



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI 48309
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*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,
Stephanie Morita, Mark A. Tisdel, and David Walker*

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

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

Monday, July 15, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Matt Einheuser, natural Resources Manager
Ken Elwert, Parks & Natural Resources Director
Kevin Krajewski, Information Systems Director
Sara Roediger, Planning & Economic Development Director
Allan Schneck, Public Services Director
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Maria Willett, Chief Assistant to the Mayor*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Hetrick, seconded by Walker, that the Agenda be Approved as Amended to Remove Legislative File 2019-0300 - Request for Acceptance of a Watermain Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, for Gateway for Rochester Hills, Legislative File 2019-0301 - Request for Acceptance of a Sanitary Sewer Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, for Gateway of Rochester Hills, and Legislative File 2019-0303 - Request for Approval of a Storm Water System Maintenance Agreement between the City of Rochester Hills and Gateway Properties-Rochester Hills, a Michigan limited liability company for Gateway of Rochester Hills from the Consent Agenda. The motion carried by the following vote:

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

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

Mr. Deel introduced **Zena Nasiri**, RHGYC Representative.

Ms. Nasiri stated she attends Rochester Adams High School and is in the 11th grade. She announced the RHGYC is in the process of conducting interviews for the 2019/2020 term. She reported the RHGYC have been working on two projects which will be announced soon, and she noted the next meeting of the RHGYC is at City Hall on July 22, 2019 at 6:00 p.m.

Paint Creek Trailways Commission:

Dr. Bowyer reported that the Paint Creek Trailways is starting their five-year master plan. Emails have been sent out asking residents to take the on-line survey. The survey is also available at www.paintcreektrail.org <http://www.paintcreektrail.org>.

Older Persons' Commission (OPC):

Mr. Kubicina announced the following upcoming OPC events:

- Classic & Muscle Car Show on July 27, 2019, 10:00 a.m. - 1:00 p.m. The event is open to the public. Call the OPC at 248-608-0251 to register to show your classic or muscle car. There is a \$10.00 registration fee.

- An Evening in Casablanca; A Perfect Pairing. Wines from France, Germany, Africa and Italy will be paired with fine cheeses. There will also be live music. The event will be held on August 1, 2019, 6:00-8:00 p.m. and the cost is \$25 per person.

He shared highlights from the OPC's fundraiser, The Summer Solstice Soiree.

PRESENTATIONS

2019-0315 Presentation of the Deer Management Advisory Committee - 2019 Report

Attachments: [071519 Agenda Summary.pdf](#)
[Presentation.pdf](#)

Matt Einheuser, Natural Resources Manager, introduced **Deborah Barno**, Chair of the Deer Management Advisory Committee (DMAC).

Ms. Barno presented the following information:

- Deer/vehicle crash locations are consistent from year to year, with hot spots on Tienken Road, Rochester Road, and Avon Road. She stated they feel signage has been helpful in those areas.
- The deer aerial survey in 2019 showed 423 deer, up significantly from 311 in 2016, which was when the last good aerial count was conducted.
- The number of deer/vehicle crashes has been stable over the past few years, with 151 in 2018.
- The number of crashes is highest in October, November, and December.
- Nuisance complaints are the highest they have been in years, with almost 20 complaints in 2018 compared to almost 10 in 2017 and 2014.

Recommendations from the DMAC for 2019-2020 are:

- Continued outreach through spring and fall press releases and an Outdoor Engagement video.
- October 2019 will be declared Deer Awareness Month.
- Continuing to build community partnerships.
- Including a deer brochure in 2020 utility billings, which will require a budget increase of \$2,500.
- Holding a repeat of the highly successful "Gardening with Deer" seminar in spring of 2020.
- In 2019 expanding the time period of the four changeable message boards in high deer-vehicle crash areas from October 1 - January 1, and, in 2020, expanding the number of changeable message boards to six. This will require a budget increase of \$6,400.
- Hold another aerial deer count survey in spring 2020.

Lee Zendel, 1575 Dutton Rd., challenged the accuracy of the statistics presented, saying he does not believe all deer/vehicle crashes are reported or that the number of crashes is decreasing. He said the problem is citywide and can only be effectively moderated by reduction of the deer population.

Mr. Einheuser, in response to comments from President Tisdell, explained the aerial deer count is conducted in a natural area and the data is extrapolated to the entire City, bringing the estimated population to 2,200-2,300 deer. He confirmed the number of deer/vehicle crashes are reported cases.

President Tisdell commented that his research of other communities indicates

that in order to have any kind of impact the deer population must be reduced by 30%, which would be 600-700 deer. He asked if there is industry information on deer control management.

Mr. Einheuser explained deer control would have to be carried out over a number of years to get to the City's social carrying capacity. He confirmed the \$2,500 budget increase for the brochure to be mailed with utility bills is inclusive of all costs.

Dr. Bowyer voiced appreciation for the DMAC and for the improved technology for aerial counts leading to more accuracy. After receiving confirmation from Mr. Einhauser that the hot spot shown on Slide 3 is on M-59 and that the signs are moved to different locations including one of the M-59 ramps, Dr. Bowyer supported additional signage. She noted the success of the signs in 2018 evidenced by the reduction in crashes in December. She also said she supports the brochure.

Mayor Barnett thanked the members of the DMAC for their continued work on the deer problem. He acknowledged deer are one of the more common challenges in the City and that there is not a simple solution. He explained staff is constantly researching options being utilized around the country, noting some communities spend \$100,000 annually on the problem. He also pointed out that reducing deer populations is more difficult in a highly populated area such as the City as compared to large areas that can be closed such as metro parks. He concluded by reporting that in a recent statistically significant survey, residents were fairly evenly split on the question, "Would you say deer are a problem in our city?", while concern over the coyote population has increased three-fold.

Mr. Deel thanked Ms. Barno and the DMAC for their work. He asked how the different methodology used to count this year might impact the numbers reported.

Mr. Einheuser explained the improved GPS technology allowed a more comprehensive look at each of the counted parcels and noted that this year there was clear weather with a snow cover. He commented the increase seen suggests an increase in density in the natural areas.

Presented.

2019-0314 Green Space Advisory Board - 2019 Status Report

Attachments: [071519 Agenda Summary.pdf](#)
[Presentation.pdf](#)

Darlene Janulis, Green Space Advisory Board (GSAB) Chair, and **Heidi Morris**, GSAB member, presented the report:

- The value of green space, as confirmed by 40 years of scientific research, includes better mental and physical health.
- In 2005 residents approved a 0.3 mill 10 year open space millage to acquire and preserve natural green space.
- In 2018 the Ruby Extension was donated, bringing the total number of green

space parcels to seven (7) and the total green space property to 127 acres.

- In 2005 the City Council created the nine (9) member GSAB to develop strategies and recommendations to Council to permanently preserve natural green spaces, wildlife habitat and scenic views, protect woodlands, wetlands, rivers and streams, and expand the Clinton River Greenway. The GSAB is comprised of residents, City staff members, and representatives from the Youth Council and City Council.
- In 2013 voters approved a green space millage modification to allow expenditures for the protection, care and maintenance of the properties and improved pedestrian accessibility.
- In 2018 and 2019 a total of 57 projects were performed on seven (7) green spaces, in City parks and along the river corridor. Stewardship projects scheduled to begin in the fall of 2018 and continue into 2019 include buckthorn removal through the use of machinery in Innovation Hills Green Space and Harding.

- The GSAB goals and activities for 2018 were:

1. Enhancement of community outreach by adding Second Saturday Hikes
2. Continuation of approval and installation of signage
3. Continuation of outreach through Discovery Hikes

- The GSAB goals and activities for 2019 are:

1. Consolidation of Green Space property fact sheets
2. Presentation to City Council on Green Space property.
3. Improved engagement and education of Green Spaces through Second Saturday and Discovery Hikes.
4. Increased volunteer stewardship
5. River trip to view Green Spaces

The schedule of upcoming Discovery Hikes and Second Saturday Hikes is as follows:

- Discovery Hike on May 4, 2019 at Harding. Activities include guided nature walks and a raffle with prizes provided by the following sponsors: Dunhams, Emagine Theater, Premier Pet Supplies, Wild Birds Unlimited, and Dr. Susan Bowyer.

- Second Saturday Hikes, which begin at 10:00 a.m.:

June 8: Ruby Green Space
July 13: Cloverport & Childress Green Spaces
August 10: Innovation Hills Green Space
September 14: Harding Green Space
October 12: Location to be determined

- Other Green Space supported projects include Clinton River restoration near Yates contingent upon a \$287,500 matching grant to address stream bank vegetation and habitat, Innovation Hills Park wetland restoration as a continuation of work being completed on the Green Space side, and phragmites treatment on several City owned properties.

Dr. Bowyer commented the GSAB works well together and noted the members

have strengths in diverse areas. She thanked the GSAB for their service to the City.

Mr. Deel thanked Ms. Janulis, Ms. Morris and the other members of the GSAB for the work they do.

Mr. Hetrick commended the GSAB's shift from purchasing properties to stewardship and preservation and noted the GSAB and volunteers are doing a phenomenal job improving the City's green spaces. **Ms. Janulis** and **Ms. Morris** confirmed work to convert the Ruby property to natural prairie is in progress. **Mr. Hetrick** concluded by pointing out the stress reduction he experiences while utilizing the Clinton River Trail and by thanking the GSAB for their contributions to the City.

Mr. Kubicina thanked the GSAB for doing a great job. He credited Dr. Bowyer for overcoming his initial opposition to acquiring the Ruby property.

Mayor Barnett echoed the comments made by the Council members, thanking the GSAB for their commitment and contributions to the important work of preserving and improving green space throughout the City.

Ms. Janulis thanked the Parks and Forestry staff for their support of the GSAB.

Presented.

2019-0206 Update on the 2019 Rochester Area Memorial Day Parade; Rochester Regional Chamber of Commerce Foundation, Maggie Bobitz, Vice President, presenter

Attachments: [071519 Agenda Summary.pdf](#)
[Presentation.pdf](#)
[050619 Agenda Summary.pdf](#)
[2019 Memorial Day Parade Flyer.pdf](#)
[2019 Memorial Day Parade Route.pdf](#)
[050619 Resolution.pdf](#)

Maggie Bobitz, Rochester Regional Chamber of Commerce Vice President, thanked the City Council, the City of Rochester, Oakland Township, Maria Willett of the Mayor's Office and other involved staff for their support of the parade. She provided the following update:

- This was the first year for the parade; there were 20 entries, and spectators lined the route.
- Parking for viewers was an issue at the Flag Ceremony at the Veterans Tribute site. A shuttle from the parking sites is recommended for next year, which will add to the cost of the parade.
- Rental of chairs is also recommended for the Flag Ceremony, again at an additional cost, to accommodate the large number of attendees.
- Other recommended additions to the budget include at least one porta potty at the Veterans Tribute site, contracting with Rochester Community Schools to open Van Hoosen Middle School for use as shelter in the case of bad weather, and properly insuring the parade.
- The subdivision behind the Veterans Tribute site will be completed by next Memorial Day, and those homeowners will be added to the notification list.

- Planning for the 2020 parade will begin in January.
- Volunteers will be needed to build and maintain barricades at side streets. The Rochester Fire Department's Community Emergency Response Team (CERT) will be contacted for assistance. Use of the CERT may reduce the cost of the Oakland County Sheriff's Department.
- Volunteers will also be sought for fundraising and volunteer subcommittees, which will be activated by September 1, 2019.
- A formal plan for first responders will be put into place, as the safety of the participants is of utmost importance.
- Due to the increased costs anticipated for 2020, the four participating entities (the Cities of Rochester Hills and Rochester, Oakland Township, and Veterans Tribute of Oakland Township) will be asked to increase their contribution from \$600 to \$750.

Mr. Hetrick stated he was happy to have the Memorial Day Parade reinvigorated as it is important to support our veterans, and praised Ms. Bobitz for a job well done.

Mr. Deel thanked Ms. Bobitz for the work she put into the parade and pointed out that it is important for the community to have opportunities to learn about and honor the sacrifices made that make our way of life possible.

Dr. Bowyer thanked Ms. Bobitz and other planners of the day who timed events so that residents could participate in all of them.

Presented.

PLANNING AND ECONOMIC DEVELOPMENT

2019-0244 Request to terminate the Brownfield Redevelopment Plan and Tax Increment Finance for Madison Park (owned by REI Brownstown LLC), consisting of eight parcels of land totaling approximately 78 acres located at the southeast corner of Hamlin and Adams Roads

Attachments: [071519 Agenda Summary.pdf](#)
[Term Letter 061319.pdf](#)
[843 = Brownfield Redevelopment Fund \(Refund Analysis\).xlsx.pdf](#)
[Exhibit A.pdf](#)
[Approved Brownfield Plan 2004.pdf](#)
[Certified Resolution Approve BP.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Director of Planning and Economic Development, explained that the Brownfield Plan was approved by the City Council in 2004, but the project did not commence. She noted that as of 2019 no clean up or redevelopment activity has taken place on the Madison Park site. She reported the Madison Park Brownfield Fund has a balance of \$535,242.06 which will be refunded to the taxing jurisdictions.

Vice President Morita stated she was a member of the Brownfield

Redevelopment Authority prior to serving on City Council, and understands the situation and the need to return the funds to the taxing jurisdictions.

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, Morita, Tisdell and Walker

Enactment No: RES0204-2019

Whereas, on May 19, 2004, the Rochester Hills City Council approved a Brownfield Plan for environmental remediation and mixed use commercial redevelopment of approximately 78 acres of real property located at the southeast corner of Adams and Hamlin in the City of Rochester Hills, Oakland County, Michigan, more particularly described in Exhibit A but including parcel numbers 15-29-151-008, 15-29-151-011, 15-29-151-012, 15-29-151-015, 15-29-151-017, 15-29-176-004, 15-29-176-006 and 15-29-176-008; and

Whereas, the Brownfield Act at MCL 125.2664(8)(b) provides that a Brownfield Plan may be terminated by the City Council for an eligible property of the project for which eligible activities were identified in the Brownfield Plan fail to occur for at least two years following the date of the resolution approving the Brownfield Plan; and

Whereas, in accordance with statute, the owner/developer of the subject property has been given more than 30 days advance written notice and an opportunity to be heard at a public meeting prior to termination of the Brownfield Plan; and

Whereas, the remediation and redevelopment of the subject property contemplated under the Brownfield Plan never commenced nor occurred.

Resolved, that the Rochester Hills City Council hereby terminates the Brownfield Plan previously approved on May 19, 2004 for the subject property.

PUBLIC COMMENT for Items not on the Agenda

James Uhls, 1244 Grace Ave., stated that he is with the neighborhood group having drainage problems in their yards that spoke to the City Council a month ago. He said he was concerned that the residents have not heard anything yet.

Peggy McConnell, 1262 Grace Ave., said she was also from the neighborhood with the drainage problems. She noted a month ago the Department of Public Works collected the residents' contact information, but nothing has happened.

Bruce Fealk, 1474 Oakstone Dr., requested that Council add to the upcoming feasibility study the question of whether the City can build and support a community pool.

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.

2019-0299 Request for Purchase Authorization - PARKS: Blanket Purchase Order/Contract for construction engineering services for the Riverside

Boardwalk Project in the amount of \$81,500.00; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

Attachments: [071519 Agenda Summary.pdf](#)
[HRC Proposal for Services.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0205-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for construction engineering services for the Riverside Boardwalk Project to Hubbell, Roth & Clark, Inc., Bloomfield Hills, Michigan in the amount of \$81,500.00 and further authorizes the Mayor to execute the contract on behalf of the City.

- 2019-0296** Request for Termination of the Agreement for Maintenance of the Storm Water Retention System between the City of Rochester Hills, D'Agostini Land Company, LLC, a Michigan limited liability company, and O.L. Bolyard Lumber Co., Inc. a Michigan corporation, for Gateway of Rochester Hills

Attachments: [071519 Agenda Summary \(Revised\).pdf](#)
[071519 Agenda Summary.pdf](#)
[Term of Storm Maint Agreem Appd 052919.pdf](#)
[Resolution \(Draft\).pdf](#)
[Resolution \(Revised\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0206-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby agrees to mutually terminate the Agreement for Maintenance of the Storm Water Retention System for Gateway of Rochester Hills between the City of Rochester Hills and D'Agostini Land Company, LLC, a Michigan limited liability Company, and O.L. Bolyard Lumber Co., Inc. a Michigan corporation, whose address is 38700 Van Dyke, Suite 200, Sterling Heights, MI 48312, for Parcel Nos. 15-34-477-018 (Unit 2) & 15-24-477-019 (Unit 3).

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

- 2019-0298** Request for Termination of the Pedestrian-Bicycle Pathway Easement from D'Agostini Land Company, LLC, a Michigan limited liability company, and O.L. Bolyard Lumber Co., Inc. a Michigan corporation, for Gateway of Rochester

Attachments: [071519 Agenda Summary.pdf](#)
[Term of Pathway Eas Appd 052919.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0207-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby agrees to mutually terminate the Pedestrian Bicycle Pathway Easement for Gateway of Rochester Hills between the City of Rochester Hills and D'Agostini Land Company, LLC, a Michigan limited liability company and O.L. Bolyard Lumber Co., Inc. a

Michigan corporation, whose address is 38700 Van Dyke, Suite 200, Sterling Heights, MI 48312, for Parcel Nos. 15-34-477-018 (Unit 2) and 15-34-477-019 (Unit 3).

- 2019-0300** Request for Acceptance of a Watermain Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, for Gateway for Rochester Hills

Attachments: [072919 Agenda Summary.pdf](#)
[Water Main Easement.pdf](#)
[071519 Agenda Summary.pdf](#)
[071519 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Removed from Agenda.

Enactment No: RES0223-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, of 38700 Van Dyke Avenue, Suite 200, Sterling Heights, Michigan 48312, for the construction, operation, maintenance, repair and/or replacement of a watermain over, on, under, through and across land more particularly described as Parcel Nos. 15-34-477-017 (Unit 1), 15-34-477-018 (Unit 2) & 15-34-477-019 (Unit 3).

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

- 2019-0301** Request for Acceptance of a Sanitary Sewer Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, for Gateway of Rochester Hills

Attachments: [072919 Agenda Summary.pdf](#)
[San Sewer Easement.pdf](#)
[071519 Agenda Summary.pdf](#)
[071519 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Removed from Agenda.

Enactment No: RES0224-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer Easement granted by Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, of 38700 Van Dyke Avenue, Suite 200, Sterling Heights, Michigan 48312, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer easement over, on, under, through and across land more particularly described as Parcel Nos. 15-34-477-017 (Unit 1), & 15-34-477-018 (Unit 2).

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

- 2019-0302** Request for Acceptance of a Pedestrian-Bicycle Pathway Easement granted Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company, for Gateway of Rochester Hills

Attachments: [071519 Agenda Summary.pdf](#)
[Pathway Eas Appd 052919.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0208-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Pedestrian-Bicycle Pathway Easement granted by J.S. Oakland, LLC, a Michigan limited liability company, of 38700 Van Dyke Avenue, Suite 200, Sterling Heights, Michigan 48312, for the construction, operation, maintenance, repair and/or replacement of a pedestrian-bicycle pathway easement over, on, under, through and across land more particularly described as Parcel Nos. 15-34-477-018 (Unit 2) & 15-34-477-019 (Unit 3).

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

- 2019-0303** Request for Approval of a Storm Water System Maintenance Agreement between the City of Rochester Hills and Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company for Gateway of Rochester Hills

Attachments: [072919 Agenda Summary.pdf](#)
[Storm Maint Agreem Unit 1.pdf](#)
[071519 Agenda Summary.pdf](#)
[071519 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Removed from Agenda.

Enactment No: RES0225-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Water System Maintenance Agreement between the City of Rochester Hills and Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company for Gateway of Rochester Hills, for Parcel No. 15-34-477-017 (Unit 1).

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

- 2019-0304** Request for Approval of a Storm Water System Maintenance Agreement between the City of Rochester Hills and Gateway Properties-Rochester Hills, LLC, a Michigan limited liability company for Gateway of Rochester Hills

Attachments: [071519 Agenda Summary.pdf](#)
[Storm Maint Agreem Units 2 and 3 Appd 052919.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0209-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Water System Maintenance Agreement between the City of Rochester Hills and Gateway Properties-Rochester Hills LLC, a Michigan limited liability company for Gateway of

Rochester Hills, for Parcel Nos. 15-34-477-018 (Unit 2), and 15-34-477-019 (Unit 3).

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

2019-0305

Request for Acceptance of a Sanitary Sewer Easement granted by County of Oakland, a Michigan Constitutional Corporation, for the Courthouse Hydrant Relocation

Attachments: [071519 Agenda Summary.pdf](#)
[Sanitary Sewer Eas Appd 061419.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0210-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Sanitary Sewer Easement granted by County of Oakland, a Michigan Constitutional Corporation, of 1200 N. Telegraph Road, Pontiac, Michigan 48341, for the construction, operation, maintenance, repair and/or replacement of a sanitary sewer over, on, under, through and across land more particularly described as Parcel No. 15-26-377-002.

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

2019-0306

Request for Acceptance of a Watermain Easement granted by County of Oakland, a Michigan Constitutional Corporation, for the Courthouse Hydrant Relocation

Attachments: [071519 Agenda Summary.pdf](#)
[Water Main Eas Appd 061419.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0211-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts a Watermain Easement granted by County of Oakland, a Michigan Constitutional Corporation, of 1200 N. Telegraph Road, Pontiac, Michigan 48341, 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. 15-26-377-002.

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

2019-0282

Request for Approval of a Storm Water Detention System Maintenance Agreement between the City of Rochester Hills, and Rochester Community Schools, a Public School District, for the Rochester Transportation Building

Attachments: [071519 Agenda Summary.pdf](#)
[Storm Sys Maint Agreem Appd 060619.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0212-2019

Resolved, that the Rochester Hills City Council, hereby approves the storm water detention system maintenance agreement, relative to the details of the development and use, repair and maintenance of the storm water system from Rochester Community Schools, a Public School District, whose address is 501 W. University Drive, Rochester, Michigan, 48307, Rochester Transportation Building for Parcel No. 15-16-226-001.

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

- 2019-0316** Request for Purchase Authorization - DPS/ENG: Blanket purchase order/contract for the 2019 Pavement Legends Program in the amount of \$31,533.65 with a 10% project contingency in the amount of \$3,153.37 for a total not-to-exceed amount of \$34,687.02; J.V. Contracting Inc., Goodrich, MI

Attachments: [071519 Agenda Summary.pdf](#)
[JV Letter 052319.pdf](#)
[RCOC 2019 legend contract.pdf](#)
[RCOC Bid Tab Report.pdf](#)
[Legends Estimate 2019.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0213-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the 2019 Pavement Legends Program to J.V. Contracting, Inc., Goodrich, Michigan in the amount of \$31,533.65 with a 10% project contingency in the amount of \$3,153.37 for a total not-to-exceed amount of \$34,687.02 and further authorizes the Mayor to execute a contract on behalf of the City.

Passed the Consent Agenda

A motion was made by Morita, seconded by Hetrick, 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, Morita, Tisdell and Walker

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett requested that Allan Schneck, Public Services Director, respond to the comments from the residents experiencing drainage issues in their yards.

Mr. Schneck apologized for not being more responsive to the group. He reported engineering has been conducting due diligence, plot plans and grading plans for the area are being reviewed, and the Oakland County Water Resource Commission has been contacted because of the involvement of the Jensen Drain. He said plans will move forward to survey the area and come up with recommendations to mitigate the drainage issue. He confirmed for President

Tisdell that the residents will be contacted tomorrow.

Vice President Morita clarified for her neighbors and City residents that the baby goat her family adopted will be staying at the farm in Oxford, not at her home in Rochester Hills. She apologized for any confusion her announcement may have caused.

Dr. Bowyer reported on the Outdoor Engagement event she attended over the weekend, 2nd Annual River Float, which began at Crooks and Hamlin and ended at Eagle's Landing at City Hall. She explained Outdoor Engagement events are put on by the City, and provided details of upcoming events:

- Wellness and Nature Hikes with Ascension Providence Rochester Hospital:
 - Senior Wellness Hike on Tuesday, July 30th, 7-8 p.m.
 - Diet/Nutrition Hike on Tuesday, August 13th, 7-8 p.m. Both events are free and will be held at Bloomer Park.
- Campfire and Night Hike, Thursday, August 8, 8-9:30 p.m. at Bloomer Park. Cost is \$5.
- Nature Walks A to Z with Lance and Lauren, Thursday, August 22nd, 7-8 p.m. at Innovation Hills. Cost is \$5.
- Kayak the Clinton on Sunday, August 18th, 1-4 p.m. The event is for experienced kayakers and the cost is \$45.

She thanked Rochester Hills firefighters David Kopko and Ronald Watson for leading the Cumberland Hills bike parade on Saturday and commended their community involvement.

Mr. Deel congratulated everyone on the successful Festival of the Hills event. He noted his family thought the fireworks show was one of the best they have ever seen. He also congratulated Mayor Barnett for being sworn in and installed as the 77th President of the United States Conference of Mayors. He thanked him for representing Rochester Hills on a national level.

Mr. Hetrick congratulated Mayor Barnett for his accomplishment on the United States Conference of Mayors.

Mr. Walker thanked everyone for their presentations. He reported that he attended a ribbon cutting ceremony for Dan Hurlbutt's State Farm office on the corner of Crooks and Auburn. He commented this is a great example of a small business owner and noted the importance of small businesses in Rochester Hills. He reviewed the Eddington Road Realignment project for which the City won a Chapter Award from the American Public Works Association and announced the project has been nominated for a Community Excellence award and encouraged residents to vote daily at <http://cea.mml.org/vote>. He also congratulated Mayor Barnett on becoming the 77th President of the United States Conference of Mayors.

Mayor Barnett apologized to the residents with drainage issues and assured

them they will receive timely communication from the City with information about what is being done. He made the following announcements:

- He recognized RHGYC Representative Zena Nasiri for her work in Girls of the Crescent, raising resources to get books featuring strong Muslim women as main characters into schools and libraries.

- He commended the work of all the people who made the Festival of the Hills a success. He noted that the crowd estimate was close to 40,000. He credited the business community for their generosity in contributing \$90,000 during the month prior to the event, and applauded residents who donated significantly. He thanked the major sponsors, Ascension Providence Rochester Hospital and GFL.

- He spoke about the honor of being named America's Mayor by the United States Conference of Mayors and of serving as the Conference's President. He said the position is a chance to bring a lot of opportunities to Rochester Hills, noting he has already met with the President of the United States and toured one of the border patrol stations. He announced that the Conference is hosting an event for him this Thursday at 6:30 p.m. at Oakland University and noted mayors from across the country will be in attendance. He acknowledged the leaders and staff of the City for making his achievement possible. He concluded by announcing one of the opportunities will be for the Youth Council to attend a youth summit to meet with youth leaders from around the country.

ATTORNEY'S REPORT

NOMINATIONS/APPOINTMENTS

2019-0294 Acceptance of Resignation of Lynn Loeb from the Trailways Commission

Attachments: [080219 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Bagley CQ.pdf](#)
[Braun CQ.pdf](#)
[Calderwood CQ.pdf](#)
[Granader CQ.pdf](#)
[Hauser CQ.pdf](#)
[Hulbert CQ.pdf](#)
[McCracken CQ.pdf](#)
[Muenk CQ.pdf](#)
[Nachtman CQ.pdf](#)
[Nowaczok CQ.pdf](#)
[Pinkham CQ.pdf](#)
[Rogers CQ.pdf](#)
[Strunk CQ.pdf](#)
[Tischer CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[071519 Agenda Summary.pdf](#)
[Loebs Resignation.pdf](#)
[071519 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Vice President Morita expressed her thanks to Ms. Loebs for her many years of service to the City and wished her well in retirement.

Dr. Bowyer stated she sits on the Trailways Commission with Ms. Loeb and thanked her for her dedication and service to the community. She asked residents interested in serving on the Trailways Commission to contact the Clerk's Office for the candidate questionnaire.

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, Morita, Tisdell and Walker

Enactment No: RES0252-2019

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Lynn Loebs as a member of the Trailways Commission effective July 1, 2019.

2019-0266 Nomination/Appointment of one (1) Citizen Representative to the Green Space Advisory Board, to fill the unexpired term of Dianah Foster ending December 31, 2019.

Attachments: [071519 Agenda Summary.pdf](#)
[Bagley CQ.pdf](#)
[Braun CQ.pdf](#)
[Bruce CQ.pdf](#)
[Granader CQ.pdf](#)
[Hunter CQ.pdf](#)
[Izzathullah CQ.pdf](#)
[Lyons CQ.pdf](#)
[McCracken CQ.pdf](#)
[Moore CQ.pdf](#)
[Nachtman CQ.pdf](#)
[Rogers CQ.pdf](#)
[Tillison CQ.pdf](#)
[061719 Agenda Summary.pdf](#)
[Foster Resignation.pdf](#)
[061719 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Dr. Bowyer said she sits on GSAB. She nominated Joe Bruce, noting he shows up to the GSAB's meetings and events, is very involved and dedicated.

A motion was made by Bowyer, seconded by Kubicina, that this matter be Adopted by Resolution to Appoint Joe Bruce. The motion carried by the following vote:

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

Enactment No: RES0215-2019

Resolved, that the Rochester Hills City Council hereby appoints Joe Bruce to the Green Space Advisory Board, to fill the unexpired term of Dianah Foster ending December 31, 2019.

NEW BUSINESS

2019-0307 Request for Purchase Authorization - DPS/GAR: Purchase of one (1) water and sewer service truck in the amount of \$246,949.00; LDV, Inc., Burlington, WI

Attachments: [071519 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, explained that this is an authorized purchase through the capital improvement replacement plan for fleet. He said the original RFP was issued in February and did not receive any responses. He stated research was conducted of availability in the industry for the needed equipment, and subsequently the RFP was revised and reissued. He noted due diligence was done on the qualifications of the sole bidder with favorable results.

Vice President Morita requested City Council be invited to view the new truck when it arrives.

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, Morita, Tisdell and Walker

Enactment No: RES0216-2019

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) water and sewer service truck to LDV, Inc., Burlington, Wisconsin in the amount of \$246,949.00.

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

2019-0283 Request for Acceptance of Agreement - DPS/ENG: Agreement for the installation, operations, and maintenance of the school zone speed limit sign and flasher signal assembly at identified locations along Tienken Road; Road Commission for Oakland County, Waterford, MI

Attachments: [071519 Agenda Summary.pdf](#)
[Adams HS School Zone Estimate 060319.pdf](#)
[Adams HS Speed Zone Map.pdf](#)
[AHS LED signs.pdf](#)
[AHS School Speed Zone Approval - Correction.pdf](#)
[Traffic Control Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, explained the school zone speed limit sign and flasher signal assemblies were requested by Rochester Community Schools to enhance traffic and pedestrian safety within the vicinity of Rochester Adams High School. He noted jurisdiction along this segment of Tienken Road is under the City. He commented the new light-emitting diode (LED) speed limit display signs with bidirectional flashing beacons will replace the existing static signs.

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

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

Enactment No: RES0217-2019

Resolved, that the Rochester Hills City Council hereby authorizes the agreement between the Road Commission for Oakland County (RCOC), Waterford, Michigan, Rochester Community Schools, Rochester, Michigan and the City of Rochester Hills for the installation operations, and maintenance of the school zone speed limit sign and flasher signal assembly at identified locations along Tienken Road and further authorizes the Mayor to execute the agreement on behalf of the City.

2019-0318 Request for Purchase Authorization - MIS: Blanket purchase order for Microsoft server licenses in the amount not-to-exceed \$333,000.00 through April 30, 2022; SHI.com, Somerset, NJ

Attachments: [071519 Agenda Summary.pdf](#)
[SHI Quote.pdf](#)
[Resolution \(Draft\).pdf](#)

Kevin Krajewski, Information Systems Director, explained it is time to renew the licensing and maintenance agreements for Microsoft products that run the City's core business operations. He noted the three-year contract was negotiated through the State of Michigan MiDEAL program which affords the

greatest discounts on Microsoft software.

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

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

Enactment No: RES0218-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for Microsoft server licenses to SHI.com, Somerset, New Jersey in the amount not-to-exceed \$333,000.00 through April 30, 2022.

2019-0308 Request for Approval of the Retiree Supplemental Health Care Trust / Funding Policy

Attachments: [071519 Agenda Summary.pdf](#)
[OPEB Funding Policy.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented the recommendation of the Retiree Health Care Trust Board (Board) for the Council to consider adopting a funding policy for the City's Retiree Health Care Trust Plan (Plan). He reported that the Board met with City administration and the City's new Actuary, Lauterbach & Amen, to review the City's 2018 Actuarial Valuation Report of the Plan. He said the Report noted the City has no formal Funding Policy for the Plan. He further explained City administration and the Actuary drafted a policy in line with industry standard best practices to address unfunded liabilities in a prudent and responsible manner.

He explained the Governmental Accounting Standards Board (GASB) uses default factors to calculate unfunded liability when no policy is in place, whereas it would use the City's factors if a policy was in place. He noted the result of using the City's factors would be a reduction of unfunded liability from \$543,368, meaning the Plan is 78% funded, to \$326,417, or 86% funded. He stated the draft Funding Policy recommends a contribution to the Fund of \$75,110 over each of the next five years, divided among the General Fund, Fire Fund, and Water and Sewer Fund.

Vice President Morita pointed out that pages 1 and 4 refer to the adoption of the policy by the "Board of Trustees for the City of Rochester Hills." She stated the resolution should include direction to correct the name to the "Rochester Hills City Council."

A motion was made by Morita, seconded by Deel, that this matter be Adopted by Resolution with the following correction: replace 'Board of Trustees' with 'City Council' on pages 1 and 4 of the Policy document. The motion CARRIED by the following vote:

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

Enactment No: RES0219-2019

Whereas, sound financial management policies and practices are of vital importance in maintaining and strengthening the long-term financial future of the City of Rochester Hills,

Whereas, the Other Postemployment Benefits (OPEB) Funding Policy Statement sets

forth the procedures that the City of Rochester Hills, Michigan shall adopt to make funding contributions to the City of Rochester Hills Other Postemployment Benefits Trust, and

Whereas, the Policy identifies goals and objectives of the City relating to OPEB funding, sets out the decision-making process for handling various aspects of OPEB funding, and defines the ongoing items to be reviewed in assessing the effectiveness of this Policy.

Resolved, that the Rochester Hills City Council hereby adopts the Other Postemployment Benefits (OPEB) Funding Policy Statement as presented.

- 2019-0321** Request for Approval of matching funds for a \$100,000.00 grant request to the Michigan Council for Arts and Cultural Affairs Capital Improvement Program to rebuild the Equipment Barn at the Rochester Hills Museum at Van Hoosen

Attachments: [071519 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, stated this is a request for matching funds for a grant they are pursuing through the Michigan Council for Arts and Cultural Affairs. He noted this is the same grant that provided funding for the Museum exhibit. He pointed out that the matching funds are already budgeted for in the 2020 Capital Improvement Plan for the building of the Equipment Barn.

Mr. Hetrick questioned whether the grant would go toward the balance of \$199,500 that is meant for fundraising.

Mr. Elwert responded that was correct and noted that to date they have approximately \$60,000 in reserve toward that.

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

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

Enactment No: RES0220-2019

Whereas, the rebuilding of the Equipment Barn is listed in the Capital Improvement Plan (PK-03F);

Resolved, that Rochester Hills City Council does hereby support the application for a grant to Michigan Council For Arts and Cultural Affairs and approves the one-to-one match of up to \$100,000 for rebuilding the Equipment Barn at the Rochester Hills Museum at Van Hoosen Farm;

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

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, July 29, 2019 - 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 8:58 p.m.

*RYAN DEEL, President
Rochester Hills City Council*

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

*J. CHERILYNN MYNSBERGE
Administrative Coordinator – City Council
City Clerk's Office*

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