



Rochester Hills

Minutes

City Council Regular Meeting

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

*Kevin S. Brown, Dale A. Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie Morita,
Mark A. Tisdell and Thomas W. Wiggins*

Vision Statement: The Community of Choice for Families and Business

*Mission Statement: "Our mission is to sustain the City of Rochester Hills as the premier
community of choice to live, work and raise a family by enhancing our vibrant residential
character complemented by an attractive business community."*

Monday, March 16, 2015

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 7 - Kevin S. Brown, Dale Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie
Morita, Mark A. Tisdell and Thomas W. Wiggins

Others Present:

*Ali Ahmed, Rochester Hills Government Youth Council Representative
Bryan Barnett, Mayor (entered 7:32 p.m.)
Tina Barton, City Clerk
Sean Canto, Chief of Fire and Emergency Services
Scott Cope, Director of Building/Ordinance Compliance
Sara Roediger, Manager of Planning
Allan Schneck, Director of DPS/Engineering
Leanne Scott, Deputy Clerk
Bob White, Supervisor of Ordinance Services*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Hetrick, seconded by Brown, that the Agenda be Approved as Amended to remove Legislative File 2015-0103 Request for Approval of the Master Agreement for Municipal Street Lighting between Detroit Edison Company and the City of Rochester Hills for installation of street lighting at the Adams Road and Walton Boulevard Intersection from the Consent Agenda for separate discussion. The motion carried by the following vote:

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

Ali Ahmed, Rochester Hills Government Youth Council (RHGYC) Representative, reported that the RHGYC's annual 5K Walk/Run is scheduled for Saturday, June 13, 2015. The RHGYC is partnering this year with Hanson's Race Management, and a link to online registration is available on the RHGYC's page of the City's website. He expressed appreciation on behalf of the RHGYC to Mayor Barnett for allowing the group to be a part of the State of the City Address. He announced that applications for next year's RHGYC will be available soon.

Avondale Youth Assistance (AYA):

Ms. Morita announced that the AYA Awards were held last Thursday, March 12, 2015, honoring 90 remarkable students. She listed several dignitaries that attended the event to congratulate those being honored, including Senator Marty Knollenberg, Representative Tim Greimel, Representative Michael Webber, Auburn Hills Mayor Kevin McDaniel, Auburn Hills Fire Chief Manning, Rochester Hills Deputy Fire Chief Ron Crowell, and Oakland County Sheriff's Department Sergeant Jason Dalbec. She added that Mayor Barnett not only attended the event, he rescheduled his State of the City Address to another night to avoid a conflict with the Awards. She stated that it meant much to every single child to have these individuals take time out of their busy schedule to congratulate them for being an asset to the community.

Rochester/Auburn Hills Community Coalition (RAHCC):

Mr. Hetrick announced that the RAHCC has scheduled its fifth annual Court Night on Tuesday, March 31, 2015, at 6:30 p.m. at the 52/3 District Courthouse. He noted that judges and members of law enforcement will be in attendance to provide insight for parents and for teens about laws that affect and potentially have an impact on their lives. He stated that this is an important event that teens and their parents will find very informative and very helpful.

Rochester Avon Recreation Authority (RARA):

Mr. Wiggins announced that RARA is adding new events and activities for all ages including seniors. He noted the addition of bocce ball and a modified program for baseball.

Planning Commission:

President Hooper announced that the Planning Commission will hold a Special Meeting on Tuesday, March 24, 2015 for discussion of the Oil and Gas Ordinances. He invited interested individuals to attend the meeting and voice their opinion on draft ordinances that will be under consideration.

PLANNING AND ECONOMIC DEVELOPMENT

2014-0378 Request for PUD Agreement Approval - Barrington Park PUD, a proposed 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Gary Shapiro, IAC Barclay, LLC, Applicant

Attachments: [031615 Agenda Summary.pdf](#)
[PUD Agreement 022715.pdf](#)
[Presentation.pdf](#)
[Aerial Map Barclay-Auburn PUD.pdf](#)
[Staran Email 011615.pdf](#)
[Minutes PC 021715.pdf](#)
[Civil Plans.pdf](#)
[Landscape Plans.pdf](#)
[Architectural Plans.pdf](#)
[Phasing Plan.pdf](#)
[Final PUD Staff Report.pdf](#)
[111014 Agenda Summary.pdf](#)
[Letter Shapiro 102714.pdf](#)
[Letter Shapiro 101314.pdf](#)
[Minutes PC 102114.pdf](#)
[Suppl Presentation 111014.pdf](#)
[Staff Report 102114.pdf](#)
[Ivanhoe Update 101314.pdf](#)
[Ivanhoe Update \(2\) Maps.pdf](#)
[PC Memo 091614.pdf](#)
[Minutes PC 091614.pdf](#)
[Letter Sanjose 100414.pdf](#)
[Resident Letters.pdf](#)
[BarringtonParkFinalPackage 090914.pdf](#)
[Ivanhoe Companies Portfolio Brochure \(1\).pdf](#)
[111014 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, stated Council granted conceptual approval of the Planned Unit Development (PUD) in November of 2014; and since that time, staff has worked very diligently with the Applicant on revised plans. She explained that the Planning Commission unanimously recommends approval of the final site plan and PUD Agreement language. She stated that some of the concerns that have been addressed involve the timeframe for the project and a request for a commitment as to how long the build-out of the project would take. She noted that the Applicant has committed to a five-year timeframe for the project. She stated that the development includes 150 units, and a two-phase plan is proposed in the PUD Agreement.

She pointed out that the Agenda Summary presented this evening contains a typographical error listing the roads within the project as public. She stated that the roads are private. She explained that the Applicant has designed the roads to accommodate snow removal, and address maintenance and fire safety concerns, while striving to not have a sea of asphalt in the development. She stated that the design incorporates ample landscaping, particularly along the eastern property line, to help address buffers for the residential properties to the east.

Gary Shapiro, Ivanhoe Companies, was in attendance representing the Applicant. He expressed his appreciation to City staff and the Planning Commission, and stated that in his opinion the plan has evolved to be better and better.

Brad Strader, LSL Planning, gave a presentation noting the following:

- Meetings were held with the residents and concerns regarding traffic were addressed. It was noted that traffic for this type of use would be less than for other allowable uses for the site.
- Focus included the east property line and its impact on adjacent neighbors, building elevations, deeper setbacks, and more layers of landscaping for buffering than is required. The landscape plan meets or exceeds all landscape standards.
- Walkable pathways, on-street parking and open space plazas add nice elements to the development.

Mr. Shapiro pointed out that the east property line includes a layering of landscape. He stated that adjacent residents expressed concerns regarding an Oakland County swale on the property that the residents report has not been draining properly to date. He noted that this swale will be a part of the project. He added that the developer has assured the neighbors that they would keep them apprised of the project and ensure that the proper fencing is installed. He commented that there have been multiple changes to the plans to improve parks, landscaping, road configuration, acceleration and deceleration improvements. He pointed out that Planning staff also requested upgraded side elevations on key corners, and features were incorporated to give the buildings some diversity. He mentioned that the buildings will have a brownstone look.

Public Comment:

Susan Clifford, 2858 Sandhurst, noted that photographs were submitted of the drainage issues in the swale area.

Carmen Skrzyniarz, 2850 Sandhurst, stated that the developer has done a beautiful job. She commented that the residents' concerns are with the drainage trough behind their homes. She expressed concern that the elevation of the property behind her home is approximately five feet higher than her backyard. She mentioned that the photographs submitted show the drainage problems and she stated that Mr. Shapiro indicated that he will be taking care of the problem. She noted that the plans show landscaping to be installed in the drainage area; and commented that because of the wet conditions, it may not grow well there. She pointed out that the pond is overgrown with cattails and other vegetation. She reported that she has had two major floods in hers and neighboring backyards, and she expressed her hope that this problem will be addressed.

Scot Beaton, 655 Bolinger, stated that more of this type of development should come into Rochester Hills. He pointed out that the garage doors will be in the back and will provide a small town character. He expressed his thanks to President

Hooper for his work on the Planning Commission. He questioned whether concerns regarding fencing had been addressed. He suggested that more pine trees be planted adjacent to the existing residences to avoid great amounts of leaves from the deciduous trees being blown into neighboring yards.

President Hooper questioned how concerns regarding the existing swale will be addressed.

Mr. Shapiro responded that the existing swale on the property line was either not installed properly or has been neglected; and he stated that the swale will have proper draining as a part of this project. He pointed out that a full buffer from the development's property line to the residents is planned, and mentioned that a landscape architect has selected the areas for placement of deciduous and pine trees to maximize growth. He commented that fencing typically makes everyone's yards look smaller, and he noted that the consensus was that a fence was not desired.

President Hooper stated that it was determined early on that a landscape screen would be utilized instead of a fence. He commented that leaves blow from yard to yard.

Council Discussion:

Mr. Kochenderfer expressed his thanks to the developer for working closely with the residents to address their concerns, stating that it makes Council's job much easier. He noted that he is glad to hear that the developer will be addressing the long-standing drainage problem. He questioned whether it is known what will be necessary to correct the drainage once and for all.

Ms. Roediger responded that the Engineering Department has worked with the developer to review the plans and ensure that the existing problems will be corrected. She added that an on-site meeting will be held once the ground is thawed to review grading.

Mr. Hetrick thanked Mr. Shapiro for bringing his firm's development to the City. He stated that it will add to the city's portfolio of homes available to its residents.

Mr. Wiggins requested assurance that the problems with the County drain will be resolved. He questioned whether the City should work with the County.

Ms. Roediger noted that the pond is on County property. She explained that a detention facility will be created on the developer's property to address problems. She commented that the City will work hand-in-hand with the County to ensure that both existing and new drainage facilities will be upgraded to today's standards.

Mr. Brown stated that it is great to have developers that are working so closely with the Planning Commission and the residents. He commented that in the last year Council has had a fairly good record of ensuring cooperation. He questioned whether a resident's earlier concern of a walkway around the pond was addressed.

Ms. Roediger responded that the walkway was removed.

President Hooper expressed his thanks that a phasing plan was provided. He questioned how a loop on the watermain would be accomplished during Phase 1. He stated that it appears that the Phase 1 line must be pulled back further to allow the watermain loop coming off of Auburn Road to tie into the loop heading west. He expressed concern that there is a dead-end system for Phase 1 which would potentially be there for five years and he noted that this would be unacceptable for fire flow.

Mr. Shapiro responded that Andy Wozniak, Zeimet Wozniak and Associates could not be in attendance this evening to answer the question. He stated that while he personally cannot answer, he is certain that whatever is built would be in compliance with all requirements. He stated that if looping of the system is required, it will be looped. He added that the perimeter landscaping will be installed as a part of Phase 1 as well as underground items appearing in the Phase 2 drawing that will be required as a part of Phase 1.

President Hooper suggested that any motion to approve the site plan should include wording to ensure that the watermain is looped in the Phase 1 installation of utilities.

Ms. Roediger stated that she can assure Council that the Fire Department has reviewed the phasing plan and has signed off on it. Adequate hydrants and pressures and spacing of hydrants in Phase 1 were a part of the review.

See Also Legislative File 2015-0047.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0072-2015

Resolved, that the Rochester Hills City Council hereby approves the PUD Agreement dated revised February 24, 2015 for Barrington Park PUD, a 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Parcel No. 15-26-376-007, Gary Shapiro, IAC Barclay, LLC, Applicant with the following findings and subject to the following conditions.

Findings:

1. The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.
2. The proposed Final PUD is consistent with the approved PUD Concept Plan.
3. The PUD will not create an unacceptable impact on public utility and circulation systems, surrounding properties, or the environment.
4. The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.

5. The proposed plan provides appropriate transition between the existing land uses surrounding the property.

Conditions:

1. All of the modifications from the zoning ordinance that are being requested, including the height of the buildings, shall be listed in paragraph 12 of the PUD agreement.
2. The appropriate sheets from the approved final plan set shall be attached to the PUD agreement as exhibits, including the building elevations.
3. All other conditions specifically listed in the agreement shall be met prior to final approval by city staff.

2015-0047 Request for Final PUD Site Plan Approval - Barrington Park PUD, a proposed 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Gary Shapiro, IAC Barclay, LLC, Applicant

Attachments: [031615 Agenda Summary.pdf](#)
[Aerial Map Barclay-Auburn PUD.pdf](#)
[Civil Plans.pdf](#)
[Landscape Plans.pdf](#)
[Architectural Plans.pdf](#)
[Phasing Plan.pdf](#)
[Final PUD Staff Report.pdf](#)
[Review Comments 021015.pdf](#)
[Minutes PC 021715.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File 2014-0378 for Council Discussion.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0073-2015

Resolved, that the Rochester Hills City Council hereby approves the Final Site Plan for Barrington Park PUD, 148-unit residential development on 15.6 acres, located at the northeast corner of Auburn and Barclay Circle, zoned O-1, Office Business, Parcel No. 15-26-376-007, based on plans dated received by the Planning and Economic Development on January 26, 2015, Gary Shapiro, IAD Barclay, LLC, Applicant, with the following findings and subject to the following conditions.

Findings:

1. 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.
2. The location and design of driveways providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on adjoining streets.

3. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
4. The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.
5. The proposed Final Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option.

Conditions:

1. Provision of a performance guarantee based on the landscaping cost estimate, as adjusted if necessary by the city, to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.
2. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.
3. That Staff verifies the percentages of the vinyl siding on the elevations, prior to final approval by staff (all vinyl, not just horizontal siding).
4. The water main loop is installed in Phase 1.

PUBLIC COMMENT for Items not on the Agenda

Lee Zendel, 1575 Dutton Road, stated that nowhere on RecycleBank's website does it tell residents how much recycle weight equals each point. He noted that from his detail, he cannot tell why various amounts of points were awarded or why there would not be points awarded each week based on total route recycling.

Scot Beaton, 655 Bolinger, noted that pop star Madonna recently made disparaging comments on a Howard Stern show regarding Rochester Hills. He suggested that Mayor Barnett or Council pen a letter about how Rochester is an incredibly diverse community in many ways.

Lorraine McGoldrick, 709 Essex, stated that March is Women in History Month. She noted that she has had the honor of presenting local author Joann Puffer Kotcher's book, *Donut Dolly*, to the three local high schools; and she commented that it is a wonderful portrayal of the military and the womens' sacrifice and service. She suggested that the City could highlight Ms. Kotcher's contributions and promote Women in History Month. Regarding the topic of campaign financing, she stated that individuals who receive free services or opportunities should report the fair market value of the services or opportunities in their campaign finance report.

Erin Howlett, 3597 Aynsley Drive, expressed her appreciation to Ms. Morita her time working with her constituents, City Attorney John Staran for his work on language for the oil and gas ordinances, and President Hooper and Planning

Commission members for scheduling the meeting regarding the ordinances for March 24, 2015. She mentioned Mr. Kochenderfer's earlier comment that Council's job is easier when there is a good and meaningful dialogue with residents, and she stated that she wished that a break on the topic had come sooner.

Philip Barker, 1434 Burhaven, expressed his appreciation to Council for pushing and prodding the Planning Commission to take up the topic of oil and gas ordinances, to Ms. Morita for her efforts, and to President Hooper for his work as a member of the Planning Commission. He commented that he looks forward to the City putting forward stronger violation enforcement, fines, and possible stronger bond requirements for companies who might bring that type of activity to the city. He added that ordinances should help protect against the environmental impacts of these activities.

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.

2015-0111 Approval of Minutes - City Council Regular Meeting - February 9, 2015

Attachments: [CC Min 020915.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0074-2015

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 9, 2015 be approved as presented.

2015-0112 Approval of Minutes - City Council Regular Meeting - February 23, 2015

Attachments: [CC Min 022315.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0075-2015

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 23, 2015 be approved as presented.

2015-0069 Request for Purchase Authorization - MAYOR: Contract for fireworks displays for Festival of the Hills 2015 and 2016 in the amount not-to-exceed \$70,000.00; Wolverine Fireworks Display, Inc., Kawkawlin, MI

Attachments: [031615 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0076-2015

Resolved, that the Rochester Hills City Council authorizes a Contract for fireworks displays for Festival of the Hills 2015 and 2016 to Wolverine Fireworks Display, Inc., Kawkawlin, Michigan in the amount not-to-exceed \$70,000.00 and further authorizes the Mayor to sign a contract on its behalf.

- 2015-0075** Request for Acceptance of Highway Easement granted by Jiayou Tian and Ruihua Jiang, 222 W. Hamlin Road, Rochester Hills, Michigan 48307, and authorization of payment to the landowners in the amount of \$11,300.00

Attachments: [031615 Agenda Summary.pdf](#)
[H-26 Recorded Version.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0077-2015

Resolved, that the Rochester Hills City Council on behalf of the City of Rochester Hills accepts a Highway Easement granted by Jiayou Tian and Ruihua Jiang, of 222 W. Hamlin Road, Rochester Hills, Michigan 48307, over, on, under, through and across land more particularly described as Parcel No. 15-22-451-021, and authorizes payment to the landowners in the amount of \$11,300.00.

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

- 2015-0087** Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Campus Corners Associates, a Michigan Limited Partnership, for Campus Corners Outlot Shopping Center

Attachments: [031615 Agenda Summary.pdf](#)
[Storm Sys Maint Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0078-2015

Resolved, that the Rochester Hills City Council approves the storm water maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Campus Corners Associates, a Michigan Limited Partnership ("Developer"), 1334 Maple Lawn Drive, Troy, MI 48084, for Campus Corners Outlot Shopping Center, for Parcel No. 15-15-101-024.

- 2015-0088** Request for Acceptance of a Quit Claim Deed from Rathka Building and Construction, Inc., a Michigan Corporation, for a portion of Parcel No. 15-25-352-022, for the purpose of the road right-of-way for Jewell Road, for Regal Estates

Attachments: [031615 Agenda Summary.pdf](#)
[Quit Claim Deed.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0079-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Quit Claim Deed to the City of Rochester Hills, for Jewell Road, for part of Parcel No. #15-25-352-022.

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

2015-0089 Request for Acceptance of a Sanitary Sewer Easement granted by Rathka Building & Construction, a Michigan Corporation, for Regal Estates

Attachments: [031615 Agenda Summary.pdf](#)
[Sanitary Sewer Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0080-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer Easement granted by Rathka Building & Construction, a Michigan Corporation, whose address is 11684 Majestic Court, Shelby Township, MI 48315, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer over, on, under through and across land more particularly described as Parcel No. 15-25-352-022.

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

2015-0090 Request for Acceptance of a Watermain Easement granted by Rathka Building & Construction, a Michigan Corporation, for Regal Estates

Attachments: [031615 Agenda Summary.pdf](#)
[Watermain Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0081-2015

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Rathka Building & Construction, a Michigan Corporation, whose address is 11684 Majestic Court, Shelby Township, MI 48315, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under through and across land more particularly described as Parcel No. 15-25-352-022.

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

2015-0091 Request for Approval of the Storm Water Maintenance Agreement between the City of Rochester Hills and Rathka Building & Construction, Inc., a Michigan Corporation, for Regal Estates

Attachments: [031615 Agenda Summary Storm Water Maintenance.pdf](#)
[Storm Sewer Sys Maintenance Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0082-2015

Resolved, that the Rochester Hills City Council approves the storm water maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system, from Rathka Building & Construction, Inc., a Michigan Corporation ("Developer"), 11684 Majestic Court, Shelby Township, Michigan 48315 for Parcel No. 15-25-352-022.

2015-0108 Request for Adoption of a Street Resolution to place the westerly 151.65 feet of Shortridge Avenue within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [031615 Agenda Summary.pdf](#)
[Map.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0083-2015

Whereas, it is necessary to furnish information to the State of Michigan to place said streets within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

Now Therefore Be It Resolved:

1. That the said streets are described as:

Shortridge Avenue as depicted in the Master Deed of the Hickory Ridge Condominiums of Rochester Hills as recorded in Liber 39289, Pages 344 through 422.1 inclusive of Oakland County Records being part of the southwest 1/4 of Section 34, T.3 N., R.11 E. City of Rochester Hills, Oakland County, Michigan, and

2. That said streets are located within City right-of-way and are under the control of the City of Rochester Hills, and

3. That said streets are certified as public streets and are for public street purposes, and

4. That said streets are accepted into the City Local Street System, and

5. That said streets are open for traffic on May 15, 2014 and have been constructed according to City standards.

Passed the Consent Agenda

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

The following Consent Agenda Item was discussed and adopted by separate Motion:

2015-0103 Request for Approval of the Master Agreement for Municipal Street Lighting between Detroit Edison Company and the City of Rochester Hills for installation of street lighting at the Adams Road and Walton Boulevard Intersection

Attachments: [031615 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Five OH Lts Adams & Walton.pdf](#)
[Walton and Adams Photometrics.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, pointed out that the Road Commission for Oakland County pursued safety funds for this installation, resulting in the City's participatory share being included in those funds. He explained that the City will have no particular up-front costs; however, will have ongoing maintenance costs.

Public Comment:

Lorraine McGoldrick, 709 Essex, noted that as she reviewed the details presented in the packet, she was unable to determine exactly who was paying for what, and where the lighting would be installed. She expressed concern that the financial burden of the public lighting program falls on the backs of homeowners associations.

President Hooper commented that it appears that the City is responsible for maintenance costs for this particular installation.

Mr. Schneck responded that the City will be responsible for the ongoing maintenance costs, estimated at approximately \$1,100 per year.

President Hooper stated that it appears that the installation is within the intersection of Adams and Walton, and there is no association that will benefit from the installation.

Mr. Schneck confirmed that was correct.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0084-2015

Resolved, that the Rochester Hills City Council approves the Master Agreement between the Detroit Edison Company and the City of Rochester Hills for the installation of street lighting at the Adams Road and Walton Boulevard Intersection and authorizes the Mayor to execute the agreement.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment, **President Hooper** noted the following:*

- *He receives an e-mail notification every week regarding his RecycleBank points. He commented that the points given are rather consistent, and he seems to receive more points than he needs.*
- *He noted that Mayor Barnett has already written a letter responding to disparaging comments made by Madonna.*
- *The author of Donut Dolly was actually recognized for her contributions at a City Council meeting some time ago.*
- *The Planning Commission has scheduled a Special Meeting regarding oil and gas ordinances for March 24, 2015.*

***Mr. Kochenderfer** expressed his thanks to the Administration for responding to Madonna's comments, and noted that it is frustrating that time must be spent responding to something so silly and baseless. He stated that when someone says something with no basis whatsoever, a response is necessary to stand as a community. He mentioned that the condition of Dutton Road seems to deteriorate as the snow melts, and he noted that Allan Schneck, Director of DPS/Engineering, and his staff have been talking to the Road Commission for Oakland County to ensure that grading will be done soon.*

***Mayor Barnett** apologized for his late arrival to the meeting. He explained that he was attending a celebration for the Rochester Community Schools' Reflections program to present awards to students who had submitted some great artwork to advance art in the community.*

In response to Public Comment regarding the RecycleBank program, he noted that points are distributed only when a resident participates, as the chip in their recycle container is read by the truck collecting the recyclables. He mentioned that up until midnight tonight participants can donate their RecycleBank points to one of the three Rochester Hills schools, University Hills, Meadowbrook and North Hill, that are still short of their goal. He mentioned that the program has already returned over \$15,000 to the participating community schools.

He noted two recent ribbon-cuttings held, including the new Tim Hortons located at Crooks and M-59 owned by Anita and Ravinder Saini, who he mentioned were great supporters of Rochester Hills; and the Rochester Tap Room located in the Papa Joe's Plaza.

He announced a Public Information Meeting scheduled for tomorrow (March 17, 2015) at Adams High School from 4:00 p.m. to 7:00 p.m. regarding the Tienken Road project from Adams to Livernois. He noted that there has been some tree and utility work; however, with the exception of some acceleration/deceleration lanes and pathway additions in a couple of areas, the road is not being widened. He explained that the bid is being let on May 1st, which means the project will most likely begin in early to mid-June. He noted that work on the section of Tienken Road east of Livernois will begin again on March 23rd. He asked motorists to pay attention to signs regarding the closures, and invited anyone interested to visit the City's website, where an interactive map can be found regarding road construction projects.

He mentioned recent unsavory remarks made by pop star Madonna, and noted that it was agreed that writing a letter in response was warranted. He commented that his letter defending the city set off a bit of a firestorm, resulting in nine media events. He stated that while Madonna is entitled to her opinion, he did not believe that it fairly represents the City. He noted that when someone attacks the city and its residents, a response is necessary.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2015-0055 Nomination/Appointment of three (3) Citizen Representatives to the Zoning/Sign Board of Appeals, each for a three-year term to expire March 31,

Attachments: [031615 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Aubuchon CQ.pdf](#)
[Booth CQ.pdf](#)
[Chalmers CQ.pdf](#)
[Chambers CQ.pdf](#)
[Deel CQ.pdf](#)
[DiSipio CQ.pdf](#)
[Fons CQ.pdf](#)
[Graves CQ.pdf](#)
[Hurst CQ.pdf](#)
[Lyons CQ.pdf](#)
[Marchese CQ.pdf](#)
[McGunn CQ.pdf](#)
[Olson CQ.pdf](#)
[Paurazas CQ.pdf](#)
[Schultz CQ.pdf](#)
[Tischer CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution \(Draft\).pdf](#)

President Hooper noted that in the event that there were more than three individuals nominated, this item would be held over for two weeks for a vote.

President Hooper Opened the Floor for Nominations.

Mr. Tisdell nominated Dane Fons, Michael McGunn and Ryan Schultz.

Seeing no further nominations, President Hooper Closed the Floor for Nominations. *He noted that as there were three individuals nominated, he asked for a resolution to appoint **Dane Fons, Michael McGunn and Ryan Schultz** to the Zoning/Sign Board of Appeals, each for a three-year term to expire March 31, 2018.*

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0085-2015

Resolved, that the Rochester Hills City Council appoints Dane Fons, Michael McGunn and Ryan Schultz to the Zoning/Sign Board of Appeals, each to serve a three-year term expiring March 31, 2018.

2015-0043 Request for Appointment of a Planning Commission Representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2016

Attachments: [031615 Agenda Summary.pdf](#)
[Memo PC Rep to ZBA 021315.pdf](#)
[Minutes PC 021715.pdf](#)
[Resolution \(Draft\).pdf](#)

President Hooper noted that the Planning Commission made their recommendation at their recent meeting and nominated Deborah Brnabic to be their representative to the Zoning/Sign Board of Appeals. He noted that he has had the pleasure of serving with Ms. Brnabic on the Planning Commission and stated that she is an excellent representative.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0086-2015

Resolved, that the Rochester Hills City Council hereby appoints Deborah Brnabic as the Planning Commission representative to the Zoning Board of Appeals for a one-year term to expire March 31, 2016.

2015-0110 Request to Confirm the Mayor's appointment of Julie Granthen to the Planning Commission to fill the unexpired term of Dale Hetrick ending March 31, 2016

Attachments: [031615 Agenda Summary.pdf](#)
[Hetrick Resignation Letter.pdf](#)
[Granthen CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett stated that it is the sign of a vibrant community and its interested residents as there are many individuals who want to serve on the City's Planning Commission. He commented that he is pleased to recommend Julie Granthen for appointment. He noted that Council met her through her interest in serving on City Council in the open seat vacated by Mr. Webber. He stated that it is with full confidence that he recommends her, and he expressed his hope that Council would fully support her appointment this evening.

He expressed his appreciation to the numerous other individuals who submitted nominations for the open position.

Mr. Brown expressed his appreciation to Ms. Granthen for staying involved. He pointed out that two of the other candidates for City Council have been appointed to board or commission positions. He thanked these individuals for looking for ways to contribute to the city.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0087-2015

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Julie Granthen to the Planning Commission to fill the unexpired term of Dale Hetrick ending March 31, 2016.

NEW BUSINESS

2014-0414 Request for Purchase Authorization - BLDG/FACILITIES: Increase to Blanket Purchase Order for Snow Removal Services for 2014-2015 winter season for City Hall, 52/3 District Court and Oakland Sheriff Office Substation in the amount of \$50,000 for a new not-to-exceed total of \$125,000.00 through June 30, 2015; Ultra Professional Outdoor Services LLC, Auburn Hills, MI

Attachments: [031615 Agenda Summary.pdf](#)
[100614 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[100614 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Director of Building/Ordinance Compliance, and **Bob White**, Supervisor of Ordinance Services, were in attendance.

Mr. Cope stated that an increase is requested in the snow removal contract due to the amount of salting and de-icing that had to be done through the winter. He explained that it also includes \$29,000 for the rest of the season, noting that it is approximately \$15,000 for each salting event. He commented that it is hoped that the snow is over.

Mr. Wiggins questioned if the amount requested is arrived at considering an average for each year. He commented that Council would like to better budget going forward.

Mr. Cope responded that this year is the first time in a number of years that snow removal activities have had a challenge in going over budget to this extent. He commented that billings were reviewed very closely. He noted that last year was the largest snowfall; however, he explained that it depends upon when the snow falls as to the amount of salting and de-icing necessary. He pointed out that this year there were a number of snowfalls during business hours requiring multiple salting applications throughout the day to keep the residents and employees safe as they go in and out of buildings both here and at the Courthouse and Oakland County Sheriff's Substation. He reiterated that it is not the magnitude of the snowfall but when it happens.

Mr. Hetrick expressed his appreciation to Mr. Cope for putting a business case together as to how cost savings elsewhere could secure funding. He questioned how the vendor has been doing as they are new this year in serving the City.

Mr. Cope responded that the vendor is doing very well. He commented that the City had a challenge with the vendor used last year and had to supplement plowing with City staff. He stated that this year the vendor has been attentive and responsive to the City's needs. He mentioned that the last snow occurred during the day and the vendor came within two hours of the request to begin salting. He commented that the City does not have the manpower or equipment to be able to plow the lots.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0088-2015

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for snow removal services for 2014-2015 winter season for City Hall, 52/3 District Court and Oakland County Sheriff Office Substation to Ultra Professional Outdoor Services, LLC, Auburn Hills, Michigan in the amount of \$50,000.00 for a new not-to-exceed total of \$125,000.00 through June 30, 2015.

2015-0105 Request for Purchase Authorization - BLDG/FACILITIES: Contract/Blanket Purchase Order for the demolition of the structure located at 2230 Hickory Leaf Drive to Blue Star, Inc., Warren, MI in the amount of \$25,800.00 plus a 10% contingency of \$2,580.00 for a not-to-exceed total of \$28,380.00

Attachments: [031615 Agenda Summary.pdf](#)
[Proposals Tabulation.pdf](#)
[Staran Ltr and Default Judgment 120514.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Director of Building/Ordinance Compliance, noted that Bob White, Supervisor of Ordinance Services, has been the point person on this project.

Mr. White noted that this request is related to Code Enforcement action that has been ongoing since February of 2012. He explained that a house fire occurred three years ago, and a number of steps have been taken to get to this point. The demolition will be used to enforce a Circuit Court order to have the house demolished, being that the owners have failed to renovate or demolish it themselves. He stated that a Request for Proposal was issued and three bids were obtained, with Blue Star, Inc., as the low bidder. He noted that once approved by Council and the frost laws come off, the contractor will be ready to begin.

President Hooper questioned whether the cost recovery would be first in line ahead of the mortgage company, as only the value of the property will remain.

John Staran, City Attorney, responded that no current foreclosure action is pending on the property, and the property owner has clear title. He noted that property taxes are paid up through the last tax bill of approximately \$3,100, which the owner is currently late on. He explained that should the City move ahead and perform the work and assess the cost on the tax rolls, the City should be in a very good position to be able to recover costs through the County revolving fund. He stated that ultimately the County will either get paid or they will be foreclosing somewhere down the road.

Ms. Morita noted that sometimes the County sells a property for less than what is owed on the tax roll, depending on which round the property sells in. She questioned whether the City would have recourse against the owner if the property was sold for less than owed. She noted that the City would eventually be charged back by the County for any deficiency.

Mr. Staran responded that while it is true that the City could be charged back, the value of the land alone should far exceed the amount in question. He explained that the City has done this a number of times in the past and has never been charged back by the County, nor has it run into the problem mentioned. He commented that it is a possibility that the amount is collectable against the property owner; however, in this particular case, it is highly unlikely given the difficulty the City has had tracking down this person and her not following through with promises to do the demolition herself and avoid the process.

Ms. Morita questioned whether this is a parcel that the Assessing Department will be keeping track of if and when it does go to foreclosure. She noted that oftentimes local municipalities are given the opportunity to purchase a property before it goes through tax foreclosure. She questioned whether in that instance it would be a situation where the City Attorney would recommend the City purchase and resell the property in order to ensure that the City is made whole.

Mr. Staran responded that if it gets to that point, it is certainly an option. He stated that he is not poised to make a recommendation to purchase or not purchase at this juncture; however, it would be a consideration.

Ms. Morita questioned whether if approved tonight, there will be processes in place here at the City to ensure that opportunities do not get missed.

Mr. Staran responded that there will.

Mayor Barnett noted that there are a great number of residents watching Council's action today that are excited to see this project be undertaken and this saga come to an end.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0089-2015

Resolved, that the Rochester Hills City Council authorizes a Contract/Blanket Purchase Order to Blue Star, Inc., Warren, Michigan, for the demolition of the structure located at 2230 Hickory Leaf Drive in the amount of \$25,800.00 plus a 10% contingency of \$2,580.00 for a not-to-exceed total of \$28,380.00 and authorizes the Mayor to execute a contract on behalf of the City.

2015-0084 Request for Purchase Authorization - FLEET: One (1) John Deere 410L

Backhoe in the amount of \$117,092.00; AIS Construction Equipment Corporation, New Hudson, MI

Attachments: [031615 Agenda Summary.pdf](#)
[MiDeal Price Quotation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, explained that the backhoe suggested for replacement is a 2003 John Deere which was fully depreciated in 2013. He noted that equipment is reviewed on a year-by-year basis, and a scorecard is provided as to whether the equipment should be kept or not. He stated that this piece of equipment has recently developed some significant maintenance issues; and working through Bruce Halliday, Fleet Manager, it was determined that approval for the purchase of a replacement would be requested.

President Hooper commented that the machine operators he works with in his profession typically prefer Caterpillar equipment rather than John Deere. He stated that it is interesting to hear that the City's operators prefer John Deere over Caterpillar.

Mr. Schneck responded that the Administration strives to bring the decision making to the end-user. He noted that machines are actually brought in to allow the operators to test them. He commented that even though Miss Dig may stake out utilities, operators prefer to feel resistance in the controls when digging and something is encountered. It was determined that the John Deere was the preferred machine for this use.

President Hooper commented that he believes that the person using the machine should be satisfied and happy with the equipment.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0090-2015

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) John Deere 410L Backhoe from AIS Construction Equipment Corporation, New Hudson, Michigan in the amount of \$117,092.00.

2015-0101 Request for Purchase Authorization - FIRE: Contract/Blanket Purchase Order for emergency dispatch services in the amount not-to-exceed \$535,510.10 through March 31, 2018

Attachments: [031615 Agenda Summary.pdf](#)
[Dispatch Agreement.pdf](#)
[Suppl Oakland County Dispatch Historical Data.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett noted that information was received today from Oakland County with updated historical dispatch data, highlighted in a spreadsheet given to Council. He pointed out that the bottom line under consideration remains the same.

Sean Canto, Chief of Fire and Emergency Services, explained that if approved, this will be the second contract extension for Dispatch Services with Oakland

County. He pointed out that the contract increase proposed is \$30,740, and he stated that Oakland County is hiring an additional dispatcher as well as a Quality Assurance Supervisor. He mentioned that upon a deeper review, it was determined that the first year is actually a nine percent increase rather than a 6.3 percent increase, followed by two years with a five percent increase for the contract years 2016, 2017 and 2018. He noted that the increase includes wage adjustments and the additional positions. He stated that Oakland County currently provides dispatching services for 17 fire departments and noted that they are estimating to dispatch for approximately 41,000 total incidents next year. He explained that medical incidents accounted for most of the Department's responses in 2014; and he noted that this is the same for most fire departments throughout Oakland County.

He stated that the Quality Assurance Supervisor will work very closely with the individual fire departments to address the community's needs and are integral in the process to ensure that standards are being met and technology is performing adequately.

He noted the following:

- A computer aided Emergency Medical Dispatch program allows the call taker to enter information from a 911 incident call to ensure that adequate resources are being dispatched to the incident. A new system is being integrated in May of this year where information displays in the medic unit. In fact, a recent cardiac arrest at Avon Towers allowed a unit at Walton and Livernois to travel to the call as the information was still being entered.
- A highly contagious disease protocol has been implemented to respond to potential diseases such as Ebola. Auburn Hills had an incident a couple of weeks ago where the individual met the criteria. Thankfully, that individual was not infected.
- Additional software for Emergency Fire Dispatching was updated three times in 2014.
- All dispatchers receive continuing education with monthly training bulletins, coordinated with quality assurance checks by their supervisor, including a call review and monthly performance review of how the dispatchers are processing their incidents.
- For example, 97 percent of the Rochester Hills incidents are processed and dispatched in under a minute.
- New for 2015 is the capability for Text-to-911. An individual can text the dispatcher if they are on the floor and cannot reach their house phone.

He explained that for April 2015 through March 2016, the cost for the services is approximately \$170,082.96, an increase of \$13,427.52 from the previous year. For April 2016 through March 2017 the total cost for services is \$178,545.84. For April 2017 through March 2018, the yearly fee is \$186,881.28. The total amount for three years is \$535,510.08.

President Hooper questioned whether the amount billed is per call. He questioned whether the billed amount would be over budget if there was a spike of 7,000 calls.

Chief Canto responded that the contract amount is the same no matter how many calls are received. He explained that for the previous contract, call volumes were initially estimated at 6,153 runs when the actual number was over 6,500 runs; and he noted that costs did not go up. He pointed out that the City paid \$13,054.62 a month for a total of \$156,655.44, and he noted that this amount stayed consistent throughout the entire year. He commented that it is estimated that there will be approximately a ten percent increase in calls.

President Hooper questioned whether the ten percent increase was over three years or per year.

Chief Canto responded that it is estimated to increase ten percent annually, which translates to approximately 500 additional runs. He noted that this can change, as a very bad storm season can result in additional runs. He commented that during last year, there were months where there was an eight or nine percent increase for the month.

President Hooper questioned whether the City could reach 8,000 runs by the end of the three-year contract.

Chief Canto responded that he would estimate closer to 7,500; however, 8,000 could be possible.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0091-2015

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for emergency dispatch services to County of Oakland, Pontiac, Michigan in the amount not-to-exceed \$535,510.10 through March 31, 2018 and 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.

2015-0104 Request for Purchase Authorization - DPS/ENG: Contract for Christian Hills West Water Main Replacement and Road Resurfacing Project in the amount of \$4,759,854.00 with a 10% contingency of \$475,985.40 for a total not-to-exceed \$5,235,839.40; Bidigare Contractors, Inc., Northville, MI

Attachments: [031615 Agenda Summary.pdf](#)
[BID Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, explained that this is a project that has been on the City's Capital Improvement Plan. He noted that plans and specifications were developed, it was solicited, and five companies submitted bids. He noted that four of the five bids were fairly tight; and a fifth bid out of Florida was approximately one million dollars more than the other bidders. He explained that the project will incorporate pipe bursting; and he mentioned that the City had a successful project on South Boulevard where approximately a mile worth of

pipe bursting was undertaken. He noted that it is a non-destructive construction process whereby the existing watermain is used as a host pipe, fused pipe is brought through and the existing pipe is burst in place. He pointed out that Christian Hills West currently has both six inch and eight inch watermains; and he stated that the six inch will be brought up to eight inch, and the eight inch will be replaced. He mentioned that once the watermain is installed, the entire five miles of subdivision roads will be resurfaced.

He stated that the project came within budget, and he gave credit to the Engineering team including Tracey Balint, Public Utilities Engineer, for getting the plans and specifications out sooner and into the marketplace, typically yielding more favorable unit pricing.

President Hooper stated that the only concern he has is ensuring that that no gas or sanitary sewer services are in the immediate proximity to the watermain that is being burst. He commented that he has previous experience in his profession where problems were encountered. He stated that the contract is fine, the concept works, and it is definitely a cost savings.

Mr. Schneck pointed out that Ms. Balint did check references for the recommended contractor, and all were very favorable. He noted that this particular contractor received good references regarding their attentiveness to housekeeping, including their staging area, keeping the subdivision clean, and being responsive.

Mr. Brown pointed out that the recommended contractor is the lowest bidder.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0092-2015

Resolved, that the Rochester Hills City Council hereby authorizes a contract for Christian Hills West Water Main Replacement and Road Resurfacing Project in the amount of \$4,759,854.00 with a 10% contingency in the amount of \$475,985.40 for a total not-to-exceed \$5,235,839.40 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the bid 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.

2015-0113 Request for Adoption of a Resolution for Approval to enter into an agreement for engineering services in accordance with the North Oakland County Water Authority (NOCWA) by-laws

Attachments: [031615 Agenda Summary.pdf](#)
[Bylaws NOCWA.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, explained that per the North Oakland County Water Authority (NOCWA) By-Laws, Rochester Hills does not reserve the

right to actually enter into contracts without approval by each respective NOCWA member Council and Board. Once approval is granted, the City can move into executing an agreement. He noted that the second request for consideration this evening is for Rochester Hills, as the fiduciary for the NOCWA, to act for and on behalf of the NOCWA in entering into an agreement with Orchard, Hiltz, and McCliment for engineering services.

Allan Schneck stated the NOCWA received final approval for the competitive grant assistance program awarded through the State Treasurer's Office for collaboration and consolidations. He explained that \$17,100 was awarded; and if it could be demonstrated that this collaboration was feasible and proven, an award of upward of \$100,400 could be pursued. He mentioned that about a week and a half ago, a reimbursement was submitted for \$40,000, which will be put into the NOCWA budget. He stated that the NOCWA will continue to pursue full reimbursement of the \$100,400.

He reported that the Detroit Water and Sewerage Department (DWSD) rolled out their new rates; and in the rollout, they pulled back the volume number. He stated that an error was actually discovered in distance and elevation figures, which will significantly impact the savings to the NOCWA. He stated that it was previously reported to Council and the Mayor that the City's predicted savings was \$742,000; and he noted that today, based upon the recognized difference in elevation and distance, the savings will be more than one million dollars.

President Hooper congratulated Mr. Schneck for his work on the NOCWA.

See Also Legislative File 2015-0106.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0093-2015

Whereas, the North Oakland County Water Authority (NOCWA) by-laws requires each participating entity to adopt a resolution providing approval for the entity to enter into agreements.

Now, Therefore, Be It Resolved, that the Rochester Hills City Council hereby authorizes the approval for the City of Rochester Hills to enter into an agreement for engineering services that will be provided to the North Oakland County Water Authority and authorizes the Mayor and City Clerk to provide this resolution and meeting minutes to the North Oakland County Water Authority Board indicating its approval, and to submit and execute documents as requested by the North Oakland County Water Authority Board.

2015-0106 Request for Purchase Authorization - DPS/ENG: Approval of Blanket Purchase Order/Contract to Orchard, Hiltz, and McCliment, Livonia, MI in the amount of \$120,000.00 to provide Engineering Services to NOCWA for a three-year period to expire on March 31, 2018

Attachments: [031615 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File 2015-0113 for Council Discussion.

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

Aye 7 - Brown, Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Enactment No: RES0094-2015

Resolved, that the Rochester Hills City Council authorizes the approval of a Blanket Purchase Order/Contract to Orchard, Hiltz, and McCliment, Livonia, Michigan in the amount of \$120,000.00 to provide Engineering Services to NOCWA for a three-year period to expire on March 31, 2018.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, March 30, 2015 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 8:32 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

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

*MARY JO PACHLA
Administrative Secretary
City Clerk's Office*

Approved as presented at the April 20, 2015 Regular City Council Meeting.