



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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Home Page:
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*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Carol Morlan,
Theresa Munglioli 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, November 15, 2021

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

ROLL CALL

Present 7 - David Blair, Susan M. Bowyer, Ryan Deel, Dale Hetrick, Theresa Munglioli, David Walker and Carol Morlan

Others Present:

*Chelsea Ditz, Human Resources Director
Ann Echols, Lieutenant / Fire Inspector
Ken Elwert, Parks and Natural Resources Director
Todd Gary, Deputy Fire Chief
Tim Hollis, Deputy Building Director
Kristen Kapelanski, Planning Manager
Denise McDonial, Financial Analyst
Sara Roediger, Planning and Economic Development Director
Allan Schneck, Public Services Director
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Tom Talbert, Strategic Innovations Specialist*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced **Shreya Pillai**, Rochester Hills Government Youth Council (RHGYC) Representative.

Ms. Pillai shared that she is in eleventh grade at Rochester High School and this is her third year on RHGYC. She added she also serves on the Public Safety and Infrastructure Technical Review Committee. She explained that this month the RHGYC volunteered at the Community Foundation Tailgate at the Royal Park Hotel, as well as the Oath of Office Ceremony here at City Hall. She mentioned that for November's Month of Thankfulness Project they made appreciation cards for health care workers at Ascension Providence Hospital.

Hometown Helpers:

Ms. Mungoli stated there are many local charities that are not only seeking volunteers, but also looking for local residents in need. She added her neighbor is heavily involved with volunteering with many organizations including the Kaleidoscope Foundation, an organization that helps area group home residents. She encouraged people that are currently working with a charity and would like to get connected with other charities to reach out to her, to ensure assistance to as many people as possible.

Rochester Avon Recreation Authority (RARA):

Ms. Mungoli mentioned the following programs happening at RARA:

- Christmas Ornament Exchange on Wednesday, December 8, 2021.
- Video Chat with Santa that runs November 1, 2021 until December 24, 2021.
- Milk and Cookies with Santa takes place on Friday, December 10, 2021.
- Make Your Own Snow Globe Workshop happening Tuesday, December 7, 2021.
- STEAMing Through the Holidays - Kids Night Out on Friday, December 3, 2021.
- Winter Clay Creations for children ages 3 - 6 on December 1, 2021.

Older Persons' Commission (OPC):

Mr. Hetrick noted the OPC Artisan Market took place a few days ago and there were over 600 attendees. He thanked everyone that came to support this event and announced the OPC's Annual Thanksgiving Dinner will serve over 900 meals in Oakland County. He noted that the OPC would like to thank the Rochester Kiwanis Group for their generous contribution and support for the Thanksgiving meals.

PRESENTATIONS

2021-0457 Legislative Update - State Representative Mark Tisdell

Attachments: [11152021 Agenda Summary.pdf](#)

This item was moved under New Business.

PUBLIC HEARINGS

2021-0430 Community Development Block Grant (CDBG) Program Year 2022 Application

Attachments: [11152021 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Hetrick and **Mr. Walker** both requested to be recused from this agenda item, as they are Board Members of the Older Persons' Commission (OPC) and the OPC receives funds from the Community Development Block Grant.

Denise McDoniel, Financial Analyst, provided the following overview for the 2022 funding for the Community Development Block Grant (CDBG) Program for the City of Rochester Hills.

She explained that part of the application process requires communities to hold a public hearing and the governing body must pass a resolution approving the planned use of funds. She noted that the planning allocation for program year 2022 from Oakland County, which passes down funding from the U.S. Department of Housing and Urban Development is \$164,632. She stated that the administration is recommending the following allocation:

- \$15,000 allocated to services for victims of domestic violence, dating violence, sexual assault or stalking.
- \$10,000 allocated to subsidy payments and emergency services.
- \$15,000 allocated to yard services.
- \$124,632 allocated to minor home repair.

She highlighted the following use of CDBG funds in 2020:

- 58 individuals that were victims of domestic violence, dating violence, sexual assault, or stalking were assisted through Haven.
- 186 individuals were assisted through Clothes Closet at the Neighborhood House using subsistence and emergency services funding.
- 53 senior residents were assisted with snow removal services.
- 42 minor home repair projects were completed.

President Deel Opened the Public hearing at 7:10 p.m.

Seeing No Public Comment, President Deel Closed the Public Hearing at 7:11 p.m.

Vice President Bowyer thanked Ms. McDoniel for her presentation and questioned if the amount of individuals assisted by the Clothes Closet funding in 2020 is higher than in past years and inquired if there is any money left over from last year that can be rolled over into the CDBG 2022 funding.

Ms. McDoniel stated the amount of individuals assisted varies from year to year, adding the Clothes Closet number was higher than last year but lower than 2018. She responded the only funds that tend to remain and roll over is from the snow removal fund, otherwise all of the funds get used each year.

Ms. Mungioni stated she likes seeing how the process has changed over the past two years, including the organizations that bid to receive this funding, rather than a list of organizations that will receive the funding. She added she would like to see a report from these organizations receiving the funds on how the dollars are being used to assist individuals in need and how many individuals are utilizing these dollars.

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

Aye 5 - Blair, Bowyer, Deel, Mungioni and Morlan

Abstain 2 - Hetrick and Walker

Enactment No: RES0259-2021

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and

WHEREAS, the City of Rochester Hills has duly advertised and conducted a public hearing on November 15, 2021, for the purpose of receiving public comments regarding the proposed use of Program Year 2022 Community Development Block Grant funds (CDBG) in the approximate amount of \$164,632; and

WHEREAS, the City of Rochester Hills found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need.

Account Number	Project Name	Amount
731227	Minor Home Repair	\$124,632
732170	Yard Services	\$ 15,000
730137	Services for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking	\$ 15,000
730571	Subsistence Payments	<u>\$ 10,000</u>
		<u>\$164,632</u>

Resolved, that the City of Rochester Hills CDBG application is hereby authorized to be submitted to Oakland County for inclusion in Oakland County’s Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

ORDINANCE FOR INTRODUCTION

2021-0445 Request for Acceptance for First Reading - An Ordinance to amend Sections 54-31A, 54-32, 54-156, 54-166, 54-200, 54-203, 54-215, 54-226, 54-262 and 54-302; in Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for Burning Permit, Cemetery, Certificate of Occupancy, Parking Lot Permit Fee, Recreational Fire Permit, Emergency Medical Services, Motor Vehicle Accidents, Items; New, Extended or Altered Circuits; and Non-Solid Fuel Burning Equipment, and to repeal conflicting Ordinances, and prescribe a penalty for violations

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that the City annually reviews and updates ordinances, and that there are a total of six ordinance amendments being presented for the first of two readings. He stated that the the ordinance for first reading acceptance is amendments to Chapter 54 Fees; and that the amendments include updated language as submitted by the Clerk's Office, the Fire Department and the Building Department.

President Deel confirmed that these fee adjustments are to cover the actual costs to the City or to bring the City fees inline with other municipality fees regarding services offered.

Vice President Bowyer commented on the fee schedule for a burn permit, stating that if the fire is on the ground residents have to acquire a permit from the City each time they want to burn something; however, if you purchase an above-ground unit, then a permit is not required and can be a cost savings.

Ms. Mungoli thanked the Fire Department for responding to her questions, especially regarding the fees for assistance provided by the Fire Department to residents in their homes. She pointed out that some residents have expressed to her how costly these fees can get with multiple infractions. She shared her concerns that these costs might prevent residents from seeking assistance and she would like to see alternatives for people who need assistance without calling the Fire Department and incurring a charge.

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

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

Enactment No: RES0279-2021

Resolved, that an Ordinance to amend Sections 54-31A, 54-32, 54-156, 54-166, 54-200, 54-203, 54-215, 54-226, 54-262 and 54-302; in Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees

charged for Burning Permit, Cemetery, Certificate of Occupancy, Parking Lot Permit Fee, Recreational Fire Permit, Emergency Medical Services, Motor Vehicle Accidents, Items; New, Extended or Altered Circuits; and Non-Solid Fuel Burning Equipment, and to repeal conflicting Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

- 2021-0446** Request for Acceptance for First Reading - An Ordinance to amend Sections 56-58 in Chapter 56, Amendments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fines charged for violation of open burning regulations, and to repeal conflicting Ordinances, and prescribe a penalty for violations

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that this ordinance request is for acceptance for First Reading of Chapter 58 Fire Prevention and Protection, and that the ordinance amendments include language updates that were submitted by the Fire Department.

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

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

Enactment No: RES0280-2021

Resolved, that an Ordinance to amend Sections 56-58 in Chapter 56, Amendments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fines charged for violation of open burning regulations, and to repeal conflicting Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

- 2021-0447** Request for Acceptance for First Reading - An Ordinance to amend Section 79-7 of Chapter 79, Special Events, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for special events fees, and to repeal conflicting ordinances, and prescribe a penalty for violations

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated that this ordinance request is for acceptance for First Reading of Chapter 79 Fees, and that the ordinance amendment includes a section added by the Building Department.

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

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

Enactment No: RES0281-2021

Resolved, that an Ordinance to amend Section 79-7 of Chapter 79, Special Events, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for special events fees, and to repeal conflicting ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

2021-0448 Request for Acceptance for First Reading - An Ordinance to amend Sections 84-4, in Chapter 84, Amendments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for blight, and to repeal conflicting Ordinances, and prescribe a penalty for violations

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, noted that this ordinance request is for acceptance for First Reading of Chapter 84 Blight, and that the ordinance amendments include language updates and a section added by the Building Department.

Ms. Mungoli questioned when the ordinance amendments will go into effect.

John Staran, City Attorney, responded the ordinance amendments will go into effect the day after the publication in the newspaper following the Second Reading.

Ms. Mungoli reminded residents to take care of any issues that they may have regarding blight before the ordinance amendments take effect.

A motion was made by Mungoli, seconded by Blair, that this matter be Accepted for First Reading by Resolution. The motion CARRIED by the following vote:

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

Enactment No: RES0282-2021

Resolved, that an Ordinance to amend Sections 84-4, in Chapter 84, Amendments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify fees charged for blight, and to repeal conflicting Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

2021-0449 Request for Acceptance for First Reading - An Ordinance to amend Sections 90-26, 90-63, 90-67, and 90-69, of Chapter 90, Special Assessments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify definitions, city engineer's report, resolution to proceed, and objections to improvement, and to repeal conflicting ordinances, and prescribe a penalty for violations

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained this request is for acceptance for First Reading for Chapter 90 Special Assessments, and that the ordinance amendments include language updates provided by the Assessing Department and the Department of Public Services. He added the updates are based on the existing Special Assessment Paving (SAP) process and keeps the ordinance current with the SAP process.

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

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

Enactment No: RES0283-2021

Resolved, that an Ordinance to amend Sections 90-26, 90-63, 90-67, and 90-69, of Chapter 90, Special Assessments, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify definitions, city engineer's report, resolution to proceed, and objections to improvement, and to repeal conflicting ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

2021-0450 Request for Acceptance for First Reading - An Ordinance to amend Section 134-9 of Article III of Chapter 134 Signs of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify regulations concerning the display of temporary signs and temporary flats; prescribe a penalty for violations; and repeal conflicting Ordinances

Attachments: [12062021 Agenda Summary.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[11152021 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated this request is for acceptance for First Reading for Chapter 134 Signs, and that the ordinance amendments include language updates and a section added by the Building Department.

Vice President Bowyer questioned why the temporary free-standing flags were added to the ordinance and if a timeline is included with the temporary flags.

Tim Hollis, Deputy Building Director, responded that the temporary free-standing flags were added because there was nothing in the ordinance that included guidelines for temporary flags. He added there are more businesses utilizing the temporary flags to advertise prior to opening and this amendment will permit it with some guidelines. He stated he would look into the timeline for the temporary flag allowance.

Mr. Staran responded larger temporary signs over 12 square feet are limited to 30 days, and added he does not believe there are limitations in the ordinance for smaller temporary signs. He noted there are some obstacles with amendment rights when it comes to limiting signs that people want to post.

Vice President Bowyer questioned if amendment rights are preventing limitations on smaller signs, and why the City would limit larger, temporary signs.

Mr. Staran responded there is a difference between restricting signs out of existence and having a reasonable time, place and manner restriction. He added allowing any temporary sign regardless of size becomes problematic, this ordinance limits the size but still allows people their rights to post a smaller sign with no time limitations.

Mr. Blair pointed out that a timeline for what is considered temporary is important, and having an ordinance to prevent temporary signs from becoming a nuisance is important for the City. He recommended postponing this reading and revisiting the reading once it states clear guidelines for temporary flags that include timelines and do not infringe on anyone's amendment rights.

President Deel questioned if there is a difference between flags and signs when it comes to time, place and manner restrictions. He suggested in order to remain consistent throughout the ordinance, to adopt the temporary sign/banner time limitations and use the same language for temporary flags for time, place and manner restrictions.

Mr. Staran responded he could look into that suggestion and that the purpose of this amendment to the ordinance was to clarify the ordinance and noted it is clear more clarification is needed.

A motion was made by Mungioli, seconded by Blair, that this matter be Postponed by Resolution to the December 6, 2021 Regular City Council Meeting. The motion carried by the following vote:

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

PLANNING AND ECONOMIC DEVELOPMENT

- 2021-0426** Request for Preliminary Site Condominium Plan Approval - Camden Crossing Site Condominiums, a proposed 25-unit, detached single family condominium development on 9.36 acres located on the north side of Hamlin Rd., between Livernois and Rochester Rd., zoned R-3 One Family Residential with MR Mixed Residential Overlay District; Camden Crossing, Applicant

Attachments: [11152021 Agenda Summary.pdf](#)
[PC Minutes Excerpt draft 101921.pdf](#)
[Staff Report 101921.pdf](#)
[EIS received 072319.pdf](#)
[Applicant Response Letter 082421.pdf](#)
[Assessing Memo 012721.pdf](#)
[ASTI Letter 012821.pdf](#)
[WRC Letter 072619.pdf](#)
[Nunez Response Ltr 110321.pdf](#)
[Updated Landscape Plans 110321.pdf](#)
[Site Plans Pt 1 101921.pdf](#)
[Site Plans Pt 2 101921.pdf](#)
[Site Plans Pt 3 101921.pdf](#)
[Color Illustrative Site Plan.pdf](#)
[Elevation.pdf](#)
[PHN 101921.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kaplanski, Planning Manager, and **Ralph Nunez**, Architect for the Camden Crossing development, were in attendance.

Ms. Kaplanski explained the Applicant is proposing to construct a 25-unit condominium development on approximately 9.5 acres on the north side of Hamlin Road, between Livernois and Rochester Road. She added the site is zoned R-3 with a Mixed Residential (MR) Overlay, and the applicant is developing using the MR Overlay. She pointed out the proposed density must meet the requirements of the underlying district and the proposal meets that standard. She explained houses in the MR Overlay are allowed to be spaced closer together in exchange for the preservation of open space. She added the applicant has proposed an active-use path to fulfill the open space requirement. She noted the Planning Commission considered the applicant's request at their October meeting and recommended approval with a few modifications that included removing the unit near the corner of Crestline and Hamlin. She stated the Applicant is requesting approval of the preliminary site plan.

Mr. Nunez displayed the proposed preliminary site plan and the proposed modified preliminary site plan and explained the modifications that were made based on the Planning Commission's request. He added the intent is to make this development a community within itself, including a path to allow residents to walk safely within their neighborhood. He mentioned they had a meeting with surrounding residents regarding this development and that there were a lot of residents concerned about flooding. He explained the homes to the north and to the west of this development would drain into the detention wetland system and out to the east. He also noted there were residents concerned about privacy and explained that there will be a tree buffer between their properties and the proposed development.

Dale Upleger, 1835 Crestline, stated his concerns about privacy, adding he is concerned about the dirt and sound of the construction that will take place over the years. He noted he would like arborvitae trees planted as a buffer to help eliminate the nuisance of the construction.

Mr. Nunez responded that one of the neighboring properties had planted

arborvitae trees on the property line that have matured and screened the development. He added they are proposing six evergreen trees that will be approximately ten feet tall as well as shade trees, ornamentals, and large shrubs. He explained if Mr. Upleger would prefer arborvitae trees they can do that, however, they will not provide as much screening as the evergreens, trees, and shrubs.

Vice President Bowyer thanked Mr. Nunez for the changes made to the proposed preliminary site plan, stating the green space near the back of the property will be great for the neighboring properties. She explained the nearby flooding issues were because the Nottingham Drain was broken and has since been fixed, therefore, the flooding should not be a concern with this development. She loves the sense of community that comes with this development and she appreciates how well the developers have worked with the residents.

Mr. Blair thanked the Planning Department and the Planning Commission and noted there had been a tremendous push to develop residential homes in the City. He thanked the developers for cooperating with the City to make this development a benefit for everyone. He added this development looks gorgeous and he likes that it includes sidewalks.

Mr. Walker concurred that this is a nice development and his appreciation with the reduction of units from 26 to 25 to provide less density. He questioned if there was a three-way turn as opposed to a round-a-bout on the main road of this development.

Mr. Nunez responded that part of the road is for emergency vehicle access, adding that originally the road was extended to Crestline; however, that was not received well by the Fire Department.

Ms. Mungoli questioned if the home next to the existing church will be removed and homes built there, pointing out that there are multiple curb cuts from Crestline heading to Rochester Road already. She mentioned she is concerned about more homes with more traffic producing more curb cuts, and also whether the area could handle more traffic safely. She stressed the need to ensure this development will not cause future flooding issues to neighboring properties. She inquired as to how much the units would be sold for.

Ms. Kapelanski responded that the Department of Public Safety (DPS) reviewed this site plan and determined that it did not warrant a traffic impact study given the number of units. She pointed out with every development, DPS looks at traffic in the area and suggests adding features such as a taper lane for right-hand turns. She responded to the flooding concerns by stating the Storm Water Management Plan was reviewed thoroughly and did not show a concern for flooding issues. She added that the DPS has been handling the issues with the Nottingham Drain and have been monitoring the drain to make sure the issues have been resolved.

Mr. Nunez responded the starting price is approximately \$550,000 per unit.

Ms. Mungioli questioned if the existing home on Crestline that will face the new unit's driveways is okay with this development and whether additional vegetation will be put in place to eliminate the nuisance from headlights.

Mr. Nunez responded most of the units face the vacant lot, not the existing home on Crestline. He added that if additional vegetation is requested, he would not be opposed to adding more. He also stated the drainage flow is from the subdivision to the north flowing to the west and that flow will continue to occur.

Vice President Bowyer noted that the Planning Commission questioned the developers in regard to traffic concerns, as well as the headlights causing a nuisance to existing homes.

Mr. Hetrick confirmed the detention pond will be 14 percent greater than the minimum requirement. He thanked the developers for investing in Rochester Hills.

Ms. Mungioli questioned if the speed bumps on Crestline will remain.

Mr. Nunez responded the speed bumps will remain.

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

Enactment No: RES0260-2021

Resolved, that the Rochester Hills City Council hereby approves the Preliminary Site Condominium Plan for Camden Crossing Site Condominiums, a proposed 25-unit, detached single family condominium development on 9.36 acres located on the north side of Hamlin Rd., between Livernois and Rochester Rd., zoned R-3 One Family Residential with MR Mixed Residential Overlay District, Parcel Nos. 15-22-451-029, 15-22-451-002 and part of 1-22-451-022 with the following findings and subject to the following conditions:

Findings:

- A. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.
- B. The proposed project will be accessed from Hamlin Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on the adjoining street.
- C. Adequate utilities are available to the site.
- D. The preliminary plan represents a reasonable street and lot layout and orientation.
- E. The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
- F. The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.

Additionally, the modifications presented to the MR Mixed Residential Overlay District, including development on the 9.36 acre property when 10 acres are required, and for 28 ft. interior rear setbacks when a minimum 35 ft. setback is required, are acceptable based on the following findings:

- A. The site plan and use will promote the intent and purpose of the ordinance.
- B. The site has been designed and is proposed to be operated, maintained and managed so as to be compatible, harmonious and appropriate in appearance with the existing or planned character of the general vicinity, adjacent uses of land, the natural environment, the capacity of public services and facilities affected by the land use and the community as a whole.
- C. The proposed development will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainageways, refuse disposal or that the persons or agencies responsible for the establishment of the land use or activity shall be able to provide adequately any such service.
- D. The proposed development will not be detrimental, hazardous or disturbing to existing or future neighboring uses, persons, property or the public welfare.
- E. The proposed development will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions:

1. Condominium Unit #7 is to be removed from the plans as discussed.
2. Additional landscaping in the form of trees and vegetation is to be provided, as reviewed by staff, to address the adjoining westerly neighbor's comments.
3. Applicant to address meeting comments and provide alternatives for the open space area of the development.
4. Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.
5. Provide a landscape bond in the amount of \$181,093.20, plus inspection fees, as adjusted by staff as necessary, prior to the preconstruction meeting with Engineering.

- 2021-0427** Request for Conditional Use Approval to construct a drive-through associated with a two story 29,000 sq. ft. mixed use building with retail, office and restaurant use on approximately 2.6 acres located on the west side of Rochester Rd. and north of South Blvd., zoned B-3 Shopping Center Business District; Emily D'Agostini Kunath, Applicant

Attachments: [11152021 Agenda Summary.pdf](#)
[PC Mtg Draft Minutes 101921.pdf](#)
[Staff Report 101921.pdf](#)
[Site Plans 101321.pdf](#)
[Revised Photometric 100621.pdf](#)
[Public Comment from Bolyard Lumber 10-6-21.pdf](#)
[PHN CLU 101921.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, and **Emily D'Agostini**, Applicant, were in attendance.

Ms. Kapelanski explained the Applicant is proposing to add a drive-thru to a two-story mixed-use building that is currently under construction near the intersection of Rochester and South Boulevard. She added the current zoning of this site is B-3 with a Flex Business (FB) Overlay that permits drive-thru service as a conditional use. She pointed out minor modifications to the parking lot and stated landscaping has been proposed to accommodate the drive-thru. She noted the Applicant is in compliance with ordinance requirements, and the Planning Commission approved the revised site plan at their October meeting. She stated there was an additional condition added that if the intensity of the drive-thru were to increase, the Applicant may be required to return to City Council for reconsideration of the conditional use request.

Ms. Mungoli questioned if partitions in the driveways have been considered to prevent people from cutting into multiple lanes of traffic to go north on Rochester Road. She questioned what other conditional uses were placed on this site in the past.

Ms. Kapelanski responded there is a full access drive that would allow people to safely enter and exit the drive-thru, as well as, a right-turn-only drive that has additional features in the center to allow for the right turn in and right turn out only onto Rochester Road.

Vice President Bowyer thanked Ms. D'Agostini for bringing this before the Planning Commission and Council. She added there was discussion about the type of business that would be utilizing the drive-thru and it was noted that it would not be a fast food restaurant, rather a small coffee or juice store. She pointed out the drivers will not be able to turn right out of the drive-thru, they will have to turn left to reduce congestion in that area. She added the north side of the building is one-story and will have a restaurant. She mentioned that speed bumps could be put into place if there was an influx in cut-through traffic. She questioned when the hotel near this development would open.

Ms. D'Agostini responded the hotel is not part of their construction; therefore, she is unsure as to when it will open. She added she has received interest from potential tenants for this development and they are excited to get moving on this project.

President Deel questioned what kind of small business would occupy the drive-thru portion of the building.

Ms. D'Agostini responded that it would be a business similar to Beyond Juice, which would not require ventilation as this building is not equipped for a high-volume food business.

Mr. Walker questioned if there are any tenants yet for this building.

Ms. D'Agostini stated they do not have any leases currently, but because the construction has progressed, they currently have tenants interested in the building.

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

Enactment No: RES0261-2021

Resolved, that the Rochester Hills City Council hereby approves the Conditional Use to allow for a drive-through operation, associated with a two-story 29,000 sq. ft. mixed use building with retail, office and restaurant use on approximately 2.6 acres located on the west side of Rochester Rd and north of South Blvd., Parcel No. 15-34-477-018, zoned B-3 Shopping Center Business District, subject to the following findings and conditions.:

Findings:

- A. The proposed use will promote the intent and purpose of the Zoning Ordinance.
- B. The building has been designed and is proposed to be 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.
- C. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs.
- D. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
- E. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
- F. 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.

Conditions:

- 1. If, in the determination of City staff, the intensity of the drive-through changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

located on the east side of Eastern Avenue, south of Auburn Road

Attachments: [11152021 Agenda Summary.pdf](#)
[Purchase Agreement.pdf](#)
[Location Map.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, explained the Auburn Road Corridor project has continued to evolve and a public parking lot on the south side of Auburn Road was recently approved. She added that another opportunity has presented itself to expand that public parking lot and almost double the amount of parking spaces. She stated the request is for the approval to purchase 2977 Eastern to expand the parking lot.

Mr. Lee Zendel, 1575 Dutton, inquired what the purchase price for the property is.

Ms. Roediger responded the parcel purchase price is \$160,000. She explained that the cost of construction was \$600,000 for the original parking lot, and with the addition of this parcel it will add an additional \$150,000 in construction costs.

President Deel commended Ms. Roediger and Ms. Valentik and pointed out most of the work done on the Auburn Road Corridor is based on the relationships that they have built with the business owners and the residential community along Auburn Road.

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

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

Enactment No: RES0262-2021

Resolved, that the Rochester Hills City Council hereby approves the Purchase Agreement for the 0.279 acres of land at 2966 Eastern Avenue, Parcel #15-36-226-062, located on the east side of Eastern Avenue, South of Auburn Road.

Be It Further Resolved, that the Mayor is authorized to undertake such actions and to execute and deliver on the City's behalf such additional documents that are necessary and appropriate to consummate this transaction.

2021-0437 Request for Purchase Authorization - PLANNING: Blanket Purchase Order/Contract for Planning Consulting Services in the amount not-to-exceed \$175,000 through November 30, 2024; Giffels Webster, Birmingham, MI

Attachments: [11152021 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, stated Giffels Webster has been under contract as the City's Planning Consultants for the last five years, allowing \$25,000 per year for three years to assist the Planning Department with zoning ordinance amendments, special studies, and areas that go beyond the expertise of the limited Planning staff. She pointed out every five years the City's Master Plan has to be updated per state law and Giffels Webster will assist with that update.

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

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

Enactment No: RES0263-2021

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for Planning Consulting Services to Giffels Webster, Birmingham, Michigan in the amount not-to-exceed \$175,000.00 through November 30, 2024 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.

PUBLIC COMMENT for Items not on the Agenda

Lee Zendel, 1575 Dutton, expressed his appreciation for the City he had chosen to raise his family in 50 years ago. He added the lack of individuals in the audience proves the City is in great shape, as there is nothing for residents to complain about. He stated Mayor Barnett and his team are doing a wonderful job and he is proud to live in Rochester Hills. He ended with a request for a sign to be installed on I-75 welcoming residents to Rochester Hills.

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.

- 2021-0444** Request for Adoption of a Resolution authorizing the Mayor or his agents to make application to the Road Commission for Oakland County (RCOC) for the necessary permits for posting road closures and detours for the 2021 Christmas Parade to be held on Sunday, December 5, 2021

Attachments: [11152021 Agenda Summary.pdf](#)
[2021 RCOC Annual Permit for Community Events.pdf](#)
[2021 Parade Route.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0264-2021

Whereas, the Cities of Rochester Hills and Rochester jointly host an annual Christmas season parade conducted under the auspices of the Rochester Regional Chamber of Commerce; and

Whereas, the parade route begins on Rochester, south of Tienken Road in the City of Rochester Hills, and proceeds south along Rochester Road to Third Street in downtown Rochester; and

Whereas, the two cities coordinate parade planning by dividing responsibility for obtaining

necessary permits, with the City of Rochester Hills applying to the Road Commission for Oakland County for the detour and the closure of Walton at Livernois, and the City of Rochester applying to the Michigan Department of Transportation for the closure of Rochester Road from E Second Street to Tienken Road.

Resolved, that the Rochester Hills City Council authorizes the Mayor or his agents to make application to the Road Commission for Oakland County for the necessary permits for posting road closures and detours; and

Be It Further Resolved, that the parade detour routes be scheduled for Sunday, December 5, 2021 (subject to change due to COVID-19 regulations) between the hours of 12:30 p.m. and 4:00 p.m. on Livernois, Avon, Rochester, and Tienken Roads; and

Now, Therefore Be It Resolved, that the City of Rochester Hills will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board of County Road Commissioners against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permit(s) as issued; and

Be It Further Resolved, that a certified copy of this Resolution be filed with the City Clerk of Rochester Hills, Oakland County, Michigan and with the Road Commission for Oakland County, Waterford, Oakland County, Michigan.

(The following four (4) Legislative Files pertain to 830 Harding Avenue)

2021-0460 Request for Approval of a Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, the City of Rochester, and the City of Rochester Hills for the 830 Harding Avenue Development Parcel A

Attachments: [11152021 Agenda Summary.pdf](#)
[Sanitary Sewer Service Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0265-2021

Resolved, that the Rochester Hills City Council hereby approves the Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, whose address is 3737 Cherry Creek Lane, Sterling Heights, MI 48314, the City of Rochester and the City of Rochester Hills for the 830 Harding Avenue Development Parcel A, Parcel No 15-15-182-049.

Further Resolved, that the Mayor and City Clerk execute the Agreement and return it to the City of Rochester for execution and recording with the Oakland County Register of Deeds.

2021-0461 Request for Approval of a Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, the City of Rochester, and the City of Rochester Hills for the 830 Harding Avenue Development Parcel B

Attachments: [11152021 Agenda Summary.pdf](#)
[Sanitary Sewer Service Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0266-2021

Resolved, that the Rochester Hills City Council hereby approves the Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, whose address is 3737 Cherry Creek Lane, Sterling Heights, MI 48314, the City of Rochester and the City of Rochester Hills for the 830 Harding Avenue Development Parcel B, Parcel No 15-15-182-048.

Further Resolved, that the Mayor and City Clerk execute the Agreement and return it to the City of Rochester for execution and recording with the Oakland County Register of Deeds.

- 2021-0462** Request for Approval of a Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, the City of Rochester, and the City of Rochester Hills for the 830 Harding Avenue Development Parcel C

Attachments: [11152021 Agenda Summary.pdf](#)
[Sanitary Sewer Service Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0267-2021

Resolved, that the Rochester Hills City Council hereby approves the Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, whose address is 3737 Cherry Creek Lane, Sterling Heights, MI 48314, the City of Rochester and the City of Rochester Hills for the 830 Harding Avenue Development Parcel C, Parcel No 15-15-182-047.

Further Resolved, that the Mayor and City Clerk execute the Agreement and return it to the City of Rochester for execution and recording with the Oakland County Register of Deeds.

- 2021-0463** Request for Approval of a Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, the City of Rochester, and the City of Rochester Hills for the 830 Harding Avenue Development Parcel D

Attachments: [11152021 Agenda Summary.pdf](#)
[Sanitary Sewer Service Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0268-2021

Resolved, that the Rochester Hills City Council hereby approves the Sanitary Sewer Service Agreement between the Palazzolo Bros of Oakland, L.L.C., a Michigan limited liability company, whose address is 3737 Cherry Creek Lane, Sterling Heights, MI 48314, the City of Rochester and the City of Rochester Hills for the 830 Harding Avenue

Development Parcel D, Parcel No 15-15-182-046.

Further Resolved, that the Mayor and City Clerk execute the Agreement and return it to the City of Rochester for execution and recording with the Oakland County Register of Deeds.

Passed the Consent Agenda

A motion was made by Mungoli, 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 - Blair, Bowyer, Deel, Hetrick, Mungoli, Walker and Morlan

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Deel welcomed Councilmember Morlan to her first Council meeting.

Mr. Walker stated he attended the ribbon cutting of First State Bank on October 28, 2021, adding they have faced some tough times and were excited to finally properly celebrate their opening. He also mentioned that he attended the ribbon cutting ceremony for Sports Clips on November 9, 2021. He added the owners of Sports Clips, Michelle and Steve Warner, have been residents of Rochester Hills for 23 years and decided to open their small business in the City.

Vice President Bowyer also welcomed Councilmember Morlan and congratulated Mr. Walker and President Deel on their re-election. She stated that the Green Space Advisory Board has reinstated Saturday morning hikes and everyone is welcome to attend; they take place every second Saturday of the month at 10:00 a.m.

Tom Talbert, Strategic Innovations Specialist, welcomed Ms. Morlan to Council and thanked her for her commitment to serve the residents of Rochester Hills. He also congratulated President Deel and Mr. Walker on their re-elections. He gave the following updates:

- He announced that Light the Village will take place at the Village of Rochester Hills on November 19, 2021. He noted that the event will include a small parade followed by fireworks.
- He spoke about the Veterans Day Ceremony that took place on November 11, 2021 at the Veterans Memorial Pointe.
- He noted every year local students come to DPS for the Paint the Plow event, and that this past Saturday students came ready to paint the DPS plow trucks.
- He shared photos from the Parks and Natural Resources Department of staff assisting residents with raking their leaves, and the Mayor's Office delivering Meals on Wheels. He added many departments have participated in the 30 Days of Giving during the month of November.

Ms. Mungoli congratulated President Deel and Mr. Walker on their re-election and welcomed Ms. Morlan. She thanked Ken Elwert for taking time out of his busy day to take her on a tour of the City Parks.

Ms. Morlan thanked everyone for the wonderful warm welcome and added that she is very excited to be part of Council. She acknowledged the Clerk's office for setting up the orientation that allowed her to meet with each department and become more familiar with the City staff. She added that it is an honor and a privilege to serve on Council and work with such amazing people.

ATTORNEY'S REPORT

City Attorney **John Staran** had nothing to report. He congratulated President Deel and Mr. Walker on their re-election and welcomed newly elected Councilmember Morlan.

NOMINATIONS/APPOINTMENTS

2021-0442 Nomination/Appointment of one (1) Citizen Representative to the Green Space Advisory Board, to fill the unexpired term of Terry Stephens ending December 31, 2022

Attachments: [12062021 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Bagley CQ.pdf](#)
[Duperon CQ.pdf](#)
[Gearhart CQ.pdf](#)
[11152021 Agenda Summary \(Revised\).pdf](#)
[11152021 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Arrington CQ.pdf](#)
[Bante CQ.pdf](#)
[Berard CQ.pdf](#)
[Braun III CQ.pdf](#)
[Frederiksen CQ.pdf](#)
[Hunter CQ.pdf](#)
[Lemanski CQ.pdf](#)
[Long CQ.pdf](#)
[Lyons CQ.pdf](#)
[McGunn CQ.pdf](#)
[Strunk, J CQ.pdf](#)
[Strunk, S CQ.pdf](#)
[Toenniges CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[10252021 Agenda Summary.pdf](#)
[Terry Stephens' Resignation.pdf](#)
[10252021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Vice President Bowyer pointed out that she serves on the Green Space Advisory Board and that there was a long list of candidates interested in filling this vacancy. She thanked all the candidates that submitted applications and nominated Laura Bagley to fill the vacancy.

Mr. Blair nominated Jeff Duperon to serve on the Green Space Advisory Board.

Mr. Walker nominated Jordon Gearhart to serve on the Green Space Advisory Board.

President Deel stated as there were more nominations than vacancies, per the City Council's Rules, this item will move to the December 6, 2021 City Council Meeting.

Discussed. Nominated: Laura Bagley, Jeff Duperon, and Jordon Gearhart.

2021-0452 Nomination/Appointment of one (1) Citizen Representative to the Historic Districts Commission, to fill the unexpired term of Tom Stephens ending December 31, 2022

Attachments: [12062021 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Elias CQ.pdf](#)
[Hunter CQ.pdf](#)
[Lemanski CQ.pdf](#)
[11152021 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Dow CQ.pdf](#)
[Frederiksen CQ.pdf](#)
[Krajewski CQ.pdf](#)
[McCracken CQ \(Revised\).pdf](#)
[McCracken CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution \(Draft\).pdf](#)

Ms. Mungoli mentioned that Ms. Morlan currently served on this committee as a Citizen Representative and will no longer be able to due to her appointment on Council. She questioned if this will create another vacancy to be filled on this committee.

President Deel responded Ms. Morlan will have to submit her letter of resignation to the Clerk's Office and then the vacancy will be placed on Council's Agenda to be filled.

Ms. Mungoli reminded anyone interested in serving on a board to go to the City's website and apply. She nominated Bryan Lemanski.

Vice President Bowyer nominated Yousif Elias.

Mr. Walker nominated Scott Hunter.

President Deel stated as there were more nominations than vacancies, per the City Council's Rules, this item will be moved to the December 6, 2021 City Council Meeting.

Discussed. Nominated: Bryan Lemanski, Yousif Elias, Scott Hunter.

NEW BUSINESS

2021-0425

Request for Purchase Authorization - PARKS: Blanket Purchase Order for tree maintenance services in the amount not-to-exceed \$422,290.00 through October 31, 2024; CHOP, Grand Rapids, MI

Attachments: [11152021 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, stated that the request before Council is for a three-year contract with CHOP, a Milford based company, for tree services around the City. He added this is for safety on the pathways and sidewalks.

Mr. Walker questioned if the City would be storing some of CHOP's equipment on-site at its facilities.

Mr. Elwert responded there is available space at Spencer Park to store some of CHOP's equipment in return for a lower rate.

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

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

Enactment No: RES0269-2021

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for tree maintenance services to CHOP, Grand Rapids, Michigan in the amount not-to-exceed \$422,290.00 through October 31, 2024 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.

2021-0457 Legislative Update - State Representative Mark Tisdel

Attachments: [11152021 Agenda Summary.pdf](#)

State Representative Mark Tisdel provided the following updates:

- The State passed a \$69 billion total budget and within that is a \$17 billion school aid fund. He noted he was privileged enough to have his name added to an amendment to bring \$360 million in equalization payments. He added this amendment will bring \$1100 per student at Rochester Community Schools this year.

- There is a half billion dollar deposit in the "rainy day fund" which is a record deposit into State savings. He noted the \$85 million in the Michigan Public School Education Pension Fund, and \$30 billion in pension funds that are under-funded in the State. He added there is \$150 million in the Unemployment

Insurance Agency Trust Fund and that fund has been drawn down billions of dollars, due to the COVID economic lockdown.

- \$195 million will be sent from MDOT directly to local governments for bridge repair and re-construction. MDOT's total budget will be \$5.2 billion.

- In the last budget, there was a \$3 billion surplus and there is roughly \$5 to \$6 billion of unspent COVID relief that still needs to be spent. He added there are billions of dollars on hold around the country that need to be spent.

- House Bill 5404 and 5405 create student opportunity scholarships and a scholarship granting organization authority that would allow students that are attending Rochester Community Schools receiving free or reduced meals to apply to receive \$500 a year to spend on school needs. He noted these bills passed along party lines in the house and have moved to the Senate.

- House Bill 5097 is a controversial bill that states school boards and their core academic curriculum cannot include any form of race or gender stereotyping or anything that could be considered as implicit race or gender stereotyping. He commented that it also states this bill should not get in the way of any core curriculum access by any student.

President Deel thanked Representative Tisdel for his update.

Representative Tisdel added there was a special appropriation for Innovation Hills and mentioned that the Park is a regional asset.

Ms. Mungoli thanked Representative Tisdel and questioned if there was any update regarding the State's redistricting, and if he will continue to represent the Rochester/Rochester Hills area.

Representative Tisdel responded there are four principals that are followed very closely by the Redistricting Commission. He mentioned the first redistrict proposed map resulted in 66 of 110 districts being strongly Republican which required the Commission to go back to the drawing board and redistrict the map again. He stated there have been four or five different versions of the redistricting and relative to his district he may lose the southwest Oakland Township but be replaced with one or two precincts in southeast Oakland Township. He noted the community of interest in Rochester and Rochester Hills holds the district together.

Presented.

2021-0453

Request for Purchase Authorization - FLEET: Purchase of fourteen (14) new vehicles (replacements for 39-164, 39-01, 39-291, 39-274, 39-289, 39-582, 39-299, 39-538, 39-154, 39-290, 39-529, plus three (3) new vehicles being added) in the amount of \$433,028.00 and four (4) vehicles (39-175, 39-555, 39-178, plus one (1) new vehicle being added) in the amount of \$110,568.00 for a total not-to-exceed purchase cost of \$543,596.00; Todd Wenzel Buick GMC, Westland, MI; Berger Chevrolet, Grand Rapids, MI

Attachments: [11152021 Agenda Summary.pdf](#)
[2022 Vehicle Purchase Summary.pdf](#)
[Bolt.pdf](#)
[Sierra 2500HD.pdf](#)
[Sierra 3500HD 60.pdf](#)
[Sierra 3500HD 84.pdf](#)
[Terrain.pdf](#)
[Traverse.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of Public Services, explained the request for these new vehicles are scheduled replacements or additions that were included in the approved Budget. He noted they utilize other jurisdiction's solicitations whether it is the State of Michigan or Oakland County; the City garners their economy of scale and best pricing. He explained that they are purchasing three Chevy Bolts and there was an issue with their batteries. He noted General Motors is aware of this issue and has since issued a recall for these vehicles and has a solution for new build vehicles.

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

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

Enactment No: RES0270-2021

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of fourteen (14) new vehicles from Todd Wenzel Buick GMC, Westland, Michigan in the amount of \$433,028.00 and four (4) vehicles from Berger Chevrolet, Grand Rapids, Michigan in the amount of \$110,568.00 for a total not-to-exceed purchase cost of \$543,596.00.

2021-0458 Request for Purchase Authorization - DPS/ENG: Request for Approval of Cost Participation Agreement between the City of Rochester Hills and the Board of Road Commissioners for Oakland County for the additional sanitary sewer, water main, and aesthetic work associated with the project that entails the removal and replacement of the Avon Road structure over the Clinton River and the construction of a roundabout in the amount of \$267,241.00; Road Commission for Oakland County, Beverly Hills, MI

Attachments: [11152021 Agenda Summary.pdf](#)
[Cost Participation Agreement.pdf](#)
[RH Cost for Roundabout.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of Public Services, stated this project is estimated to cost \$8.7 million and together with the Oakland County Road Commission, the City is proposing to upgrade the existing 16-inch water main to a 20-inch water main to better serve the Community. He added there is an existing two-inch sanitary main that was in conflict with the proposed new road. He commented there are future aesthetic plans for the round-a-bout and some of that work was incorporated into this project that resulted in more favorable pricing.

President Deel questioned how long the Avon and Dequindre road closures would remain as construction continues.

Mr. Schneck responded approximately August of 2022 the roads should be opened.

Vice President Bowyer inquired whether the \$8.7 million is only for this round-a-bout, and does not include the other proposed round-a-bout.

Mr. Schneck responded that is correct it is for the round-a-bout plus the demo and reconstruction of the bridge structure.

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

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

Enactment No: RES0271-2021

Resolved, that the Rochester Hills City Council hereby approves and authorizes the City to enter into a Cost Participation Agreement between the City and the Road Commission for Oakland County for additional sanitary sewer, water main, and aesthetic work associated with the project that entails the removal and replacement of the Avon Road structure over the Clinton River and the construction of a roundabout in the amount of \$267,241.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

2021-0464 Request for Adoption of the City of Rochester Hills Support Emergency Operations Plan

Attachments: [11152021 Agenda Summary.pdf](#)
[Support Emergency Operations Plan.pdf](#)
[Resolution \(Draft\).pdf](#)

Lieutenant Ann Echols, Fire Inspector, stated she is here to present the City of Rochester Hills' Support Emergency Plan for adoption. She explained the City has elected to be part of the Oakland County Emergency Management Program and by participating in this program, the City and Oakland County have certain responsibilities during a declared disaster. She noted this Plan was developed to identify the responsibilities between the City and Oakland County in regard to emergency management activities. She added that this Plan is a formal link between the City and the County during various types of emergencies. She stated that this Plan allows the City to call upon the County for assistance if needed and allows the County to call upon Rochester Hills for assistance if it is needed in another city in the County. She noted that this Plan was last adopted on December 18, 2017 and the current plan expires on December 18, 2021; this Plan requires review and re-adoption every four years.

Mr. Blair congratulated Lieutenant Echols on her recent Rochester Leadership Award and stated he loves this plan.

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

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

Enactment No: RES0272-2021

Whereas, the City of Rochester Hills elected to be incorporated into the Oakland County

Emergency Management Program and that by becoming part of the Oakland County Emergency Management Program, the City of Rochester Hills, and Oakland County have certain responsibilities to each other; and

Whereas, this Emergency Operations Support Plan has been developed to identify the responsibilities between the City of Rochester Hills, and Oakland County in regards to emergency management activities; and

Whereas, the plan provides a framework for the City to use in performing emergency functions before, during, and after a natural disaster, hostile attack, technological incident or other emergency; and

Whereas, this support plan is to be used in concurrence with Oakland County's Emergency Operations Plan as it is a supporting document; and

Whereas, the support plan will be maintained in accordance with the current standards of the Oakland County Emergency Operations Plan. Review of this plan shall be accomplished every four years.

Now, Therefore Be It Resolved, the Rochester Hills City Council hereby adopts this Emergency Operations Support Plan, in support to the Oakland County Emergency Operations Plan.

2021-0459 Request for Purchase Authorization - MAYOR: Contract/Blanket Purchase Order for governmental representation and consulting services in the amount not-to-exceed \$162,000.00 for a three-year term to expire November 30, 2024; Midwest Strategy Group, Lansing, MI

Attachments: [11152021 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel explained the request before Council is to renew the contract with Mid-West Strategy Group.

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

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

Enactment No: RES0273-2021

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for governmental representation and consulting services to Midwest Strategy Group, Lansing, Michigan in the amount not-to-exceed \$162,000.00 for a three-year term to expire November 30, 2024 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.

2021-0309 Adoption of Revised Winter 2021 Millage Rates

Attachments: [11152021 Agenda Summary.pdf](#)
[09132021 Agenda Summary.pdf](#)
[Public Hearing Notice.pdf](#)
[09132021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated that on September 13, 2021, Council was presented with the 2021 Winter Millage Rates for approval. He added the millage had a combined authorized levy of 10.3850 mil, which was a reduction from the prior 2020 Winter Millage rate by 0.1660 mil. He noted this reduction is the exact amount of the expiring Older Persons' Commission (OPC) Debt Millage, adding the OPC Debt was paid off in April of 2021. He explained that on July 12, 2021, Council unanimously approved to add a ballot proposal to the November 2, 2021 Ballot to allow residents to vote to repurpose the OPC Debt Millage towards Park System Facilities Improvements for ten years. He added the residents voted to repurpose the OPC Debt Millage to Park System Facilities Improvements. He stated the request is to approve the 2021 Winter Millage that includes the 0.1660 mil from the OPC Debt Millage to Park System Facilities Improvements. He noted this is the seventh year in a row that Rochester Hills has held the same bottom line millage rate.

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

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

Enactment No: RES0274-2021

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 16, 2021 meeting City Council acknowledged receipt from the Mayor of the Fiscal Year 2022 Proposed and 2023-2024 Projected Budget and set a Public Hearing for September 13, 2021 at 7:00 p.m. to hear comments on the Proposed Budget Plan and Millage Rates; and

Whereas, at its September 13, 2021 meeting City Council held said Public Hearing and heard comments on the Proposed Budget Plan and Millage Rates; and

Whereas, at its September 13, 2021 meeting City Council approved a total City millage rate of 10.3850 per Thousand Dollars (\$1,000) of taxable valuation as equalized, which included 0.0000 mills for Park System Facility Improvements; and

Whereas, on November 2, 2021 the residents of Rochester Hills voted for and approved the repurpose of 0.1660 mills for Park System Facilities Improvements for a period of 10-years.

Now, Therefore, Be It Resolved, the Rochester Hills City Council hereby approves the revised Winter 2021 millage rates to include the recently approved City Park System Facility Improvement millage of 0.1660 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 2021 to provide the tax revenues included in the Adopted Fiscal Year 2022 Budget:

PROPOSED MILLAGE RATES	
Operating Millages:	2021
General Fund (Charter)	2.7457
Local Street (Voted)	1.0781
Fire Fund (Charter)	2.7000
Special Police I (Voted)	1.1459
Special Police II (Voted)	1.1658
Park System Facilities (Voted)	0.1660
Pathway (Voted)	0.1758
RARA Operating (Voted)	0.1846
OPC Operating (Voted)	0.3174
OPC Transportation (Voted)	0.0946
Library Operating (Charter)	0.7418
Operating - Subtotal	10.5157
Debt Millages:	
Chapter 20 Drain Debt	0.0353
Debt - Subtotal	0.0353
TOTAL MILLAGES	10.5510

The Total Millage rate of **10.5510** is per Thousand Dollars (\$1,000) of taxable valuation, as equalized; 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 Winter 2021 Tax Rolls.

- 2021-0466** Request for Approval of the Settlement Agreement between the City of Rochester Hills and American Federation of State County and Municipal Employees (AFSCME) Local 1917.28

Attachments: [11152021 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Chelsea Ditz, Human Resources Director, stated the request before Council is to approve a ratification agreement between the City of Rochester Hills and American Federation of State, County and Municipal Employees (AFSCME) Local 1917. She stated the tentative agreement was made on October 19, 2021, and includes a four-year contract with wage increases annually of 2.75 percent. She added there is also flexibility in the contract with health benefits to allow the best coverage for employees.

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

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

Enactment No: RES0275-2021

Whereas, negotiations between the City of Rochester Hills and AFSCME Local 1917.28 have resulted in a tentative four-year agreement, for the period of January 1, 2022 through December 31, 2025.

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

- 2021-0467** Request for Approval of the Settlement Agreement between the City of Rochester Hills and the American Federation of State, County and Municipal Employees (AFSCME) Local 2491

Attachments: [11152021 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Chelsea Ditz, Human Resources Director, stated the request before Council is to approve a ratification agreement between the City of Rochester Hills and The American Federation of State, County & Municipal Employees (AFSCME) Local 2491. She stated the tentative agreement was received overwhelmingly well and approved on November 8, 2021. She noted it is a three-year contract with 2.75 percent wage increases annually, flexibility with health benefits has also been added to the agreement.

Mr. Blair explained Council has just approved two settlements that represent the vast majority of City employees and these contracts were overwhelmingly ratified with no controversies. He added that both parties will benefit from these agreements.

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

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

Enactment No: RES0276-2021

Whereas, negotiations between the City of Rochester Hills and AFSCME Local 2491 have resulted in a tentative three-year agreement, for the period of January 1, 2022 through December 31, 2024.

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

2021-0327 Revised Salary Recommendation for Directors' General Adjustment - 2022

Attachments: [11152021 Agenda Summary.pdf](#)
[08162021 Agenda Summary.pdf](#)
[2022 Director Base Salary.pdf](#)
[08162021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Chelsea Ditz, Human Resources Director, stated that Council had previously approved a salary increase of 2.5 percent for Directors and the Mayor. She added that the City has a unified salary schedule for all employees; therefore, the request is to revise the original 2.5 percent wage increase to 2.75 percent for the Directors.

President Deel stated it is good to keep the wage schedule uniform throughout the City.

Vice President Bowyer questioned what the increase would be for the Directors.

Ms. Ditz responded the additional increase total would be \$3,096.

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

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

Enactment No: RES0277-2021

Whereas, union negotiations between the City and AFSCME Local 2491, and the City and Local 1917.28 have resulted in a ratified settlement agreement that provides for a 2.75% general pay adjustment for 2022; and

Whereas, Local 2491 and Local 1917.28 are on the City's unified salary schedule, which includes Department Directors and Mayor; and

Whereas, Council desires to preserve pay equity and a competitive market philosophy within the salary schedule.

Resolved, a 2.5% general adjustment previously authorized for Department Directors for 2022 will be modified to 2.75%.

2021-0328 Revised Salary Recommendation for Mayor - 2022

Attachments: [11152021 Agenda Summary.pdf](#)
[08162021 Agenda Summary.pdf](#)
[2022 Mayor Base Salary.pdf](#)
[08162021 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Chelsea Ditz, Human Resources Director, stated this request is similar to the previous request, specifically for the Mayor's wage increase. She added the original request for 2.5 percent increase would increase to 2.75 percent to stay in line with the uniform salary schedule. She mentioned the additional total increase would be \$396.

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

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

Enactment No: RES0278-2021

Whereas, union negotiations between the City and AFSCME Local 2491, and the City and Local 1917.28 have resulted in a ratified settlement agreement that provides for a 2.75% general pay adjustment for 2022; and

Whereas, Local 2491 and Local 1917.28 are on the City's unified salary schedule, which includes Department Directors and Mayor; and

Whereas, Council desires to preserve pay equity and a competitive market philosophy within the salary schedule.

Resolved, a 2.5% general adjustment previously authorized for the Mayor for 2022 will be modified to 2.75%.

ANY OTHER BUSINESS

NEXT MEETING DATE

Regular Meeting - Monday, December 6, 2021 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Morlan to adjourn the meeting at 9:22 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office*

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