



Rochester Hills

Minutes

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
(248) 656-4600
Home Page:
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*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Stephanie Morita,
Theresa Mungioli and David Walker*

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

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

Monday, July 12, 2021

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, Stephanie Morita, Theresa Mungioli and David Walker

Others Present:

*Bryan Barnett, Mayor
John Staran, City Attorney
Leanne Scott, City Clerk
Kristen Kapelanski, Planning Manager
Scott Cope, Building/Ordinance/Facilities Director
Ken Elwert, Parks and Natural Resource Director
Captain Bart Wilson, Oakland County Sheriff's Office
Bill Cooke, Assistant Chief/Fire Marshall
John Lyman, Fire and Life Safety Educator
Alan Buckenmeyer, Parks Manager
Allan Schneck, Public Services Director
Joe Snyder, Chief Financial Officer
Maria Willet, Chief of Staff
Holly Dibbs, Mayor's Office Intern
Vince Foisy, Communications Systems Administrator
Bella Morris, Rochester Hills Government Youth Council Representative*

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, Morita, Mungioli and Walker

Approved as presented at the August 16, 2021 Regular City Council Meeting.

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced **Bella Morris**, Rochester Hills Government Youth Council (RHGYC) Representative.

Ms. Morris explained the Rochester Hills Government Youth Council was scheduled to meet on July 7, 2021 but unfortunately, did not have a quorum for this meeting due to conflicting work or summer travel schedules. The members that did attend the meeting used the time to reflect on the past school year, the current youth council and the future youth council. Ms. Morris also mentioned the following events:

- The Youth Council will be at The Festival of the Hills on August 11, 2021
- The RHGYC new member Orientation and Meet and Greet will be held on August 13, 2021
- The Swearing-In Ceremony will be August 16, 2021
- The Youth Council will also participate in the State of the City address on August 26, 2021

Rochester Hills Green Space Advisory Board (GSAB):

Vice President Bowyer expressed her condolences regarding the passing of Dahlvin Peterson, the Founding Member of the Green Space Advisory Board. She stated Mr. Peterson was very active in preserving the community's green spaces and assisted with acquiring over one hundred and twenty-five acres of green space.

Older Persons' Commission (OPC):

Mr. Hetrick also expressed his sympathies to Dahlvin Peterson's family, stating his wife, Micheline is a member of the Older Persons' Commission (OPC) Governing Board. Mr. Hetrick mentioned the OPC Summer Soiree is scheduled for August 20, 2021 and is one of the largest fundraising events for the OPC. He encouraged everyone to come out and support the OPC.

Rochester Avon Recreation Authority (RARA):

Ms. Mungoli shared RARA's upcoming activities, and noted that the programs are filling up for both children and adults. She informed everyone to sign up soon <<http://rararecreation.org/>>.

PRESENTATIONS

2021-0260 Presentation on the status of the Fire Department's Community Risk Assessment

Attachments: [Agenda Summary.pdf](#)
[Community Risk Assessment.pdf](#)

Mr. Bill Cooke, Assistant Fire Chief/Fire Marshall, explained while

Approved as presented at the August 16, 2021 Regular City Council Meeting.

developing the Fire Department's Strategic Plan, the department began evaluating their current public education programs to decide if the needs of the community were being met. He stated that this evaluation was data driven and resulted in a Community Risk Assessment that will assist in validating not just the education programs, but also many other aspects of the Fire Department. He shared that this data can provide clear paths in current operations, and future operational needs.

Mr. John Lyman, Fire and Life Safety Educator, stated the Community Risk Assessment process has three specific steps:

1. Identify Risks
2. Prioritize Risks
3. Develop Strategies and Tactics to Mitigate Risks

He then highlighted the following:

-The National Fire Protection Association (NFPA) develops and publishes national standards recognized by fire departments. NFPA 1300 is the standard followed for community risk assessments to be developed. NFPA 1300 identifies nine categories necessary to the creation of a community risk assessment. This assessment contains the probability and impact for each risk, which is then analyzed and documented.

- In June of 2020, the Fire Department began collecting demographics, housing stock, economic data, as well as five years of fire incident data (2015-2020) within the City of Rochester Hills. The Fire Department created graphs based on the data collected within the City.

- In 2020, the City of Rochester Hills applied to the NFPA CRA Pilot Program #2. Rochester Hills was one of five Fire Departments in Michigan selected to participate. This program has an electronic dashboard that provides data from several sources and then creates maps and tables for the department to use for data purposes. An example of a map that NFPA has created is the Population Density Map of Rochester Hills. Since March of 2021 the City, along with other fire departments participating in this program, have been meeting with NFPA representatives weekly. In these meetings, it has been apparent that many issues fire departments face are similar across the country.

- The Rochester Hills MIS Department is also working with the Fire Department to help gather data and track information. MIS has developed maps such as a heat map, incident map, and a real time incident map to help assist the Fire Department.

-The Rochester Hills Community Risk Assessment is continuing to develop to allow future operational and educational needs for the Fire Department and the community.

President Deel thanked Mr. Cooke and Mr. Lyman and stated his appreciation for the data driven approach the Fire Department has taken towards public safety. He expressed the importance of efficiency, especially when saving lives.

Mr. Hetrick questioned how this document will help the department come up with a plan to reduce response times.

Mr. Cooke responded the data is still being collected and just beginning to be analyzed. He stated the plan is to take all the data and break it down to come up with the best service based on what the communities' demands are.

Ms. Mungoli inquired as to what the next step is with the Community Risk Assessment and expressed her interest in the data driven maps and dashboard. She mentioned she would like to see the final product when it is complete.

Mr. Lyman stated the data collecting is in the works and they still have at least a few months before they finalize all the data.

Mr. Blair inquired if they could share any surprising data they have collected thus far. He also questioned the different incident categories such as; alpha-medical, delta-medical, charlie-medical, and echo-medical, displayed on the incident map and what the specific meaning is of these categories. He also inquired about the medical emergency data and why it is the longest bar on the data graph.

Mr. Cooke stated the different medical categories are based on the severity of the call, alpha being the least severe and echo being the most severe.

Mr. Lyman stated the medical emergency category on the chart is all the calls combined, and then the data is broken down based on information pulled from dispatch. He responded that seeing the population density in the Hampton area and comparing it to how busy that section of the City is, was interesting to him.

Mr. Lee Zendel, 1575 Dutton, stated the Community Risk Assessment is going to be a very valuable tool to the City. He commended the Fire Department for their efforts in completing the assessment. He suggested the Fire Department also gather data on "black swan events" and incorporate that data into the Community Risk Assessment.

Mr. Lyman responded that a "black swan event" that he can share is from 2015-2019, there were very few incidents on the Clinton River; however, in 2020 there were six incidents on the Clinton River. He pointed out that this information was a red flag to him and will be looked into as the data gets analyzed.

Mayor Barnett explained the Fire Department has continued to evolve and is always looking for ways to improve their service. He expressed that this data is a useful tool to continue to improve the Fire Department response times. He thanked the leadership in the Fire Department, and thanked Council for their longstanding support of the Fire Department.

Presented.

PLANNING AND ECONOMIC DEVELOPMENT

2021-0216 Request for Conditional Use Approval - SOS Auto Services, LLC, to operate an auto repair facility at 1862 Star Batt Dr.; Stavio Nizar, Applicant

Attachments: [071221 Agenda Summary.pdf](#)
[Staff Report.pdf](#)
[Letter of Intent.pdf](#)
[Letter from Landlord.pdf](#)
[Floor Plan.pdf](#)
[Minutes PC 061521.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(\).pdf](#)

Stavio Nizar, owner of SOS Auto Services, stated the Planning Commission recommended approval and he is now seeking approval of his request for a conditional use to operate his business from Council.

Kristen Kapelanski, Planning Manager, explained the applicant is seeking a conditional use approval for an auto facility located at 1862 Star Batt Dr. She stated that there are no site plan changes proposed or required for this site. She added auto repair services are an approved conditional use for this district. She noted that the Planning Staff and Planning Commission are recommending approval for this request with some conditions.

Vice President Bowyer thanked the applicant for coming tonight and stated the applicant moved his business to this site not realizing it was not zoned for auto businesses. She shared that the Planning Commission felt everything they presented met the requirements for a conditional use approval.

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, Morita, Mungioli and Walker

Enactment No: RES0156-2021

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to operate SOS Auto Services at 1862 Star Batt Dr., zoned REC-W Regional Employment Center, Parcel No. 15-28-177-022 based on plans dated received by the Planning and Economic Development Department on April 26, 2021, Stavio Nizar, Applicant with the following findings and conditions:

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The building has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal is having a positive impact on the community as a whole and the surrounding area by offering auto repair services to new and recurring customers.

4. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
5. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

1. All work on vehicles will be conducted inside the structure.
2. Site will be kept in a generally clean and neat condition.
3. Cars left overnight will be parked inside the building.
4. All work will be conducted between the hours of 9:00 am and 5:00 pm Monday through Friday and 9:00 am and 2:00 pm on Saturdays.

2021-0221 Request for Conditional Use Approval - R. Youngblood & Co. to operate a landscape plant material nursery at 930 Mead Rd., Ryan Youngblood, Applicant

Attachments: [071221 Agenda Summary.pdf](#)
[Staff Report.pdf](#)
[Article.pdf](#)
[Environmental Impact Statement .pdf](#)
[Email Bedient.pdf](#)
[CU Objection.pdf](#)
[Approved Plans for PC.pdf](#)
[Minutes PC 061521.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(\).pdf](#)

Kristen Kapelanski, Planning Manager, stated the applicant is proposing to occupy twenty-four acres on Mead Road to operate a landscape materials nursery for a landscape design business. The parcel is zoned residential and the applicant is requesting a Conditional Land Use. The proposed use includes nursery plantings and storage of landscape materials. She explained there is a parking lot and a building on the site as well. There are also wetlands on the property, however, the applicant does not intend to build or develop near the wetlands so permits will not be required. Tree removals are required and replacements have been credited on the site. The Planning Commission is recommending approval for the Conditional Land Use, as well as the tree removal permit, with conditions.

Ryan Youngblood, R. Youngblood and Co., played a short video revealing the site and his intentions to partner with The City of Rochester Hills. He explained the Mead Road site is very unique and his plan is to preserve this site without

clearing all the trees. He mentioned if this property were to be developed as residential, there will be more noise and traffic pollution. He noted that his daily operations include a morning load truck and afternoon unload truck onsite. He noted it is his intent to clean the site up, including installing a fifty-foot buffer of evergreen trees between surrounding property owners. Mr. Youngblood stated his plan with this site will reduce the density in this area.

President Deel thanked Mr. Youngblood and commended his video presentation.

Vice President Bowyer also thanked Mr. Youngblood for his investment in the City and preserving this site. She shared that it is her belief that the neighbors are happy that this site will be lower density and screened appropriately between the surrounding properties. Vice President Bowyer confirmed that no traffic will be heading east on Mead Road, but will travel west towards Rochester Road. She questioned whether there would be any other materials onsite besides plants.

Mr. Youngblood concurred that the traffic from this property will travel west towards Rochester Road. He also responded there will be a designated area in the center of the site that will contain bulk storage, this will be well away from the surrounding property owners.

Ms. Morita thanked Mr. Youngblood for his interest in investing in Rochester Hills. She questioned if there would be pesticides used onsite for the nursery items. She also inquired how many acres would be designated for plant production.

Mr. Youngblood responded most nursery stock items onsite will be there temporarily until they move to their designated work site. He stated there will be minimal onsite growing that does not involve using heavy pesticides. He explained they will be subcontracting pesticides off-site; no pesticides will be stored on the property. He stated the growing operation will be limited onsite; however, currently he is unable to answer exactly how the plants will be maintained as this is a new venture for their business. Mr. Youngblood commented that approximately half of the site (12 acres) will be for plant production.

Ms. Morita stated she did not see any record in the minutes relative to the use of pesticides on this property, and asked if the Planning Commission addressed this at their meeting with Mr. Youngblood.

Ms. Kapelanski responded the use of pesticides was not brought up during the Planning Commission meeting.

Ms. Morita expressed her concern with having an agricultural business using pesticides next to residential homes. She questioned where the old landscaping and compost will go when it is removed from a site for new landscaping and how they plan to control the odor from the compost.

Mr. Youngblood responded the old landscaping will go back to the proposed site on Mead Road and into a compost pile, which will eventually be used for organic matter for the growing fields. Mr. Youngblood stated they plan to create the compost piles to be in line with the predominant wind, which is southwest in Michigan; they will be located at the northeast corner of the property. Mr. Youngblood also stated his intent is to purchase this property knowing that he will not utilize the whole 24 acres for the business to buffer out some of these problems.

Ms. Morita questioned whether compost piles were discussed at the Planning Commission meeting, and how many acres are planning to be utilized for the compost piles.

Mr. Youngblood responded they have not determined how many acres will be designated for the compost piles, however, it will be a small area.

Ms. Kapelanski responded compost piles were not discussed at the Planning Commission meeting.

Ms. Morita commented that when people purchase their homes, they are usually aware of agricultural properties nearby, including possible exposure to odors and pesticides. She stated there are already homes in the area and this proposed plan will be imposing on those homeowners with the odors and pesticides. She expressed her appreciation for Mr. Youngblood's efforts; however, she stressed they need to be mindful of the residents in this area and the nuisances they will absorb with an agricultural business so close to their homes. She recommended this proposal go back to Planning Commission to discuss the size of compost piles, the types of pesticides, and the number of acres pesticides will be used on before a decision is made.

Mr. Youngblood stated a subdivision near this site uses more pesticides on their landscaping than he will be using onsite.

Ms. Morita reiterated she cannot support approving this plan tonight without having more information regarding the compost piles and pesticides.

Mr. Hetrick questioned if there are any regulations regarding compost size and storage. He also questioned where on the property will the plants be stored. He noted that there is a landscaping company near the Clinton River Trail and he frequents that trail and has never noticed any odors coming from the compost pile and has never had anyone complain to him about odors.

Mr. Youngblood responded that he is not aware of any regulations on compost sizes. He stated the Department of Agricultural will regulate most of what is done on the property. He commented that there are two long driveways that run north and south on the site and the plants will be planted along both of those driveways.

Ms. Mungoli inquired about the use of fertilizers on the property and how the plants will get nutrients.

Mr. Youngblood responded that they do not use fertilizers; they subcontract the use of fertilizers and pesticides to an outside business. He explained that his business is a design, build, landscape architectural company, and growing their own plants is a new venture for the business. Currently, the fertilizer is subcontracted out and performed on the client's property.

Ms. Mungoli questioned if this item was approved tonight, could the rest of the property be developed without going back before the Planning Commission.

Ms. Kapelanski explained the applicant's intent is to use the 12 acres for the business. She clarified that if he plans to develop a significantly larger area of the property, he will have to come back to the Planning Commission and City Council for approval.

Ms. Mungoli suggested that Mr. Youngblood be a good neighbor and talk with the neighbors about the nature of the business and address any concerns they may have.

Mr. Youngblood stated he has spent a lot of time knocking on the doors of the neighbors and it has been a pleasant experience.

Vice President Bowyer shared that the pesticide concerns did not come up at the Planning Commission meeting because it was proposed as a nursery with a few greenhouses with the pesticides contained in the greenhouses; not 12 acres of growing plants and spraying pesticides. She stated the Planning Commission did have discussion relative to the mulch and compost piles being placed on the property strategically as to not be a nuisance to the neighbors. She questioned at what point in the plan will the 12 acres be fully utilized to grow plants.

Mr. Youngblood responded this is a secondary addition to his business and he cannot give a definite answer to when the 12 acres will be fully utilized for agriculture grow. He reiterated that the full 12 acres includes a building and roadways, only a small portion will be used to grow plants. He mentioned that the thought process in acquiring this property was to operate his business in a respectful manner, and grow a few high end plants that clients seek instead of using vendors for these items. He noted there is no intention to retail sell these plants, they are strictly for clients.

Vice President Bowyer stated the plant grow is a small aspect of what will be done on the 12 acres. She questioned how many trees are anticipated to be on the property and if they are smaller trees or larger trees and if the pesticides will be air sprayed.

Mr. Youngblood concurred that the plant production is a small aspect of the business operations. He commented that at this time he does not know how

many trees will be on the property and stated the sizes will probably be seven to eight foot trees, and the individual trees would be treated.

Mr. Lee Zindel stated the Organic Materials Review Institute (OMRI), in conjunction with the USDA, has a long list of organic chemicals that a farmer can use without losing his designation as an organic farm. He pointed out that he sees no problem with this business if OMRI products are used on-site.

Mayor Barnett commended Mr. Youngblood on his video presentation. He stated this proposed development eliminates a lot of questions and concerns from residents because it is not being developed as a residential community. He mentioned that he does not think it is necessary to take this proposal back to the Planning Commission, as there is not expertise on the commission that could offer guidance to the agricultural concerns.

Mayor Barnett stated there is not a regulation regarding compost, but he wants to be assured Mr. Youngblood will work with the City to resolve any issues that may arise regarding his operations and the community.

Mr. Youngblood stated he will absolutely work with the City of Rochester Hills if any problems arise with the site.

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

Aye 6 - Blair, Bowyer, Deel, Hetrick, Munglioli and Walker

Nay 1 - Morita

Enactment No: RES0157-2021

Resolved, that the Rochester Hills City Council hereby approves a Conditional Use to operate a landscape plant material nursery for R. Youngblood & Co. on 24 acres at 930 Mead Rd., zoned RE Residential Estate, Parcel No. 15-02-200-016, based on plans dated received by the Planning and Economic Development Department on April 29, 2021 with the following findings and conditions:

Findings

1. The use will promote the intent and purpose of the Zoning Ordinance.
2. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
3. The proposal will have a positive impact on the community by keeping a large amount of open space, adding trees and offering employment opportunities.
4. The proposed development is served adequately by essential public

5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
6. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

1. The property is for growing and production of landscape material and not for sales traffic.
2. General working hours will be 7:00 am to 6:30 pm Monday through Saturday, dependent upon the weather.

PUBLIC COMMENT for Items not on the Agenda

Lori Lubman, P.O. Box 70793, stated she requested a Freedom of Information Act (FOIA) at the previous meeting and mentioned that there was a specific letter that was missing in the FOIA packet she received. She also expressed her disappointment in the City for not responding to her correspondence.

Gary McClure, 2651 Patrick Henry, Auburn Hills, stated he was in front of Council last October and at that time provided information and documents relative to Ms. Lubman's case. He noted that as of this date he has not received a response. He stated he is speaking tonight because he feels there is a serious issue that needs to be handled. He mentioned he worked for the Oakland County Sheriff's Office as a deputy for 34 years and spoke to Council while still employed to bring this issue before them. He stated it is his belief that it is the Council's responsibility to look into Lori Lubman's case regarding the private items stolen from her.

CONSENT AGENDA

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

- 2021-0244** Request for Acceptance of the Water Main Easement granted from 1401 East South Boulevard, LLC, a Michigan limited liability company, for Rochester Hills Surgery Center

Attachments: [071221 Agenda Summary.pdf](#)
[Water Main Easement.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0160-2021

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a Water Main Easement for the construction, operation, maintenance, repair and/or replacement of a water main on, under, through and across land more particularly described as Parcel #15-36-376-014, granted by 1401 East South Boulevard, LLC, a Michigan limited liability company, whose address is 1800 Brinston Drive, Troy, MI 48083, for Rochester Hills Surgery Center.

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

2021-0245 Request for Approval of a Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and 1401 East South Boulevard, LLC, a Michigan limited liability company, for Rochester Hills Surgery Center

Attachments: [071221 Agenda Summary.pdf](#)
[Storm Maintenance Agreement.pdf](#)
[Resolution \(\).pdf](#)

This matter was Adopted by Resolution on the Consent Agenda

Enactment No: RES0158-2021

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and 1401 East South Boulevard, LLC, a Michigan limited liability company, whose address is 1800 Brinston Drive, Troy, MI 48083, for Rochester Hills Surgery Center, Parcel #15-36-376-014.

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

2021-0261 Request for Approval of Fireworks Display Permit for the Festival of the Hills event to be held at Borden Park on Wednesday, August 11, 2021

Attachments: [071221 Agenda Summary.pdf](#)
[Fire Dept Memo.pdf](#)
[Site Map.pdf](#)
[Surrounding Properties Map.pdf](#)
[FOTC Permit Application.pdf](#)
[Pyrotechnic Application.pdf](#)
[American Fireworks BATFE License.pdf](#)
[Insurance Documents.pdf](#)
[Safety Data Sheet.pdf](#)
[SUPPL 071221 APPLICATION.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0161-2021

Whereas, American Fireworks of Hudson, Ohio has been selected through a competitive bid process for their safety record and the size of our show; and

Whereas, American Fireworks has provided the necessary insurance with the City of Rochester Hills named as also insured; and

Whereas, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit provided their safety procedures are followed;

Therefore, Be It Resolved, that the Rochester Hills City Council does hereby approve a permit for American Fireworks of Hudson, Ohio to provide a fireworks display for the Festival of the Hills event at Borden Park on Wednesday, August 11, 2021.

- 2021-0233** Request for Purchase Authorization - FACILITIES: Increase to the blanket purchase order for security systems services in the amount of \$10,000.00 for a new not-to-exceed amount of \$35,000.00 through July 31, 2021; Security Designs, Inc., Livonia, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0162-2021

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the blanket purchase order for security systems services to Security Designs, Inc., Livonia, Michigan in the amount of \$10,000.00 for a new not-to-exceed amount of \$35,000.00 through July 31, 2021.

- 2021-0235** Request for Purchase Authorization - FACILITIES: Purchase Authorization for painting of the bays and the main hallway at Fire Station 1 in the not-to-exceed amount of \$28,600.00; General Painting Company, Rochester Hills, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0163-2021

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of painting services for the bays and the main hallway at Fire Station 1 to General Painting Company, Rochester Hills, Michigan in the not-to-exceed amount of \$28,600.00.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

- 2021-0234** Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for as-needed miscellaneous concrete work services in the amount not-to-exceed \$75,000.00 for a one-year term to expire June 30, 2022; Luigi Ferdinandi & Son Cement Company, Roseville, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0164-2021

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for as-needed miscellaneous concrete work services to Luigi Ferdinandi & Son Cement Company, Roseville, Michigan in the amount not-to-exceed \$75,000.00 for a one-year term to expire June 30, 2022 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

Passed the Consent Agenda

A motion was made by Hetrick, seconded by Blair, 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, Morita, Mungiolli and Walker

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Walker mentioned that the Moutrie Pollinator Garden Ribbon Cutting Ceremony took place on June 28, 2021 on the Paint Creek Trail. He explained that this event was in honor of David Moutrie, who was a teacher, an environmentalist and an active supporter of the Paint Creek Trail. He encouraged everyone to visit the Moutrie Garden.

Vice President Bowyer announced the summertime 5K Run/Walk events as well as the following Outdoor Engagement activities:

- Paint Creek Trail Labor Day Bridge Walk will be held on September 6th at Rochester Park
- Michigan Ovarian Cancer Alliance (MIOCA) Wheels and Teal Car Show and 5K will take place on September 11th at Village of Rochester Hills
- The Brooksie Way is scheduled for September 26th (virtual and in person) at Meadowbrook Music Festival
- Neighborhood House Scare away Hunger, TBD at Rochester College
- Evening Kayak, July 22nd at Thelma Spencer Park
- Kayaking 101, July 24th and August 22nd at Thelma Spencer Park
- River Adventure, July 25th
- Tree ID and Campfire, July 29th at Bloomer Park
- Outdoor Adventure Camp, August 3rd at Bloomer Park

- *Hiking Boots and Thinking Caps, August 26th at Bloomer Park*

Mayor Barnett announced the following:

- *He announced that Fanuc Robotics launched their 750,000 robot, and stated the City appreciates their business operations in Rochester Hills.*
- *Rochester Hills and the Detroit Institute of Arts (DIA) have partnered together to display art around the City. He thanked Maria Willet for her leadership and work with the DIA. The art will be located at places like Innovation Hills, The Village of Rochester Hills, and Art on Auburn Road.*
- *The City hosted a delegation with our sister city in Tuzi, Montenegro last week. Mayor Barnett stated the City was able to secure a sanitation truck to assist the needs of our sister city.*
- *He announced the following upcoming events:*
 - August 5th - Innovation Hills Ribbon Cutting*
 - August 5th - Rochester Hills Museum Grand Reopening*
 - August 11th - Festival of the Hills*
 - August 25th - State of the City*
- *He mentioned the significant amount of rain that has occurred the past few weeks and thanked the DPS workers for their hard work and diligence in providing service to the residents.*
- *He thanked all the workers that are assisting in completing the construction work on Hamlin Road. He read a letter received from a resident commending the construction workers on Hamlin Road.*
- *He informed the residents about Jasmine, a young lady, who lives on Auburn Road. She is seven years old, and has faced many challenges in her life. He stated she loves when people drive by and honk their horn to say hi to her. He shared that the DPS got together and formed a parade in front of her home to honk as they drove past her house. He encouraged residents to honk their horn if they see her outside. He expressed how strong Jasmine is and how appreciative he is to the DPS for making Jasmine's day.*
- *He introduced Flora, a resident who turned celebrated her 104th birthday. She is a resident at Bellbrooke and the oldest resident in the city. He was honored to present Flora a plaque for her birthday.*

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2021-0271 Appointment of Youth Members to the 2021/2022 Rochester Hills Government Youth Council (RHGYC)

Attachments: [071221 Agenda Summary.pdf](#)
[Resolution \(\).pdf](#)

President Deel explained in 2005 the Rochester Hills City Council established The Rochester Hills Government Youth Council (RHGYC) to promote youth

involvement in local government. The RHGYC consists of fifteen members appointed by City Council following an application process; two representatives from each district and seven are at-large representatives. He stated that this year thirty-three applications were received that met the qualifications to be considered, of those applications nine were current youth council members requesting to be re-appointed for an additional term. He noted twenty-four students were interviewed, each candidate was reviewed for application quality, adult references, the overall interview, and their representation.

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

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

Enactment No: RES0165-2021

Resolved, that the Rochester Hills City Council hereby concurs with the recommendation of the Rochester Hills Government Youth Council (RHGYC) Interview Team and appoints the following students to the 2021/2022 term beginning September 1, 2021 and ending August 31, 2022.

Representative	School	District	Grade
Ryan Barrett	Rochester HS	4	11
Caroline Bull	Adams HS	2	10
Abhro Debnath	Rochester HS	1	12
Amanpreet Dosanjh	Rochester HS	3	11
Henry Hall	Rochester HS	4	10
Numair Haq	Rochester HS	1	12
Tanish Kalwad	Adams HS	2	12
Bella Morris	Renaissance Homeschool	4	11
Jackson Otlewski	International Academy	4	9
Shreya Pillai	Rochester HS	3	11
Erica Traskos	Stoney Creek	4	10
Maya Vijayakumar	International Academy	1	10
Aaron Yoon	Rochester HS	3	9
Yitian Zhang	International Academy	1	12
Aimee Zhao	International Academy	1	9

NEW BUSINESS

2021-0236 Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for janitorial services in the amount not-to-exceed \$137,000.00 through June 30, 2022; Americlean Inc., Chesterfield Township, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[Resolution \(\).pdf](#)

Scott Cope, Building Department Director, stated the Facilities Department deals with over 100 contracts a year and the janitorial services contract is the most challenging contract. He explained that over the year the City has contracted with the low bidder, the high bidder, and the middle bidder and have had challenges with the quality of service and supervision of the staff. He noted that four years ago Rochester Hills hired Americlean and they have been a great partner, especially during COVID, by keeping the buildings safe and

sanitary. He is requesting Council to approve the renewal contract with Americlean.

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, Morita, Mungoli and Walker

Enactment No: RES0166-2021

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for janitorial services to Americlean Inc., Chesterfield Township, Michigan in the amount not-to-exceed \$137,000.00 through June 30, 2022 and further authorizes the Mayor to execute an agreement on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

2021-0247 Request for Purchase Authorization - MAYORS/FISCAL: Approval of Insurance Coverage (general liability, motor vehicle, physical damage, property and crime coverage) pool contributions/costs, legal defense and risk management consulting in the amount not-to-exceed \$410,885.00; Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: [071221 Agenda Summary.pdf](#)
[MMRMA Insurance Proposal \(2021-22\).pdf](#)
[Premium Analysis.pdf](#)
[Resolution \(\).pdf](#)

Joe Snyder, Chief Financial Officer, stated that this request is for approval to renew the Michigan Municipal Risk Management Authority Insurance (MMRMA), for one year starting July 1, 2021 ending June 30, 2022 in the amount of \$410,885.00; this is a 2.7% increase from last year's renewal. He explained that the MMRMA provides assistance to local governments throughout the state, and the City of Rochester Hills has been a member of MMRMA insurance since 1985. He pointed out that the City's long time member status allows the City to receive a long-term member share of a net asset distribution shared by the MMRMA to its member communities. He shared that the City will receive a net asset distribution check in the amount of \$242,345.00, upon renewal of the 2021-2022 year bringing the net cost to the City for insurance to \$168,000.00.

Ms. Mungoli questioned why the motion is asking for \$410,885.00, if the actual cost is only going to be \$168,000.00 after the long-term share check.

Mr. Snyder responded that instead of issuing the \$410,885.00 check, the City will only be issuing the \$168,000.00 because the other \$242,345.00 will be listed as incoming revenue. He stated the cost is all there but with the incoming revenue, the net difference is the only allocation.

Ms. Mungoli pointed out that the agenda summary states all the money being spent but does not state where the funds received will go.

Mr. Snyder stated that information will be shared in the budget amendment. He

mentioned that the City never knows how much the long-term share check will be each year; therefore, the budget gets amended once the check is received.

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

Aye 6 - Blair, Bowyer, Deel, Hetrick, Mungiolli and Walker

Abstain 1 - Morita

Enactment No: RES0167-2021

Whereas, the Mayor is requesting continuation of the City's Insurance (general liability, motor vehicle physical damage, property, and crime coverage) coverage including pool contributions, stop loss coverage, SIR (self-insured retention) fund replenishment, and risk management consulting in the amount not-to-exceed \$410,885 for the period of July 1, 2021 through July 1, 2022 with the Michigan Municipal Risk Management Authority (MMRMA), located in Livonia MI

Resolved, that the City of Rochester Hills City Council hereby authorizes a Blanket Purchase Order/contribution to the Michigan Municipal Risk Management Authority (MMRMA) of Livonia, Michigan, for general liability, motor vehicle physical damage, property and crime coverage, pool contributions, stop loss coverage, SIR (self-insured retention) fund replenishment, and risk management consulting in the amount not-to-exceed \$410,885 for the period of July 1, 2021 through July 1, 2022.

2021-0248 Request to Approve a Ballot Proposal for a Parks Millage

Attachments: [071221 Agenda Summary.pdf](#)
[Ballot Proposal Language.pdf](#)
[Resolution \(\).pdf](#)
[Ballot Proposal Language \(SUPPL Revised\).pdf](#)
[Resolution \(Revised\).pdf](#)

Joe Snyder, Chief Financial Officer, stated this is a request to place a proposal on the 2021 election ballot to repurpose the expiring Older Persons' Commission Millage of 0.1660 mil towards the City park system's facilities and operations. He noted that this would be for a ten-year period beginning in fiscal year 2022 through fiscal year 2031. He explained that if approved by voters, this re-purposed millage will not increase or change the City's overall millage rate from the prior year level; it would generate approximately \$650,000.00 in revenue that would be dedicated exclusively towards City park system's facilities and operations. He shared that in November of 2000, the voters authorized a 20-year bond proposition covering years 2001 through 2021 to cover the land acquisition construction of the Older Persons' Commission Building. He added in order to pay the final remaining portion of the OPC debt in 2021, the City levied a final millage of 0.166 mil. He exclaimed that as of April 2021, the debt has been paid off in full. He then explained that over the last eleven years, there have been three separate occasions in 2010, 2012, and 2014 where the City had its own debt millage expire or another millage fall off or expire, and because of this, the City had the opportunity to present a ballot language to the voters that would allow a vote to re-purposed the expired millages towards a new dedicated purpose without raising the overall tax rate. He stated that the past three re-purposed millages were dedicated to the local street system, and that the local street system has improved because of the

dedicated funds from the re-purposed millages. He expressed that this request is very similar to the last three requests except the funds will be dedicated to the parks and not to the local roads. He mentioned that if this is approved by voters, the dedicated funds would be put into a new separate Parks revenue fund that has the ability to transfer funds to the appropriate funds based on the needs of the park. He shared that currently, the Capital Improvement Fund funds all park expenses, however, the new parks fund would relieve the Capital Improvement Fund for being the sole source for park related projects.

Ken Elwert, Parks and Natural Resource Director, explained the parks usage is up 21 percent in 2020 compared to 2019. He stated the parks had over one million visits in 2020, and this year the numbers are similar. Nationwide, Rochester Hills parks usage is in the top tier of visits compared to other cities. He explained parks need upgrades to last for the next 50 years, which is why this millage is appropriate.

Mayor Barnett stated a tremendous amount of due diligence has gone into this request. He explained road millages were not popular in the past, however City Council looked at the data and figured out a way to fund the roads without raising taxes and that was re-purposing expired millages. Mayor Barnett explained that just like roads, parks are expensive and will be here forever, and the ultimate power is in the hands of the residents based on the data received.

President Deel stated the question before Council is if they want to ask the voters if they want to re-purpose the Older Persons' Committee Building debt to a new parks system maintenance fund. He stated there is a Capital Improvement Plan that has identified 73 million dollars in park projects over the next seven years. He pointed out that this new millage would generate approximately \$650,000.00 per year for ten years, and over the ten years it would generate approximately 13 to 14 million dollars. These funds would be dedicated to the park systems and the parks are a big reason why people move to Rochester Hills.

Ms. Morita stated she had asked Mr. Snyder for additional information on expenses for the parks and the Capital Improvement Plan and thanked him for the information. She commented that President Deel explained there was 73 million dollars in park expenses in the next seven years and pointed out that number is incorrect; the number is closer to ten million dollars. She noted that the other 63 million dollars is for operational costs and maintenance for the parks. She stressed that this millage will provide some funding for the Parks, but will not fully fund the parks. She stated the Council has discussed the state of some of the park's buildings and structures that staff currently work at on a daily basis, are not in the shape the Council would like to see them in. She shared that she is in support of this millage re-purpose and feels there is a definite need for this in the long run. She requested the Nowiki Park sign get put on the priority list to get fixed, as it is long overdue. She thanked Mr. Snyder and Mr. Elwert for their efforts and information to help Council make an informed decision on this request.

Mr. Hetrick shared that he was on the Public Safety and Technical Review Committee that helped put the road millage re-purposes into place. He stated it

is outstanding to see the results produced to improve the roads because of the millages. He stressed this millage re-purpose is important for the parks and trails to last and be enjoyable for everyone.

Vice President Bowyer thanked Mr. Snyder and Mr. Elwert for bringing this request before Council. She stated she has been on Council for six years and during that time the millage has never been increased. She commented the fiscal responsibility for the City has been awesome and believes this is a great idea to repurpose this millage for the parks. She pointed out that during COVID the parks were used more than ever. She stated her support of this request and asked if the museum will be covered in the parks millage as well.

Mr. Elwert stated the Museum will be included in the parks millage.

Ms. Mungoli questioned why the residents were not given the option to let the millage expire and receive a tax decrease, stating she would like to see property taxes lowered in the City. She pointed out the City has done 12 million dollars of work on Innovation Hills and 12 million dollars of work on Auburn Road and all of this work has been done without a tax request. She commented that roads are needed to get around the community, to be safe, to allow police and fire to get through the community, while parks are fun and wonderful and are important to the citizens; however, she does not understand why a tax request is needed. She stated she cannot support this request, and believes the voters should be informed on what exactly this millage will be used for and what it will not be used for. She requested a clear plan so the voters can make an informed decision on where their money is going.

Mr. Walker stated that as a realtor, he understands the parks are one of the primary reasons people move their families to Rochester Hills. He inquired about the one million visits in 2020 and whether that number is broken down by resident and non-resident, to get a better idea of who is visiting the parks.

Mr. Elwert responded they do not have the breakdown of residents verses non-residents visiting the parks in Rochester Hills. He stated it is his understanding that the majority of the usage is from residents. However, in the summer months, Spencer Park gets more non-resident visits than resident visits.

Mr. Walker stated he feels this millage re-purpose is a benefit to the community and he supports this ballot proposal request.

Mr. Blair commented that ten years is a long time and pointed out that there will be new Council members in ten years. He mentioned the word "operations" and expressed his concern that the City might rely on this millage re-purposing to cover operational costs, and then in 2032 there will not be enough funds to pay for the day-to-day operations without passing another millage. He asked if this funding is to help fund short-term park issues or is this intended to be a predominant fund for park operations.

Mr. Elwert explained the term "operations" was left in the ballot language for future flexibility. He stated that all the discussions had related to Capital

Improvement Projects and fixing the high priority issues.

Mr. Snyder stated the intent is to use this funding for Capital Park Projects. He explained in order to get the parks looking as beautiful as City Hall, the DPS building, and the fire stations, the funds will be dedicated towards the capital projects related to parks.

President Deel stated he misspoke earlier, that there is approximately 10.6 million dollars in the Capital Improvement Plan for parks today. The 73 million dollars he spoke about earlier was grand total park expenses, including what is in the Capital Improvement Plan.

Mr. Snyder stated parks require approximately five to six million dollars to operate and then add any capital on top of that.

Ms. Mungoli referenced the buildings being proposed for Borden Park and Innovation Hills and noted that Council sent the proposed buildings back because they were expensive. She explained just because the millage passes does not mean she is going to approve expensive park structures, because she feels that is not a proper use of tax payers' dollars. She questioned what fund will be used to educate the community on this proposal.

Mr. Snyder responded that there is a request for \$25,000 for an educational campaign, which will come out of the Mayor's budget and will be part of the third quarter budget amendment.

Ms. Mungoli inquired if approved by voters, would items on the Capital Improvement Plan get shifted around because there are dedicated funds in the Capital Improvement Plan for parks.

Mr. Snyder stated the new parks millage would be dedicated solely for parks, and the Capital Improvement Fund can be used city-wide. He explained that without this millage, the Capital Improvement Fund would get drawn down frequently to cover the park expenses; however, with this millage it can assist in some of the park expenses and then free up some of the Capital Improvement Funds for other needs throughout the City.

Ms. Mungoli stated she views this millage as additional money on top of what has already been budgeted for parks. She expressed concern that items will be re-prioritized on the Capital Improvement Plan if the funds are used from this millage and not the Capital Improvement Funds.

Mr. Snyder explained every year there is a committee that gets together and rates the items for the Capital Improvement Plan. He noted they cannot change these ratings or re prioritize the Capital Improvement Plan.

Ms. Morita clarified that the \$25,000 budget is coming out of the City Council budget not the Mayor's budget. She stated that the park buildings have not been viewed as a high priority for so long, that they are in need of repair. She stressed these dollars need to be specifically dedicated to the parks for decades of work that needs to be caught up on. She mentioned her main

concern is the safety of the workers and residents, and making sure the parks buildings and structures are free of asbestos and other hazards.

Mr. Blair questioned if there will be more investment to the parks with funds from this millage, or will the funds from the millage be used for Parks and then some of the money that was dedicated to Parks in the Capital Improvement Plan utilized for other needs in the City.

Mr. Snyder explained this millage fund for Parks would be used for Parks collectively with the funds from the Capital Improvement Plan.

Mr. Blair stated the combination of both funds will have to be watched closely because the City will want to continue to fund the Capital Improvement Fund for Parks, because the millage is just a boost to help gets these improvements done quicker.

Mr. Snyder concurred noting that this millage will promote the health of the Capital Improvement Fund to allow future Councils to give them the option to dedicate future funding for projects at that time.

Mr. Blair expressed if this millage passes, the residents are going to want to see results.

Mr. Snyder stated they are just finishing the 2022-2024 budget plan and pointed out that there are a lot of park projects in the budget.

President Deel stated this ballot language dedicates this funding for Parks. He commented that it prevents the City from reallocating these funds to something the City might think is a higher priority and pushing Parks down on the priority list. He also added that designating these funds to Parks Capital Improvements and not to operations of Parks will ensure the Parks will still have funds to operate if this millage does not go beyond ten years.

Ms. Mungioli stated it will alleviate most of her concerns if "and operations" is removed from the ballot language. She noted this will assure these funds are going to improvements and not operations.

Mayor Barnett concurred with removing "and operations" from the language. He emphasized having unanimous Council support is important and sends a strong message to the community. Mayor Barnett stated Council will have the opportunity to see where these funds are specifically proposed to be spent well in advance, just like they do now with other funds. He stated maximum flexibility is important with dedicated dollars to allow for repairs that may not be foreseen.

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

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

Enactment No: RES0168-2021

Resolved, that the Rochester Hills City Council hereby approves placing the following Proposal on the November 2, 2021 General Election Ballot:

BALLOT PROPOSAL

PROPOSAL TO RE-PURPOSE EXPIRED
OLDER PERSONS' COMMISSION BOND MILLAGE FOR PARKS

In November 2000, City of Rochester Hills voters authorized a 20-year bond proposition to fund land acquisition and construction of the Older Persons' Commission (OPC) building. The OPC bond debt has been fully paid and retired in Fiscal Year 2021. It is proposed that the 0.1660 mills that was levied for Fiscal Year 2021 to pay the final year of OPC bond debt be re-purposed and replaced with an equivalent tax levy of up to 0.1660 mills for 10 years, beginning in Tax Year 2021 for the Fiscal Year 2022 and continuing through Tax Year 2030 for Fiscal Year 2031, inclusive, to be used for improving and enhancing the City's park system facilities. This millage re-purposing will not increase the overall tax rate from the prior tax year level.

Therefore, shall the City of Rochester Hills re-purpose and replace the expired 0.1660 mills tax levy that was used to retire the OPC bond debt with an equivalent tax levy of up to 0.1660 mills (\$0.1660 per \$1,000 of taxable value) on the taxable value of all property assessed for taxes in the City for 10 years, beginning in Tax year 2021 for Fiscal Year 2022 and continuing through Tax Year 2030 for Fiscal Year 2031, inclusive, to be used for improving and enhancing the City's park system facilities? This will generate an estimated \$647,962 in tax revenues if levied in full in the first year.

Yes

No

- 2021-0227** Request for Acceptance of Grant - Recommendation to accept the terms of the Land and Water Conservation Fund Grant Program Development Grant 26-01838 between the City of Rochester Hills and the Michigan Department of Natural Resources (MDNR) for Innovation Hills - Universal Playground Development

Attachments: [071221 Agenda Summary.pdf](#)
[Project Agreement.pdf](#)
[Resolution \(\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, stated the request before Council tonight is to approve the project agreement with the MDNR for Phase II of the playground at Innovation Hills. He noted that this is a budgeted item, the request is to accept the revenue. He stated that there are stipulations to this grant, but they are the same stipulations as past land and water grants the City has received. He explained that the major stipulation is that the property has to be used in perpetuity for outdoor recreation and that the Council will fund the operations of this entity for an acceptable level for the use of its life.

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

Enactment No: RES0169-2021

Whereas, on March 25, 2019, City Council gave support to the Parks & Natural Resources Department in the submittal of a grant application to the Michigan Department of Natural Resources (MDNR) through their Land and Water Conservation Fund Grant Program. The application was submitted and resulted in the MDNR offering Development Project Agreement 26-01838; and

Whereas, the development of Innovation Hills (f/k/a Riverbend Park) shows the City's continued desire to deliver the finest recreational opportunities to our residents; and

Whereas, the Parks & Natural Resources Department, based on detail in the Innovation Hills Strategic Framework has calculated the City's cost for this project to be approximately \$300,000 as the required minimum 50% match to the grant; and

Whereas, one of the goals of the City of Rochester Hills Parks and Recreation Master Plan 2016-2020 includes development of high quality parks; and

Whereas, this project has been identified in the City's Capital Improvement Plan (CIP #PK-13); and

Be It Resolved, that Rochester Hills City Council does hereby accept the terms of Development Project Agreement 26-01838 Grant as received from the Michigan Department of Natural Resources (MDNR) for the Innovation Hills - Universal Playground Development, and that the City Council does hereby specifically agree, but not by way of limitation, as follows:

To appropriate all funds necessary to complete the project during the project and to provide three hundred thousand dollars (\$300,000) to match the grant authorized by the MDNR.
To maintain satisfactory financial accounts, documents, and records to make them available to the MDNR for auditing at reasonable times.
To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

Further Be It Resolved, that the Mayor or his designee is authorized to execute Development Project Agreement 26-01838 on behalf of the City.

2021-0251 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for preliminary engineering services for the Old Perch Rehabilitation and Adams Road Pathway Extension projects in a not-to-exceed amount of \$127,422.00; Nowak & Fraus Engineers, Pontiac, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Adams Pathway Location Map.pdf](#)
[Old Perch Map.pdf](#)
[Proposal for Services.pdf](#)
[Resolution \(\).pdf](#)

Allan Schneck, Public Services Director, explained that by starting the engineering now for the Old Perch Rehabilitation and Adams Road Pathway

Extension projects will allow the City to have plans and specifications for bidding in the first quarter of 2022.

Ms. Munglioli questioned the timing of the construction on Old Perch Road. She stated with a middle school on Old Perch she would ask once the construction begins, that it does not interfere with drop off and pick up of the school-aged children.

Mr. Schneck responded the department is mindful of the school on Old Perch and will consider the construction times when they put the progress schedule together.

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

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

Enactment No: RES0170-2021

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for preliminary engineering services for the Old Perch Rehabilitation and Adams Road Pathway Extension projects to Nowak & Fraus Engineers, Pontiac, Michigan in a not-to-exceed amount of \$127,422.00 and further authorizes the Mayor to execute a contract on behalf of the City.

2021-0252 Request for Purchase Authorization - DPS/ENG: Request for Approval of Cost Participation Agreement between the City of Rochester Hills and the Road Commission for Oakland County as a result of the 2020 Better Utilizing Investments to Leverage Development (BUILD) grant award for the preparation and completion of an Environmental Assessment along Adams Road From Hamlin Road to Walton Boulevard with the City's commitment of \$250,000 as their participatory share; Road Commission for Oakland County, Beverly Hills, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Build Cost Participation Agreement.pdf](#)
[Resolution \(\).pdf](#)

Allan Schneck, Public Services Director, explained that in 2018, a request came before Council to approve an engineer feasibility study with the Road Commission for Oakland County (RCOC) and Oakland University. He stated at this time the City is ready to take the next steps with this project, which is an environmental assessment. He shared that the RCOC was awarded a road grant in September 2020 and Rochester Hills has a participatory share in part of that grant. He pointed out that the request tonight before Council is to allow Rochester Hills to enter into an agreement with Road Commission for Oakland County.

Ms. Morita stated she is happy to see this before the Council tonight noting that when she was campaigning for City Council in 2013, safety and congestion was a huge issue on this road. She shared that she is happy to see the efforts and partnerships involved in moving forward with this project.

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

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

Enactment No: RES0171-2021

Resolved, that the Rochester Hills City Council hereby approves and authorizes the City to enter into a cost participation agreement between the City and the Road Commission for Oakland County as a result of the 2020 Better Utilizing Investments to Leverage Development (BUILD) grant award in the amount of \$2,000,000.00 whereby the City's participatory share is \$250,000.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

2021-0253 Request for Acceptance of Grant - DPS/ENG: Recommendation for the City to commit to the Michigan Department of Transportation (MDOT) - Transportation Alternatives Program (TAP) matching funds necessary to construct the Drexelgate Boulevard pathway project from Livernois Road to Rochester Road project

Attachments: [071221 Agenda Summary.pdf](#)
[Grant Application.pdf](#)
[Resolution \(\).pdf](#)

Allan Schneck, Public Service Director, stated in the spirit of trying to leverage City dollars, the City approached the Michigan Department of Transportation (MDOT) in attempts to get a road diet on Drexelgate Boulevard, which would allow space to construct a non-motorized pathway along this road. He mentioned that the City and MDOT worked together to produce a grant application. He explained within this application there is a requirement that states the legislative body has to pass a resolution that recognizes that the administration has applied for this grant and, if awarded, the City would commit to matching the grant dollars.

Ms. Mungoli questioned if this grant is not approved, will the road diet not be performed.

Mr. Schneck responded this project is in the Capital Improvement Plan, so it is fully funded in the plan. He explained if the grant is awarded, it would cut the City's expense in half.

Ms. Mungoli inquired whether the City has reached out to speak to the residents on Drexelgate about the project.

Mr. Schneck stated the City has not formally gone to the residents, but the road diet is necessary according to the Pathway Committee.

Ms. Mungoli suggested speaking with the residents so they are aware of these projects that will be happening so close to their homes.

Mr. Schneck added MDOT has informed him the funds would not be available until 2023.

Mr. Hetrick commented he received a letter from a neighbor when he first ran for City Council asking him when a pathway would be installed on Drexelgate. He stated he is very supportive of the road diet and pathway installation.

Vice President Bowyer stated she loves the idea of the pathway; however, she is not a fan of the road diet. She questioned if the pathway could be installed without performing the road diet.

Mr. Schenck stated the road diet will reduce traffic speeds on Drexelway. He stated Drexelway is 39 feet wide, and it should only be 24 feet wide. He mentioned that he believes the road diet and pathway are tied together, because they would have to acquire property if they put a pathway in without the road diet.

Vice President Bowyer noted that there are five homes that will be directly impacted by this road diet and stated that those residents will no longer be able to park in the street in front of their homes. She mentioned that she is not in favor of taking parking away from these homes, and fears these homeowners will still park in the road even with the road diet being performed. She explained in the future if the plans can show a way to allow those five homes to continue to park in front of their houses she will support this project; however, she cannot support it the way it is presented tonight.

Mr. Schneck suggested providing a gap in the diet in front of these homes, allowing these residents to still park safely on the road.

Mayor Barnett explained this is a very important issue on Drexelgate. He believes Vice President Bowyer has some valid points, however, he feels the road diet is important. He stated this is a very dense part of the City and the pathway and road diet is necessary for the safety of the residents.

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

Aye 6 - Blair, Deel, Hetrick, Morita, Mungioli and Walker

Nay 1 - Bowyer

Enactment No: RES0172-2021

Whereas, Rochester Hill's prepared and submitted an application to receive a grant under the Michigan Department of Transportation (MDOT) - Transportation Alternatives Program (TAP) for the Drexelgate Pathway Project. The TAP application is proposed as \$1,112,106.00 or 60% grant funding of the total estimated construction project cost and the City participatory share of \$41,405.00 or 40% of the total estimated construction project costs.

Now, Therefore Be It Resolved, that the Rochester Hills City Council authorizes the Mayor to act as the applicant agency's agent during project development and sign a project agreement upon receipt of a funding award; and

Be It Further Resolved, that the City of Rochester Hills commits to owning, operating, and funding/implementing a maintenance plan/program over the design life of the pathway constructed with TAP funds; and

Be It Further Resolved, that the City Council certify that financing is secured, available, and committed for use in constructing the project. This includes

matching funds, nonparticipating funds if applicable, and cash flow available for a locally let project.

- 2021-0254** Request for Purchase Authorization - DPS/ENG: Cost Participation Agreement approval between the Board of Commissioners (BOARD) for the County of Oakland and the City of Rochester Hills for Local Road Improvement Matching Fund Pilot Program in the amount of \$252,536.00

Attachments: [071221 Agenda Summary.pdf](#)
[LRIP Project Approval Letter.pdf](#)
[Cost Participation Agreement.pdf](#)
[Resolution \(\).pdf](#)

Allan Schneck, Public Service Director, recognized the Board of Commissioners; primarily Commissioner Kuhn and Commissioner Kochenderfer for advocating for the Local Road Improvement Matching Fund Pilot Program. He stated the City submitted an application and the County approved the application and he is requesting that Council approve the agreement between the City and the County.

President Deel thanked Mr. Schneck for taking the initiative to execute this agreement and also thanked Commissioner Kuhn and Commissioner Kochenderfer for their efforts as well.

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

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

Enactment No: RES0173-2021

Resolved, that the Rochester Hills City Council hereby approves the Cost Participation Agreement between the City of Rochester Hills and the Board of Commissioners (BOARD) for the County of Oakland for Local Road Improvement Matching Fund Pilot Program in the amount of \$252,536.00 and further authorizes that designated signing authority for the agreement be given to the Director of Public Services.

- 2021-0255** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the DPS Vector Pad and Washbay Projects in the amount of \$286,676.00 with a 10% project contingency of \$28,667.60 for a total not-to-exceed project amount of \$315,343.60; Warren Contractors & Development, Shelby Township, MI

Attachments: [071221 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(\).pdf](#)

Allan Schneck, Department of Public Services, explained the proposed projects are part of the Capital Improvement Plan for the Department of Public Services Building. He stated these projects include a Vector Pad and Washbay.

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

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

Enactment No: RES0174-2021

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for the DPS Vactor Pad and Washbay Projects to Warren Contractors & Development, Shelby Township, Michigan in the amount of \$286,676.00 with a 10% project contingency of \$28,667.60 for a total not-to-exceed project amount of \$315,343.60 and further authorizes the Mayor to execute a contract on behalf of the City.

Further Resolved, that the City's acceptance of the proposal and approval of the award of a contract shall be contingent and conditioned upon the parties' entry into and execution of a written agreement acceptable to the City.

ANY OTHER BUSINESS

NEXT MEETING DATE - Regular Meeting - Monday, July 26, 2021 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Walker to adjourn the meeting at 9:59 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*AMBER BEAUCHAMP
Administrative Coordinator
City Clerk's Office*

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