



Rochester Hills

Minutes

City Council Regular Meeting

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

*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Carol Morlan,
Theresa Mungiola and David Walker*

Vision Statement: *The Community of Choice for Families and Business*

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

Monday, October 24, 2022

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor
Chelsea Ditz, Human Resources Director
Matt Einheuser, Natural Resources Manager
Ken Elwert, Parks and Natural Resources Director
Bill Fritz, Public Services Director
Chris McLeod, Planning Manager
Sara Roediger, Planning and Economic Development Director
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer
Karen Sommerville, Deputy Assessing Director
John Staran, City Attorney
Laurie Taylor, Assessing Director*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced RHGYC Representative Aimee Zhao.

Ms. Zhao shared that she is a sophomore at the International Academy and that this is her second year serving on the RHGYC. She stated that the last event the RHGYC attended was the Fire Department Open House and added that all of the members had a chance to dress up as Sparky, the Fire mascot. She added that the RHGYC will attend the Rochester Hills Fall Festival Event held for City employees and their families on October 25, 2022 and the Community Foundation for Greater Rochester Annual Tailgate Event on October 27, 2022.

Rochester Area Youth Assistance (RAYA):

Ms. Mungoli stated that RAYA is hosting a fundraiser at Emagine Theatre on November 13, 2022. She added that the event is a viewing of Black Panther II Wakanda Forever and that tickets are \$30 and includes a popcorn and pop. She stated to RSVP call 248-534-8206.

Mr. Walker shared that last week, Next Level Realty had a Ribbon Cutting Ceremony on October 17, 2022 and Aspire Dental had a Ribbon Cutting Ceremony on October 19, 2022. He welcomed the new businesses to the City and thanked them for choosing Rochester Hills to open their business.

Older Persons' Commission (OPC):

Mr. Hetrick shared that the OPC's Artisan Holiday Market will take place on November 12, 2022 from 9:00 a.m. to 3:00 p.m. He added that there are several unique Holiday items for purchase and that the event supports the Art Program at the OPC.

Avondale Youth Assistance (AYA):

Ms. Morlan shared that AYA is hosting a Fall Frenzy Craft and Vendor Show on October 29, 2022 at the Avondale GATE Magnet School from 11:00 a.m. to 4:00 p.m. She added that this is a great opportunity to get a head start on Holiday shopping while supporting a great organization.

PUBLIC HEARINGS

2022-0434 FY 2022 3rd Quarter Budget Amendment

Attachments: [102422 Agenda Summary.pdf](#)
[Overview.pdf](#)
[Amendments.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution .pdf](#)

Joe Snyder, Chief Financial Officer, presented the 3rd Quarter Budget Amendments. He explained that the majority of the amendments were true-ups that amended the cost estimates of each line item to the actual cost of line items in 2021. He shared that the actual costs were better than the estimated costs and the City will be reimbursing \$1.5 million to various funds Citywide.

He shared that the 3rd Quarter Budget Amendments are proposed to decrease total revenues by \$432,000 and to increase total expenditures by \$738,000. He added that this leaves a net impact on fund balance of a draw of an additional \$1.1 million from fund balance.

He explained that the total revenue decrease of \$432,000 included the following:

- \$1.5 million decrease are true-ups between the different funds
- \$50,000 increase for a Michigan Economic Development Corporation (MEDC) Gateway and Streetscape Grant
- \$100,000 increase for the Oakland County Critical Infrastructure Grant
- \$229,000 increase in the Insurance Net Asset Distribution
- \$668,000 increase from transfers-in

He reported that the total expenditure increase of \$738,000 included the following:

- \$910,000 decrease in Operating Expenditures
- \$1.5 million decrease are true-ups between the different funds
- \$497,000 increase for Fire Department turnout gear

He noted that Capital Improvement Projects are proposed to increase by \$981,000 and the bulk of this expense is for construction of the Auburn Road Corridor parking lots. He added that an additional \$223,000 is budgeted for ladder truck number five and there is \$661,000 of transfers-out per the City's Fund Balance Policy.

President Deel Opened the Public Hearing at 7:09 p.m. Seeing No Public Comment, President Deel Closed the Public Hearing at 7:10 p.m.

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

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

Enactment No: RES0269-2022

Whereas, in accordance with the provisions of Public Act 2 of 1968, the Uniform Budgeting and Accounting Act, and the Charter for the City of Rochester Hills, Chapter III Section 3.7, the City Council may amend the budget during the fiscal year, either on its own initiative or upon recommendation of the Mayor; and

Whereas, the Public Hearing for the proposed FY 2022 3rd Quarter Budget Amendments

was noticed on October 6, 2022; and

Whereas, the proposed FY 2022 3rd Quarter Budget Amendments were available for public viewing beginning on October 14, 2022; and

Whereas, at its October 24, 2022 meeting City Council held a Public Hearing on the proposed FY 2022 3rd Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following FY 2022 fund totals as amended:

TOTAL BUDGET SUMMARY	Current Budget	Change	Amended Budget
101 - General Fund	\$ 30,264,540	\$ (528,010)	\$ 29,736,530
202 - Major Road Fund	\$ 17,648,980	\$ (73,530)	\$ 17,575,450
203 - Local Street Fund	\$ 10,591,680	\$ (167,440)	\$ 10,424,240
206 - Fire Department Fund	\$ 13,614,110	\$ -	\$ 13,614,110
207 - Special Police Fund	\$ 10,352,760	\$ (10,330)	\$ 10,342,430
208 - Parks Infrastructure Millage Fund	\$ 300,000	\$ -	\$ 300,000
213 - RARA Millage Fund	\$ 731,640	\$ -	\$ 731,640
214 - Pathway Maintenance Fund	\$ 758,330	\$ -	\$ 758,330
232 - Tree Fund	\$ 164,000	\$ -	\$ 164,000
244 - Drain Maintenance Fund	\$ 855,980	\$ (9,640)	\$ 846,340
265 - OPC Millage Fund	\$ 1,632,980	\$ -	\$ 1,632,980
285 - ARPA Fund	\$ 1,215,000	\$ -	\$ 1,215,000
299 - Green Space Fund	\$ 530,070	\$ -	\$ 530,070
331 - Drain Debt Fund	\$ 216,220	\$ -	\$ 216,220
402 - Fire Capital Fund	\$ 1,532,360	\$ 720,020	\$ 2,252,380
403 - Pathway Construction Fund	\$ 1,105,700	\$ -	\$ 1,105,700
420 - Capital Improvement Fund	\$ 10,660,630	\$ 757,470	\$ 11,418,100
510 - Sewer Department	\$ 16,813,800	\$ (164,190)	\$ 16,649,610
530 - Water Department	\$ 22,300,360	\$ (186,700)	\$ 22,113,660
593 - Water & Sewer Capital Fund	\$ 20,372,070	\$ -	\$ 20,372,070
595 - Water & Sewer Debt Fund	\$ 1,319,450	\$ -	\$ 1,319,450
596 - Solid Waste Fund	\$ 673,800	\$ -	\$ 673,800
631 - Facilities Fund	\$ 20,583,930	\$ 586,840	\$ 21,170,770
636 - MIS Fund	\$ 3,251,320	\$ (44,010)	\$ 3,207,310
661 - Fleet Fund	\$ 6,574,340	\$ (141,780)	\$ 6,432,560
677 - Insurance Fund	\$ 432,500	\$ -	\$ 432,500
736 - Retiree Healthcare Trust Fund	\$ 220,880	\$ -	\$ 220,880
752 - Cemetery Perpetual Care Trust Fund	\$ 5,000	\$ -	\$ 5,000
761 - Green Space Perpetual Care Trust Fund	\$ 325,440	\$ -	\$ 325,440
243 - Brownfield Revolving Fund	\$ -	\$ -	\$ -
844 - Brownfield Redevelopment Fund (Legacy)	\$ 209,170	\$ -	\$ 209,170
848 - LDFA Fund	\$ 3,638,480	\$ -	\$ 3,638,480
870 - RH Museum Foundation Fund	\$ 100	\$ -	\$ 100
GRAND TOTAL - ALL FUNDS	\$ 198,895,620	\$ 738,700	\$ 199,634,320

ORDINANCE FOR ADOPTION

2022-0421 Request for Acceptance for Second Reading and Adoption - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan to rezone approximately 3.6 acres of land located north and west of Rochester and Auburn Roads, from B-2 General Business District to B-3 Shopping Center Business, Vic Habersmith, Bloom General Contracting, Applicant

Attachments: [102422 Agenda Summary.pdf](#)
[101022 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[PC Minutes 092022.pdf](#)
[Staff Report Rezoning 092022.pdf](#)
[Applicant's Letter.pdf](#)
[Survey.pdf](#)
[Public Hearing Notice.pdf](#)
[Reviewed Plans Pt1.pdf](#)
[Reviewed Plans Pt2.pdf](#)
[101022 Resolution.pdf](#)
[Resolution \(\).pdf](#)

Chris McLeod, Planning Manager, noted that this is the Second Reading for the adoption of the rezoning of the property from B-2 to B-3. He added that there were no questions or public comments after the First Reading in regard to the request.

Ms. Mungioli thanked the Applicant for choosing Rochester Hills to expand their business.

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

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

Enactment No: RES0270-2022

Resolved, that an Ordinance to amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to rezone a portion of one parcel of land totaling approximately 3.6 acres of land (Parcel No. 15-27-477-073) from B-2 General Business with an FB Flexible Business Overlay to B-3 Shopping Center Business with an FB Flexible Business Overlay, to repeal conflicting or inconsistent ordinances and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption and shall become effective October 31, 2022 following its publication in the Oakland Press on Sunday, October 30, 2022.

PUBLIC COMMENT for Items not on the Agenda

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.

- 2022-0468** Request for Acceptance of Agreement - PLANNING: Acceptance of Agreement through the Michigan Economic Development Corporation (MEDC) through the Redevelopment Ready Communities (RRC) Technical Assistance (TA) Matching Fund program for funding to hire services for the development of the Gateway and Streetscape Plan for the City in the amount of \$50,000.00; Michigan Economic Development Corporation, Lansing, MI

Attachments: [102422 Agenda Summary.pdf](#)
[MEDC Agreement.pdf](#)
[Resolution \(\).pdf](#)

Enactment No: RES0271-2022

Resolved, that the Rochester Hills City Council hereby accepts the attached agreement from the Michigan Economic Development Corporation Redevelopment Ready Communities (RRC) Technical Assistance (TA) matching fund program for funding to offset City costs for the development of the gateway and streetscape plan for the City in the amount of \$50,000.00 and further authorizes the Mayor to sign the agreement on behalf of the City.

- 2022-0464** Request for Approval to exempt the City of Rochester Hills from the requirements of Public Act 152 of 2011 for Benefit Year 2023

Attachments: [102422 Agenda Summary.pdf](#)
[2023 PA152 Analysis.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0272-2022

Whereas, Public Act 152 mandates specified health care premium contributions by City employees unless the governing body elects to exempt employees by a two-thirds majority vote; and

Whereas, City medical plan premiums will have a five percent (5%) decrease, compared to a proposed seven percent, +7% increase budgeted for 2023 and well below the five percent, +5% annual target first established by City Council in 2013;

Resolved, that the Rochester Hills City Council authorizes that the City of Rochester Hills shall continue to be exempt from the requirements of Public Act 152 of 2011 for the 2023 plan year.

- 2022-0456** Request to Adopt a street resolution to place newly constructed public roadway, Raffler Drive from Grand Park to the new terminus, within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [102422 Agenda Summary.pdf](#)
[Raffler GIS Map.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0273-2022

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, that the said streets are described as:

1. 1330 feet of Raffler Drive Ave from Grand Park to the Terminus within the Pinewoods Condominium Plan (OCCP no. 2283) , a Condominium Subdivision of part of NW. 1/2 of Section 34, T.3N., R11E, City of Rochester Hills, Oakland County, Michigan
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 have been open for traffic and have been constructed according to City standards.

2022-0457

Request to Adopt a street resolution to place a previously constructed and unaccounted for portion of Rochester Industrial Drive, within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [102422 Agenda Summary.pdf](#)
[Rochester Industrial Map.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0274-2022

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, that the said streets are described as:

1. 92 feet of Rochester Industrial Drive from Existing ROW to terminus within the Rochester Industrial Park Subdivision, a Subdivision of part of S.E. ¼ of Section 21, T.3N., R11E, Avon Twp , Oakland County, Michigan
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 have been open for traffic and have been constructed according to City standards.

2022-0458 Request to Adopt a street resolution to place a previously constructed and unaccounted for portion of Ann Maria Drive, within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [102422 Agenda Summary.pdf](#)
[Ann Maria GIS Map.pdf](#)
[Resolution \(\) .pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0275-2022

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, that the said streets are described as:

1. 185 feet of Ann Marie from the cul-de-sac to the southern terminus in Relyea Acres, a Subdivision of part of S.E. ¼ of Section 3, T.3N., R11E, Avon Twp, Oakland County, Michigan
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 have been open for traffic and have been constructed according to City standards.

2022-0459 Request to Adopt a street resolution to place a previously constructed and unaccounted for portion of Michelson Road, within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [102422 Agenda Summary.pdf](#)
[Michelson GIS Map.pdf](#)
[Resolution \(\) .pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0276-2022

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, that the said streets are described as:

1. 292 feet of Michelson Road from Connors Drive westerly to the terminus within the Brooklands Subdivision, a part of S.E 1/4 of Section 35, T.3N., R11E, Avon Twp ,

Oakland County, Michigan

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 have been open for traffic and have been constructed according to City standards.

2022-0460 Request to Adopt a street resolution to place a previously constructed and unaccounted for portion of S. Castell Avenue (Harding to Helmand), within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [102422 Agenda Summary.pdf](#)
[Castell GIS map.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0277-2022

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, that the said streets are described as:

- 1 125 feet of S. Castell Ave from Harding Ave to Helmand within the C.O. Renshaw Addition to the Village of Rochester, a Subdivision of part of S.E. ¼ of Section 15, T.3N., R11E, Avon Twp, Oakland County, Michigan
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 have been open for traffic and have been constructed according to City standards.

(The following two (2) Legislative Files pertain to Auburn Road Medical Office)

2022-0461 Request for Acceptance of the Watermain Easement granted by Eastlake Northwest, LLC, a Michigan limited liability company, for Auburn Road Medical Office

Attachments: [102422 Agenda Summary.pdf](#)
[Easement.pdf](#)
[Resolution \(\) .pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0278-2022

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a Watermain Easement for the construction, operation, maintenance, repair and/or replacement of a watermain on, under, through and across land more particularly described as Parcel #15-32-228-128, granted by Eastlake Northwest, LLC, a Michigan limited liability company, whose address is 24211 Little Mack, St. Clair Shores, MI 48080, for Auburn Road Medical Office.

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

- 2022-0462** Request for Approval of a Storm Water System Maintenance Agreement between the City of Rochester Hills and Eastlake Northwest, LLC, a Michigan limited liability company, for Auburn Road Medical Office

Attachments: [102422 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Resolution \(\) .pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0279-2022

Resolved, that the Rochester Hills City Council hereby approves the Storm Water System Maintenance Agreement between the City of Rochester Hills and Eastlake Northwest, LLC, a Michigan limited liability company, whose address is 24211 Little Mack, St. Clair Shores, MI 48080, for Auburn Road Medical Office, Parcel #15-32-228-128.

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

- 2022-0463** Request for Purchase Authorization - DPS/ENG: Approval of Standard Agreement for Municipal Street Lighting Agreement between the City of Rochester Hills and the Detroit Edison Company for the installation for one (1) each of the following: 136W LED municipal street light, 35 foot wood utility pole, 6-foot mast arm, and overhead secondary wiring in the amount of \$1,371.14; DTE Energy, Belleville, MI

Attachments: [102422 Agenda Summary.pdf](#)
[DTE Letter.pdf](#)
[Proposal Map.pdf](#)
[Purchase Agreement.pdf](#)
[Resolution \(\) .pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0280-2022

Resolved, that the Rochester Hills City Council hereby approves the Standard Agreement

Approved as presented at the May 8, 2023 Regular City Council Meeting.

and provides purchase authorization for the installation of one (1) each of the following: 136W LED municipal street light, 35 foot wood utility pole, 6-foot mast arm, and overhead secondary wiring in the amount of \$1,371.14 to DTE Energy, Belleville, Michigan and further authorizes the Mayor to execute the agreement on behalf of the City.

Passed the Consent Agenda

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

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

***President Deel** shared that he had the pleasure of attending in the Oakland County Sheriff's Office (OCSO) Sheriff's Ops last week, along with Mr. Walker, Mr. Hetrick and Ms. Morlan. He thanked the OCSO for the opportunity to learn more about the daily operations of the OCSO and gain insight on the Sheriff Department needs.*

He mentioned that the Rochester Avon Recreation Authority (RARA) has an Esports Program that is gaining popularity among the younger people in the Community. He added that his son, Jack, placed first in a recent Esports Fort Night Solos Tournament and will receive a trophy from RARA.

***Mr. Hetrick** stated that the OCSO Sheriff's Ops program was a very eye-opening experience. He added that it was interesting to learn how quickly the Sheriffs have to make tough decisions. He shared that the simulation part of the program was informative and an important learning experience. He noted that the men and women at the OCSO are trained extremely well and he thanked them for keeping the City safe.*

***Mr. Walker** thanked the OCSO and Captain Yeiser for what they do every day. He noted the camaraderie among the officers was heartwarming and the Sheriff's Ops was an experience that he will never forget.*

***Clerk Scott** stated that the General Election is a little over two weeks away. She reminded residents that had planned to vote absentee to not wait until the last minute because it is a long ballot with a lot of contests on it. She noted that the League of Women Voters Guide is available in the Clerk's Office with candidate and proposal information.*

***Vice President Bowyer** thanked the OCSO for the Sheriff's Ops Program and added that it is an important program that allows participants to learn and gain insight on what the Sheriffs experience day-to-day.*

***Ms. Morlan** added that the City has the best trained Sheriffs in the country because of the unique training tools available to the OCSO. She noted that the Sheriffs have to make important life decisions within seconds and that it is an honor to have them serve our City. She thanked the OCSO for the amazing opportunity.*

Mayor Barnett provided the following City updates:

- He thanked Clerk Scott and her team for their hard work and preparation for the upcoming election.
- Today is the start of Diwali, he wished everyone a Happy Diwali.
- He interviewed Sheriff Bouchard for his Right Down the Street podcast.
- Gerry Pink, Lead Arborist, was recognized for becoming a Certified Natural Arborist. He noted that fewer than two percent of arborists carry the certification.
- Rochester Core is an organization of 35-40 members that represent different organizations within the City. He added that it is an important organization that communicates with the key groups in the Community to make sure events do not overlap and the organizations support each other.
- Innovation Hills Playground is temporarily closed due to improvements and is expected to re-open the second week of November.
- Leon Luedeman, Water and Sewer Operations Manager, graduated from the Michigan Public Services Institute Training Program for Managers. He recognized his hard work in leading a great team at the Department of Public Services.
- Borden Park parking lot paving is still underway and is anticipated to be complete the first week of November.
- Old Perch Road is now open.
- Halloween Trick or Treat hours are 6:00 p.m. - 8:00 p.m. in the City of Rochester Hills. He reminded everyone to please stay safe.
- A 13-year-old resident was hit by a car on his way to school. He stated that the young boy sustained some injuries and his bike was demolished. The City of Rochester Hill's Fire Department and the Oakland County Sheriff's Office surprised the resident with a brand new bike. He thanked the Fire Department and Sheriff's Office for going above and beyond and stated that he is proud to be on such an awesome team.

ATTORNEY'S REPORT

John Staran, City Attorney, explained that an insurance claim was made against the City of Rochester Hills arising from a vehicle accident. He added that legal counsel, representing the City in this matter, have negotiated and recommended settlement terms that are favorable. He noted that legal counsel met with City Council in Closed Session regarding this matter. He stated that City Council is requested to authorize a motion to move forward with the recommendations of legal counsel.

2022-0473 Approval to Authorize the City Attorney to Settle Insurance Claim #1904520, Janies vs. the City of Rochester Hills in accordance with the attorney's recommendation

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

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

Enactment No: RES0281-2022

Resolved, that the City of Rochester Hills City Council hereby authorizes the City's attorney to settle insurance claim #1904520, Janies vs. City of Rochester Hills in accordance with the attorney's recommendation.

NOMINATIONS/APPOINTMENTS

2022-0455 Request to Confirm the Mayor's Reappointment of Werner Richard Braun III, James Nachtman and Del Stanley to the Brownfield Redevelopment Authority for a three-year term to expire November 13, 2025

Attachments: [102422 Agenda Summary.pdf](#)
[Braun III CQ.pdf](#)
[Nachtman CQ.pdf](#)
[Stanley CQ.pdf](#)
[Resolution \(\).pdf](#)

President Deel shared that he serves on this board and he would support the reappointment of these candidates.

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

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

Enactment No: RES0282-2022

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Werner Richard Braun III, James Nachtman and Del Stanley to the Brownfield Redevelopment Authority for a three-year term to expire November 13, 2025.

NEW BUSINESS

2022-0466 Request for Approval of the Interlocal Agreement between the City of Rochester Hills and Oakland County to approve the Designated Assessor for the period of January 1, 2023 through December 31, 2027

Attachments: [102422 Agenda Summary.pdf](#)
[Bulletin 8 of 2020.pdf](#)
[Designated Assessor Interlocal Agreement.pdf](#)
[Property Assessing Reform.pdf](#)
[Resolution \(\).pdf](#)

Laurie Taylor, Assessing Director, and **Karen Somerville**, Deputy Assessing Director, were present.

Ms. Taylor stated that in December of 2022, Rochester Hills entered into an Interlocal Agreement between Rochester Hills and Oakland County to appoint the Oakland County Equalization Director as the Designated Assessor. She added that on August 4, 2020, the Oakland County Commissioners appointed a new Equalization Director and as a result, all Interlocal Agreements have to be revised.

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

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

Enactment No: RES0283-2022

Whereas, on August 4, 2022 the Oakland County Board of Commissioners voted to retain a new Equalization Officer and as a result required the revision of the Interlocal Agreement between Rochester Hills and Oakland County

Therefore, be it Resolved, that the Rochester Hills City Council hereby approves the Interlocal Agreement between the City of Rochester Hills and Oakland County for the Designated Assessor for the period January 1, 2023 through December 31, 2027 and authorizes the Mayor to enter into said agreement.

2022-0467 Request to schedule a Public Hearing regarding the Revocation of Industrial Development Districts

Attachments: [111422 Agenda Summary.pdf](#)
[Correspondence to Property Owners.pdf](#)
[Public Hearing Notice.pdf](#)
[102422 Agenda Summary.pdf](#)
[IDDs Without Active IFTs.pdf](#)
[Active IFTs.pdf](#)
[CC Minutes 101988.pdf](#)
[102422 Resolution.pdf](#)
[Resolution \(\).pdf](#)

Laurie Taylor, Assessing Director, and **Karen Somerville**, Deputy Assessing Director, were present.

Ms. Taylor explained that since the mid-1990s City Council had granted 31 industrial facility tax abatements within 25 Industrial Development Districts (IDD). She added that there are currently eight active abatements within six IDD and 19 IDD that no longer have active abatements. She stated that the request is for City Council to hold a public hearing on the termination of the 19 IDD.

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

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

Enactment No: RES0287-2022

Whereas, there are nineteen Industrial Development Districts that no longer have active Industrial Facility Tax certificates within the districts; and

Whereas, in an attempt to gain greater control of granting property tax abatements through the elimination of existing Industrial Development Districts that no longer have active Industrial Facility Tax certificates with the districts; and

Whereas, it is understood that revocation of Industrial Development Districts will not have a financial impact on the city or property owner. Nor does this change the City's tax abatement policy to allow for future Industrial Development Districts or Industrial Facility Tax certificates.

Therefore, Be It Resolved, that the Rochester Hills City Council hereby sets a public hearing on the termination of the Industrial Development Districts at which property owners, residents, taxpayers, or others shall have the right to appear and be heard on November 14, 2022.

2022-0465 Request for Approval of Grant Application to the State of Michigan Department of Environmental, Great Lakes, and Energy (EGLE) Nonpoint Source Program (NPS) and to provide 1:1 matching funds in the amount of \$125,000.00

Attachments: [102422 Agenda Summary.pdf](#)
[Restoration Visual.pdf](#)
[Resolution \(\).pdf](#)

***Matt Einheuser**, Natural Resources Manager, explained that the request is for City Council's support in applying for a Grant through the State to address the stabilization of a river bank along Clinton River located at the Cloverport Green Space. He stated that currently this project is in the Capital Improvement Plan and is budgeted for 2025 through Greenspace Funds to address significant erosion in a specific spot that contributes over 1300 tons of sediment every year into the Clinton River. He added that the Grant will allow them to leverage Greenspace Funds in the future.*

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

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

Enactment No: RES0285-2022

Whereas, the City looks to continue to manage our green spaces and natural resources, including the Clinton River, through a streambank stabilization project at our Cloverport Green Space; and

Whereas, the Parks & Natural Resources Department, based on estimates provided by our Green Space contractors, calculated the City's cost for this project to be approximately \$250,000.00 with \$125,000.00 of that amount being 50% match to the grant; and

Whereas, this project is included as part of the 2023-2028 Capital Improvement Plan and funding to complete the project has been included in the 2023-2025 budget as a 2025 Green Space Budget item; and

Whereas, if awarded the grant, the City would competitively bid and purchase the materials and installation with reimbursement by the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE)s of the grant amount upon completion; and

Whereas, the grant application deadline is November 30, 2022.

Be it Resolved, that Rochester Hills City Council does hereby support the application to the State of Michigan Department of Environment, Great Lakes, and Energy (EGLE) Nonpoint Source Program Fund for completing the bank stabilization project at the Cloverport Green Space and commits to the 50% financial match of \$125,000.00

Further Resolved, that the Mayor or his designee is authorized to execute the application on behalf of the City.

2022-0454 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for preliminary engineering services for the Barclay Circle Rehabilitation project in the not-to-exceed amount of \$176,000.00; OHM Advisors, Livonia, MI

Attachments: [102422 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[Resolution \(\) .pdf](#)

Bill Fritz, Public Services Director, stated that the request is for authorization to begin the engineering design of the road reconstruction on Barclay Road. He noted that the project is in the Capital Improvement Plan and the Master Transportation Plan.

Ms. Mungoli thanked Mr. Fritz and his team for answering her questions. She expressed her concerns about traffic in this area and questioned if a traffic study has been done to determine the volume of traffic and where bike paths are recommended to start and finish. She stated that people are very impatient already traveling in this area and adding a bike path with painted lines does not seem very safe. She inquired whether there have been demands from residents in the community requesting bike lanes in this area. She mentioned that education for drivers regarding bike paths would be important to ensure the safety of bikers and drivers and questioned whether there were plans to educate the public on bike path safety. She inquired whether the bike path stripes could be less fade resistant and brighter in the darkness.

Mr. Fritz responded that the western portion of this project are undetermined at this point because Michigan Department of Transportation (MDOT) will be reconstructing the intersection in 2025-2026. He replied that creating a designated bike path has been proven to increase safety. He noted removing

the bicycles from sidewalks makes it safer for pedestrians on the sidewalks that have strollers or that are walking pets. He added that he will look into bike path driver education to the public.

Ms. Mungioli questioned how the project will be paid for as it is \$70,000 over budget.

Mr. Fritz replied there was a change of scope and that he can get more details to her on the specifics.

Vice President Bowyer questioned whether the bike path will continue in the roadway to cross over to the shopping plaza.

Mr. Fritz responded that the bike path is outlined in heavy duty reflective striping. He added that he will express Ms. Mungioli's concerns about fade resistant and brightness to the design team.

President Deel stated that he frequently travels this area and he often sees pedestrians walking the shopping center and crossing Barclay Circle, which can be very dangerous. He shared that he is happy to know the roadway will have a bike path and questioned whether bicycle traffic is mandated by Michigan law to be on the road.

John Staran, City Attorney, responded that bicycle traffic is mandated to the road where there are designated bike paths and added that sidewalks are designated for pedestrians only when a bike path is available.

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

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

Enactment No: RES0286-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for preliminary engineering services for the Barclay Circle Rehabilitation project to OHM Advisors, Livonia, Michigan in the not-to-exceed amount of \$176,000.00 and further authorize the Mayor to execute the agreement on behalf of the City.

ANY OTHER BUSINESS

NEXT MEETING DATE

Regular Meeting - November 14, 2022 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Hetrick and seconded by Bowyer to adjourn the meeting at 8:05 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office*