



# Rochester Hills

## Minutes

### City Council Special Meeting

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

*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Stephanie Morita,  
Theresa Mungioli, 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."*

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Monday, June 1, 2020

7:00 PM

1000 Rochester Hills Drive

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In accordance with the provisions of Act 267 of the Public Acts of 1976, as amended, the Open Meetings Act, notice was given that a Special Rochester Hills City Council Meeting would commence at 7:00 p.m. on Monday, June 1, 2020, to consider resolution(s) to provide temporary relief to businesses due to COVID-19.

#### CALL TO ORDER

*President Deel called the Special Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time*

#### ROLL CALL

**Present** 7 - David Blair, Susan M. Bowyer, Ryan Deel, Dale Hetrick, Stephanie Morita, Theresa Mungioli and David Walker

#### Others Present:

*Bryan Barnett, Mayor  
Tina Barton, City Clerk  
Bill Cooke, Assistant Chief/Fire Marshal  
Scott Cope, Building/Ordinance/Facilities Director  
Paul Davis, Deputy Public Service Director/City Engineer  
Pamela Gordon, Human Resources Director  
Tim Hollis, Deputy Director  
Sara Roediger, Planning and Economic Development Director  
Allan Schneck, Public Services Director  
John Staran, City Attorney  
Tom Talbert, Strategic Innovations Specialist  
Laurie Taylor, Assessing Director  
Pam Valentik, Economic Development Manager  
Bob White, Ordinance Manager*

#### PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungoli and Walker

## PUBLIC COMMENT

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*Vice President Bowyer questioned when the Hills Herald would go out and if all of the residents who received it before would still be on the mailing list.*

*Mayor Barnett stated he did not know the exact date the Hills Herald would go out, but that his office is working on the final edit. He anticipates that it will get mailed out in less than a week's time, and that the same mailing list will be used as before.*

### **Rochester Area Youth Assistance (RAYA):**

*Ms. Morita mentioned that the Avondale Youth Assistance Student Recognition Award Ceremony had to be cancelled because of COVID-19. She stated that they received much community support from leadership, including the Mayor's Office and State Representative Webber, which included proclamations and awards for all the students. She noted that the \$10 fee will be refunded, unless individuals wish to donate it. She encouraged everyone to look for the presentation on the Avondale Youth Assistance Facebook page, or on their page on Avondale Schools' website. She stated that the student awards and certificates will be hand delivered this year.*

### **Rochester Avon Recreation Authority (RARA):**

*Ms. Mungoli announced that with the Governor's executive order today, RARA is looking to see when they can resume their outdoor activities. She encouraged everyone who patronizes RARA to make sure to go to their website and Facebook page for further information.*

*Mayor Barnett stated that after consultation with City Attorney Staran and the administrative team, he will most likely call off the State of Emergency for the City tomorrow. He suggested that the June 8 City Council meeting be held via Zoom due to the fact that all of the personal protection measures needed in the building are not yet in place. He stated City Hall is not quite ready to receive residents yet, and noted that the Return to Work Committee has been working very diligently to try and prepare the building so that both the employees and residents feel safe and protected.*

*He announced that Oakland County has set aside some money for COVID-related expense reimbursements and the City's team of directors are working diligently with the County to receive some of this reimbursement money.*

He noted that the events transpiring across the country and in Minneapolis are very serious and that in Rochester Hills there have been two protests, one yesterday and one today, with more planned in the upcoming week. He stated that so far they have been very appropriate, peaceful and without issue. He noted that the Sheriff's Department is keeping on top of this and the City, along with its neighbors in Southeast Michigan and across the country, are closely monitoring the situation to ensure that all of the residents are safe. He added that thoughts and prayers go out to the families who have lost a loved one in Minneapolis.

**President Deel** stated the Governor's order allowing for remote public meetings has been extended through June 30<sup>th</sup> and Council would be permitted to meet remotely throughout the rest of the month.

## NEW BUSINESS

- 2020-0209** Request to consider a temporary resolution for outdoor dining/seating that will allow City administration more flexibility in helping businesses recover from the extended COVID-19 shutdown

**Attachments:** [06012020 Agenda Summary.pdf](#)  
[Temp Covid Outdr Ding-Seating Stds.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Planning & Economic Development Director, announced that she is joined by **Scott Cope**, Building/Ordinance/Facilities Director, and **Pam Valentik**, Economic Development Manager, as well as representatives from Engineering, the Fire Department and Code Enforcement to present this request. She stated that this request is to seek help for businesses that have been hit hard by COVID, and they are proposing to address this need through a new COVID Special Event Permit which will help businesses get up and running as soon as possible. She noted that this new permit would have an expedited review process, no additional permit fees, and would allow for expanded outdoor operations until the end of 2020. She stated they are requesting the approval of the three (3) proposed resolutions being presented this evening.

She stated that every business and every site is different; therefore, this is not a one-size-fits-all request. She stressed these are temporary changes to allow the City the flexibility to work with each business to help them develop plans that would meet their individual needs, while maintaining the City's focus on the health and safety of the entire community. She mentioned 350 reopening tool kits would be distributed to all of the small businesses in Rochester Hills so they have the appropriate masks, gloves, thermometers and signage upon reopening their doors.

**Scott Cope**, Building/Ordinance/Facilities Director, stated that the first resolution is to allow restaurants temporary outdoor seating and dining with a cap of 75 percent of the allowance they have for indoor seating. He noted this is provisional upon their ability to carry this out within the parameters of safety and

prevention of any type of nuisance or situation that would negatively impact other businesses or surrounding neighbors. He stressed the need for conditions included in the permit that would allow the City to address any unforeseen circumstances related to a nuisance. He stated it would give the City the ability to talk to the owner and encourage them to make any necessary modifications. He added that if it was felt that this was not able to or going to happen, then the permit would be rescinded.

He explained that a special permit, called a COVID Special Event Permit, would be required and could be applied for on-line and electronically submitted along with a set of plans. He stated this resolution includes requirements for outdoor seating to be in compliance with social distancing, to have hand sanitizer and anything else needed to make certain the seating area is safe and people feel comfortable. He noted there would be no fee requirements for these permits. He added that all the ordinances currently in effect would remain so except those that are modified in this resolution. He explained that this would give the City the ability to make any adjustments to the terms of this resolution.

He remarked that a 48-hour turn-around time was developed to help the business owners get what they need as quickly as possible. He cautioned that there might be times when additional information is needed, or there is a need to talk to the business owner.

**President Deel** remarked that these are extraordinary times that require us to do beyond what we would normally do. He concurred that this resolution will provide flexibility for businesses that have been financially impacted by the shutdown and would allow them to be creative in their financial recovery.

**Ms. Morita** asked why this resolution has an end date of December 31, 2020. She questioned whether a shorter end date would be more appropriate.

**Ms. Roediger** responded that a shorter end date was considered, but it was thought that with appropriate shelter and heating, the December 31st end date was very do-able and would give the businesses more time to recoup the cost associated with some of the investments they might incur with temporary outdoor seating/dining.

**Ms. Morita** stated that it should be made very clear to the business owners that this is only a temporary situation and will not continue for an extended period of time. She voiced concern that if the end date is December 31st, businesses might purchase tents, heaters and other items that they would not ordinarily purchase thinking they have the rest of the calendar year to use them. She questioned what would happen if these temporary tented establishments do not work out. She stressed this would not be fair to the business owner who has just invested a significant amount of money in temporary equipment thinking that the investment is worthwhile because they have until the end of December to make up the financial loss. She stated that it is more realistic to set the end date at September 30, 2020 from the very outset and then, if need be, it can be extended.

**Ms. Roediger** responded that the original resolution proposed an end date of

October 31st. She emphasized that people are spending more time outside and that there are typically many nice days throughout October. She added that in order to be consistent among the three resolutions proposed, December 31st was chosen as the end date for all three (3) of them. She asked that October 31, 2020 be considered as the end date if December 31, 2020 is objectionable.

**Ms. Morita** replied that in September, if things are running smoothly and weather permits, Council will allow the extension through the end of October. She voiced concern again that even with the end date shortened to October 31st, business owners are still going to buy heaters and other equipment that they would not ordinarily buy.

**Ms. Roediger** stated that a number of businesses already have outdoor heaters.

**Ms. Morita** replied that those heaters are permanent and are meant to be part of permanent outdoor seating for that establishment; however, this is addressing a temporary situation and she is concerned that the business owners might over invest.

**Ms. Roediger** responded that the extended end date was selected to try to balance the business's investment with the maximum amount of time the business will be able to utilize that investment. She explained that in the conversations they have had with business owners, it was stated that this is only to be a temporary situation as we ride out COVID. She further explained that they are also working on Frequently Asked Questions (FAQ) to be distributed to the businesses which will again establish this as a temporary solution during the pandemic.

**President Deel** stated that he thought December 31st is a reasonable end date. He added that having a later end date could help restaurants better budget for their additional equipment purchases.

**Mr. Blair** inquired how this would be communicated to the businesses that can benefit from this resolution.

**Ms. Roediger** explained that the business community will receive communications through the Chamber as well as through the City's social media sites. She added that they are also working with the County to distribute 350 reopening tool kits to small businesses. She explained that in addition, an enforcement team will go to these businesses and distribute FAQs and handouts and share information with them.

**Ms. Valentik**, Economic Development Manager, added that they are already getting inquiries from restaurant owners regarding the process of setting up outdoor seating. She stated that while the restaurant owners seem to be very aware, other businesses are not quite as aware and could require more of an effort in getting information to them.

**Ms. Mungoli** inquired about the logistics given all the different retail, service and dining establishments within the City.

**Ms. Roediger** explained each establishment will be different and have different parking and circulation needs. She stated that when they talk to the businesses, they will look at their individual circumstances and see what makes sense in their particular situation. She noted that this is part of the review process that would involve Building, Planning and Fire to see how each site can be optimally used for everyone's health and safety during this temporary time.

**Ms. Mungoli** asked about The Village of Rochester Hills (The Village) and how they will handle permission requests. She inquired if all the establishments in The Village will be on one permission request, or if each establishment will have to submit their own. She questioned how Auburn Road will be handled.

**Mr. Cope** stated that whether it is a single or multiple tenancy, business owners must have approval from the landlord as the landlord ultimately has the responsibility for the whole site. He noted the City would be looking at it on a case-by-case basis.

**Ms. Mungoli** voiced concern that the landlords could arbitrarily choose which of their tenants would be given permission and which would not be given permission. She inquired who would be granting permission to each of the establishments on the landlords' site.

**Mr. Cope** explained that it would be the landlord who grants permission since they are the property owners and responsible for whatever is happening on their property. He stated that the landlords have an interest in the success of all their businesses and it is very doubtful they would choose one business over the other.

**Tina Barton**, City Clerk, noted that this is a similar process to that of acquiring a liquor license. She emphasized that the tenant has to get permission from the owner of the establishment in order to apply for a liquor license.

**Ms. Mungoli** suggested October 31st as the end date in case of an early snowfall. She questioned what consideration would be in place for snow removal at these temporary outdoor establishments.

**Mr. Cope** explained that the City has not worked out all the details yet. He stated the City's interest is trying to provide the best scenario to help businesses move forward. He assured that should an early snowstorm happen, the City would make the necessary adjustments to allow for safe plowing of that area which would probably include removal of the temporary establishments.

**Ms. Valentik** stated snow removal would require coordination of effort between the City and the property owner.

**Mr. Cope** offered that since tents are not designed to be outside in heavy snow, a condition could be included in some of the permits that, for the safety of all, the tents have to be removed during a snowstorm.

**Ms. Mungiola** voiced concern over businesses potentially having to put their tents up and take them down several times based on the weather.

**President Deel** questioned if the proposed resolution included a clause where an establishment with multiple tenancies, such as The Village, could have one plan for efficiency's sake.

**Ms. Roediger** stated that The Village has done exactly that. She noted that The Village is the most sophisticated and coordinated shopping center of all the establishments. She explained the plans for The Village include many different outdoor seating areas and call for closing certain roads to allow for pedestrians and vehicles, as well as coordinating fire access. She cautioned, however, that every landowner will not be doing this.

**President Deel** stated that it is easier for the City to administer one request rather than several for all of the establishments in The Village.

**Vice President Bowyer** announced that while she is fully supportive of the restaurants having temporary dining tents, she agrees that October 31st should be the set end-date. She voiced concern that if restaurants rent their tents until the end of the year, and then in November and December we get a snowstorm and no one takes these tents down, then all of these tents would begin to sag and fall down because of the snow on them. She added that since nobody would be eating outside in November and December, the City should not let the restaurants think that they will be able to have outdoor seating and dining during those two months. She concluded that it would save the restaurant owners money to set the end date as October 31<sup>st</sup>.

**Mr. Hetrick** questioned if the goal is to be proactive and jump start the City's economy.

**Mr. Cope** confirmed that his statement is correct.

**Mr. Hetrick** continued that the issue appears to be the flexibility associated with attaining this goal. He maintained that flexibility is very important and that it is up to the individual business owner to decide whether or not it would be cost effective for them to rent their tents and equipment until the end of the year. He noted that only they can make this economic decision based on what is best for them. He stated that keeping the end date of December 31st would allow the businesses to maximize their investment if they chose to go to the end of the year.

**Mr. Walker** questioned what kind of input the City is receiving from the restaurant owners.

**Ms. Roediger** explained that the restaurants want to get back to business, start making money and recoup as much cost as they can. She maintained that, based on this, the restaurants want as much flexibility as the City can give them. She agreed that no one knows what the weather is going to be like in November and December, but the City wants to give all businesses, not just restaurants, the opportunity to use this flexibility to make this temporary

situation work for them.

**Ms. Valentik** shared that the majority of consumers would rather sit outdoors as they would feel safer. She stated this puts a lot of pressure on restaurants to not only create a space large enough to accommodate customers, but also meet the criteria of the Governor's Executive Orders while being respectful to the surrounding businesses and neighborhoods. She maintained the City wants to work with the businesses and help them come up with a solution that lets them be able to service their customers in a safe manner. She noted that the City is really trying to work with businesses and give them enough leniency to help them through this.

**Mr. Walker** summed up the discussion by expressing that the business owners know their business better than anyone and it is best to give them enough flexibility to do what they need to do.

**Mayor Barnett** stated this community is very supportive of small businesses. He noted that business owners mentioned to him that flexibility is very important to them and he strongly urged Council to be as open-minded and as flexible as possible, even if that includes going with a longer end date. He noted he trusts the small businesses to make the best decision for themselves. He cautioned that the alternative is closure and he stressed he does not want to see that happen. He offered that he supports anything the City can do to save the small businesses. He agreed that the concerns raised by Council are valid, but he noted that the business owners will not put their clientele or employees in harms' way. He stated they will do what makes sense and if it is freezing or snowing in November and December, they will not be serving food in tents just because they got permission from the City.

**Mayor Barnett** cautioned that according to experts, we are not out of the woods with COVID yet and that it could very likely come back in some form in the Fall. He stated that business owners, especially restaurant owners, are very scared and they want to try and maximize every opportunity allowable. He stressed he wants to send the message that the City wants to work with them and give them the flexibility they require to make good decisions. He maintained that having the end date set at December 31st will do that. He stated he does not think the restaurants will go to end of the year date unless they think they can make it a safe, comfortable experience for their customers.

**Mr. Walker** concurred with the December 31st deadline as it gives the businesses enough time and latitude to get up and running again.

**Vice President Bowyer** stated she is totally supportive of doing whatever it will take to keep the businesses in business and is supportive of leaving it up to the individual business to decide what is the most cost-effective for them.

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0128-2020



**Whereas**, in order to facilitate and promote restoration of economic activity and to assist local businesses adversely impacted by the Covid-19 pandemic and its associated business reduction and closures to reopen and resume operation while containing the spread of Covid-19 and observing applicable social distancing guidelines and requirements, the City of Rochester Hills intends to temporarily relax and suspend strict enforcement of certain City ordinances and regulations concerning outdoor dining and seating.

**Therefore, the Rochester Hills City Council Resolves** that effective on June 8, 2020, and continuing through December 31, 2020 (unless sooner modified or terminated by further City Council resolution), all food and drink establishments lawfully in existence in the City will be temporarily permitted to have and to operate outdoor dining/seating areas in accordance with requirements, criteria, limits, standards, and conditions to be established by the City Administration, and further subject to the following:

1. Food and drink establishments may temporarily add or expand an outdoor dining/seating area with seating up to 75% of their current lawful interior seating capacity, if space permits;
2. Temporarily added or expanded outdoor dining/seating area must not encroach into or obstruct fire lanes and hydrants; handicap parking spaces; public rights-of-way and alleys; pedestrian and bicycle paths and sidewalks, or barrier-free access and ramps;
3. Appropriate noise and exterior lighting control measures must be implemented to prevent the outdoor dining/seating area from becoming a nuisance to nearby residents and businesses;
4. Any establishment seeking to temporarily add or expand outdoor dining/seating areas pursuant to this Council Resolution must electronically submit a Special Event Permit application to the City's Building Department, and include a plan for the proposed outdoor dining/seating area depicting the location of the outdoor dining/seating area and all tables, chairs, fixtures and furnishings with dimensions and distances clearly marked for pedestrian paths and between seating.
5. Temporary new or expanded outdoor dining/seating areas shall be designed and laid out to meet applicable social distancing guidelines and shall include: (i) Temporary signs to encourage compliance with social distancing guidelines; (ii) Hand sanitizing station(s) adjacent to the outdoor dining area; and (iii) Trash receptacle(s) and disinfecting wipes or other supplies for the cleaning of tables and chairs and high-touch points in the outdoor dining/seating area.

**It Is Further Resolved** that review and permit fees for temporarily added or expanded outdoor dining/seating shall be waived.

**It Is Further Resolved** that except to the extent temporarily relaxed or suspended herein and as necessary to give full effect to this resolution and to the special event permit approvals to be granted hereunder, all City ordinances shall remain in full force and effect. Failure to comply with applicable ordinances, this Resolution, and any requirements or conditions attached to any special event permit may result in enforcement action and termination of permission to have temporary outdoor dining/seating.

**It Is Further Resolved** that City Council reserves the authority to modify, shorten, or lengthen the term and provisions of this Resolution as the Council deems reasonable and appropriate under the circumstances.

**2020-0212** Request to consider a temporary resolution for outdoor use regulations that will allow City administration more flexibility in helping businesses recover from the extended COVID-19 shutdown

**Attachments:** [06012020 Agenda Summary.pdf](#)  
[Temp Covid Temp Uses.pdf](#)  
[Resolution \(Draft\).pdf](#)

**President Deel** requested that since this resolution is very similar to the previous one, that only the differences be highlighted.

**Sara Roediger**, Planning & Economic Development Director, stated that this resolution was designed to address those businesses that are not dining establishments to allow them the same flexibility to modify their site through using their outdoor parking area or grassy areas for other purposes or needs. She noted this would also be temporary while they are required to keep their environment safe for visitors and employees. She stated that this process is very similar to the outdoor dining which is covered under the COVID Special Event Permit.

**Scott Cope**, Building/Ordinance/Facilities Director, confirmed that the process will be very similar to the previous resolution and that it will still look to the health, safety and welfare of patrons and employees. He shared that the considerations will be different, however, as these are industrial and manufacturing locations.

**President Deel** asked if The Village of Rochester Hills (The Village) could apply for one Special Event Permit that includes their restaurants and their other businesses in one application, even though it is under two (2) different resolutions.

**Mr. Cope** replied that it is the City's intention to look at all those different businesses under one permit.

**Vice President Bowyer** questioned if the blanket approach to one (1) permit for The Village is appropriate. She offered it might be more beneficial if the permits were individually granted, as then the City could better assess the likelihood of a nuisance occurring instead of just giving everybody the go-ahead and then pull their permit when a nuisance happens.

**Mr. Cope** explained that the intention is to look at each one individually with the burden of resolving any issues put onto the business owners themselves. The City does not want to tell them how to resolve the issue, but to have them share with the City their thoughts on what can be done. The business owner should talk to the nearby business owners to come up with a solution and then let the City know what they decided upon to rectify the situation. The City will decide if they think their solution is reasonable.

**Vice President Bowyer** proposed one (1) change to the resolution. She questioned if John Staran, City Attorney, looked at the resolution and changed "temporary outdoor dining and seating" which was in the previous resolution, to "temporary outdoor permitted uses".

**President Deel** noted the resolution change read "temporary outdoor operation or use".

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Munglioli and Walker

Enactment No: RES0129-2020

**Whereas**, in order to facilitate and promote restoration of economic activity and to assist local businesses adversely impacted by the Covid-19 pandemic and its associated business reduction and closures to reopen and resume operation while containing the spread of Covid-19 and observing applicable social distancing guidelines and requirements, the City of Rochester Hills intends to temporarily relax and suspend strict enforcement of certain City ordinances and regulations concerning outdoor business operations and uses.

**Therefore, the Rochester Hills City Council Resolves** that effective on June 8, 2020, and continuing through December 31, 2020 (unless sooner modified or terminated by further City Council resolution), all commercial and industrial business establishments lawfully in existence in the City will be temporarily permitted to shift portions of their operations outdoors to accommodate social distancing guidelines in accordance with requirements, criteria, limits, standards, and conditions to be established by the City Administration, and further subject to the following:

1. Establishments may provide a waiting area or host, concierge or other point of sale services to patrons from a temporary station or location immediately adjacent to and outside of their establishment, as space permits;
2. Establishments may place temporary fixtures and furnishings immediately adjacent to and outside of their establishment for the purpose of displaying or offering goods or services for sale to the public, as space permits;
3. Temporary outdoor operations and uses must not encroach into or obstruct fire lanes and hydrants; handicap parking spaces; public rights-of-way and alleys; pedestrian and bicycle paths and sidewalks, or barrier-free access and ramps;
4. Appropriate noise and exterior lighting control measures must be implemented to prevent the temporary outdoor operation or use from becoming a nuisance to nearby residents and businesses;
5. Any establishments seeking to temporarily shift business operations or uses to outdoors in accordance with this resolution must submit a Special Event Permit application for approval to the City's Building Department, and include a plan for the temporary outdoor use, showing all existing elements (such as trees, parking meters, street lights etc.), as well as all proposed temporary fixtures and furnishings, including dimensions clearly marked to show pedestrian pathways and to demonstrate compliance with social distancing guidelines.
6. Temporary outdoor operations and uses shall be designed and laid out to meet applicable social distancing guidelines and shall include (i) Temporary signs to encourage compliance with social distancing guidelines; (ii) Hand sanitizing station(s) in the outdoor use area; and (iii) Trash receptacle(s) and disinfecting wipes or other supplies for the cleaning of fixtures and furnishings and other high touch points in the outdoor area.

**It Is Further Resolved** that review and permit fees for temporary outdoor operations and uses shall be waived.

**It Is Further Resolved** that except to the extent temporarily relaxed or suspended herein and as necessary to give full effect to this resolution and to the special event permit approvals to be granted hereunder, all City ordinances shall remain in full force and effect. Failure to comply with applicable ordinances, this Resolution, and any requirements or conditions attached to any permit approval may result in enforcement action and termination of permission to have temporary outdoor dining/seating.

**It Is Further Resolved** that City Council reserves the authority to modify, shorten, or lengthen the term and provisions of this Resolution as the Council deems reasonable and appropriate under the circumstances.

- 2020-0213** Request to consider a temporary resolution for temporary sign standards that will allow City administration more flexibility in helping businesses recover from the extended COVID-19 shutdown

**Attachments:** [06012020 Agenda Summary.pdf](#)  
[Temp Covid Temp Signs Stds.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Planning & Economic Development Director, stated that this is the third and final request. She mentioned that businesses are putting out signage to announce their new hours, online ordering, or curbside pickup. She noted that typically the ordinances have been very flexible in allowing businesses to do this, and this new, temporary ordinance will provide the City with a framework and the ability to enforce those that do not follow the rules and regulations. She shared that this is an effort to help them by waiving fees and the review process.

**Scott Cope**, Building/Ordinance/Facilities Director, stated that signs are very important for a business because they let the customer know when the business is open, or if they offer carry-out or curb side. He noted that while the fee and permit requirements are being waived, the regulations for the size of the sign are not. He stated that a total of 64 square feet is allowed for signage whether they are ground, free-standing or on the building. He noted the maximum on the building is 32 square feet, the maximum on the ground is 20 square feet, and the combination of those cannot exceed 64 square feet. He stressed that this gives the businesses ample square footage to get their message out to the public. He remarked that this resolution allows for this temporary signage to extend through December 31st. He stressed that this is different from the current ordinance which limits the amount and time that a temporary sign is allowed to remain up. He shared that the City's Ordinance staff took a look at the signage that is currently out there and found that most of the signs posted are compliant in their size and general location. He stated that no enforcement had been done up to this point regarding the signage that is non-compliant, but he stressed that a soft hand would be used in encouraging those businesses who have signs placed inappropriately to move them into a more appropriate, safer location. He stated that City inspectors will monitor signage and if they see something that out of compliance, they will go to the owner and provide them with the temporary sign guidelines. He pointed out that he is confident this will allow businesses to advertise their need, yet keep the community looking its best.

**President Deel** stated that this is basically a relaxation of the permitting

process. He noted it provides that any size requirement under Executive Orders issued by the Governor will not count toward this temporary sign requirement.

**Ms. Mungoli** voiced concern that some of these signs are ineffective in their communication and the City needs to work with these businesses on effective signage. She mentioned that while driving down Adams Road, she saw many signs advertising that the business was open for carry-out and drive through, but the name of the business was so small that you could not tell what restaurant it was. She added that some of the signs are not stretched tightly and are sagging, or they are placed at an angle or they are not double-sided printed, all of which make them very difficult to read. She encouraged the City to work with these establishments to help them find the most effective way of communicating their needs and promoting their business.

**Mr. Cope** explained the City would seek the approval of the landlord for any signs in these multi-tenant locations.

### **Public Comment**

**Maggie Bobitz**, Vice President of Rochester Regional Chamber of Commerce, offered that The Chamber would be more than happy to have their digital strategist make up a flier that offers some suggestions on how they can better utilize signage.

**Ms. Mungoli** thanked the City for helping its businesses do what they can to promote themselves.

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

**Aye** 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungoli and Walker

Enactment No: RES0130-2020

**Whereas**, in order to facilitate and promote restoration of economic activity and to assist local businesses impacted by the Covid-19 pandemic and its associated business reduction and closures to reopen and resume operation while containing the spread of Covid-19, the City of Rochester Hills intends to temporarily relax and suspend enforcement of certain City ordinances and regulations concerning temporary signs.

**Therefore, the Rochester Hills City Council Resolves** that effective on June 8, 2020, and continuing through December 31, 2020 (unless sooner modified or terminated by further City Council resolution), all retail and commercial businesses lawfully in existence in the City will be temporarily allowed to post, without a permit or fees or time limit, temporary signs relating to hours of operation, pick-up and delivery services, and specials in accordance with requirements, criteria, limits, standards, and conditions to be established by the City Administration, and further subject to the following:

1. Any signs required under Executive Orders issued by the Governor will not count toward the permitted temporary sign area;
2. Temporary signs may not be placed in the public rights-of-way or obstructing pedestrian and bicycle paths and sidewalks;

3. Temporary signs must meet any applicable corner clearance requirements and must not impede clear and unobstructed ingress and egress to all required entrances/exits.

***It Is Further Resolved*** that no permit shall be required and fees are waived for temporary signs that meet the requirements of this resolution and any additional requirements and conditions established by the City Administration pursuant hereto.

***It Is Further Resolved*** that except to the extent temporarily relaxed or suspended herein and as necessary to give full effect to this resolution and to the administrative approvals to be granted hereunder, all City ordinances shall remain in full force and effect. Failure to comply with applicable ordinances, this Resolution, and any requirements or conditions attached to any administrative approval may result in enforcement action and termination of permission to have temporary signs.

***It Is Further Resolved*** that City Council reserves the authority to modify, shorten, or lengthen the term and provisions of this Resolution as the Council deems reasonable and appropriate under the circumstances.

***President Deel*** stated that Executive Order 2020-75 authorizing participation in public meetings continues to be in effect through June 30, 2020 and it is not affected by the Executive Order issued today. He stated that he thinks it is best that Council meets at least one more time remotely.

***Mayor Barnett*** commented that he was not sure if City Hall would be open on Monday because a lot of the PPE ordered is on back order and he wants to make sure that everything is in place before opening. He agreed it would be preferable to do one more remote meeting.

***Vice President Bowyer*** concurred that since virtual meetings are allowed until the end of the month, and since the Zoom meetings are going so well, there is no rush to move them back to the auditorium.

***President Deel*** confirmed that the next regular meeting scheduled for, Monday, June 8, will be held via Zoom.

**NEXT MEETING DATE - Regular Meeting - Monday, June 8, 2020 - 7:00 p.m.**

## **ADJOURNMENT**

*There being no further business before Council, it was moved by Mungioli and seconded by Hetrick to adjourn the meeting at 8:42 p.m.*

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*RYAN DEEL, President  
Rochester Hills City Council*

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

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*MARY FRONCZAK*  
*Administrative Coordinator - City Council*  
*City Clerk's Office*

*Approved as presented at the September 14, 2020 Regular City Council Meeting.*