for the right business to come in. She commented that the Wetland Use Permit is to accommodate a road taper in to the property and a sidewalk to the property. She noted that there is a linear wetland on the east property line, and explained that it is very low quality and likely manmade. She stated that the City's Environmental Consultant, ASTI Environmental, recommends approval. She commented that the Planning Commission proposed a natural features setback modification of a boulder wall, which it approved at their last meeting.

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

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

Abstain 1 - Bowyer

Enactment No: RES0191-2016

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for Henry Ford Pharmacy Advantage for impacts to approximately 965 square feet associated with the construction of a 25,667 square-foot office building on 3.2 acres located on the north side of South Boulevard, between John R and Dequindre, zoned O-1 Office Business,

Parcel No. 15-36-352-025, Glen Jones, Dembs Development, Applicant, based on plans dated received by the Planning and Economic Development Department on July 22, 2016 with the following findings and conditions:

Findings:

1. Of the 0.16 acre of wetland area on site, the applicant is proposing to impact 0.06 acres.
2. Because the wetland areas are of low ecological quality and are not a vital natural resource to the City, and impacts should have little effect on the current primary function of the southern watercourse, the City's Wetland consultant, ASTI, recommends approval.

Conditions:

1. City Council approval of the Wetland Use Permit.
2. If required, that the applicant receives all applicable DEQ and OCWR permits prior to issuance of a Land Improvement Permit.
3. 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.
4. That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible, prior to final approval by staff.

PUBLIC COMMENT for Items not on the Agenda

Ted Golden, 181 Shagbark Drive, stated that he is a retired dermatologist and is concerned for the health of the community. He commented that tobacco presents a major health problem and causes many preventable diseases such as lung cancer and emphysema. He noted that Tobacco-21 is a movement to ban the sale of tobacco products to those under the age of 21. He stated that New York recently passed legislation; and locally, Ann Arbor has as well. He requested Rochester Hills become the second city in Michigan to pass legislation to prohibit people under 21 from purchasing tobacco products.

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.

2016-0348 Approval of Minutes - City Council Regular Meeting - July 18, 2016

Attachments: [CC Min 071816.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0192-2016

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on July 18, 2016 be approved as presented.

2016-0349 Approval of Minutes - City Council Regular Meeting - August 8, 2016

Attachments: [CC Min 080816.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0193-2016

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on August 8, 2016 be approved as presented.

2016-0297 Request for Acceptance of a Watermain Easement granted by Jenoptik Automotive North America, LLC, a Michigan limited liability company, for Jenoptik Automotive

Attachments: [082916 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0194-2016

Resolved, that the Rochester Hills City Council, on behalf of the Department of Public Services, hereby accepts a Watermain Easement granted from Jenoptik Automotive North America, LLC, a Michigan limited liability company of 1544 W. Hamlin Road, Rochester Hills, MI 48309, 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. 15-21-376-010.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Clerk's Office.

2016-0299 Request for Acceptance of a Watermain Easement granted by Jenoptik Automotive North America, LLC, a Michigan limited liability company, for Jenoptik Automotive

Attachments: [082916 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0195-2016

Resolved, that the Rochester Hills City Council, on behalf of the Department of Public Services, hereby accepts a Watermain Easement granted from Jenoptik Automotive North America, LLC, a Michigan limited liability company of 1544 W. Hamlin Road, Rochester Hills, MI 48309, 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. 15-21-376-011.

Further Resolved, that the City Clerk is directed to record the easement with the Oakland County Clerk's Office.

- 2016-0298** Request for Approval of the Storm Water System Maintenance Agreement between the City of Rochester Hills, a Michigan municipal corporation, and Jenoptik Automotive North America, LLC, a Michigan limited liability company, for Jenoptik Automotive

Attachments: [082916 Agenda Summary.pdf](#)
[Storm Water System Maintenance Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0196-2016

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 Jenoptik Automotive North America, LLC, a Michigan limited liability company of 1544 W. Hamlin Road, Rochester Hills, MI 48309, for City File #16-002, for Parcel No. 15-21-376-011.

- 2016-0317** Request for Acceptance of a Highway Easement granted by Syed Ahmed and Saba Naaz, Husband and Wife, for Auto Rite Sales

Attachments: [082916 Agenda Summary.pdf](#)
[Highway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0207-2016

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills hereby accepts a highway easement granted by Syed Ahmed and Saba Naaz, husband and wife, whose address is 1927 E. Auburn Road, Rochester Hills, MI 48307, over, on, under, through and across land more particularly described as Parcel No. 15-25-482-025.

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

- 2016-0318** Request for Approval of the Storm Sewer System Maintenance Agreement between the City of Rochester Hills and Syed Ahmed and Saba Naaz, Husband and Wife, for Auto Rite Sales

Attachments: [082916 Agenda Summary.pdf](#)
[Storm Sewer System Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0208-2016

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 water system from Saba Naaz, husband and wife, whose

address is 1927 E. Auburn Road, Rochester Hills, MI 48307, for Auto Rite Sales, City File #13-005.2, Parcel No. 15-25-482-025.

- 2016-0322** Request for Approval of the Storm Water Retention System Second Amended Maintenance Agreement between the City of Rochester Hills and Rochester University, a Michigan non-profit corporation SUCCESSOR IN INTEREST to Rochester College, formerly known as Michigan Christian Junior College, formerly known as Michigan Christian College ("Grantor"), for Rochester College Athletic Fieldhouse

Attachments: [082916 Agenda Summary.pdf](#)
[Second Amend Storm Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0197-2016

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Retention System Second Amended Agreement, relative to the details of the development and use, repair and maintenance of the storm water system from Rochester University, a Michigan non-profit corporation SUCCESSOR IN INTEREST to Rochester College, formerly known as Michigan Christian Junior College, formerly known as Michigan Christian College ("Grantor") whose address is 800 West Avon Road, Rochester Hills, MI 48307, City File #15-022, Parcel No. 15-15-451-008.

- 2016-0323** Request for Acceptance of a Watermain Easement granted by Rochester University, a Michigan non-profit corporation SUCCESSOR IN INTEREST to Rochester College, formerly known as Michigan Christian Junior College, formerly known as Michigan Christian College (Grantor), for Rochester College Athletic Fieldhouse

Attachments: [082916 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0198-2016

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills hereby accepts a Watermain Easement granted by Rochester University, a Michigan non-profit corporation SUCCESSOR IN INTEREST to Rochester College, formerly known as Michigan Christian Junior College, formerly known as Michigan Christian College (Grantor), whose address is 800 West Avon Road, Rochester Hills, 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 No. 15-15-451-008.

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

- 2016-0326** Request for Acceptance of Pedestrian-Pathway Easement granted by Ljubisa Ristoski and Stefania Ristoski, 3140 John R Road, Rochester Hills, Michigan and authorization of payment to landowners in the amount of \$600.00

Attachments: [082916 Agenda Summary.pdf](#)
[Pedestrian Pathway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0199-2016

Resolved, that the Rochester Hills City Council hereby accepts the Pedestrian-Pathway Easement for Parcel No. 15-35-226-026 granted by Ljubisa Ristoski and Stefania Ristoski, husband and wife, 3140 John R. Road, Rochester Hills, Michigan and authorizes the payment to the landowners in the amount of \$600.00.

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

- 2016-0327 Request for Acceptance of a Pedestrian-Pathway Easement granted by Cene Ristoski and Biagica Ristoski, 3120 John R Road, Rochester Hills, Michigan and authorization of payment to landowners in the amount of \$2,550.00

Attachments: [082916 Agenda Summary.pdf](#)
[Pedestrian Pathway Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0200-2016

Resolved, that the Rochester Hills City Council hereby accepts the Pedestrian-Pathway Easement for Parcel No. 15-35-226-025 granted by Cene Ristoski and Biagica Ristoski, husband and wife, 3120 John R Road, Rochester Hills, Michigan and authorizes payment to the landowners in the amount of \$2,550.00.

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

- 2016-0350 Request for Approval of a five-year METRO Act Permit for 123.Net, Inc.

Attachments: [082916 Agenda Summary.pdf](#)
[Metro Act Application.pdf](#)
[Unilateral Agreement Application.pdf](#)
[Supporting Documents.pdf](#)
[Staran Email 081016.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0201-2016

Whereas, 123.Net, Inc. has applied for and requests City Council to issue a permit utilizing the standard METRO Act Permit Unilateral form, with a five-year initial term.

Therefore, It Is Resolved, that the Rochester Hills City Council approves 123.Net, Inc.'s application for a Telecommunications Right-of-Way Permit (Unilateral form).

It Is Further Resolved, that the City Council authorizes the Mayor to sign the permit agreement and to undertake any and all other necessary and appropriate action in furtherance thereof.

- 2016-0346** Request for Purchase Authorization - MIS: Purchase Authorization for Hosted Google Apps Email Services and BetterCloud Google Apps Management Tool in the amount of \$25,874.00; Onix Networking Corporation, Lakewood, OH

Attachments: [082916 Agenda Summary.pdf](#)
[Pricing Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0202-2016

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of Hosted Google Apps Email Services and BetterCloud Google Apps Management Tool to Onix Networking Corporation, Lakewood, Ohio 44107 in the amount of \$25,874.00 for a one-year term.

- 2016-0352** Request for Purchase Authorization - MAYOR: Increase to Blanket Purchase Order for citywide printing services in the amount of \$39,750.00 for a new not-to-exceed amount of \$64,750.00; Image Printing, Inc., Royal Oak, MI

Attachments: [082916 Agenda Summary.pdf](#)
[Proposal Spreadsheet.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0203-2016

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the Blanket Purchase Order to Image Printing, Inc., Royal Oak, Michigan for citywide printing services in the amount of \$39,750.00 for a new not-to-exceed amount \$64,750.00 through February 28, 2017.

- 2016-0345** Request for Approval of Uniform Video Service Local Franchise Agreement with AT&T

Attachments: [082916 Agenda Summary.pdf](#)
[AT&T Letter.pdf](#)
[Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0204-2016

Whereas, the Uniform Video Services Local Franchise Act, 2006 PA 480, requires a Video Service Provider to enter into a State-Mandated Uniform Video Service Local Franchise Agreement (the "Franchise Agreement") with the City, as the Franchising Entity, prior to offering video services within the City's boundaries; and

Whereas, the City approved and entered into a Uniform Video Service Local Franchise Agreement with AT&T Michigan, in 2007, for a 10-year term; and

Whereas, AT&T Michigan has applied for an additional 10-year renewal pursuant to Section V.B of the current Franchise Agreement and Section 3(7) of PA 480. The form of the new Franchise Agreement and the fees will be the same as the current Agreement; and

Whereas, the agreement was found to be complete; and

Whereas, Section 3(3) of the Act requires a Franchising Entity to approve a Franchise Agreement within thirty (30) calendar days after a complete Franchise Agreement is submitted; and

Whereas, the City Council determines the Franchise Agreement meets the requirements of the Act, and therefore, undertakes to adopt this Resolution approving the Franchise Agreement, as required by the Act.

Now, Therefore, It Is Resolved, the Rochester Hills City Council finds that the Franchise Agreement meets the requirements of the Act, and solely for that reason, the City approves the Franchise Agreement with AT&T Michigan.

It Is Further Resolved, by approving the Franchise Agreement, the City does not intend to waive any right to challenge any provisions of the Act or any related provisions of the Franchise Agreement on the basis that such provisions are unconstitutional, unlawful, invalid or enforceable, including on the grounds that a particular action is an unconstitutional impairment of contractual rights, and further reserves any and all rights stemming from any successful challenge to such provisions undertaken by any other local franchising entity.

It Is Further Resolved, AT&T Michigan shall be expected and required to obtain necessary approvals and comply with City requirements concerning installation of cabinets and infrastructure within rights-of-ways, and shall further be expected to cooperate with the City and affected residents concerning the location, screening and maintenance of such cabinets.

- 2016-0351** Request for Purchase Authorization - FIRE: Purchase authorization for five (5) automatic chest compression devices in the amount of \$66,978.92; Physio-Control, Inc., Redmond, Washington

Attachments: [082916 Agenda Summary.pdf](#)
[Cost Proposal Evaluation.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0205-2016

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of five (5) automatic chest compression devices to Physio-Control, Inc. Redmond, Washington in the amount of \$66,978.92.

- 2016-0357** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for 2016 Pavement Legend Program in the amount of \$26,578.60 with a 10% project contingency in the amount of \$2,657.86 for a total not-to-exceed contract amount of \$29,236.46; R.S. Contracting, Inc., Casco, MI

Attachments: [082916 Agenda Summary.pdf](#)
[Legends 2016 Estimate.pdf](#)
[RS Ltr Extending Prices.pdf](#)
[RCOC BID TAB Legend.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0206-2016

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase order for 2016 Pavement Legend Program to R.S. Contracting, Inc., Casco, Michigan in the amount of \$26,578.60 with a 10% project contingency in the amount of \$2,657.86 for a total not-to-exceed contract amount of \$29,236.46 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.

Passed the Consent Agenda

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

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Vice President Morita stated that as she was away for the last meeting, she watched it on television. She expressed her appreciation to the Council Members for their hard work and questions that were on point.

Dr. Bowyer noted the following:

- Avon Road and South Boulevard projects are both complete and the roads are open. She expressed her appreciation to the Road Commission for Oakland County and the City's Department of Public Services for their efforts.
- Adams Road is still closed until approximately September 9, 2016. If the weather holds, there is a chance it could reopen earlier.
- Oakland County is reminding residents to protect themselves against the West Nile virus by wearing long sleeves and using insect repellent.
- The Paint Creek Trailways Commission will host its 11th annual Labor Day Walk/Run on Monday, September 5, 2016. Participants can choose between a two mile walk or a 10K Walk/Run. The first participants will receive a waterproof phone lanyard.
- The Fire Department's September 11 Remembrance Ceremony will be held at Fire Station 1 from 2:00 p.m. to 4:00 p.m. Those interested in attending should respond to happyd@rochesterhills.org.
- The Village of Rochester Hills Turn the Village Teal event will be held on September 17, 2016. A Walk/Run and Classic Car Show will also be featured.

- *The Brooksie Way Half-Marathon and 5K will be held on Sunday, September 25, 2016.*
- *Environmental Education Programs this month will include Tremendous Trees at the Museum on September 24, 2016 from 1:00 p.m. to 2:30 p.m.*
- *The Stone Wall Pumpkin Festival will be held at the Museum on Saturday, October 8, 2016, from 10:00 a.m. to 4:00 p.m.*

Mr. Brown acknowledged that yesterday was the anniversary of Dr. Martin Luther King's "I Have a Dream" speech. He commented that the benefits of that movement are still being seen in the nation and around the world.

Mr. Kubicina stated that he had the privilege of representing Rochester Hills at the opening ceremony of the Michigan Senior Olympics on August 12, 2016 at the Older Persons' Commission. He noted that over 50 events were held from August 12, 2016 to August 22, 2016. He mentioned that participants must be 50 by the end of the year to sign up. He noted that there will be a Winter Olympics held in February.

Mr. Wiggins commented that it is great that Avon Road is finished. He wished everyone a great holiday weekend.

President Tisdell responded to Public Comment, noting that the Tobacco-21 Initiative is something that should be referred to the City Attorney. He commented that the City can pass any Ordinance or regulation; however, the question would be whether it would be upheld if challenged. He noted that the City Attorney would have to comment on any initiative stricter than State Law.

John Staran, City Attorney, stated that he would be happy to look into the matter and would check with his peers in Ann Arbor as well. He noted that in instances where the State has an interest in having uniform statewide regulation, it has preempted the feel of local regulation. He commented that he would advise Council.

Mayor Barnett reported the following:

- *Weather permitting, guard rails should be installed hopefully by Friday for the Adams Road Bridge Project.*
- *The Village of Rochester Hills' Turn the Village Teal fund raiser is especially unique to him this year, as he will be participating with his mother who is an ovarian cancer survivor.*
- *New businesses in Rochester Hills include GRBX, who moved from Main Street in Rochester. The firm, owned by Rochester Hills residents Allen and Cindy Parent, have Crossfit equipment, training and testing.*
- *Mayor Barnett was invited by Jimmy John's Field owner Andy Appleby to tour their new \$13 million facility built by Frank Rewold and Sons. A Rochester Hills Night held there promoted Riverbend Park, displayed videos which encouraged people to donate to the Park, and showed facts about City on the big scoreboard. City employees carried the flag for the National Anthem.*
- *Jimmy John's Field hosted a Play Ball Initiative, funded by Major League Baseball. Rochester Hills and other youth were invited to meet with players, and had their run of the field, hitting, batting and running. Balfour was a sponsor of the event.*

- The County Commission will vote this coming Wednesday on allowing more funding to Rochester Hills for Tri-Party projects. Rochester Hills' share would be approximately \$100,000 additional for its roads.
- A video highlighted Rochester Hills' employees and community members who participated in the Life Remodeled Project in Detroit. Money was raised through corporate sponsorships. A 50-block radius around a high school in Detroit had 10,000 volunteers. One hundred City employees and about 30 residents participated.

Mayor Barnett expressed his appreciation to City Council for the quality of budget questions and high level of discussion at the Special Budget Meeting last week. He commented that the process has not been done better anywhere else.

President Tisdell noted that Mr. Hetrick participated in the Life Remodeled project.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2016-0272 Nomination/Appointment of one (1) Citizen Representative to the Zoning/Sign Board of Appeals, to fill the unexpired term of Ryan Schultz ending March 31, 2018

Attachments: [082916 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Blackstone, Tom CQ.pdf](#)
[Chalmers, Bill CQ \(Revised\).pdf](#)
[Chalmers, Bill CQ.pdf](#)
[Dunn, Stephen CQ.pdf](#)
[Schultz, Robert M CQ.pdf](#)
[Siegfried, Steve CQ.pdf](#)
[080816 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Graves, Jayson CQ.pdf](#)
[Hurst, Philip CQ.pdf](#)
[Ivezaj, Laura CQ.pdf](#)
[Krajewski, Ken CQ.pdf](#)
[Lyons, Kelly CQ.pdf](#)
[Marchese, Daniel CQ.pdf](#)
[Reina, Steve CQ.pdf](#)
[Stephens, Tom CQ.pdf](#)
[Tischer, Charles CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[071816 Agenda Summary.pdf](#)
[Ryan Schultz Resignation Letter.pdf](#)
[071816 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

President Tisdel noted that Thomas Blackstone, Bill Chalmers, Stephen Dunn, Robert Schultz and Steve Siegfried were nominated at the August 8, 2016 Council Meeting. He instructed Council to vote for one of the nominees.

The nominees received the following votes:

Bill Chalmers: Tisdel, Morita, Bowyer, Brown, Hetrick, Kubicina, and Wiggins

President Tisdel announced that **Bill Chalmers** would be appointed to the Zoning/Sign Board of Appeals to fill the unexpired term of Ryan Schultz ending March 31, 2018.

Mr. Brown expressed his appreciation to each of the nominees who came down in person. He stated that he would highly encourage them to reach out to the Mayor's office to seek other opportunities where they can participate. He noted that there will be additional appointments coming by the year's end.

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, Brown, Hetrick, Kubicina, Morita, Tisdel and Wiggins

Enactment No: RES0209-2016

Resolved, that the Rochester Hills City Council appoints Bill Chalmers to the Zoning/Sign Board of Appeals, to fill the unexpired term of Ryan Schultz ending March 31, 2018.

NEW BUSINESS

2015-0063 Request for Purchase Authorization - DPS/GAR: Increase to Blanket Purchase Order for 22A road gravel in the amount of \$10,000.00 for a new total not-to-exceed amount of \$34,250.00; Edw. C. Levy, Dearborn, MI

Attachments: [082916 Agenda Summary.pdf](#)
[051815 Agenda Summary.pdf](#)
[BID Tabulation.pdf](#)
[052815 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that 22A Road Gravel is routinely used and the City's inventory is depleting. He noted that this is in part due to the growth in development in the city, as these are materials used for backfill of water services lines and other structural repairs. He pointed out that no Fund Balance will be used as there are monies not used elsewhere that can be allocated to this line item.

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

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

Enactment No: RES0210-2016

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for 22A road gravel to Edw. C. Levy, Dearborn, Michigan in the amount of \$10,000.00 for a new total not-to-exceed amount of \$34,250.00.

- 2016-0358** Request for Purchase Authorization - DPS/GAR: Increase to Blanket Purchase Order for 21AA Road Gravel in the amount of \$10,000.00 for a new not-to-exceed amount of \$34,250.00; Richmond Transport, Inc., Lenox, MI

Attachments: [082916 Agenda Summary.pdf](#)
[Tabulation 15-041.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the City's stockpiled material is depleting at a rapid pace due to the increase in development in the city. He noted that the additional funds requested will be taken out of another line item and will not include the use of Fund Balance.

A motion was made by Wiggins, seconded by Kubicina, 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: RES0211-2016

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for 21AA Road Gravel to Richmond Transport, Inc., Lenox, Michigan in the amount of \$10,000 for a new not-to-exceed amount of \$34,250.00.

- 2016-0012** Request for Purchase Authorization - DPS/GAR: Increase to Blanket Purchase Order for brass water service repair parts in the amount of \$27,000.00 for a new total not-to-exceed amount of \$71,000.00; S.L.C. Meter, Pontiac, MI

Attachments: [082916 Agenda Summary.pdf](#)
[012516 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[012516 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that \$100,000 was budgeted at the beginning of the year for water service taps. He pointed out that as of today, \$150,000 has been received for water tap installations. He noted that parts must be ordered to satisfy the requests of the developers. He mentioned that the additional revenue will be recognized in a future Budget Amendment, offsetting this expense.

Mr. Brown noted that the previous two items recognized the lowest bidder. He commented that this bid was more complicated, and questioned whether the average prices were the lowest for the selected vendor.

Mr. Schneck responded that they were. He pointed out that the vendor is fairly local, and parts and inventory can be obtained quickly. He stated that their inventory management for these parts use just-in-time inventory, as not many parts are stocked.

A motion was made by Brown, 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: RES0212-2016

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for brass water service repair parts to S.L.C. Meter, Pontiac, Michigan in the amount of \$27,000.00 for a new total not-to-exceed amount of \$71,000.00.

2016-0260 Request for Purchase Authorization - FIRE: Purchase Authorization for new extrication equipment consisting of six (6) spreaders, six (6) cutters, six (6) rams, one (1) combination tool, seven (7) AC/DC converter packs, and nineteen (19) mounts for the equipment in the not-to-exceed amount of \$170,225.00; Apollo Fire Equipment Company, Romeo, MI

Attachments: [082916 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Sean Canto, Chief of Fire and Emergency Services, stated that the requested power rescue tools are for the use of first responders to extricate trapped victims from vehicles and machinery. He explained that improvements made to automotive manufacturing processes and new high-strength metals and composite materials are resistant to the older power rescue tools. He noted that the last purchase of these tools was in 2005, and stated that their life expectancy is decreasing. He explained that new safety standards to maintain vehicle compartments went into effect in 2006 to 2008. He commented that operating and cutting in pressures up to 160,000 to 200,000 pounds have caused the current tools to be problematic and have led to them breaking.

He explained that while identified in the 2016 to 2018 Budget for purchase in 2017, this request is to move the purchase up to 2016. If approved, Fiscal will make the appropriate Budget Amendment. He mentioned that the older equipment will yield a trade-in value of \$3,600.

Mr. Brown questioned why Apollo was chosen over First Fire.

Chief Canto responded that Apollo will offer initial training and annually will continue to offer training at the Department's request. He noted that the other vendor was not willing to include that option. He added that neighboring communities are using the same tools, and can help with batteries.

Mr. Hetrick noted that while the purchase is being pulled ahead, there is a \$15,000 difference in the amount being requested.

Chief Canto noted that by buying now, the City would save the five percent increase expected each year.

A motion was made by Hetrick, 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: RES0213-2016

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of new extrication equipment consisting of six (6) spreaders, six (6) cutters, six (6) rams, one (1) combination tool, seven (7) AC/DC converter packs, and nineteen (19) mounts for the equipment to Apollo Fire Equipment Company, Romeo, Michigan in the not-to-exceed amount of \$170,225.00.

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.

2016-0355 Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for Architectural/Engineering Services Fire Station #4 - Design Development/Construction Document Phase in the amount not-to-exceed \$177,460.00; Sidock Architects, A Sidock Group Company, Novi, MI

Attachments: [082916 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Director of Building/Ordinance Compliance, stated that Council directed the Administration to proceed with Option 2 of the design options presented for Fire Station #4. He noted that the design phase is expected to take six to seven months, and will result in a Guaranteed Maximum Price. He commented that the Construction Manager and the Architect will work together to develop drawings, go out for bids, and hopefully return to Council by March of next year with a Guaranteed Maximum Price for the project.

President Tisdell noted that Option 2 included a straight design to the roadway.

Dr. Bowyer commented that this design required alternate curb cuts to Walton Boulevard.

Vice President Morita questioned whether the Road Commission for Oakland County has been consulted about the curb cuts.

Mr. Cope noted that they will be. He added that a meeting will be scheduled with the owner of the cell tower to discuss options to place the building as close to the location as possible prior to spending efforts on design.

A motion was made by Brown, seconded by Hetrick, 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: RES0214-2016

Resolved, the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for Architectural/Engineering Services Fire Station #4 - Design Development/Construction Document Phase to Sidock Architects, A Sidock Group Company, Novi, Michigan in the amount not-to-exceed \$177,460.00.

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.

ANY OTHER BUSINESS

Vice President Morita explained that as a part of the Special Assessment District (SAD) Subcommittee's discussion earlier today regarding the SAD process,

a review was made of two line items found in the proposed Budget on Page 74 of the Technical Appendix dealing with Local Street Fund Construction.

She noted that \$833,000 was allocated for Kingsview Avenue, and \$266,950 for Bolinger for SAD paving and construction. She stated that it may not necessarily be appropriate to include these funds in the Budget at this point, as it could present false hope to residents that if budgeted, the project will happen. She commented that the SAD Subcommittee believes it would be appropriate to have a Straw Poll as to whether these two items should remain in the Budget.

President Tisdell noted that the entire Budget is a proposed budget. He stated that while it would be nice to include the question for a Straw Poll, if that is not possible, it can be discussed and removed later. He pointed out that the SAD process has several steps.

Mayor Barnett noted that a Straw Poll is not binding, and no notice is required.

City Attorney John Staran stated that the Straw Poll is advisory, and Councils in the past have taken similar actions on particular items.

Mr. Brown stated that under the current SAD Policy, the budgeted assessed amount will not cover the costs. He stated that it is worthy to take another look.

NEXT MEETING DATE

Regular Meeting - Monday, September 12, 2016 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Tisdell adjourned the meeting at 8:27 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 September 26, 2016 Regular City Council Meeting.