



# Rochester Hills Minutes - Draft

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## City Council Regular Meeting

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,  
Jenny McCardell, Stephanie Morita and Mark A. Tisdel*

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

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

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Monday, July 16, 2018

7:00 PM

1000 Rochester Hills Drive

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### CALL TO ORDER

*President Tisdel called the Regular Rochester Hills City Council Meeting to order at 7:03 p.m. Michigan Time.*

### ROLL CALL

**Present** 7 - Susan M. Bowyer, Ryan Deel, Dale Hetrick, James Kubicina, Jenny McCardell, Stephanie Morita and Mark A. Tisdel

### Others Present:

*Bryan Barnett, Mayor  
Tina Barton, City Clerk  
Ann Christ, City Attorney  
Kristen Kapelanski, Planning Manager  
Sara Roediger, Planning and Economic Development Director  
Allan Schneck, Public Services Director  
Joe Snyder, Chief Financial Officer  
Tom Talbert, Strategic Innovation Specialist  
Maria Willett, Chief Assistant to the Mayor*

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

A motion was made by Morita, seconded by Hetrick, that the Agenda be Approved as Amended to move Legislative File 2018-0298 Request for Michigan Liquor Control Commission approval for an application for a Transfer of a Resort Class C & SDM License with Sunday Sales Permit, Entertainment Permit, Outdoor Service (one area), and Specific Purpose Permit (food) submitted by RH House Inc. to immediately follow Legislative File 2018-0089 Request for Conditional Use Approval for the sales and service for consumption of alcoholic beverages on site at RH House, a proposed redeveloped 4,411 square foot restaurant on 2.19 acres at 2630 Crooks, on the west side of Crooks, south of M-59, zoned REC-I Regional Employment Center - Interchange. The motion carried by the following vote:

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

## COUNCIL AND YOUTH COMMITTEE REPORTS

### Avondale Youth Assistance (AYA):

**Vice President Morita** announced that AYA would host a Mentors-Plus Recruitment Event on Thursday, July 24, 2018 at the Auburn Hills Community Center from 7:00 p.m. to 8:00 p.m.

### Green Space Advisory Board (GSAB):

**Dr. Bowyer** reported that the GSAB held its July second-Saturday guided Green Space hike at the Cloverport/Childress Green Space property. She noted that the August 11, 2018 hike will take place at the White Green Space at 10:00 a.m. The parcel consists of 40 acres located north of Innovation Hills Park and north of the Clinton River. The September 8, 2018 hike will take place at the Harding Green Space off of the Clinton River Trail, and the October 13, 2018 hike will take place at the Ruby Property off of Livernois Road. Interested individuals should sign up at [rochesterhills.org/outdoors](http://rochesterhills.org/outdoors).

### Older Persons' Commission (OPC):

**Mr. Kubicina** reported that the OPC will hold a 50-Plus Expo on October 3, 2018 from 9:00 a.m. to 2:00 p.m. He noted that a wine tasting event, A Perfect Pairing/Under the Tuscan Sun is set for Sunday, August 23, 2018 from 6:00 p.m. to 8:00 p.m. Tickets for the event are \$15 per person.

### Rochester-Auburn Hills Community Coalition (RAHCC):

**Ms. McCardell** noted that the RAHCC will host its Sixth Annual Teen Night on August 2, 2018 at the Village of Rochester Hills from 6:00 p.m. to 10:00 p.m.

## PRESENTATIONS

2018-0299 Legislative Update presented by State Senator Marty Knollenberg

**Attachments:** [071618 Agenda Summary.pdf](#)

**State Senator Marty Knollenberg** was in attendance to provide a Legislative Update. He noted the following:

- The State Budget was adopted in June. Highlights of the Budget include:
  - \* This is a robust and healthy Budget because of the growing economy. Unemployment is low and tax revenues are positive.
  - \* The Budget was completed in June for the eighth year in a row.
  - \* The Rainy Day Fund is healthy and contains over a billion dollars.
  - \* The Budget consists of \$56 billion, with \$10 billion as the General Fund portion. This amount has not increased significantly over the past ten years.
  - \* Matching opportunities for the State from the Federal Government have increased.

- \* Revenue sharing is up \$21.5 million.
- \* Roads are a highlight of this Budget. An additional \$330 million is allocated and prioritized for roads. \$2.4 billion has gone into the road system since 2017 to fund infrastructure.
- \* The Education portion of the Budget is robust, and is funded at \$14.8 billion, which is the highest it has ever been. This constitutes the largest per-pupil increase in 17 years. \$30 million is allocated for mental health support, \$25 million toward safety programs, and \$500 million targeting at-risk students.

State Senator Knollenberg mentioned other topics that he has been working on, including the following:

- Legislation for a state-wide utility to provide uniformity and clarity to address stormwater utility concerns, as a number of communities have been faced with lawsuits.
- Legislation that would allow physical therapists to issue handicap placards to seniors.
- Addressing the teacher shortage in Michigan.
- Punishment for abusers and those guilty of sexual assault.
- The opiate epidemic, as no community has been spared. Physicians will no longer be able to write prescriptions for more than a seven-day supply for acute pain. Chronic pain will be treated differently. It is hoped that excess pills will not fall into the wrong hands.

**Vice President Morita** thanked State Senator Knollenberg, and questioned whether the State is looking at changing the way it allocates road funding. She noted that funding is currently distributed by miles of roadway and not population, and pointed out that the Road Commission for Oakland County barely has enough funding to provide the basics. She commented that Livernois Road is a prime example.

**State Senator Knollenberg** responded that the formula for distribution in Public Act 51 was put in place by lawmakers. He explained that it will be difficult to find support from lawmakers from outlying communities to change the formula to affect southeast Michigan. He commented that it is his opinion that State spending should be prioritized and the public made aware that it will take more money.

**Ms. McCardell** stated that she would concur with Vice President Morita and suggested that a way be explored to renegotiate the calculation. She commented that the area's population keeps growing and it is unacceptable for the roads to be falling apart. She questioned what would be done to reduce red tape for addressing the teacher's shortage.

**State Senator Knollenberg** responded that legislation is being introduced that would eliminate some of the red tape to make it easier for teachers to teach. He noted that currently all teachers have to pass a basic skills test, and he commented that a teacher of a specific subject may not find the basic skills test relevant to their subject. He stressed that the teacher would still have to pass proficiency for their subject matter. He stated that the test is not relevant in today's standards and is not a good indicator of how someone will perform as a teacher.

**Mr. Kubicina** commented that State Senator Knollenberg always comes to the City with good news, and mentioned Livernois Road funding and Innovation Hills. He questioned whether there might be other opportunities down the road for Innovation Hills.

**State Senator Knollenberg** responded that the Mayor has been in constant contact with him regarding additional opportunities.

**Mayor Barnett** expressed his thanks to State Senator Knollenberg for his support and leadership. He pointed out that work on South Boulevard began last week, and work on Livernois Road will begin this coming Wednesday.

**Dr. Bowyer** commented that State Senator Knollenberg brought checks to the City during two of his last three visits. She invited him to attend the Green Space hike on the Harding Property on September 8, 2018.

**President Tisdell** noted that the State is still last in the United States in per capita spending for roads. He commented that if people want that changed, money will have to come from other programs or new monies generated.

**Presented.**

**2018-0272** Presentation of the City's Seven-Year Financial Forecast

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Suppl Presentation.pdf](#)  
[7-Year Financial Forecast \(2019-25\) \[Narrative\].pdf](#)

**Joe Snyder**, Chief Financial Officer, was in attendance to present the Seven-Year Financial Forecast for 2019 through 2025.

He noted the following recap of the Auditor's presentation:

- The City's Auditors noted a structural surplus with recurring revenues exceeding recurring expenditures.
- The City increased infrastructure investment during the period from 2014 through 2017.
- The City is unique as it has no legacy costs, and can focus its structural surplus on infrastructure investment.
- The Auditors noted that the City should continue to prepare the long-term forecast.

He explained that the Forecast helps the City better prepare for the future, prevents surprises, and allows it to get ahead of potential issues. The Forecast helps the city be proactive instead of reactive, aids in decision making, and shows the long-term impacts of decisions and policies. He stressed that the Forecast is not intended to be a budget or policy recommendation to Council, and is intended to be a projection of the City's revenues, expenditures and fund balances based on a set of assumptions. He pointed out that the Forecast assumes status quo funding

*policies, includes implementation of the Fund Balance Policy, and includes the Fiscal Year 2018 2nd Quarter Budget Amendment.*

*He noted the following key assumptions regarding Revenues, stressing that conservative estimates are utilized:*

- Taxable value is increasing, limited to the rate of inflation. A 2.25 percent increase was predicted last year; and a 4.7 increase is predicted for next year. The amounts increase through 2024, leveling off long-term.*
- State Shared Revenue will remain consistent at a two percent increase. With the new gas tax in 2016, starting in 2017 there have been significant increases in Act 51 Revenues. While this amount could be higher going forward, a conservative number is recommended.*
- Interest rates have begun to rise, helping the City to utilize fund balances to their fullest.*
- Key assumptions keep the millage rate bottom line at 10.4605. Local Street Millages 1, 2 and 3 expire; and the Forecast assumes that they will be renewed to a Local Street 1 at the same rate.*

*Expenditure assumptions include the following:*

- The employee count remains status quo at 223.*
- Salary increases will represent cost of living adjustments. The recently-completed wage and compensation study is included in the forecast.*
- Health Care changes are similar to the past increases, as are changes to the Oakland County Sheriff's Contract amounts.*

*Mr. Snyder noted that based on these assumptions, the Fund Forecasts include the following:*

- The General Fund is balanced and is adjusted each year to maintain the bottom-line millage rate.*
- Personnel is the largest component of Expenditures. Fiscal Year 2019 includes a transfer-out to the Capital Improvement Fund to set the General Fund Balance at 80 percent of annual operating expenditures, and which will be maintained long-term.*
- The mission of the Capital Improvement Fund is to provide a mechanism to track and fund certain projects identified in the Capital Improvement Plan (CIP). Capital outlay costs include projects as included in the adopted CIP.*
- Major Road revenues reflect the higher levels of Act 51 funding into the City's Major Road and Local Street Funds. Revenues increased in 2018 to 2020 due to sources of outside funding for several Major Road projects. Considerable monies from the Local Development Finance Authority for Hamlin Road, the State of Michigan for South Boulevard and Livernois, supplemental road appropriations, and the Road Commission for Oakland County and Auburn Hills for their share of Hamlin Road are included. Reimbursement for the Federal share of the Livernois Road project is anticipated for 2020.*
- Major Road expenditures include projects for Hamlin Road and South Boulevard in 2018, the Auburn Road corridor in 2019, and improvements to Rochester Road and Barclay Circle, John R from Avon to Bloomer, and Star Batt in 2020.*

- As construction eases, it is projected for the Major Road Fund Balance levels to increase into the future.
- Local Streets show diversified revenue sources, including more Act 51 tax revenues. There is a decrease in transfers-in for 2018 and 2019 as less funding will be required from the General Fund to set the Local Street Fund Balance at 25 percent of annual expenditures. Year 2017 will be the last year for debt service.
- Using the assumptions, the Local Street Fund will be able to support an annual Local Street Rehabilitation program of \$5 million per year.
- The Fire millage level is maintained at the existing levy of 2.7000 throughout the Forecast model.
- The increase in Transfers-Out Expenditures in Fiscal Year 2019 is to set the Fire Operating Fund at 25 percent of annual operating expenditures.
- The existing Fire millage levy of 2.7000 mill may be adequate to contribute funding to the Fire Capital Fund through Fiscal Year 2030. Approximately \$500,000 should be contributed annually to provide adequate long-term funding to the Fire Capital Fund.
- The major revenue source for Special Police is from taxes. The bottom line millage rate is adjusted to reflect no net increase. Special Police Fund Balance is to be set at 25 percent of annual operating expenditures. In Fiscal Year 2021, the debt related to the new Oakland County Sheriff's Office Substation construction will be paid off.
- General Fund is projected to continue funding Water Resources to balance their operating expenditures. The Capital Improvement Fund will fund the Water Resource Fund capital projects. The Public Safety and Infrastructure Technical Review Committee is exploring potential funding operations for Water Resources operations, maintenance, and infrastructure improvements.
- Operating Expenditures in the Water Resources Fund were higher in 2016 and 2017 due to the SAW Grant activities. The Hamilton Relief Drain Repair is incorporated into 2018.
- The Older Persons' Commission (OPC) Building Debt fund will see its last millage levy in 2021. Approximately \$700,000, or 19/100 of a mill will be needed in 2021 to pay the debt in the final year.

Mr. Snyder noted that the Forecast has helped the City get ahead of issues and address problems before they become greater problems. He expressed appreciation for Council's support, commenting that while there will always be financial challenges, with careful planning many can and will be turned into opportunities.

#### **Council Discussion:**

**Vice President Morita** mentioned that the OPC may be seeking a millage increase, and suggested that OPC's Finance Director Tim Soave be approached to open discussions.

**Dr. Bowyer** expressed her appreciation for the efforts to address Fire Fund concerns. She questioned whether Auburn Road and Hamlin Road projects were built into the Forecast.

**Mr. Snyder** responded that they were.

**Mr. Hetrick** requested Mr. Snyder expand on Water Resource funding concerns, and questioned when stormwater issues would become more of a problem for the City. He noted that the Public Safety and Infrastructure Technical Review Committee is working diligently to find a solution.

**Mr. Snyder** responded that after the SAW Grant study was completed, it was determined that it would become more of an issue after this forecasting period. He noted that a long-term solution is needed with proactive maintenance.

**Ms. McCardell** stated that it is good to see how the Fund Balance Policy plays out. She questioned how the Special Assessment District (SAD) projects will be included.

**Mr. Snyder** responded that the SAD projects begin a two-year process once 51 percent of support is gained. He pointed out that the SADs must come back to Council several times during the process for approval. He explained that they are included; however, they might or might not continue based on whether the residents or Council want them to move forward.

**Mayor Barnett** noted that the work of this and previous Councils cannot be understated. He pointed out that Council and the Administration work together, by advocating clear goals for the Administration to take as direction moving forward.

**Mr. Deel** noted that this is his first Forecast as a member of Council, and he commented that it is extremely accurate and extremely conservative. He noted that the City is forward-looking and strategic in its moves.

**President Tisdell** noted that the new Fund Balance Policy discussions began with former Council Member Tom Wiggins. He expressed his thanks for everyone's hard work.

**Ms. McCardell** commented that while campaigning she noted that the City was holding back money in Fund Balance that it could put to good use.

**Mr. Snyder** responded that the City's Auditors thought that the policy was a transparent way to move forward.

**Presented.**

## **PUBLIC HEARINGS**

2018-0271 FY 2018 2nd Quarter Budget Amendments

**Attachments:** [071618 Agenda Summary.pdf](#)  
[2nd Qtr BA \(Overview\).pdf](#)  
[2nd Qtr Budget Amendments.pdf](#)  
[2nd Qtr Budget Adjustments.pdf](#)  
[2nd Qtr BA - Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Joe Snyder**, Chief Financial Officer, stated that the 2nd Quarter Budget Amendment is a positive one for the City, increasing revenues by \$7 million and expenditures by \$2 million, resulting in a positive contribution to Fund Balance of \$5 million. He explained that a \$5 million increase in Major Road Revenue is comprised of the \$1.3 million check brought at the last meeting from State Senator Knollenberg, an additional \$1 million from the Local Development Finance Authority for Hamlin Road, \$1.2 million for the jurisdictional transfer of Auburn Road, and additional Act 51 monies.

He noted that the increase in expenditures includes \$48,000 in operating expenses and \$490,000 in Capital Projects including additional Major Road work to be reimbursed by Auburn Hills, pathway work, the Museum exhibits, and expenditures for the MIS Network Server. He explained that increases are offset by decreases in Water and Sewer Capital, and deferred Fleet Vehicle purchases. He explained that there is a \$1.5 million net increase in transfers out to other funds.

He commented that the City's revenues look strong, and it is expected that expenditures will be under budget for the year.

**President Tisdell Opened the Public Hearing at 8:09 p.m.**  
**Seeing No Public Comment, President Tisdell Closed the Public Hearing at 8:10 p.m.**

**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 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0181-2018

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

**Whereas**, the Public Hearing for the proposed FY 2018 2nd Quarter Budget Amendments was noticed on June 28, 2018; and

**Whereas**, the proposed FY 2018 2nd Quarter Budget Amendments were available for public viewing beginning on July 6, 2018; and

**Whereas**, at its July 16, 2018 meeting City Council held a Public Hearing on the proposed FY 2018 2nd Quarter Budget Amendments.

**Now, Therefore, Be It Resolved**, that the Rochester Hills City Council hereby approves the following FY 2018 fund totals as amended:



FUND	Current Budget	Change	Amended Budget
Fund 101 - General Fund	\$23,980,150	(\$499,190)	\$23,480,960
Fund 202 - Major Road Fund	11,060,540	515,510	11,576,050
Fund 203 - Local Street Fund	10,027,820	64,250	10,092,070
Fund 206 - Fire Department Fund	10,756,280	85,080	10,841,360
Fund 207 - Special Police Fund	9,758,090	-	9,758,090
Fund 213 - RARA Millage Fund	633,790	8,100	641,890
Fund 214 - Pathway Maintenance Fund	605,320	5,680	611,000
Fund 232 - Tree Fund	170,000	30,000	200,000
Fund 244 - Drain Maintenance Fund	1,467,090	-	1,467,090
Fund 265 - OPC Millage Fund	1,106,770	13,320	1,120,090
Fund 299 - Green Space Fund	286,220	-	286,220
Fund 331 - Drain Debt Fund	206,000	-	206,000
Fund 369 - OPC Building Refunding Debt Fund	782,200	-	782,200
Fund 393 - Municipal Building Refunding Debt Fund	805,020	-	805,020
Fund 402 - Fire Capital Fund	1,492,980	-	1,492,980
Fund 403 - Pathway Construction Fund	583,460	361,740	945,200
Fund 420 - Capital Improvement Fund	64,480	-	64,480
Fund 510 - Sewer Department	15,787,330	475,260	16,262,590
Fund 530 - Water Department	20,004,080	371,390	20,375,470
Fund 593 - Water & Sewer Capital Fund	9,148,510	(718,650)	8,429,860
Fund 595 - Water & Sewer Debt Fund	1,397,780	-	1,397,780
Fund 631 - Facilities Fund	14,667,560	221,750	14,889,310
Fund 636 - MIS Fund	2,421,600	343,350	2,764,950
Fund 661 - Fleet Fund	4,586,880	(346,580)	4,240,300
Fund 677 - Insurance Fund	395,000	-	395,000
Fund 736 - Retiree Healthcare Trust Fund	179,530	6,000	185,530
Fund 752 - Cemetery Perpetual Care Trust Fund	250,000	-	250,000
Fund 761 - Green Space Perpetual Care Trust Fund	286,090	-	286,090
Fund 848 - LDFA Fund	1,710,450	1,100,000	2,810,450
Fund 870 - Museum Foundation Fund	10,000	-	10,000
Fund 893 - EDC Fund	950	-	950
<b>GRAND TOTAL - ALL FUNDS</b>	<b>\$144,631,970</b>	<b>\$2,037,010</b>	<b>\$146,668,980</b>

## PLANNING AND ECONOMIC DEVELOPMENT

**2018-0089** Request for Conditional Use Approval for the sales and service for consumption of alcoholic beverages on site at RH House, a proposed redeveloped 4,411 square foot restaurant on 2.19 acres at 2630 Crooks, on the west side of Crooks, south of M-59, zoned REC-I Regional Employment Center - Interchange, Mike Pizzola, Designhaus Architecture, Applicant

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Suppl Presentation.pdf](#)  
[Staff Report 032018.pdf](#)  
[Map aerial.pdf](#)  
[CU Criteria Letter Designhaus 022318.pdf](#)  
[Illustration Package.pdf](#)  
[Site Plans.pdf](#)  
[Minutes PC 032018.pdf](#)  
[PHN CU OP.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Kristen Kapelanski**, Planning Manager, noted that the former Ya Ya's Chicken site on Crooks Road is proposed for a new restaurant, with a small building addition, facade updates, and patio in front. Minor site improvements are proposed including landscaping and striping. She explained that the Planning Commission approved the request on March 20, 2018. She noted that the full-service restaurant plans to be open seven days a week from 7:00 a.m. to 10:00 p.m.

**Mayor Barnett** commented that the development and investment is exactly what the City hoped for as this has been a tired vacant property for some time. He pointed out that the owner is a reputable business owner in the community currently doing business in another location.

**Mr. Deel** stated that this is a big improvement from what is currently there.

**Vice President Morita** questioned whether a revised EIS was provided to deal with lighting.

**Ms. Kapelanski** responded that this was discussed at the Planning Commission. She noted that the site plan approval has not been stamped by staff, and stated that she will ensure that the statement has been submitted prior to the plan being stamped approved.

**Vice President Morita** commented that the statement was supposed to be submitted prior to the item coming before Council.

**Mr. Kubicina** noted that the Liquor License Review Committee reviewed the plan which provides for 114 seats. He questioned when construction would begin.

**Petrit Tinaj**, representing RH House, responded that they plan to start next week and have a demolition permit.

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0182-2018

**Resolved**, that the Rochester Hills City Council hereby approves a Conditional Use for RH House, for the sales and service for consumption of alcoholic beverages on site at 2630 Crooks Rd., on the west side of Crooks, south of M-59, zoned REC-1, Regional Employment Center - Interchanges, Parcel No. 15-29-427-037, based on plans dated received by the Planning and Economic Development Department on January 31, 2018 with the following findings:

**Findings**

1. The proposed building and other necessary site improvements meet or exceed the standards of the zoning ordinance.
2. The proposed use will promote the intent and purpose of the zoning ordinance.
3. The proposed building has been designed and is proposed to be constructed, 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.
4. The proposal should have a positive impact on the community as a whole and the surrounding area by further offering jobs and another dining option.
5. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage ways, and refuse disposal.
6. The proposed development should not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
7. 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.

**2018-0298** Request for Michigan Liquor Control Commission approval for an application for a Transfer of a Resort Class C & SDM License with Sunday Sales Permit, Entertainment Permit, Outdoor Service (one area), and Specific Purpose Permit (food) submitted by RH House Inc.

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Attorney letter.pdf](#)  
[Application.pdf](#)  
[PC Minutes 032018.pdf](#)  
[Application Status.pdf](#)  
[Resolution \(Draft\).pdf](#)

***Tina Barton, City Clerk, noted that the Applicant is seeking a transfer of a Resort Class C and SDM License with Sunday Sales Permit, Entertainment Permit, Outdoor Service for one area, and Specific Purpose Permit for food. She explained that as a part of the application process, Council had the ability to approve the Special Use, and can either recommend or not recommend that***

*the Michigan Liquor Control Commission (MLCC) consider the applicant for approval by the MLCC. She stated that more Resort Class C licenses are being applied for, as Council saw with a recent applicant, as the market cannot support any more Class C licenses. Part of being able to transfer in a Resort License is that the Applicant must have exhausted all other searches and ability to obtain a regular Class C license within the County. Because the Class C license is not available, the Resort Class C becomes an option as long as the Applicant has more than 100 seats at their location. She noted that the site plan shows approximately 114 seats not including the exterior seating for the patio area. She commented that additionally, the Special Designated Merchant (SDM) license would give the Applicant the ability to sell a bottle of wine with a takeout order. Additionally, the entertainment permit would allow the Applicant to bring someone in to play music. She explained that the Specific Purpose Permit with food will allow the Applicant to serve food outside of the legal hours to serve alcohol. She pointed out that any time outdoor service is associated with a liquor license, the area must be gated, and the gate must remain closed so individuals in the patio area cannot come and go and share alcohol. She noted that the Applicant has provided that on the site plan.*

**Mr. Kubicina** noted that the Liquor License Committee had a very informative meeting with Clerk Barton last week, and he commented that he was impressed with the Applicant's proposal.

**Dr. Bowyer** noted that the City has had a request for consideration for two Resort licenses and questioned whether there is a limited number of Resort licenses in Michigan.

**Clerk Barton** responded that this license is a part of the original 550 Resort Licenses. She commented that she does not know how many licenses the State has allocated for the entire state. She stated that in a situation such as this, the Master Plan and Special Uses are a way to control how an area is zoned. She noted that the control measures are in place to address any saturation that may take place in a specific area. She pointed out that the Applicant had to request a Special Use as the previous restaurant at that location did not have a liquor license. She mentioned that if that location previously had a liquor license, a Special Use would not have been required, and only the recommendation for the transfer would be coming to Council.

**President Tisdell** noted that the influx could lead to a new economic measurement metric.

**Clerk Barton** responded as liquor licenses are becoming more socially-acceptable in different places outside of traditional locations such as brunch-style restaurants, this is seen as a part of the menu experience. She mentioned that other service industry-type places such as salons, Painting With a Twist, or other types of businesses are securing liquor licenses.

**Vice President Morita** questioned what the hours of operation would be as Council does not have the updated EIS. She noted that there was some discrepancy between what was originally presented to the Planning Commission and what was presented by the proponent.

**Ms. Kapelanski** responded that it would be 7:00 a.m. to 10:00 p.m., seven days a week.

**Vice President Morita** questioned whether a condition could be added that the Applicant provide an updated EIS.

**Clerk Barton** responded that conditions cannot be put on the resolution for recommendation to the MLCC.

**Vice President Morita** questioned when the updated EIS would be secured.

**Ms. Kapelanski** responded that she would secure it tomorrow and send it out to Council. She noted that it would be a condition of stamping the plans approved by Planning.

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0183-2018

**Resolved**, that the Rochester Hills City Council recommends that the application for a Transfer of a Resort Class C & SDM License with Sunday Sales Permit, Entertainment Permit, Outdoor Service (one area), and Specific Purpose Permit (food) submitted by RH House Inc., to be located at 2630 Crooks Rd. be considered for approval by the Michigan Liquor Control Commission.

## **PUBLIC COMMENT for Items not on the Agenda**

**Lee Zendel**, 1575 Dutton Road, suggested that the Mayor urge the Michigan Department of Transportation to change the signs leading off the exit on I-75 to read Rochester Hills rather than Rochester, as Rochester Hills is the more prominent community.

**William Hewitt**, owner of the property at 722 West Hamlin Road, requested assistance with a large water bill. He noted that while his rental property was vacant and he was away in Arizona he was made aware that a toilet was leaking, resulting in a \$3,437.68 water bill. He noted that he was not forwarded that bill to his location so he could address the problem sooner.

**Robert Benson**, store leader for the new Petco at 2675 S. Rochester Road, invited Council Members to the store's Grand Opening on June 25, 2018. He thanked the City for allowing the business into the community.

**Walter Popyk**, 1210 School Road, stated that he had sent letters to the City and Council Members regarding erosion and potholes occurring on School Road as a result of construction activities for the Harvard Place development. He thanked Mr. Deel for his response. He questioned when the road would be paved and who would be responsible for paving the road and fixing the problem.

## 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.

- 2018-0249** Request for Acceptance of a Sanitary Sewer and Watermain Easement granted by Rochester Community Schools, a Public School District within the State of Michigan, for Ace School

**Attachments:** [071618 Agenda Summary.pdf](#)  
[San Sewer and Watermain Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0184-2018

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the sanitary sewer and watermain easement granted by Rochester Community Schools, a Public School District within the State of Michigan, whose address is 501 West University, Rochester, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer and watermain over, on, under, through and across land more particularly described as Parcel No. 15-23-400-012.

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

- 2018-0250** Request for Acceptance of a Watermain Easement granted by Rochester Community Schools, a Public School District within the State of Michigan, for Ace School

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Watermain Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0185-2018

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the watermain easement granted by Rochester Community Schools, a Public School District within the State of Michigan, whose address is 501 West University, Rochester, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel No. 15-23-400-012.

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

- 2018-0251** Request for Acceptance of an Amendment to a Watermain Easement granted by Rochester Community Schools, a Public School District within the State of Michigan, for Ace School

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Amend Watermain Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0186-2018

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts an amendment to the watermain easement granted by Rochester Community Schools, a Public School District within the State of Michigan, whose address is 501 West University, Rochester, Michigan 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel No. 15-23-400-012.

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

- 2018-0252** Request for Approval of the Amendment to the Agreement for Maintenance of the Storm Water Detention System between the City of Rochester Hills and Rochester Community Schools for Ace School

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Amendment Stormwater Maint Agreemt.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0187-2018

**Resolved**, that the Rochester Hills City Council hereby approves the Amendment to the Agreement for Maintenance of the Storm Water Detention System between the City of Rochester Hills and Rochester Community Schools whose address is 501 W. University Drive, Rochester, Michigan 48307, for Parcel No. 15-23-400-012.

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

- 2018-0243** Request for Acceptance of the Sanitary Sewer Easement granted by SSO LIMITED, LLC, a Michigan limited liability company, for The Oakridge Dental Office

**Attachments:** [071816 Agenda Summary.pdf](#)  
[Sanitary Sewer Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0188-2018

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the sanitary sewer easement from SSO LIMITED, LLC, a Michigan limited liability company, whose address is 1959 S. Livernois Rd., Rochester Hills, MI 48307, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer over, on, under, through and across land more particularly described as for Parcel No. 15-22-351-002, for The Oakridge Dental Office.

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

- 2018-0246** Request for Acceptance of the Watermain Easement granted by SSO LIMITED, LLC, a Michigan limited liability company, for The Oakridge Dental Office

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Watermain Easement.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0189-2018

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the watermain easement from SSO LIMITED, LLC, a Michigan limited liability company, whose address is 1959 S. Livernois Rd., Rochester Hills, MI 48307, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as for Parcel No. 15-22-351-002, for The Oakridge Dental Office.

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

- 2018-0247** Request for Approval of the Amendment to the Agreement for the Storm Water Detention and Discharge Restriction System for The Oakridge Dental Office

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Storm System Maint Agreemt.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0190-2018

**Resolved**, that the Rochester Hills City Council hereby approves the Agreement for the Storm Water Detention and Discharge Restriction System for the Oakridge Dental Office, from SSO LIMITED, LLC, a Michigan limited liability company, whose address is 1959 S. Livernois Rd., Rochester Hills, MI 48307, for Parcel No. 15-22-351-002.

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

- 2018-0276** Request for Purchase Authorization - DPS/FLEET: Purchase of one (1) tractor/loader/backhoe in the amount of \$52,375.00; Weingartz Supply, Utica,

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Proposals Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0191-2018

**Resolved**, that the Rochester Hills City Council hereby authorizes the purchase of one (1) tractor/loader/backhoe to Weingartz Supply, Utica, Michigan in the amount of \$52,375.00.

**Passed the Consent Agenda**



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

Aye 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment, **President Tisdell** noted that he would follow up with the City's Fiscal Department to see what could be done regarding Mr. Hewitt's large water bill. He thanked Mr. Benson and Petco for opening a new business in the community. He noted that Mr. Deel has been in contact with Mr. Popyk regarding School Road conditions. He stated that the City's personnel have been very appreciative of Mr. Popyk's professional manner in dealing with City personnel and commented that his patience and understanding is appreciated.*

***Dr. Bowyer** noted that she will attend Petco's ribbon cutting. She mentioned several opportunities for outdoor engagement including a Hoot and Howl Hayride scheduled for October 13, 2018 from 7:30 p.m. to 9:00 p.m. She reminded everyone of the following upcoming 5Ks and other walk/run activities, including the following:*

- *The September 3, 2018 Paint Creek Labor Day Bridge Walk will begin at the Rochester Municipal Park.*
- *The Michigan Ovarian Cancer Alliance Wheels and Teal 5K is set for Saturday, September 15, 2018.*
- *The Brooksie Way is set for Sunday, September 23, 2018. The race begins at Meadow Brook Hall.*
- *Neighborhood House will have their Scare Away Hunger Walk on October 21, 2018, beginning at Rochester College.*
- *Run the Fairway at Pine Trace is set for November 11, 2018.*

*She thanked members of the Rochester Hills Fire Department for leading the Cumberland Hills Bike Parade this past Saturday. She noted that the West Nile Virus has been reported in Oakland County, and encouraged individuals to use insect repellent that contains DEET, wear long-sleeved shirts, and ensure there is no standing water around their homes. She suggested that the Parks Department may still have some mosquito dunk disks to use in ponds.*

***Mr. Deel** stated that he would attend Petco's ribbon cutting as the new business is in his District. He responded to Mr. Popyk's concerns regarding School Road, noting that the Capital Improvement Plan includes a paving project for School Road encompassing the first 1,700 feet east of John R. He noted that Harvard Place developers are covering half of the cost of that road construction, and he commented that this will go a long way toward addressing drainage issues.*

***Mr. Hetrick** welcomed Petco to the community. He noted that the Southeast Michigan Council of Governments is welcoming comments for its Transportation Improvement Plan, and encouraged interested individuals to visit [semcog.org](http://semcog.org) to view the plan and find a link to make comments.*

**Mr. Kubicina** noted that he was invited to a potluck event this coming Saturday at the Rochester Municipal Park hosted by the Greater Rochester Area Inclusion Network, Parents for Educational Equity in Rochester Schools, and Rochester Area Interfaith Network. The potluck will run from 11:00 a.m. to 3:00 p.m.

**Ms. McCardell** stated that she plans to attend the potluck as diversity and inclusion is very important in the community. She welcomed Petco to the community and stated that she will try to attend the ribbon cutting. She announced that Rochester High School teacher Karen Malsbury is leading an Authentic Career Experience Day on October 5, 2018. Students participating will be exempted from school to experience a typical workday. Approximately 260 Rochester High School juniors and seniors are expected to participate. The event is hosted in partnership with the Rochester Regional Chamber of Commerce, Rochester Downtown Development Authority, City of Rochester, City of Rochester Hills and the Parent-Teachers-Students Association. She noted that residents in University Hills are requesting information as to when the concrete pouring in their subdivision will be completed. She thanked the Parks Department including Director Ken Elwert and Natural Resources Manager Matt Einhauser for responding to gypsy moth concerns and committing to do the egg counts in the fall.

**President Tisdell** noted that Parks staff did a great job in identifying parcels affected by gypsy moths.

**Mayor Barnett** stated that Council received an email containing information regarding the 24 parcels identified that are affected by gypsy moths. In response to concerns regarding an excessively large water bill, he stated that he had a conversation with Mr. Hewitt. He commented that his water bill situation is not all that unusual, and noted that there are some things the City can do including checking the meter. He pointed out that the bill could be reduced if the water did not go through the sewer system. He stated that the only other option is to spread the payment out over a 12-month period, unless Council opted to change the City's Ordinance. He noted that he would try to attend Petco's grand opening. He expressed his appreciation to Mr. Popyk for his kind words regarding DPS staff. He noted that there are multiple challenges for that site, and a short-term approach and long-term approach are being undertaken to remedy the problem. He announced the following activities and events:

- A collection box will be in the lobby for an Avondale Back-to-School Drive for school supplies.
- The boil water advisory has been lifted. Thanks go to DPS staff. Multiple avenues were used to get the word out, including social media, sandwich boards, and the City's Notify-Me alerts. Residents can sign up for these alerts via the City's web page.
- Hamlin Road work is progressing. Livernois Road work will begin on Wednesday. Livernois is a County road and will be completely redone in 2019. The City is leveraging its partnerships to accomplish some work this year to mill down and remove joints to improve road quality. While the work may

*not have the best appearance, it will proactively address ride quality until the full project can be undertaken.*

- *Council will be asked at its next meeting to appoint one Council Member to the Mayor's Advisory Committee on Diversity and Inclusion.*
- *The City hosted a group of young adults from its Sister City, Tuz, Montenegro.*
- *The City now has an Instagram page.*

**City Clerk Tina Barton** announced that the Primary Election will be held on August 7, 2018. Anyone who qualifies for an absentee ballot can still obtain one from the Clerk's Office.

**(Ms. McCardell exited at 9:01 p.m. and re-entered at 9:03 p.m.)**

## ATTORNEY'S REPORT

*City Attorney Ann Christ had nothing to report.*

## NOMINATIONS/APPOINTMENTS

**2018-0293** Appointment of Youth Members to the 2018/2019 Rochester Hills Government Youth Council (RHGYC)

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mr. Deel** stated that he serves as City Council Liaison to the Rochester Hills Government Youth Council (RHGYC) and announced the new class for 2018/2019. He noted that 26 applications were received, including ten from returning members. He explained that 16 individuals were interviewed to fill five spaces; and he commented that if he were an employer, he would have selected each candidate. He commented that the students were top-notch and selecting the incoming members was no easy task. He thanked Deputy Clerk Leanne Scott and Adult Advisor Danielle Szajna for participating in the interview process. He noted that the RHGYC must have a fair representation by Council District, school, and age.

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0192-2018

**Resolved**, that the Rochester Hills City Council hereby concurs with the recommendation of the Rochester Hills Government Youth Council (RHGYC) Interview Team and waives Article II, Membership and Terms, Section 1.a. of the RHGYC Bylaws and Rules of Procedure to allow the appointment of fifteen (15) members to the RHGYC for the 2018/2019 term.

**Be It Further Resolved**, that the Rochester Hills City Council concurs with the recommendation of the RHGYC Interview Team and appoints the following students to the 2018/2019 term beginning September 1, 2018 and ending August 31, 2019.

Representative	School	District
Natalie Vaglia	Adams HS	1
Zena Nasari	Adams HS	1
Sofia Tiberio	Adams HS	1
Mallory Boyd	Adams HS	1
Aden Smith	Stoney Creek HS	2
Hannah Bennett	Rochester HS	2
Jessica Hrynkiw	Rochester HS	2
Jonathan Karr	Notre Dame Prep	2
Hayden Bearre	Rochester HS	2
Sailor Mayes	Rochester HS	2
Zoe Pizzuti	Adams HS	2
Maya Iyer	Rochester HS	3
Avneet Aulakh	Rochester HS	3
Noah Peterson	Rochester HS	4
Pawel Vijayakumar	Rochester HS	4

## NEW BUSINESS

**2018-0292** Request for Nonprofit Designation for a Charitable Gaming License from the State of Michigan - Gary Cooper Davis Foundation

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Cover Letter.pdf](#)  
[Bylaws.pdf](#)  
[Articles of Incorporation.pdf](#)  
[Amendment to Articles of Incorporation.pdf](#)  
[IRS Determination Letter.pdf](#)  
[Form 990N - E-Postcard.pdf](#)  
[Revenue and Expense Statement.pdf](#)  
[Board of Directors.pdf](#)  
[Board Resolution.pdf](#)  
[Cover Letter and License Application.pdf](#)  
[Local Governing Resolution.pdf](#)  
[Charitable Gaming License Policy.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mark Hickson**, representing the Gary Cooper Davis Foundation, explained that the Foundation was first formed after his brother-in-law, a West Bloomfield Police Officer, was killed by a drunk driver while arresting a drunk driver. He noted that the Foundation was founded in 2008 and hosts a ball tournament to raise funds. He stated that it is a certified 501(c)(3) organization, which is small with no overhead. He noted that the organization pays no rent and the officers receive no wages.

He commented that Gary Cooper played ball, and the tournament has become larger over the years, raising \$10,000 to \$11,000. The Foundation wishes to obtain the license to bring additional revenue in.

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdel

Enactment No: RES0193-2018

**Resolved**, that the request from the Gary Cooper Davis Foundation, located at 3389 Summit Ridge, Rochester Hills, MI 48306, Oakland County, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval.

**2018-0275** Request for Purchase Authorization - DPS/FLEET: Increase to Blanket Purchase Order for Pierce Parts and Service in the amount of \$18,000.00 for a new not-to-exceed amount of \$43,000.00 through June 30, 2019; Halt Fire, Inc., Wixom, MI

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Public Services Director, stated that the Department has had some unexpected repairs on its Pierce equipment. He noted that it also insources repairs for Rochester and Washington Township vehicles as well.

**President Tisdel** questioned whether Pierce was the line that was being phased out.

**Mr. Schneck** responded that Pierce is the standardized cab and chassis, and noted that LaFrance is being phased out in favor of standardizing equipment with Pierce. He mentioned that the rescue trucks utilize a Freightliner cab and chassis.

**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 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdel

Enactment No: RES0194-2018

**Resolved**, that the Rochester Hills City Council hereby authorizes an increase to the Blanket Purchase Order for Pierce Parts and Service to Halt Fire, Inc., Wixom, Michigan in the amount of \$18,000.00 for a new not-to-exceed amount of \$43,000.00 through June 30, 2019.

**2018-0287** Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for underground utility repairs and related services in the amount not-to-exceed \$750,000.00 through July 31, 2021; Superior Excavating, Auburn Hills, MI; Aielli Construction Company, Inc., Shelby Township, MI

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Proposal Tabulation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Public Services Director, explained that from time to time the City cannot undertake certain repairs such as sewer collapses, watermain breaks, or utility repair on some of the water and sewer assets that are fairly deep. He noted that four proposals were received, and the quality-based selection process named

*Superior Excavating, as they have done an exceptional job in the past and are responsive, working without much hand-holding. He expressed appreciation for questions submitted in advance by Vice President Morita and Dr. Bowyer.*

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0195-2018

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order/Contract for underground utility repairs and related services to Superior Excavating, Auburn Hills, Michigan as the primary vendor and Aielli Construction Company, Inc., Shelby Township, Michigan as the secondary vendor in the amount not-to-exceed \$750,000.00 through July 31, 2021 and further authorizes the Mayor to execute the contracts 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.

**2018-0288** 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 Preliminary Engineering Services for Livernois Road from Avon Road to Walton Boulevard in the amount of \$133,500.00; Road Commission for Oakland County, Beverly Hills, MI

**Attachments:** [071618 Agenda Summary.pdf](#)  
[Agreement.pdf](#)  
[Preliminary Eng Services Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Allan Schneck**, Public Services Director, explained that Council's acceptance of this agreement will set in motion the design for reconstruction of Livernois Road in 2019. He pointed out that the City would share 50 percent of the preliminary engineering phase, and he noted that Federal funds awarded to the Road Commission for Oakland County (RCOC) in the amount of \$3.9 million will not be available until 2021. He stated that he and Joe Snyder, Chief Financial Officer, met with RCOC representatives, and they agreed that they would fund their participatory share if the City could fund the Federal portion for construction in 2019.

**Dr. Bowyer** questioned whether this request was for design for the reconstruction and not for the remedial measures to be undertaken this year.

**Mr. Schneck** responded that he views the current repairs as a temporary-permanent repair to reduce efforts for the RCOC to need to continually patch the road and improve the ride quality. He noted that the City performs the winter maintenance on Livernois Road.

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

**Aye** 7 - Bowyer, Deel, Hetrick, Kubicina, McCardell, Morita and Tisdell

Enactment No: RES0196-2018

**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 Preliminary Engineering Services for Livernois Road from Avon Road to Walton Boulevard in the amount of \$133,500.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

## **ANY OTHER BUSINESS**

*None.*

## **NEXT MEETING DATE**

*Regular Meeting - Monday, July 30, 2018 - 7:00 p.m.*

## **ADJOURNMENT**

*There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 9:27 p.m.*

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*MARK A. TISDEL, President  
Rochester Hills City Council*

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

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*MARY JO PACHLA, CMMC  
Administrative Coordinator-City Council  
City Clerk's Office*

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