



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, December 12, 2022

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Deel called the Regular Rochester Hills City Council Meeting to order at 7:01 p.m. Michigan Time.

ROLL CALL

Present 6 - David Blair, Susan M. Bowyer, Ryan Deel, Carol Morlan, Theresa Mungioli and David Walker

Absent 1 - Dale Hetrick

Others Present:

*Bryan Barnett, Mayor
Paul Davis, Deputy Public Service Director/City Engineer
Ken Elwert, Parks and Natural Resources Director
Bill Fritz, Public Services Director
Sara Roediger, Planning and Economic Director
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer
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 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

President Deel introduced RHGYC Representative Seo-Yun Woo.

Ms. Woo stated that she is a freshman at Stoney Creek High School and this is her first year serving on the RHGYC. She shared that the RHGYC last met on Wednesday, December 7, 2022, and discussed the RHGYC's remaining budget. She added that the RHGYC decided to apply any remaining funds from the budget to the Cultural Event that will take place in the spring of 2023. She stated that at the end of the meeting, RHGYC members wrapped gifts for the New Day Foundation family that they adopted.

Rochester/Rochester Hills Sister City Committee:

Ms. Mungoli shared that the Rochester/Rochester Hills Sister City Committee met last week and adopted its 2023 Meeting Schedule and stated that they will continue to meet the first Tuesday of even months. She added that the Committee will be inviting different Directors from Rochester Hills and Rochester to speak at its meetings, and the first department is Parks. She noted that the Committee has begun discussing the 2023 Memorial Day Parade.

Rochester Avon Recreation Authority (RARA):

Ms. Mungoli explained that the RARA building has been painted and updated, both inside and outside. She added that other improvements were completed that included the roof replacement. She encouraged everyone to stop by the building and see all the positive changes taking place at RARA.

Older Persons' Commission (OPC):

Mr. Walker announced that the OPC had been awarded the ICAA NuStep Pinnacle Award for being the Top Five Best in Wellness Community Centers in North America.

PUBLIC HEARINGS

2022-0493 FY 2022 4th Quarter Budget Amendments

Attachments: [121222 Agenda Summary.pdf](#)
[4th Qtr BA Overview.pdf](#)
[4th Qtr BA Details.pdf](#)
[4th Qtr BA Adjustments.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that the Public Hearing is for the 4th Quarter Budget Amendments and provided the following financial highlights

for FY 2022:

- Total Revenues are proposed to decrease by \$1,900,630
- Total Expenditures are proposed to decrease by \$13,313,400 and include the following:
 - \$5,500,000 reduction in Operating Expenses
 - \$9,600,000 reduction in Capital Expenditures
 - \$1,800,000 increase in Transfer-Out Expenditures
- \$11,400,000 positive impact to Fund Balances City-wide; of this amount, \$9,700,000 is anticipated to be carried over to FY 2023 to wrap up 2022 projects.

He pointed out that \$42,312,710 was undertaken in Capital Improvement Projects this year, with \$29,887,030 from Fund Balance. He noted that the \$12,500,000 difference represents the City's structural surplus for the year.

He explained that the \$1,900,630 Revenue decrease is a result of the investment return of the City's three trust funds; Retiree Health Care Trust, Cemetery Trust and Green Space Trust Fund. He explained that these three funds invest in mutual funds and all three funds have conservative allocations; however, with the performance of the stock and bond market over the course of the year, these three funds are estimated to decrease by \$2,500,000. He noted that they are anticipating better returns next year for these funds. He added that the City had received its second American Rescue Plan Act (ARPA) tranche from the government in the amount of \$3,100,000. He stated that the City had received its full allotment of \$6,200,000 and that these funds are in the City's ARPA Fund Balance. He explained that the City cannot recognize the ARPA Funds until there are offsetting expenses utilizing the funds; therefore, the ARPA Funds are contributed to the Revenue decrease this year. He stated that the investment loss from the three trust funds and the ARPA revenue recognition totals \$5,554,390. He added that the \$1,900,630 Revenue decrease subtracted from \$5,554,390 resulted in a Revenue increase of \$3,653,760.

He broke down the remaining Capital Outlay for FY 2022, as follows:

- \$11,600,000 was spent towards Major Roads; this included projects such as Auburn Road reconstruction between Rochester Road and Culbertson Avenue, the Old Perch Road reconstruction and the reconstruction of Waterloo Drive.
- \$11,300,000 was spent on Water and Sewer; projects included Springhill Subdivision water main replacement, Auburn Road from Rochester to Culbertson water main replacement and the RedZone Project throughout the City.
- Local Streets consisted of \$5,300,000 in repairs.
- \$800,000 was spent on Pathways; that included the Adams Road pathway between Powderhorn Ridge and Tienken.
- \$1,500,000 was spent towards Fleet; which included replacement of 24 vehicles and seven pieces of equipment. He stated that over \$31 million in infrastructure improvements were made in 2022 to the City. He commended the DPS team for a great job delivering projects this year.
- \$11,200,000 was spent on Facilities, with \$9,000,000 of that towards Parks. He added that Parks projects included: the Borden Park parking lot reconstruction, the Borden Park office and pickle ball construction, and the Innovation Hills

phase II playground and ranger station. He noted that all Park structures' roofs will be replaced within the next few months and the Auburn Road Corridor Splash Pad shade structure will be installed. He stated that other Facilities projects completed this year included: the Auburn Road Corridor parking lots along Eastern Avenue, the City Hall Auditorium project and the Clerks' Office vault reconstruction. He added that Fire Station One replaced its overhead doors, the Oakland County Sheriffs' Office got new interview equipment and the Van Hoosen Jones Cemetery got a new columbarium. He acknowledged Mike Viazanko, Ken Elwert and Paul Davis for collaborating and working together to complete all of the 2022 Capital Improvement Projects.

- \$400,000 was spent on Fire Capital for turnout gear replacement, repairs on ladder truck number Five and heart monitor and AED replacements.

- Green Space consisted of \$200,000 for the purchase of the Auburn Road Green Space property.

He stated that there were over \$240,000,000 of infrastructure investments in the City over the past decade. He added that 2023 is projecting \$34,000,000 in Capital Improvements.

He noted the following in regard to individual City funds:

- General Fund revenues are up \$1,494,580 and expenditures are down \$1,633,040. He added that per the General Fund Balance Policy, the Fund is set to be 80 percent of annual operations and any funds above that are transferred to the Capital Improvement Fund. He stated that \$3,127,620 will be transferred to the Capital Improvement Fund to maintain the 80 percent in the General Fund.

- Capital Improvement Fund revenues are up \$3,237,120 and expenditures are down \$1,213,030. He noted that the Capital Improvement Fund will have a balance of \$4,450,150 at the end of 2022. He added that the City will continue to be strategic in regard to proposed projects and will continue to reevaluate the Capital Improvement Fund on a quarterly basis.

- Major Road Fund revenues are up \$74,930 and expenditures are down \$2,085,960. He stated that \$900,000 is anticipated to be carried over to FY 2023. He noted that approximately \$11 million of major road construction was completed in 2022 and approximately \$61 million of major road construction over the last ten years.

- Local Street revenue is up \$3,260 and expenditures are down \$351,270. He added that \$5,343,550 in local street construction was completed in 2022 and over \$51 million in local street construction over the past decade.

- Fire Department Fund revenues are up \$109,350 and operating expenditures are down \$780,250. He stated that \$889,600 is proposed to transfer to the Fire Capital Fund.

- Fire Capital Fund revenues are expected to decrease by \$22,690 due to three ambulances proposed to be funded by ARPA that will not be ready until 2023 and added that expenditures are proposed to be \$1,185,400 less as a result of the three ambulances.

- Special Police Fund revenue is up \$8,840 and expenditures are down \$4,140.

- The Parks Infrastructure Fund is the City's newest fund that was created this year and is funded by the Parks Millage. He stated that \$630,000 was distributed this year towards Park infrastructure projects throughout the City,

including the Borden Park Office relocation and tennis court lighting, Auburn Corridor Splash Pad shade shelter and roof replacements at Park shelters throughout the City. He noted that the Parks Millage is an asset to the City and added that a dedicated funding source to Parks will assist in maintaining and improving the Parks for many years. He stated that next year projects are proposed at Bloomer Park, Borden Park and Wabash Park.

He thanked City Council for their vision and support over the last year. He noted that although the last few years have been challenging; they also have been rewarding.

President Deel Opened the Public Hearing at 7:27 p.m. Seeing no further discussion, President Deel Closed the Public Hearing at 7:28 p.m.

President Deel thanked Mr. Snyder for the presentation and stated that the Capital Improvement Projects are meant to improve the City, including local streets and major roads. He added that there are also several infrastructure projects that also are done to improve and enhance the City.

Ms. Mungioli stated that there was \$13,000,000 expected and \$9,000,000 rolled over, she questioned the status of the remaining \$4,000,000.

Mr. Snyder responded that the \$4,000,000 came in under budget and those funds will go back into Fund Balance to be used for other Capital Improvement Projects.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0340-2022

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

Whereas, the Public Hearing for the proposed FY 2022 4th Quarter Budget Amendments was noticed on November 22, 2021; and

Whereas, the proposed FY 2022 4th Quarter Budget Amendments were available for public viewing beginning on December 2, 2021; and

Whereas, at its December 12, 2022 meeting City Council held a Public Hearing on the proposed FY 2022 4th Quarter Budget Amendments.

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

2022-0494 Rochester Avon Recreation Authority (RARA) FY 2022 4th Quarter Amendment

Attachments: [121222 Agenda Summary.pdf](#)
[4th Qtr BA Overview.pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, and **Dave Word**, Executive Recreation Director, Rochester Avon Recreation Authority (RARA) were present.

Mr. Snyder shared that the RARA 2022 Fourth Quarter Budget Amendments were approved unanimously by the RARA Board on November 15, 2022. He stated that in total, the RARA revenues proposed were \$3,138,000 and total RARA expenditures proposed were \$2,960,000 which resulted in a net contribution into the RARA Fund Balance of \$178,000. He noted that this is the fifth year in a row that RARA has been able to contribute funds into its Fund Balance at the end of the year. He added that RARA ended fiscal year 2021 with \$644,000 in its Fund Balance; this number is anticipated to increase to \$822,000 at the end of Fiscal Year 2022, which would equate to 38 percent Fund Balance coverage. He noted that RARA's goal is 20 percent Fund Balance coverage.

He stated that RARA had an eventful year that included the promotion of **Mr. Word** to the Executive Recreation Director, the sale of the 480 E. Second Street Building and the full replacement of the roof at the 500 E. Second Street Building. He added that enrollment numbers for RARA programs are increasing and looking strong; he is looking forward to RARA's bright future.

President Deel Opened the Public Hearing at 7:33 p.m. Seeing no further discussion, President Deel Closed the Public Hearing at 7:34 p.m.

Ms. Mungoli commented that as the City Council Representative that serves on the RARA Board, she had been able to watch the positive changes take place throughout the year at RARA. She added that there had been a lot of money invested in the Fund Balance over the last few years and in the future she would like to see some of those funds used to improve and maintain RARA's facility and infrastructure. She noted that the current 38 percent Fund Balance may not remain when funds are removed and invested back into RARA's infrastructure. She thanked Mr. Snyder, Mr. Word and all the Directors at the City that have helped RARA get to where it is today.

President Deel explained that the Fund Balance is at 38 percent and the target balance is 20 percent. He added that if the Fund Balance reduces to 20 percent, it is because the money is being invested back into RARA to enhance and maintain the facility and programming. He questioned if program participation has increased now that COVID-19 is under control.

Mr. Word responded that RARA has seen a general upward trend in participation in all of its programs since 2020. He added that RARA is on track to exceed 10,000 participant registrations this year which is close to the 2019 registration numbers of about 12,000 participants. He thanked City Council and the Administration for its tremendous support over the last few years.

Vice President Bowyer thanked Mr. Word and Mr. Snyder for their leadership and hard work. She added that it is great to see RARA succeed and make positive impacts in the community.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0341-2022

Whereas, the Public Hearing for the proposed RARA FY 2022 4th Quarter Budget Amendments was noticed on November 22, 2022; and

Whereas, the proposed RARA FY 2022 4th Quarter Budget Amendments were available for public viewing beginning on December 2, 2022; and

Whereas, at its December 12, 2022 meeting City Council held a Public Hearing on the proposed RARA FY 2022 4th Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby adopts the RARA FY 2022 fund total as amended in the amount of \$2,960,050.

ORDINANCE FOR ADOPTION

2022-0558 Request for Acceptance for First Reading - an Ordinance to Amend Sections 134-3, 134-4, 134-5(1), 134-6, and 134-9, of Article I of Chapter 134 - Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define and prohibit "Off Premises Signs", and provide clarifications on measuring sign area of illuminated signs, limitations on electronic message component signs, clarifications on measuring multiple family and subdivision complex signs, size allowances for office signs, size allowances for second floor tenant spaces for multiple story buildings, and clarifications on the total number and size of temporary signs, and prescribe a penalty for violations, and repeal conflicting ordinances.

Attachments: [121222 Agenda Summary.pdf](#)
[Revised Ordinance Amendments \(Redlined\).pdf](#)
[120522 Agenda Summary.pdf](#)
[Ordinance Amendments \(Redlined\).pdf](#)
[120522 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning and Economic Development Director, explained that this is a housekeeping item to clarify the Signs Ordinance, specifically that billboards are prohibited in the City and also to clean up some enforcement issues. She added that at the First Reading there was discussion about the amount of temporary signage and stated that the amendments have been cleaned up based on the discussion from the First Reading. She stated that the intent was not to change the amount of signs but to clarify the ease of enforcing the number of signs rather than square footage.

Ms. Mungoli thanked Ms. Roediger for updating the Ordinance amendments with the correct number of temporary signage.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungoli and Walker

Absent 1 - Hetrick

Enactment No: RES0342-2022

Resolved, that an Ordinance to Amend Sections 134-3, 134-4, 134-5(1), 134-6, and 134-9, of Article I of Chapter 134 - Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define and prohibit "Off Premises Signs", and provide clarifications on measuring sign area of illuminated signs, limitations on electronic message component signs, clarifications on measuring multiple family and subdivision complex signs, size allowances for office signs, size allowances for second floor tenant spaces for multiple story buildings, and clarifications on the total number and size of temporary signs, and prescribe a penalty for violations, and repeal conflicting ordinances is hereby Accepted for First Reading.

PUBLIC COMMENT for Items not on the Agenda

Lori Lubman, 3351 Crooks Road, expressed concern that she is unable to get answers regarding her father's belongings that were reported missing.

CONSENT AGENDA

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

2022-0495 Designation of City Depositories for FY 2023

Attachments: [121222 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Adopted by Resolution

Enactment No: RES0343-2022

Whereas, under the laws of Michigan and the City's Investment Policy, the Rochester Hills City Council is required to provide by resolution for the deposit of all public monies coming into the hands of the Treasurer of the City of Rochester Hills, in one or more bank(s).

Now, Therefore, Be It Resolved, that the following financial institution(s) be added as depository institutions for City funds and other public monies coming into the hands of said Treasurer during the Fiscal Year beginning January 1, 2023 and ending December 31, 2023.

Broker/Dealers/Safekeeping:

Bank of America Merrill Lynch
Comerica Securities
Fifth Third Bank
Huntington Bank
J.P. Morgan Securities LLC/J.P. Morgan Clearing Corp.
Morgan Stanley
Multi-Bank Securities Inc.
PNC Financial Services Group
Raymond James & Associates, Inc.
Robert W. Baird & Co.
Robinson Capital
Truist Securities, Inc.
UBS Financial Services, Inc.

Pooled Accounts:

Michigan CLASS / Public Trust Advisors, LLC
Oakland County / Local Governmental Investment Pool (LGIP)

Banks:

Bank of America
Chief Financial Credit Union
CIBC Bank
Citizens Bank
Citizen's State Bank
Comerica Bank
Fifth Third Bank
First Merchant's Bank
First State Bank
Flagstar Bank
Genisys Credit Union
Horizon Bank
Huntington Bank
Independent Bank
In Touch Credit Union
JP Morgan Chase Bank
Lake Michigan Credit Union
Michigan State University Federal Credit Union
Northstar Bank
Oxford Bank
PNC Bank, N.A.
The State Bank
Waterford Bank N.A.

Be It Further Resolved, that each of the above depositories designated are hereby requested, directed, and authorized to honor all checks for payment of monies drawn on the various accounts when bearing the actual or facsimile signature of persons authorized by the City of Rochester Hills to sign said checks and orders.

2022-0569 Request for Approval of Grant Application to Michigan Department of Natural Resources Recreation for the purpose of rebuilding the parking lot at Bloomer Park; Michigan Department of Natural Resources, Lansing, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0344-2022

Whereas, if awarded the grant, the City would competitively bid and purchase the materials and installation with reimbursement by the Michigan Department of Natural Resources of the grant amount upon completion; and

Whereas, the grant application deadline is December 19, 2022;

Be it Resolved, that Rochester Hills City Council does hereby support the application titled Bloomer Park Parking Lot Replacement for a Sparks Grant to the Michigan Department of Natural Resources Recreation for the purpose of rebuilding the parking lot at Bloomer Park and commits to the project cost of \$2,875,000 which includes a financial match of \$2,000,000;

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

- 2022-0570** Request for Approval of Grant Application to the State of Michigan Department of Natural Resources (MDNR) Sparks Grant Program and \$50,000 as matching funds. Elements of the grant request include benches, renovated tennis & basketball courts, new pickleball courts and fencing at Avondale Park; Michigan Department of Natural Resources, Lansing, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0345-2022

Whereas, if awarded the grant, the City would competitively bid and purchase the materials and installation with reimbursement by the Michigan Department of Natural Resources of the grant amount upon completion; and

Whereas, the grant application deadline is December 19, 2022;

Be it Resolved, that Rochester Hills City Council does hereby support the application titled Avondale Park Pickleball and Courts Renovation for a Sparks Grant to the Michigan Department of Natural Resources Recreation for the purpose of adding pickleball courts and renovating courts at Avondale Park and commits to the project cost of \$250,000 which includes a financial match of \$50,000;

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

Passed the Consent Agenda

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

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

Absent 1 - Hetrick

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Walker shared that he attended Lamese Laser & Aesthetics Ribbon Cutting Ceremony on December 12, 2022. He welcomed Dr. Diana and her team to Rochester Hills and thanked her for choosing Rochester Hills to operate her business. He wished everyone a Happy Holiday, Merry Christmas and Happy New Year.

Vice President Bowyer announced that this is her last Holiday with City Council as she is approaching the end of her eight-year term and wished everyone a Happy Holiday.

Maria Willett, Chief of Staff, shared a video from the Mayor that wished everyone a Happy Holiday, she then provided the following updates on behalf of the Mayor:

- Avon Road is closed at the Clinton River Bridge and a detour is in place, Avon Road is to remain closed until mid-August. She added that this is a huge project in coordination with Great Lakes Water Authority (GLWA), Road Commission for Oakland County (RCOC) and several other local municipal groups. She stated that when this project is complete, this will serve multiple communities, three counties and over one million residents. She noted that more information on this project can be found at glwater.org/96inchwatermain or call 877-237-7311.
- The City Hall Decorating Contest is in full-swing and this year the theme was Christmas in colors. She explained that each department had to pick a color and decorate only in that color. She noted that the Clerk's Office won for the second year in a row and chose the color white. She encouraged everyone to stop by and check out all the wonderful decorations.
- The Holiday Employee Luncheon is a wonderful tradition that takes place at City Hall. She stated that Papa Joe's generously donates the food and it is a great time to recognize the accomplishments of employees.
- The Auburn Road Corridor is decorated with lights and a bright ornament that is lit up for everyone to enjoy.
- Mayor Barnett hosted the Senior Innovators and Executive Groups Awards Ceremony and presented four awards for the Mayor's Business Council Champion Award and the Executive Leadership Award.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2022-0539 Nomination/Appointment of three (3) Citizen Representatives to the Green Space Advisory Board, each for a three-year term to expire December 31, 2025; and to fill one (1) vacancy ending December 31, 2023

Attachments: [121222 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Bagley CQ.pdf](#)
[Strunk, S CQ.pdf](#)
[120522 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Arrington CQ.pdf](#)
[Bante CQ.pdf](#)
[Berard CQ.pdf](#)
[Blackstone CQ.pdf](#)
[Braun III CQ.pdf](#)
[Bruce CQ.pdf](#)
[Carpenter CQ.pdf](#)
[Carrio, Jr. CQ.pdf](#)
[De CQ.pdf](#)
[Duperon CQ.pdf](#)
[Ellis CQ.pdf](#)
[Frederiksen CQ.pdf](#)
[Gallaway CQ.pdf](#)
[Garvey CQ.pdf](#)
[Gearhart CQ.pdf](#)
[Hunter CQ.pdf](#)
[Ivanaj CQ.pdf](#)
[Jacob CQ.pdf](#)
[Lemanski CQ.pdf](#)
[Lyons CQ.pdf](#)
[McCurdy CQ.pdf](#)
[McGunn CQ.pdf](#)
[Malik CQ.pdf](#)
[Ogden CQ.pdf](#)
[Sahu CQ.pdf](#)
[Strunk, J CQ.pdf](#)
[Toenniges CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Revised Notice of Vacancy.pdf](#)
[120522 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel stated that at the last meeting there were two nominees for the vacant position: Laura Bagley and Susan Strunk. He added that per City Council's Rules and Procedures, Council will take a roll call vote.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0346-2022

Resolved, that the Rochester Hills City Council hereby appoints Joseph Bruce, Louis Carrio Jr. and Jordon Gearhart each to serve a three-year term to expire December 31, 2025.

- 2022-0543** Nomination/Appointment of two (2) Citizen Representatives to the Liquor License Technical Review Committee, each for a one-year term to expire December 31, 2023

Attachments: [121222 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Hooper CQ.pdf](#)
[McCracken CQ.pdf](#)
[Sahu CQ.pdf](#)
[120522 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Arrington CQ.pdf](#)
[Fakhouri CQ.pdf](#)
[Ivanaj CQ.pdf](#)
[Kaszubski CQ.pdf](#)
[Krajewski CQ.pdf](#)
[Lemanski CQ.pdf](#)
[McCurdy CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Revised Notice of Vacancy.pdf](#)
[120522 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel stated that at the last meeting there were three nominees for two positions: Greg Hooper, David McCracken and Nicholas Sahu. He added that per City Council's Rules and Procedures, Council will take a roll call vote.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0347-2022

Resolved, that the Rochester Hills City Council hereby appoints Greg Hooper and David McCracken, each to serve a one-year term to expire December 31, 2023.

- 2022-0545** Nomination/Appointment of seven (7) Citizen Representatives to the Public Safety and Infrastructure Technical Review Committee, each for a one-year term to expire December 31, 2023

Attachments: [121222 Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Dow CQ.pdf](#)
[Duperon CQ.pdf](#)
[Graves CQ.pdf](#)
[Hooper CQ.pdf](#)
[Jones CQ.pdf](#)
[Morris CQ.pdf](#)
[Smith CQ.pdf](#)
[Struzik CQ.pdf](#)
[Tokarski CQ.pdf](#)
[120522 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[De CQ.pdf](#)
[Fakhouri CQ.pdf](#)
[Farmer CQ.pdf](#)
[Garvey CQ.pdf](#)
[Krajewski CQ.pdf](#)
[McCracken CQ.pdf](#)
[Malik CQ.pdf](#)
[Ogden CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Revised Notice of Vacancy.pdf](#)
[120522 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

President Deel stated that at the last meeting there were nine nominees for seven positions: Sharon Dow, Jeffrey Duperon, Jayson Graves, Greg Hooper, Harold Jones, Heidi Morris, Ryan Smith, Scott Struzik and James Tokarski. He added that per City Council's Rules and Procedures, Council will take a roll call vote.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0348-2022

Resolved, that the Rochester Hills City Council hereby appoints Sharon Dow, Jayson Graves, Greg Hooper, Heidi Morris, Ryan Smith, Scott Struzik and James Tokarski each to serve a one-year term to expire December 31, 2023.

NEW BUSINESS

2022-0568 Request for Purchase Authorization - PARKS: Contract/Blanket Purchase Order for 2023 Street Tree Planting in the amount not-to-exceed \$185,000.00; Michigan Lawn Maintenance, Inc., dba Sherman Nursery Farms, Columbus, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks and Natural Resources Director, shared that the request is for approval to renew the contract with Sherman Nursery Farms for tree planting services. He explained that this contract went out to bid in 2019 and Sherman Nursery Farms was awarded the contract with the option to renew on a yearly basis. He noted that the free street planting program is funded by the City Tree Fund that is funded by developers that put money into the Fund as they develop properties within the City.

Mr. Walker stated that this is a wonderful program that offers free tree planting within the City.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0349-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for 2023 Street Tree Planting to Michigan Lawn Maintenance, Inc., dba Sherman Nursery Farms, Columbus, Michigan in the amount not-to-exceed \$185,000.00 and further authorizes the Mayor to execute an agreement on behalf of the City.

2022-0152 Request for Purchase Authorization - DPS/ENG: Contract Amendment and increase to the contract/blanket purchase order for construction engineering services for the Borden Park Parking Lot Reconstruction and Lighting Project in the amount of \$29,760.00 for a new not-to-exceed contract amount of \$326,608.00; Nowak and Fraus Engineers, Pontiac, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Additional Proposal.pdf](#)
[041122 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[041122 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Paul Davis, Deputy Public Service Director/City Engineer, and **Ken Elwert**, Parks and Natural Resources Director, were present.

Mr. Davis shared that the request is for approval to increase the engineering budget for construction engineering services at Borden Park. He added that Nowak and Fraus were awarded the contract for this project and the project took longer than what they initially estimated back in March. He explained that Nowak and Fraus had not exceeded the proposed budget for this project; however, they are nearing the budget amount and still have work to do.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0350-2022

Resolved, that the Rochester Hills City Council hereby approves a contract amendment and increase to the contract/blanket purchase order to Nowak and Fraus Engineers, Pontiac, Michigan for construction engineering services for the Borden Park Parking Lot Reconstruction and Lighting Project to Nowak and Fraus Engineers, Pontiac, Michigan in the amount of \$29,760.00 for a new not-to-exceed amount of \$326,608.00 and further authorizes the Mayor to execute the amendment on behalf of the City.

- 2022-0425** Request for Purchase Authorization - DPS/ENG: Contract Amendment to increase the contract/blanket purchase order for added scope of services for additional design work to address and include erosion control measures to existing drainage systems at Borden Park in the amount of \$45,832.00 and to add scope of services for design work to construct a new pathway from the new roundabout pathway at Avon Road and heading north to connect to existing trails within Bloomer Park in the amount of \$50,092.00 for a new total not-to-exceed contract amount of \$211,024.00; Nowak and Fraus Engineers, Pontiac, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Pathway Proposal.pdf](#)
[Erosion Control Proposal.pdf](#)
[092622 Agenda Summary.pdf](#)
[Proposal.pdf](#)
[092622 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Paul Davis, Deputy Public Service Director/City Engineer, and **Ken Elwert**, Parks and Natural Resources Director, were present.

Mr. Davis stated that on September 26, 2022, Council approved the engineering design process for the Bloomer Park parking lot reconstruction. He added that after the initial meeting with the design engineer, there was discussion about adding a pathway that would go from the newly constructed roundabout at Avon and Dequindre north into Bloomer Park. He stated that the Bloomer Park parking lot reconstruction engineering design had already begun; however, the pathway can be added to the design. He added that upon further investigation of the Park there was erosion that had developed over the years and recently there are areas that erosion had significantly accelerated. He stated that it is recommended to increase the scope of the project to address the erosion issues.

President Deel stated that he had noticed increased pedestrian activity near the roundabout at Avon and Dequindre and added that there are informal trails currently near the roundabout that the public is probably accessing.

Mr. Davis responded that there is a path that had developed over the years of people walking near there. He added that the new pathway has two options that would be finalized once the design process goes further, if approved.

Mr. Elwert replied that there was a bridge across the Clinton River many years ago that was used to access Bloomer Park. He added that a trail has been formed over time; however, there is significant drainage issues with the trail.

Ms. Mungoli questioned if there was a demand for the new pathway and added that the funds to create the pathway could be reinvested in Bloomer Park renovating something in existence, rather than creating something new. She added that she understands the need to address the erosion in Bloomer Park, but she is hesitant when it comes to the addition of new things to the Park. She stated that if she votes in favor of this request, she wants assurance that there will be balance on other needs within Bloomer Park.

Mr. Elwert responded approximately 10-25 percent of the Bloomer Park visitors use the entranceway to the north. He reiterated that there is a pathway that was made by pedestrian traffic that is a couple feet wide that has drainage issues. He recommended moving forward with the pathway design to see if it is a better solution for pedestrians that want to travel that area. He added that this request would come before Council once the design work is complete for Council approval to move forward with construction.

Mr. Davis added that as a standalone project this would be more costly to the City; however, including the pathway with the existing asphalt paving saves the City money.

Mr. Blair stated that he agrees that the erosion in Bloomer Park needs to be addressed. He added that the roundabout at Avon and Dequindre is gorgeous and he fully supports a pathway in that area and stated that when the second roundabout is complete there will be an influx of pedestrian traffic. He continued that if the City has an opportunity to use materials and engineering services already onsite to reduce costs, then this is a win for the City. He requested a quote on what the proposed cost would be to create the pathway now and what the proposed cost would be to create the pathway as a standalone project.

Vice President Bowyer questioned if the Paint Creek Trailways Commission would have any interest in contributing to the cost of the pathway since the pathway is along the Paint Creek Trail.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungoli and Walker

Absent 1 - Hetrick

Enactment No: RES0351-2022

Resolved, that the Rochester Hills City Council hereby authorizes an amendment and increase to the contract/blanket purchase order for added scope of services to Nowak and Fraus Engineers, Pontiac, Michigan for additional design work to address and include erosion control measures to existing drainage systems at Borden Park in the amount of \$45,832.00 and to add scope of services for design work to construct a new pathway from the new roundabout pathway at Avon Road and heading north to connect to existing trails within Bloomer Park in the amount of \$50,092.00 for a new total not-to-exceed contract amount of \$211,024.00 and further authorizes the Mayor to execute a contract amendment on behalf of the City.

2022-0496 Request for Purchase Authorization - CITYWIDE: Blanket Purchase Order for City Attorney Services in the amount not-to-exceed \$250,000 through

21, 2023; Hafeli, Staran, & Christ, P.C., Sylvan Lake, MI

Attachments: [121222 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, explained that the request is for approval for City Attorney Services for Fiscal Year 2023. He added that Mr. Staran has served as the City Attorney for several years and has consistently represented the City on legal matters.

President Deel shared that he has had the opportunity to work along side Mr. Staran since he has served on Council and he finds Mr. Staran's advice to be sound, reasonable and well-researched. He added that Mr. Staran's length of service to the City has benefited the City because of his knowledge of years past.

Vice President Bowyer stated that she has worked with Mr. Staran for seven years and he does a great job limiting the City's liability.

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

Aye 6 - Blair, Bowyer, Deel, Morlan, Mungioli and Walker

Absent 1 - Hetrick

Enactment No: RES0352-2022

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for 2023 City Attorney services to Hafeli, Staran & Christ, P.C., Sylvan Lake, Michigan in the amount not-to-exceed \$250,000.

ANY OTHER BUSINESS

NEXT MEETING DATE - Regular Meeting - Monday, January 9, 2023 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Blair to adjourn the meeting at 8:31 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