



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 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, February 6, 2023

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 Mungioli and David Walker

Others Present:

*Sean Canto, Fire Chief/Emergency Services Director
Bill Fritz, Public Services Director
Larry Gambotto, Captain/Training Officer
Chris McCleod, Planning Manager
Sara Roediger, Planning and Economic Development Director
Leanne Scott, City Clerk
John Staran, City Attorney
Mike Viazanko, Building/Ordinance/Facilities Director
Maria Willett, Chief of Staff*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced RHGYC Representative Aaron Yoon.

Mr. Yoon shared that he is a sophomore at Rochester High School and this is his second year serving on the RHGYC. He stated that at the last RHGYC meeting, they finalized their Lansing trip agenda. He added that while in Lansing the RHGYC members will observe the Senate Session at the Capitol, have lunch with State Representative Tisdell, meet Senator Webber and tour the Capitol. He noted that for the remainder of the year, the RHGYC will begin its monthly meetings with a presentation from a department within the City. He shared that at the last RHGYC meeting, MIS gave a presentation and provided a tour of its Department to the RHGYC members.

Capital Improvement Projects:

Vice President Bowyer stated that any residents interested in recommending Capital Improvement Projects can go to the City's website: www.rochesterhills.org and visit the Planning and Economic Development page, under Applications, CIP Application. She explained that the form is due by February 24, 2023 and can be emailed to Joe Snyder at snyderj@rochesterhills.org.

RECOGNITIONS

2023-0026 Proclamation in Recognition of Chad Zwolinski, Advanced Placement U.S. History teacher at Rochester High School, received the Honored National Teaching Award

Attachments: [020623 Agenda Summary.pdf](#)
[Proclamation.pdf](#)

Mayor Barnett introduced Rochester High School Teacher, Chad Zwolinski. He shared that Mr. Zwolinski's leadership and excellence have impacted many students at Rochester High School. He added that Mr. Zwolinski had been awarded the Honored National Teaching Award and he presented Mr. Zwolinski with a proclamation on behalf of the City.

Mr. Zwolinski thanked Mayor Barnett and City Council for the recognition and he stated that he is honored to be working in the community.

Presented.

2023-0039 Proclamation in Recognition of Rochester Adams' Boys Varsity Soccer Team

Attachments: [020623 Agenda Summary.pdf](#)
[Proclamation.pdf](#)

Mayor Barnett shared that the Rochester Adams' Boys Varsity Soccer Team were the MHSAA Division One State Champions. He added that there are incredible student athletes at Rochester Adams High School and the City is exceptionally proud of all of them. He stated that winning a State championship is a memory that the team will have forever. He congratulated the team and presented Coach Josh Hickey, Assistant Coach Brian Fitzgerald, Assistant Coach Kip Pichel and Assistant Coach Dustin Coleman with a proclamation on behalf of the City.

Coach Josh Hickey thanked Mayor Barnett and City Council for the recognition and shared that the coaching staff are extremely proud of the team. He added that it took a lot of hard work to get where they are today and they had to overcome a lot of challenges.

Presented.

ORDINANCE FOR INTRODUCTION

2022-0393 Request for Acceptance for First Reading - An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone approximately 12 acres of land located west of Rochester Rd. and south of Cloverport Ave., Parcel Nos. 15-15-429-026, 15-15-429-027, 15-15-405-004 and 15-15-429-034 from I Industrial to R-4 One Family Residential District, and Parcel 15-15-429-035 from I Industrial to B-2 General Business District, and to repeal conflicting Ordinance and to prescribe a penalty for violations

Attachments: [022723 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Agenda Summary 020623.pdf](#)
[Staff Report Rezoning 011723.pdf](#)
[Updated Public Comment 011723.pdf](#)
[PC Minutes 011723 \(Draft\).pdf](#)
[PC Regular Minutes 111522.pdf](#)
[Roediger Memo 111522.pdf](#)
[Updated Public Comment 111522.pdf](#)
[PC Regular Minutes 092022.pdf](#)
[Roediger Memo 091422.pdf](#)
[Public Comment 092122.pdf](#)
[Public Hearing Notice.pdf](#)
[Agenda Summary 082922.pdf](#)
[Resolution 082922.pdf](#)
[Resolution 020623.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, and **Chris McCleod**, Planning Manager, were present.

Mr. McCleod shared that this is the First Reading for a rezoning of 12 acres of land west of Rochester Road and south of Cloverport Avenue. He explained that City Council initiated the rezoning discussion in August of 2022, Planning Commission then held a Public Hearing after several meetings with the property owners and residents. He stated that the Planning Commission recommended approval of the rezoning of these parcels from Industrial to R-4, One Family Residential; with the exception of one parcel located at the southeast that would be rezoned from Industrial to B-2, General Business. He added that the properties to the north of these parcels are zoned R-4 and the properties to the south are zoned Industrial with the Flex-Business Overlay. He noted that the City's Master Plan designates this area as single-family residential; therefore, the proposed zoning is in line with the Master Plan. He stated that the parcels are currently landlocked and rezoning them to single-family residential would

allow access and potential development to occur.

Public Comment:

Pam Wallace, 168 Cloverport Avenue, stated that she supports rezoning these parcels to R-4 and thanked the Council members for their consideration in rezoning the properties.

Andy Krupp, 168 Cloverport Avenue, expressed that this property is old and historically had been a difficult property to access. He added that he met with the current owner in December of 2021 and discussed the access issues. He stated that he supports the R-4 rezoning.

Richard Stevens, 62101 Colleen Court, Washington Township, shared that he is speaking on behalf of Rochester Hills Storage. He stated that his company does not support the rezoning of the properties because the value would be taken away from the properties and added that a residential zoning would not be consistent with the Master Plan. He noted that prior to purchasing the land, they had engaged an architect that met several times with the Planning and Economic Development Department. He added that the Planning Department stated that there could not be parking on the parcel, just ingress and egress on the parcel. He added that the architect revised the site plan to reflect only ingress and egress on the parcel, per the Planning and Economic Development Department, and his company purchased the property for development. He shared that shortly after that, the Flex-Business Moratorium took place and access to this property was denied.

Ms. Roediger responded that the Planning and Economic Development Department had met with the property owners multiple times and access to the property was always a concern. She added that the City Attorney was involved right away and discussions were made regarding the use of this property. She stated that there were several options discussed that could be pursued to develop as zoned; however, the ordinance does not allow for uses of property in districts that does not permit the use. She concluded that the City's interpretation is that the requested use is not permitted by the current zoning. She noted that the Flex-Business Moratorium did not affect this property because the property was not in the Flex-Business District.

A motion was made by Mungioli, seconded by Walker, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

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

Enactment No: RES0027-2023

Resolved, that An Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone approximately 12 acres of land located west of Rochester Rd. and south of Cloverport Ave., Parcel Nos. 15-15-429-026, 15-15-429-027, 15-15-405-004 and 15-15-429-034 from I Industrial to R-4 One Family Residential District, and Parcel 15-15-429-035 from I Industrial to B-2 General Business District, and to repeal

conflicting Ordinances and to prescribe a penalty for violations is hereby Accepted for First Reading.

PLANNING AND ECONOMIC DEVELOPMENT

2023-0038 Request for Acceptance of the 2022 Planning and Economic Development Department Annual Report

Attachments: [020623 Agenda Summary.pdf](#)
[Roediger-McLeod Memo 013023.pdf](#)
[Revised Annual Report 2022.pdf](#)
[2022 Annual Report.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, explained that the Planning Team reacts to development within the City and the Economic Development Team continues to build relationships with businesses within the City and makes sure that they are thriving. She added that the Planning and Economic Development (PED) Annual Report is required by State Legislation and the Redevelopment Ready Communities (RRC). She noted that the PED Annual Report documents activities of boards and commissions staffed by PED, administrative work and special projects, economic development activities and outlines priorities for the upcoming year. She stated that the report does not only document what the PED Staff accomplishes, but also what the boards and commissions that are overseen by the PED Department accomplish as well.

She discussed the following major headlines:

- Review and implementation of revamped Flex-Business (FB) District
- Additional amendments to the Sign Ordinance, Home Occupation Ordinance, Performance Standards, etc.
- New Serra Ford Dealership approval
- Launch of Rochester Hills Workforce Survey and Talented Workforce Survey Toolbox
- Five Mayor's Business Council events
- Continued work in the Brooklands
- The year of plans and studies

She explained that the request is to accept and receive the PED Annual Report.

President Deel stated that there is a lot of information in the document and it is very clear and easy to read. He added that the PED Department was remarkably busy last year and it is great to see the development in the City.

Mr. Hetrick commended the PED Department on their outstanding work in the City and on the PED Annual Report.

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: RES0008-2023

Resolved, that the Rochester Hills City Council hereby Accepts the 2022 Planning and Economic Development Department Annual Report.

- 2023-0014** Request for Conditional Use Approval for the proposed demolition and construction of a new auto detailing building for Jax Car Wash on the west side of the property, 2714-2728 S. Rochester Rd., located on the west side of Rochester Rd., north of Auburn Rd., zoned B-5 Automotive Service Business with the FB Flex Business Overlay, Leslie Accardo, PEA Group, Applicant

Attachments: [020623 Agenda Summary.pdf](#)
[Draft Minutes PC 011723.pdf](#)
[Staff Report 011723.pdf](#)
[Reviewed Plans Pt. 1.pdf](#)
[Reviewed Plans Pt. 2.pdf](#)
[Application.pdf](#)
[EIS.pdf](#)
[WRC Letter 071522.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Chris McCleod, Planning Manager, shared that request is for a Conditional Use approval for an ancillary use to the existing Jax Car Wash. He added that the Tuffy's Building towards the back of the property is proposed to be demolished and rebuilt as a detailing building that would operate along side Jax Car Wash. He stated that the proposed building would be approximately 8,600 square feet, constructed of masonry, stone, metal steel and glass. He added that more landscaping will be added to the site upon approval of the Conditional Use. He noted that the site is on the west side of Rochester Road, north of Auburn Road, south of Wabash Road and stated that the Planning Commission recommends approval.

President Deel stated this is an upgrade of an existing business and questioned whether it is normal practice of Jax Car Wash to offer auto detailing or is this an additional service unique to this location.

Mr. McCleod responded that Jax Car Wash typically does not offer auto detailing services to this extent and added that the proposed auto detailing building would be the first of its type for Jax Car Wash.

Vice President Bowyer stated that this is a great repurpose of an older building that has been out of use for quite some time.

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: RES0009-2023

Resolved, that the Rochester Hills City Council hereby approves the Conditional Use for Jax Car Wash in to allow a car detailing facility at 2728 S. Rochester Road, based on plans dated received by the Planning Department on December 19, 2022, with the following findings and condition:

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 will have a positive impact on the community as a whole and the surrounding area by further offering jobs and improving an existing commercial site.
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 since the building is essentially of the same size and location of the current building onsite.
5. The proposed development will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare since the site and current buildings have been used for automotive uses historically.
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.
7. The applicant has demonstrated that a modification to not meet the buffer requirements along the west and north property lines is appropriate due to the location of the existing screen wall to the west, the existing site improvements that are not being modified in those locations, that the applicant has increased the landscaping along the north side of the site and that the building is largely in same location and orientation as the current building that is being replaced and will be buffered from the residents to the west by the existing building and screen wall.

Conditions

1. If, in the determination of City staff, the intensity of the detailing operation changes or increases, in terms of noise, hours, location (i.e. outside), odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.

PUBLIC COMMENT for Items not on the Agenda

Randy Vavrick, 306 Wimberly Drive, expressed her concern for the health and welfare of the community. She stated that the Food and Drug Administration (FDA) requested a study regarding non-ionized radiation emitted by cell phones, tablets, wireless antennas and other wireless devices could cause cancer to humans. She added that the National Institute of Health conducted the \$30 million study and the results show that the exposure not only can cause cancer, but can also damage DNA and the heart. She stated that utility companies want to place 4G and 5G antennas on buildings around the country and tenants will have no voice or opinion on whether they want the antennas so close to them. She recommended visiting www.americansforresponsibletech.org for more information.

Samuel Connors, 781 Balsam Circle, stated that he is a seasonal employee at the City of Rochester Hills and shared his concern of the hourly compensation for seasonal employees in the Parks Department.

Amit Sheth, 1715 Fox Run, stated that he lives in the northern portion of the City and that his subdivision opens up to Dutton Road. He shared that he would like to see paving on Dutton Road from the Paint Creek Trail west to Blue Grass Court. He noted that he went to the Road Commission for Oakland County and they updated the bridge on Paint Creek by the trail. He added that there is a hill located west from the trail on Dutton Road that has ditches on both sides of the hill that often has vehicles in the ditches during the winter. He stated that there is no proper bike path on Dutton Road and it is dangerous for people that like to bike or walk that area.

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.

2023-0025 Adoption of a Street Resolution - Basil Drive and Sage Lane (Saddlebrook Orchards) to place 951 feet of recently constructed public roadway within the City Local Street System for the purpose of obtaining funds under Act 51, P.A. 1951, as amended

Attachments: [020623 Agenda Summary.pdf](#)
[GIS Map.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0010-2023

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

Now, Therefore Be It Resolved,

1. That the said streets are described as:

700 feet of Basil Drive and 251 feet of Sage Lane Castell Ave. from Auburn Road to terminus within Saddlebrook Orchards, a Subdivision of part of S.E. 1/4 of Section 28, 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.

2023-0034 Adoption of a Street Resolution to Decertify Angara Drive

Attachments: [020623 Agenda Summary.pdf](#)
[Map.pdf](#)
[Resollution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0011-2023

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

Now, Therefore, Be It Resolved,

1. That the said streets are described as:

227 feet of Angara Drive from Auburn Road south to terminus in Supervisor's Plat of Grant M. John's Subdivision, part of the W. ½ of N.E. ¼ Sec 32, T.3.N.R.11.E Avon Twp, Oakland County, Michigan.

2. That said street is located within City right-of-way and is under the control of the City of Rochester Hills, and
3. At a regular City Council of Rochester Hills meeting held at City Hall on February 6, 2023, this resolution is necessary to decertify Angara drive, as it is now closed to traffic, and
4. That 227 feet of said public roadway is removed from the City Local Street System.

2023-0019 Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order for the maintenance and repairs or upgrades of existing traffic signals and SCATS costs in the amount not-to-exceed \$90,000.00 through January 31, 2024; Road Commission for Oakland County (RCOC), Waterford, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0012-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the maintenance and repairs or upgrades of existing traffic signals and SCATS costs to Road Commission for Oakland County, Waterford, Michigan in the amount not-to-exceed \$90,000.00 through January 31, 2024.

2023-0031 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for asphalt paving materials in the amount not-to-exceed \$80,650.00 through December 31, 2024; Ajax Materials Corporation, Troy, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0013-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for asphalt paving materials to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$80,650.00 through December 31, 2024.

- 2023-0032** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for cold patching material in the amount not-to-exceed \$59,010.00 through December 31, 2024; Ajax Materials Corporation, Troy, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0014-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for cold patching material to Ajax Materials Corporation, Troy, Michigan in the amount not-to-exceed \$59,010.00 through December 31, 2024.

- 2022-0562** Request for Purchase Authorization - CLERKS: Waiver of Section 2-273(b) of the Purchasing Ordinance; Blanket Purchase Order for State of Michigan Vital Records Agreement in the amount not-to-exceed \$4,000.00 for a five-year contract term (to expire September 30, 2027); State of Michigan Department of Health and Human Services, Lansing, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0015-2023

Resolved, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Further Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for service charges for use of the State of Michigan Vital Records system in the amount not-to-exceed \$4,000.00 for a five-year contract term to expire September 30, 2027 and further authorizes the Mayor to execute the agreement on behalf of the City.

- 2023-0036** Request for Purchase Authorization - FACILITIES: Contract/blanket purchase order for on-call plumbing services in the amount not-to-exceed \$28,800.00 through February 28, 2024; Rolls Mechanical, Fenton, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0016-2023

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for on-call plumbing services to Rolls Mechanical, Fenton, Michigan in the amount not-to-exceed \$28,800.00 through February 28, 2024 and further authorizes the Mayor to execute an agreement on behalf of the City.

2023-0037 Request for Purchase Authorization - FACILITIES: Contract/blanket purchase order for 2023 Plant Health & Lawn Care for City-owned sites in the amount not-to-exceed \$57,000.00 through December 31, 2023; Owen Tree Service, Inc., Attica, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0017-2023

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for 2023 Plant Health & Lawn Care for City-owned sites to Owen Tree Service, Inc., Attica, Michigan in the amount not-to-exceed \$57,000.00 through December 31, 2023 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 addressed the public comment regarding radio frequency from wireless towers. He added that radio frequency is a non-ionizing spectrum of electromagnetic radiation. He stated that generally if there is any harm from the radio frequency, it is heat generated and added that he is not aware of any studies indicating that radio frequency breaks down DNA. He stated that he has an Amateur Extra License from the National Association for Amateur Radio and Mr. Blair has a General License from the National Association for Amateur Radio, and they both have knowledge in regard to radio frequency.

President Deel responded to the public comment about Dutton Road and stated that it is a county road. He added that perhaps the City could work with the Road Commission for Oakland County (RCOC) to see what their plans are for Dutton Road.

President Deel addressed the public comment regarding staff compensation and stated that is an internal issue with the City Administration.

Mr. Blair responded to the public comment regarding the effects of electromagnetic radiation and added that the power level or wattage that a person is subject to gets weaker the further it moves away from its source and noted that this is known as the Inverse Square Law. He stated that the 5G concern has nothing to do with the antennas, but rather the 1.6 watts of power that a wireless device uses while it is held up next to the user's head. He added if the concern is truly 5G radiation, turn off wireless devices and do not put the device next to your head.

Vice President Bowyer provided the following updates:

- She concurred that the wireless device wavelengths do not have enough power to harm an individual's DNA. She added that cell phones should not be held to the user's head constantly, especially children because the radiation will interfere with growing brains.
- She thanked the Oakland County Sheriff's Office (OCSO) and the Rochester Hills Fire Department for their assistance last week when her carbon monoxide detector went off in the middle of the night. She shared that there was a high level of carbon monoxide in her home, due to a gas burner on her stove that was inadvertently left on. She noted that Lieutenant Mike Reamer and Pat McKay found the source of the carbon monoxide in her home. She reminded everyone not to ignore their carbon monoxide detectors.
- She stated that January was Radon action Month. She added that radiation from radon can cause damage to cells that can lead to lung cancer and is the leading cause of lung cancer in nonsmokers, and the second leading cause of lung cancer overall. She encouraged everyone to purchase a Radon Kit from Oakland County to test for radon in their home. She noted that the kits are \$10 and can detect high levels of radon exposure in homes and buildings.
- She reminded residents that the Capital Improvement Project Applications are currently being accepted through February 24, 2023. She stated that applications can be found on the City's website, on the Planning and Economic Development page.

Vice President Bowyer stated that the Outdoor Engagement Activities are a great way to get out of the house, especially during the winter months and she noted the following events:

- Antler & Bone Jewelry Making Class, Thursday, February 9, 2023 at 6:00 p.m. at Rochester Hills Museum at Van Hoosen
- Making Maple Syrup, Saturday, February 25, 2023 at 11:00 a.m. at Bloomer Park
- Explore Archery, Saturday, March 4, 2023 at 10:00 a.m. at Bloomer Park
- S'mores and Stars, Thursday, March 30, 2023 at 7:00 p.m. at Bloomer Park
- Antler Amble, Friday, March 31, 2023 at 1:00 p.m. at Bloomer Park
- Sap-to-Syrup Pancake Breakfast, Saturday, April 15, 2023 at 9:00 a.m. at Bloomer Park
- Senior Health Focused Talk and Hike, Wednesday, April 26, 2023 at 10:00 a.m. at Innovation Hills
- Kids Healthy Hikes, Wednesday, May 31, 2023 at 10:00 a.m. at Innovation Hills

Interested participants can register online at <http://www.rochesterhills.org/outdoors>.

Ms. Mungoli reported that she just received a notice from DTE that starting in March, the peak hours will change. She added that before 3:00 p.m. or after 7:00 p.m. weekdays, the rates will be lower. She noted that DTE stated they are not profiting from this rate change and reminded residents to double check when they are utilizing energy to get the lowest rate possible.

Ms. Mungoli stated that the Rochester Area Youth Assistance (RAYA) is hosting a Pancake Breakfast Fundraiser on February 12, 2023 from 8:00 a.m. - 11:00 a.m. at the Rochester Fire Department.

Ms. Mungoli reminded everyone that February is Heart Health Month. She explained that the signs and symptoms of a heart attack are different for women and men and encouraged everyone to know the signs of a heart attack. She addressed the public comment in regard to Parks wages and stated that she is on the Human Resources Technical Review Committee (HRTRC) and she will bring the concerns to the HRTRC.

Mayor Barnett addressed the public comment in regard to employee wages and stated that the Administration continues to evaluate wages in the City to make sure that they are competitive. He added that he would be happy to meet with Mr. Connors, along with Chelsea Ditz, the Human Resources Director, to discuss the wages further.

He also addressed Mr. Sheth's public comment regarding paving Dutton Road and explained that this concern has come up before and that the road is owned by the Road Commission for Oakland County (RCOC). He noted that Dutton Road does go from dirt to pavement than back to dirt and the elevations are intense and he can understand Mr. Sheth's concerns.

Mayor Barnett provided the following City updates:

- Debby Happy retired from the Fire Department last week after 34 years of service at the City of Rochester Hills and Jim Owens retired from the Department of Public Service after 42 years of service at the City of Rochester Hills.
- The Community Outlook Event, hosted by the Rochester Regional Chamber, is a few short weeks away and is a chance to hear from community leaders from Oakland Township, Rochester and Rochester Hills.
- Right Down the Street podcast was ranked in the top fifty percent of all podcasts nationally. He noted that the January podcast featured a woman named Sandy Stiner who ran every street in the City and ran a marathon in every state.
- The 96-inch water main construction continues near Yates Cider Mill and work will continue through the winter to remain on track.
- Department of Public Service (DPS) had been working hard to keep the roads cleared this winter. He thanked DPS for their hard and efficient work.
- The Parks are ready for winter activities such as sledding, hiking, and snow football.
- He shared a recent Little Tikes National Ad that featured children of City Employees playing on the playground at Innovation Hills.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2023-0013 Acceptance of Resignation from Orville J. Hoksch, Jr. from the Water System Advisory Council

Attachments: [032023 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Duperon CQ.pdf](#)
[Garvey CQ.pdf](#)
[McCracken CQ.pdf](#)
[Malik CQ.pdf](#)
[Sahu CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[020623 Agenda Summary.pdf](#)
[Hoksch Jr. Resignation Letter.pdf](#)
[020623 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

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, Mungoli and Walker

Enactment No: RES0061-2023

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Orville J. Hoksch, Jr. as a member of the Water System Advisory Council effective January 6, 2023

NEW BUSINESS

2023-0060 Request for Approval of the Public Transportation Agreement between Rochester Hills-Oakland-Rochester Older Persons' Commission and Oakland County

Attachments: [020623 Agenda Summary.pdf](#)
[Supp OPC Agreement w Revised Exhibit A.pdf](#)
[OPC Agreement w Exhibits.pdf](#)
[EXHIBIT A \(revised 020323\).pdf](#)
[OPC Board Motion.pdf](#)
[FY 2023 OPC Amendment.pdf](#)
[Resolution \(Draft\).pdf](#)

Renee Cortright, Older Persons' Commission Executive Director, and **Tim Soave**, Older Persons' Commission Administrative Director, and **Bret Rasegan**, Oakland County Planning Manager, were present.

Ms. Cortright stated that the countywide transportation millage recently passed in November 2022. She shared that the Older Persons' Commission (OPC) along with the North Oakland Transportation Authority (NOTA), the West Oakland Transportation Authority (WOTA) and SMART had met with Oakland County officials to discuss and implement the allocation, distribution and use by OPC of the county millage funds for OPC's current transportation services as well as the expansion of those services. She explained that the details have been noted in the Public Transportation Agreement and that the OPC Governing Board approved the Agreement at its Special Meeting on February 2, 2023, subject to the approval by local municipalities as indicated in the OPC's Interlocal Agreement. She stated under the Agreement, the OPC will receive \$1.9 million in 2023 to be used for the purposes stated in the Agreement.

President Deel stated that this is a three-year Agreement for a ten-year millage and questioned why the Agreement was not for the full ten years. He inquired on the length of time that the OPC has been providing transportation services.

Mr. Rasegan replied that as originally outlined by the Oakland County Board of Commissioners, he was instructed to operate on a one-year, one million dollar contract. He added that as conversations ensued, the contract was extended to three years. He noted that the County and OPC felt three years was an appropriate length for the Agreement given the fact that OPC is unsure of expanding transportation services to other jurisdictions in the future. He added that three years is a good time frame to evaluate the transportation services within the OPC.

Ms. Cortright responded that the OPC has been providing transportation services for over forty years.

President Deel expressed his concern with the Agreement term for only three years and stated that the OPC has been offering these services for over forty years. He added that the purpose of the millage was that the County collects the tax and disburses the appropriate funds to the organizations offering the transportation services. He noted that the millage is straight forward that could continue for ten years, unless someone wants to negotiate terms of the Agreement. He explained that as a City Council Representative, it is his responsibility to ensure that the OPC continues to provide services to the residents of Rochester Hills. He shared that he has full confidence in Ms. Cortright and her team at the OPC to continue providing services to the residents of Rochester Hills.

Mr. Rasegan responded that the contract does not expect OPC to pick up riders other than Rochester, Rochester Hills and Oakland Township residents. He added that the goal of the millage is to have OPC, NOTA, WOTA and SMART work as a combined service, all separate entities, but with transfers of people from one provider to another.

Mr. Staran stated that if the contract expires in three years, then there are no contractual commitments upon the expiration of the Agreement.

Mr. Walker thanked everyone for their hard work to bring this together in a short

period of time. He added that many residents rely on this service and the County is willing to work with the OPC to continue its transportation services.

Mr. Hetrick stated that there is concern about additional oversights that may appear in the future and questioned what oversights Oakland County have agreed to in the current proposed Agreement. He added that there is a report that is required in order to receive millage funds and inquired whether this report is already a normal practice of the OPC. He stated that any changes to the Agreement would have to be agreed upon between the County and OPC and then approved by the respective governing boards.

Mr. Rasegan responded that the County has no desire to manage or be involved in the OPC transportation operations. He noted that a Transit Manager will manage the transportation millage in the future and added that until they hire a Transit Manager, he will temporarily fill the role. He stated that they are not transit experts and are relying on the transportation organizations to maintain their operations as separate entities.

Mr. Soave responded the reporting requirements on the activities is the same report that the OPC had done in previous years for SMART and quarterly financial reports are required which are standard financial reports already produced.

Ms. Mungoli thanked Ms. Cortright and Mr. Soave for all the work they have done to get the Agreement prepared. She stated that currently OPC primarily services senior citizens and the County's promotional transportation millage information leads people to believe services will be expanded to more than just senior citizens. She questioned whether OPC will continue to limit who they service or expand to service all residents. She questioned when the OPC will stop levying the transportation millage.

Ms. Cortright responded that the plan is to continue servicing senior citizens and disabled residents. She added that SMART is considering a fixed route and paratransit to service the public. She added that the millage levy will stop in December of 2023, and the current millage that was assessed in December of 2022 will cover the pilot program in 2023.

Ms. Mungoli asked what inflation factors were built in to the \$1.9 million. She questioned when the Agreement will be presented to Rochester and Oakland Township.

Mr. Soave responded that there is nothing built into the contract in regard to inflation; however, the annual financial reviews will indicate whether more funds will be needed.

Ms. Cortright replied they are presenting the Agreement to Rochester next Monday and Oakland Township on Tuesday of next week.

Ms. Morlan questioned what happens in year four, if the Agreement is only for three years and further questioned if there are specific requirements that will need to be met to continue receiving the \$1.9 million beyond the three-year Agreement.

She stated that the OPC was listed in the millage and the residents voted for their services to be included in the millage; therefore, the OPC transportation services should continue, especially beyond the three-year Agreement.

Mr. Rasegan responded that before year four begins, early in year three the next contract discussions would take place. He added that it will be a cooperative effort with the OPC moving forward, their budgets will be evaluated to determine if the \$1.9 million is sufficient. He stated that the first year is considered a planning year and will be closely monitored.

Mr. Hetrick stated that Ms. Morlan's comment about the ballot language specifically stating the OPC as part of the millage is very important. He questioned whether OPC can be eliminated from the millage in year four if the ballot language specifically mentions them.

Mr. Staran responded that he has not analyzed that question in its entirety and added that there has been no suggestions to eliminate transportation services in the County.

Mr. Blair shared that the OPC transportation is a service that the City's seniors rely on and stated that the OPC is excellent at providing this service. He added that the concern shared is that something major and unexpected is going to happen in the next three years; however, the response from Mr. Rasegan is that the County has no intention of something major or unexpected happening in the next three years. He stated based on the annual reviews and the partnerships between the transportation organizations and the County, everyone will work together to continue offering transportation services.

Mr. Rasegan concurred with Mr. Blair, that the intent of the County is to work together with the OPC.

Ms. Mungoli shared that the wording of the promotional materials used for the transportation millage states: 'the Oakland Transit Millage will expand and maintain existing public transit services including SMART, WODA, NODA and the Older Persons' Commission in the Rochester Area.' She stated that she is concerned about the expanding portion when it comes to the OPC and that there will be an expectation for the OPC to expand beyond the demographic that is currently serviced. She questioned what metrics were used to ensure the \$1.9 million will be enough funding if services are expanded.

Ms. Cortright responded that Exhibit A of the Agreement explains the OPC's current services and 2023 services utilizing millage funds. She added that the hours of service will be expanded to assist individuals that work in the evening to get them home later at night. She stated that services are also expanded to drive to health facilities that were not an option before. She noted that previously the OPC transportation services only drove residents to facilities within Rochester, Rochester Hills and Oakland Township, with the exception of Troy Beaumont Hospital. She stated that the expansion of health facilities outside the jurisdiction will benefit residents.

Mr. Soave responded that the OPC worked cooperatively with the County to

analyze the budget and expectations. He noted that the expansion effort was included in the \$1.9 million and that includes the purchase of new vehicles and the additional staff needed for 2023.

Ms Mungiola stated that OPC does an exceptional job at providing services to residents in Rochester Hills and her concern is that the services are not impacted and that the OPC brand remains what it is today. She suggested that the OPC or Mr. Walker or Mr. Hetrick update City Council quarterly with updates on the OPC transportation services. She added that she is hesitant to support the Agreement, but if City Council will be provided with quarterly progress reports on the Public Transportation Agreement she will support the request. She explained that the progress reports will allow Council to see this Agreement is financially appropriate and that the residents are receiving the same level of service as before.

Mr. Soave responded that quarterly reports will not be a problem. He added that the Agreement does not only state that the millage is paying for the direct cost such as drivers and busses, but they are also paying for all the indirect service costs such as the insurance, the building space, communication devices and the maintenance. He stated that this is a huge benefit to the OPC because currently the OPC is paying for indirect service costs like the communication devices.

Mr. Hetrick stated that he will assure that the OPC will report back to City Council with regard to the Agreement. He added that the OPC Board made it clear that the Agreement states that the people utilizing the OPC transportation services were in the footprint of Oakland Township, Rochester and Rochester Hills. He noted that the language was changed to expand services to residents of Oakland Township, Rochester and Rochester Hills to areas bordering the service footprint.

President Deel stated he is supportive that the level of service from the OPC maintains and this Agreement states that it will for the next three years. He expressed that he is looking at the future after this Agreement expires and where that leaves the OPC. He added that the OPC has forty years of transportation service experience and is exceptionally well at providing its services and the County has about two months of experience. He stated that there is a ten year transportation millage recently approved with a three-year plan. He added that he hopes the partnership works out for the benefit of the residents and allows the OPC to maintain its services properly.

Mayor Barnett explained that Council's frustrations and concerns stem from the way this millage was proposed and the lack of communication with local municipalities. He added that the frustrations are not with Mr. Rasegan personally, that the concerns expressed tonight are because the OPC is loved and cherished by the City. He stated that the concern is that someone is going to tell the OPC what they need to do or how they are going to do something and that is a valid concern. He added that the millage could be a huge benefit for the OPC, the County and the residents; however, there is a higher level of concern that an administrative oversight from a negative standpoint that may dictate how the OPC operates. He noted that the City wants to be partners with the County to make the millage work for everyone involved.

A motion was made by Walker, 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: RES0019-2023

Resolved, that the Rochester Hills City Council hereby approves the Public Transportation Agreement Between Rochester Hills-Oakland-Rochester Older Persons' Commission and Oakland County

2023-0021 Request for Purchase Authorization - DPS/FLEET: Purchase of one (1) Trackless Municipal Tractor MT7 and attachments in the amount of \$208,401.00; Bell Equipment, Lake Orion, MI

Attachments: [020323 Agenda Summary.pdf](#)
[Trackless Pricing - MiDeal.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for approval to purchase a trackless municipal tractor to augment the City fleet.

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, Morlan, Mungioli and Walker

Enactment No: RES0020-2023

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) Trackless Municipal Tractor MT7 and attachments to Bell Equipment, Lake Orion, Michigan in the amount of \$208,401.00.

2023-0033 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for calcium chloride and brine for dust control in the amount not-to-exceed \$272,280.00 through December 31, 2024; Liquid Calcium Chloride Sales, Kawkawlin, MI

Attachments: [020323 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated that the request is for a two-year contract approval to purchase calcium chloride and brine for dust control on gravel roads.

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: RES0021-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for calcium chloride and brine for dust control to Liquid Calcium Chloride Sales, Kawkawlin, Michigan in the amount not-to-exceed \$272,280.00 through December 31, 2024.

2023-0044 Request for Purchase Authorization - FIRE: Blanket Purchase Order/Contract for the purchase of a fire inventory and asset management software solution in the amount not-to-exceed \$60,000.00 for a three-year term; Station Automation dba PS Trax, Littleton, CO

Attachments: [020323 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Larry Gambotto, Captain/Training Officer, explained that the request is for approval to purchase fire inventory and asset management software. He added that the Fire Department is seeking to improve and manage its tracking and Department assets, allow for implementation of inventory tracking and control of EMS and station supplies, reduce manual paperwork, and provide accountability and real-time status for inventory levels. He stated that the software will integrate with the Department's current dashboard, showing out of service units.

President Deel stated that this will enhance the data driven management approach that the Fire Department has embraced.

Captain Gambotto thanked Vice President Bowyer for her recognition of the Fire Department for their service and noted that the Fire Department offers free smoke alarms and carbon monoxide detectors. He stated anyone interested in a smoke alarm or carbon monoxide detector can contact the Fire Department's Risk Reduction Division at 248-656-4717.

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: RES0022-2023

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the purchase of a fire inventory and asset management software solution to Station Automation dba PS Trax, Littleton, Colorado in the amount not-to-exceed \$60,000.00 for a three-year term and further authorizes the Mayor to execute an agreement on behalf of the City.

2020-0311 Request for Purchase Authorization - BUILDING: Increase to the Contract/blanket purchase order for fire suppression and fire alarm plan review and inspection services in the amount of \$50,000.00 for a new not-to-exceed contract amount of \$368,000.00 through a new contract end date of February 28, 2023; Fire Safety Consultants, Inc., Elgin, IL

Attachments: [020623 Agenda Summary.pdf](#)
[101022 Agenda Summary.pdf](#)
[08102020 Agenda Summary.pdf](#)
[Proposal Summary.pdf](#)
[081020 Resolution.pdf](#)
[101022 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Mike Viazanko, Building/Ordinance/Facilities Director, stated that the request is for approval to add additional funding to an existing blanket purchase order that

has been extended due to the RFP process. He added that the RFP specifications had to be changed to modify the Building Department's new electronic plan review systems that are in place.

A motion was made by Mungioli, 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: RES0023-2023

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the Contract/blanket purchase order for fire suppression and fire alarm plan review and inspection services to Fire Safety Consultants, Inc., Elgin, Illinois in the amount of \$50,000.00 for a new not-to-exceed contract amount of \$368,000.00 through a new contract end date of February 28, 2023.

2023-0035 Request for Purchase Authorization - FACILITIES: Contract/blanket purchase order for 2023 Lawn Mowing Services for City-owned sites, shoulder right-of-ways, pathways and ordinance compliance for occupied and vacant lots sites in the amount not-to-exceed \$236,580.00 through December 31, 2023; Green Meadows Lawnscape, Inc., Rochester Hills, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Mike Viazanko, Building/Ordinance/Facilities Director, shared that Green Meadows is the company that was used last year for lawn maintenance and also includes ordinance violation lawn maintenance.

Ms. Mungioli stated that Council just approved the purchase of a tractor and questioned whether the tractor can be used to mow along the pathways in the City. She inquired how the City will notify the homeowners associations that they are not responsible for mowing along the pathways.

Mr. Viazanko responded that the Department of Public Services (DPS) does have to maintain specific properties within the City and that this request is to maintain the majority of the City including the right-of-ways on Hamlin Road. He responded that this is a contract extension and services will resume as the previous year; therefore, the homeowner associations should already be aware of the areas that the City will maintain. He added that at the end of the season, the contract will be reviewed and modified as needed.

A motion was made by Mungioli, seconded by Walker, 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: RES0024-2023

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for 2023 Lawn Mowing Services for City-owned sites, shoulder right-of-ways, pathways and ordinance compliance for occupied and vacant lots sites to Green Meadows Lawnscape, Inc., Rochester Hills, MI in the amount not-to-exceed \$236,580.00 through December 31, 2023 and further authorizes the Mayor to execute an agreement on behalf of the City.

2023-0046 Request for Purchase Authorization - FACILITIES: Blanket Purchase Order for the delivery of electric energy for City Facilities in the not-to-exceed amount of \$520,000.00 through December 31, 2023; DTE Energy, Detroit, MI; Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: [020623 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Mike Viazanko, Building/Ordinance/Facilities Director, stated that as a member of the Michigan Municipality Risk Management Authority (MMRMA) the City has an opportunity to purchase electricity at a discounted rate.

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: RES0025-2023

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the Delivery of Electric Energy for City Facilities to DTE Energy, Detroit, Michigan and Michigan Municipal Risk Management Authority, Livonia, Michigan in the not-to-exceed amount of \$520,000.00 through December 31, 2023.

ANY OTHER BUSINESS

NEXT MEETING DATE- Monday, February 27, 2023 - 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 9:20 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*