



Rochester Hills

Minutes - Draft

City Council Regular Meeting

1000 Rochester Hills Dr
Rochester Hills, MI
48309
(248) 656-4600
Home Page:
www.rochesterhills.org

*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, March 25, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdel called the Regular Rochester Hills City Council Meeting to order at 7:00 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
Paul Davis, Deputy Public Services Director/City Engineer
Ken Elwert, Parks & Natural Resources Director
Gary Nauts, Facilities Manager
Sara Roediger, Planning & Economic Development Director
Allan Schneck, Public Services Director
Joe Snyder, Chief Financial Officer
John Staran, City Attorney*

PLEDGE OF ALLEGIANCE

President Tisdel introduced Jenny Brown, Katie Albano, and Rebecca Smither of Dutton Farm and stated they will lead us in the pledge this evening.

Jenny Brown stated they are from Dutton Farm and shared that Dutton Farm works to empower and support adults with disabilities to live a life of purpose, inclusion, and dignity. She noted their goal is for individuals to find their gifts and use them to better the community. She thanked everyone for having them.

Mayor Barnett mentioned that earlier this evening the City did an unveiling of the artwork done by Ms. Albano and Ms. Smither. He encouraged everyone to check out their spectacular art by the Assessing Office. He noted the artwork is for sale with the proceeds going to Dutton Farm.

APPROVAL OF AGENDA

A motion was made by Bowyer, seconded by Morita, that this matter be Approve the Agenda as Presented. 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 Maya Iyer, RHGYC Representative.

Ms. Iyer stated she is a student from Rochester High School and has been a member on Youth Council for 2 years. She mentioned the Rochester Hills Government Youth Council is currently planning various projects to carry out throughout the next few months. She noted they will be active at the local middle schools in the beginning of April, recruiting for the next youth council term.

Green Space Advisory Board:

Dr. Bowyer mentioned to save the date for Saturday May 4th for the Discovery Hike at the Hardening Green Space, just off the Clinton River Trail north of Rochester College.

Paint Creek Trailways Commission:

She reminded everyone that the bridge on the Paint Creek Trailways is being replaced. The trail between Silverbell and Dutton will be closed from June 1st until mid-September. The trail is also being repaved so there will be 1 mile closures at a time. She suggested going to paintcreektrail.org to check for updates.

SEMCOG:

Mr. Hetrick stated Mayor Barnett was elected to the Executive Committee for SEMCOG and as such he will represent all of the cities in Oakland County. He also mentioned that he was elected as the alternative to the SEMCOG Executive Committee.

Older Persons' Commission (OPC):

Mr. Kubicina announced the following upcoming OPC events:

- Painting with a Twist; Happy Hydrangeas painting. There will be step by step

instruction from an experienced enthusiastic teacher. This event is Tuesday, April 9th from 10 a.m.- noon in Studio 2. The cost is \$30 each session with supplies included. For tickets call 248-608-0251.

- Terrific Tuesday; Inside the White House, Presidential Insights. This event is put on by a former secret service agent who has worked at the White House, and will take place on April 9th from 4:30 p.m. - 7 p.m. The cost is \$10 a ticket, call 248-608-0251. The deadline to sign up is April 5th at 11 a.m.

- Box to Get Fit 101. This program will take place on Thursdays, April 4th-25th 6:30 p.m. - 7:30 p.m. and the cost is \$24.

- During the month of March the OPC participated in the 17th Annual March for Meals on Wheels to raise awareness and collect donations for Meals on Wheels. This service is vital for homebound seniors who rely on these nutritious meals. He thanked everyone who delivered the meals to our seniors in the community.

Vice President Morita thanked Council members for attending Avondale Youth Assistance awards last week. She stated over 150 kids were honored with awards for various achievements.

PUBLIC HEARINGS

2019-0132

Request for Approval of Grant Application to the State of Michigan Department of Natural Resources (MDNR) Land and Water Conservation Fund and Matching Funds for Innovation Hills Parks Playground

Attachments: [032519 Agenda Summary.pdf](#)
[Presentation.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, stated the City is proposing to once again apply for a grant through the National Parks Service. He mentioned that this is the same grant that the City applied for and was granted in 2016 and 2017. He explained that this grant is funded through royalties from the National Parks Service programs; it is not funded from tax dollars. He noted that the grant amount that is available has doubled from \$150,000.00 to \$300,000.00 and stated that if the City is awarded the grant, it will be utilized towards the construction of a playground at Innovation Hills Park. He pointed out that if the City is awarded the grant, it should come in around January 2020 and mentioned that this would allow construction of the playground to begin in the Fall of 2020.

President Tisdell Opened the Public Hearing at 7:14 p.m.
Seeing No Public Comment, President Tisdell Closed the Public Hearing at 7:15 p.m.

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: RES0095-2019

Whereas, the development of Innovation Hills shows the City's continued desire to deliver the finest recreational opportunities to our residents; and

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

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

Whereas, 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 March 29, 2019;

Be it Resolved, that Rochester Hills City Council does hereby support the application for a grant to the Michigan Department of Natural Resources Recreation Land and Water Conservation Fund Grant Program for the purpose of development of Innovation Hills and commits to the project cost of \$600,000 which includes the required 50% financial match of \$300,000;

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

PLANNING AND ECONOMIC DEVELOPMENT

2019-0005 Request for Site Plan Recommendation of Approval - City File No. 17-043 - Legacy of Rochester Hills, a proposed 359-unit apartment complex on approximately 22 acres, located at the northeast corner of Adams and Hamlin Roads, zoned R-2 One Family Residential and governed by Consent Judgment, Parcel Nos. 15-29-101-022 and -023, LRH Development, LLC, Applicant

Attachments: [032519 Agenda Summary.pdf](#)
[Staff Report 031919.pdf](#)
[Letter Staran 031419.pdf](#)
[Resolution Concurrence of Env.pdf](#)
[Amended Consent Judgment \(Certified & Recorded on 2018.05.31\).pdf](#)
[Letter Bell 022719.pdf](#)
[Reviews, Letters, etc.pdf](#)
[Updated Sheets.pdf](#)
[Updated EIS 031419.pdf](#)
[Part 1 2017-037 Legacy Rev 4 Full Set with Arch - 2019-02-05 Pgs 1-15.pdf](#)
[Part 2 2017-037 Legacy Rev 4 Full Set with Arch - 2019-02-05 Pgs 16-26.pdf](#)
[Part 3 2017-037 Legacy Rev 4 Full Set with Arch - 2019-02-05 Pgs 27-38.pdf](#)
[Part 4 2017-037 Legacy Rev 4 Full Set with Arch - 2019-02-05 Pgs 39-55.pdf](#)
[Part 5 2017-037 Legacy Rev 4 Full Set with Arch - 2019-02-05 Pgs 56-65.pdf](#)
[Minutes PC 031919.pdf](#)
[Resolution \(Draft\).pdf](#)

In attendance were **Sara Roediger**, Planning & Economic Director, **Eric Bell**, Goldberg Companies, **Gary Ogorocki** and **Tom Nester**, Dimit Architects, **Lynn Wipple** and **Rachael Smith**, PEA Consulting, and **Tom Wackerman**, ASTI Environmental.

Ms. Roediger stated this is a project that Council is very familiar with and tonight they will be discussing the final site plan. She mentioned a Consent Judgement was approved in 2006, which was amended last year into what they feel is a much better plan; allowing 368 residential apartments and improved environmental clean-up. She noted the site plan which now proposes a 359 multifamily unit went to Planning Commission last week and was recommended unanimously for approval. A tree removal permit was also approved. She mentioned two conditions were added by the Planning Commission; the addition of evergreen trees and some clarification on grading. She noted the staff has reviewed the site plan and finds it to be in compliance with the approved Consent Judgement.

Mr. Bell stated the Planning Commission was really complimentary of the design and the styling of the site plan. He noted the team worked hard to accommodate the City and the neighbors.

Mr. Ogorocki reviewed the site plan. He stated the site has nine (9) buildings in total. These buildings will be tudor-style architecture with dormers; utilizing brick, stone and stucco materials. He pointed out that the buildings are lower in height at the north end of the site near the residential area, and get a little taller on the southern portion of the site, closer to Hamlin Road. He noted buildings 1-4 are 2-story buildings with garages on the bottom and apartments on top. He stated buildings 5 and 7 are 3-4 stories high, still maintaining the garage on the bottom. He mentioned building 6 is the largest of the buildings and will be 4 stories high with underground parking. Building 6 is also where the Club

House/amenity space will be. He explained that the amenity space is a signature feature of the development, including community rooms, lounges, and activity areas built with very nice materials. It will also have a resort style pool, exercise room and space to do yoga. The remaining two buildings are carriage-type buildings which are smaller buildings with garages on the ground floor and duplex unit arrangements above. He also showed the plans for the dog spa/maintenance building, and the mail kiosk. He mentioned the entrance sign will be at the corner of Hamlin and Adams Roads. It will read Legacy | Rochester Hills and will include a waterfall feature and the City of Rochester Hills logo.

Ed Baron, 3310 Greenspring Ln., stated he has addressed his concerns to the Brownfield Authority, Planning Commission, and Council and is now moving forward to the Michigan Department of Environmental Quality (MDEQ). He mentioned they are part of the process and certain items have to be satisfied from the applicant to the state of MI. He noted he was impressed by Vice President Morita at Planning Commission because she seemed sincerely concerned about the residents and their health and safety.

Ms. Wipple stated there is now a buffer along the entire encapsulated area of evergreen trees. She also mentioned there is going to be a 4-ft tall native prairie grass and flower mix over the encapsulated area to deter residents from that area. She pointed out that overall there will be 118 evergreen trees in addition to the required buffer trees.

Ms. Smith mentioned the storm water drainage has been updated. She noted there is a swale on both sides of the berm to keep everything flowing towards Innovation Hills Park.

Vice President Morita thanked the Goldberg team for being so responsive to Planning Commission's concerns and making the changes so quickly. She also thanked Mr. Baron for his kind words, stating there is fine line between being on Council and Planning Commission and making sure the residents' concerns are heard, as well as protecting the City's interests as a whole. She mentioned she likes the design and feels it is harmonious with the surrounding subdivision.

Dr. Bowyer noted she feels the plan fits well with the area. She referred to the review letter and mentioned her concerns regarding finalizing the environmental cleanup and questioned if the regular checking of the vents would be covered.

Mr. Wackerman stated that is going to be covered in their documentation of due care compliance that will be submitted to the MDEQ for review and approval. He noted that document will have all the procedures that they will put in place for operation and maintenance of the encapsulated area. He noted they talked about frequency, the heights of the vents, and the purpose of the vents.

Dr. Bowyer noted she appreciates the site being cleaned up to a residential standard and making sure the other area is totally encapsulated and monitored.

Mr. Hetrick mentioned he appreciates the Goldberg team and the relationships they have built with the residents and the City. He thanked the team for cleaning up the site and preparing it for more residential opportunities.

Mayor Barnett mentioned tonight is significant in the process of this project and it is the result of a lot of work from the Goldberg team and the City's team. He noted this parcel had been empty for a long time and the teams worked together to come up with a vision and a plan, while engaging the residents. He also thanked the Council for their support. He stated the Goldberg team has been great to work with and the City will look for continued partnership as this project develops. He thanked Vice President Morita recognizing that it has been difficult for her to vote on this complicated project as she lives right next to it. He mentioned her questions have been focused and caused the developer to improve his product. He noted ultimately this is a project for the residents.

President Tisdell mentioned the MDEQ is under more scrutiny and pressure to perform, which means the Goldberg team will have to be at the top of their game.

Mr. Wackerman reiterated the MDEQ is going to be reviewing and hopefully blessing the no further action letter for the residential portion and the documentation of due care compliance for Parcel "B".

A motion was made by Hetrick, seconded by Kubicina, 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: RES0096-2019

2019-0125

Request for approval of a temporary License Agreement to Legacy of Rochester Hills, across the 14 westernmost feet of Innovation Hills abutting the Legacy property at Hamlin and Adams

Attachments: [032519 Agenda Summary.pdf](#)
[License Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning & Economic Director, stated this item relates to the Legacy Project. She noted that consistent with the approved Brownfield Plan that we have for this site, the encapsulation area goes to the edge of the property. She mentioned that in order to construct the encapsulation wall there needs to be a temporary construction easement across Innovation Hills Park, fourteen feet of the western most edge of the property. This temporary license agreement will allow the applicant to work on the site until they get the job done, or until August 30th at the latest. She commented that they have worked closely with Ken Elwert and his staff to coordinate this construction with the work scheduled to take place at Innovation Hills Park. She mentioned a handful of

trees will be removed, however, the Innovation Hills site did receive a tree removal permit as part of their construction plan and this fits within the tree removal permit.

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: RES0097-2019

Resolved, that the Rochester Hills City Council hereby approves, and authorizes the Mayor to sign, the License Agreement between the City of Rochester Hills and Hamlin Conservation Park, LLC, to allow temporary access along the westerly 14 feet of Innovation Hills Park for purposes of the environmental remediation work being done on HCP's property, known as the Legacy of Rochester Hills Brownfield Redevelopment Project Site.

PUBLIC COMMENT for Items not on the Agenda

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.

[2019-0126](#) Approval of Minutes - City Council Special Meeting - February 25, 2019

Attachments: [CC Special Meeting Minutes 022519.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0098-2019

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on February 25, 2019 be approved as presented.

[2019-0127](#) Approval of Minutes - City Council Regular Meeting - February 25, 2019

Attachments: [CC Regular Meeting Minutes 022519.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0099-2019

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 25, 2019 be approved as presented.

[2019-0111](#) Request for acceptance of the amended agreement for the storm water detention system between the City of Rochester Hills and Rochester

Community Schools, for North Hill Elementary

Attachments: [032519 Agenda Summary.pdf](#)
[Amended Storm Water Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0100-2019

Resolved, that the Rochester Hills City Council hereby accepts the amended agreement for the maintenance of the storm water detention system relative to the details of the development and use, repair and maintenance of the storm water detention system from Rochester Community Schools, of 501 W. University, Rochester, MI 48307, for North Hill Elementary, Parcel No. #15-11-101-018.

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

2019-0133

Request for Approval for the City of Rochester Hills, a Michigan municipal corporation to grant a Storm Sewer Easement Agreement to LRH Development, LLC, a Michigan limited liability company for Legacy Rochester Hills

Attachments: [032519 Agenda Summary.pdf](#)
[Storm Sewer Easement Agreement .pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0101-2019

Resolved, that the Rochester Hills City Council hereby approves the Storm Sewer Easement granted by the City of Rochester Hills, a Michigan municipal corporation, of 1000 Rochester Hills Drive, Rochester hills, Michigan 48309 to LRH Development, LLC, a Michigan limited liability company of 25101 Chagrin Blvd. #300, Beachwood, Ohio 44122, for the construction, operation, maintenance repair and/or replacement of a 36" storm sewer and overflow ditch under, through and across land more particularly described as Parcel #15-29-101-020 and #15-29-101-021.

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

2018-0582

Request for Approval of Traffic Control Order PK-113.19 Potomac Dr. within Judson Park Subdivision - Section 5; No Stopping, Standing or Parking within the north right-of-way along Potomac Dr. from Adams Road easterly for 500 feet between the hours of 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:00 p.m. - School Days Only (Except Buses)

Attachments: [032519 Agenda Summary.pdf](#)
[Map.pdf](#)
[120318 Agenda Summary.pdf](#)
[Traffic Control Order.pdf](#)
[PK-113-18-NP Map.pdf](#)
[121318 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0102-2019

Whereas, Traffic Control Order No. PK-113.19 has been issued by the Transportation Engineer under the provisions of the Rochester Hills Code of Ordinances, Chapter 98, Michigan Vehicle Code, MCL 257.1 et seq.; and

Whereas, said Traffic Control Order covers:

Potomac Dr. within Judson Park Subdivision - Section 5

PK-113.1 No Stopping, Standing or Parking within the north right of way along Potomac Dr. from Adams Road easterly for 500 feet between the hours of 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:00 p.m. on School Days Only (Except Buses).

Whereas, said Traffic Control Order shall not be effective after the expiration of ninety (90) days from the date of issuance, except upon approval by this Council; and

Whereas, the Advisory Traffic and Safety Board has considered the issues pertaining to the Traffic Control Orders and recommends that the Orders be approved;

Resolved, that the Rochester Hills City Council approves the issuance of the Traffic Control Order.

Now, Therefore, Be It Resolved, that a certified copy of this Resolution is filed together with the Traffic Control Order, with the City Clerk of Rochester Hills, Oakland County, Michigan.

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

The following Consent Agenda Item was discussed and adopted by a separate Motion:**2019-0120**

Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for the demolition and abatement of three (3) residential homes in the amount of \$49,968.00 with a 10% project contingency in the amount of \$4,996.80 for a total not-to-exceed amount of \$54,964.80; The Adams Group, Rochester Hills, MI

Attachments: [032519 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Ryan Smith, 1475 Dawes Ave., questioned if Captain Johnson and Chief Canto were asked if their staff could utilize these homes for hands-on training that would benefit the City. He inquired if the City is just going to take an excavator to the houses without recycling the materials. He noted many organizations

could use those windows, cabinets, furnace, air condition units, etc. He mentioned the landscape elements could be salvaged and incorporated into the roundabouts, the splash pad area, or the pocket parks. He stated this is the City's chance to be innovative by nature.

Mr. Schneck stated he had consulted with both Chief Canto and Captain Johnson, however, based on the need to get these structures down quickly and in an efficient manner, they chose not to use them for training. He noted there is asbestos in these structures and that would prohibit items from being incorporated in the streetscapes.

President Tisdell mentioned deconstructing sounds like a wonderful idea, but it can get more complicated when you have to store the items and then find a market for them.

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: RES0103-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the demolition of three (3) residential homes, more specifically 2839 Harrison, 2906 Eastern, 2905 Emmons, to The Adams Group, Inc., in the amount of \$49,968.00 with a 10% project contingency in the amount of \$4,996.80 for a total not-to-exceed cost of \$54,964.80 and further authorizes the Mayor to execute a contract on behalf of the City.

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Vice President Morita referred to an earlier comment regarding the Legacy Project, and stated that her neighbors have been very kind and cognizant of her privacy, only coming over at set meeting times to discuss the project. She commented that it has been hard, but at the same time she is glad she lives right there because it has led to some really great conversations with staff and has headed off a lot of issues. She thanked Ms. Roediger and Mr. Davis for taking end of the day phone calls from her and explaining what is going on so she can then explain it to her neighbors. She thanked the developer and the Mayor for listening to her ideas and meeting with the residents first before Council made a decision. She noted this helped residents feel like they had more control and helped eliminate some fears.

Dr. Bowyer put in a plug for Dutton Farm, stating they make some of the best soaps. She encouraged people to consider purchasing their soaps or some of the other products they have for sale.

Dr. Bowyer noted the following events:

- Antler Amble on Friday, April 5, 2019 from 1:00 p.m. to 2:30 p.m. at Bloomer Park. Cost is \$5.
- Make Your Own Antler Knife and Sheath on Monday, April 1st, 8th, and 15th from 6:00 p.m. to 8:00 p.m. at the Borden Park Maintenance Building. Cost is \$75/person.
- Campfire and Night Hike on Friday, May 3, 2019 and Thursday, August 8, 2019 from 8:00 p.m. to 9:30 p.m. Cost is \$5/person. She noted this event does sell out fast.
- HOA Leadership FORUM on Thursday, April 4, 2019 at 6:30 p.m. in the City Council Auditorium. Updates will be given on what is going on in the City and how they can better help the residents in our home owners association.

Dr. Bowyer mentioned if anyone is interested in finding out what is going on in the City, go to the rochesterhills.org website. She pulled up the website and walked everyone through how to look up a development project or a road construction project by clicking on the 'Living In' tab and then selecting 'Maps'. She explained that by selecting 'Planning & Economic Development' options will appear for things like 'Development Projects' or 'Capital Improvement Plan' projects going on throughout the City.

President Tisdell mentioned that everything on the website is what the Council receives.

Mr. Deel thanked Katie Albano and Rebecca Smither from Dutton Farm for their art work and encouraged anyone who comes by City Hall to stop and look at it, and noted it was really great to meet the artists. He suggested that everyone should go visit Dutton Farm, noting it is a really great facility. He mentioned the Sap to Syrup Pancake Breakfast was a fantastic event. He stated there will be a Public Meeting on Wednesday, April 10, 2019 from 4:00 pm. To 7:00 p.m. at the DPS Garage to update the residents on the Auburn Road Corridor Project. He highlighted that currently Consumers Energy is relocating their existing gas main and Detroit Edison is replacing and relocating some of their utility poles.

Mr. Hetrick mentioned that last week he attended the Legislative Affairs Committee sponsored by the Chamber of Commerce and they are stepping in to assist business owners in the Auburn Road Corridor area once construction starts, providing some best practices to help them through this time. He noted it is terrific to see the cooperation and collaboration for a project that is going to be transformative for the City. He commented that the paintings from Dutton Farm are terrific and encouraged everyone to take a moment and check them out.

Mr. Kubicina mentioned the Tiger's home opener is only 10 days away on April 4th. They play the Kansas City Royals at 1:10 p.m.

Mayor Barnett acknowledged the great teamwork that takes place here at the

City and highlighting the following:

He received a thank you letter from a resident yesterday. He noted this resident was concerned that there was a lot of water collecting in her yard and requested that someone come out to make sure the sewer drain was not clogged. She expressed her gratitude for the thoughtfulness and professionalism provided by the City workers to her, as well as her neighbors.

Sara Roediger mentioned that when a new development comes into the City it is not often that her department receives a thank you from the neighboring residents for their thoughtful review of a plan. She shared that this past Friday, however, some residents brought in chocolate chip cookies and thank you letters addressed to the Planning Commission and the Planning Staff in appreciation of their work on the Berkshire Development. She noted how much she and her staff appreciated this gesture.

Mayor Barnett mentioned that Mr. Schneck and his team picked up an award for the Eddington Realignment Project. He noted this project won Regional Project of the Year, and then went on to win State Project of the Year, and is now competing nationally for Project of the Year.

Mayor Barnett mentioned the following updates:

He thanked Tom Talbert for helping create the tenants and structure for the Mayor's Diversity, Equity and Inclusion (DE&I) Committee. He stated this committee was put together last year to advise him on matters relating to diversity, equity and inclusion, and to examine the role that government can play in strengthening those connections. He mentioned the committee has met four times and is made up of individuals from a wide range of cultures, faiths, ethnicities, orientations, ages and backgrounds. He noted this group is made up of exceptional people who are very focused on the journey of becoming a more inclusive community. He stated the group discussed the City's strengths and weaknesses, as well as events and programming ideas. He shared the following events that were held recently:

- *Approximately 190 city employees went to see the movie 'The Hate You Give' which evoked good conversations among the City's team.*
- *The Rochester Hills Government Youth Council hosted a cultural event for the City employees and Council members.*
- *Digging Into Diversity & Inclusion Breakfast, which focused on individuals with disabilities.*
- *Unveiling artwork from Rebecca and Katie from Dutton Farm.*

He shared the structure the committee has focused on when it comes to nurturing diversity: what the City Administration can do, what City Employees can do, and how we communicate as a City. He introduced Jenny Brown, C.E.O. and Founder of Dutton Farm, stating she is also a member of the DE&I Committee and asked her to share her perspective of the Committee.

Jenny Brown thanked the Council for warmly welcoming Dutton Farm. She

stated she is honored to be part of the Mayor's Advisory Committee on Diversity, Equity & Inclusion and believes that everything that has taken place tonight has sent the message that Rochester Hills wants to be known for being an inclusive city. She mentioned that she is excited to work alongside such accomplished, talented people and to be part of something so innovative. She noted that the committee members are working on setting priorities, identifying where the gaps are in the community and how they can problem solve and set goals for closing those gaps. She commented that although the committee has made a lot of progress, they still have work to do. She stressed again how welcoming the Mayor and Council Members have been, and noted this effort starts with the leadership and stated the City is doing well.

Mayor Barnett thanked Jenny Brown for being there. He noted he feels the City is on the right path, but mentioned that this is a journey to become a more inclusive and diverse City. He stated the City will continue to challenge themselves. He thanked the entire 15 member committee, including Vice President Morita, mentioning they are really exceptional people. He stated he will provide a report during third quarter to inform Council the direction of the committee, but is very pleased with the progress so far.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NOMINATIONS/APPOINTMENTS

2019-0102

Request to Confirm the Mayor's Reappointment of Jeremy Brown, Michael Damone, Sr., Darlene Janulis, Michael Kaszubski and Rophin Paul to the Local Development Finance Authority for a four (4) year term to expire March 31, 2023

Attachments: [032519 Agenda Summary.pdf](#)
[Brown CQ.pdf](#)
[Damone CQ.pdf](#)
[Janulis CQ.pdf](#)
[Kaszubski CQ.pdf](#)
[Paul CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

A motion was made by Deel, 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: RES0104-2019

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointments of Jeremy Brown, Michael Damone, Sr., Darlene Janulis, Michael Kaszubski and Rophin Paul to the Local Development Finance Authority for a four (4) year term to expire March 31, 2023.

[2019-0103](#) Request to Confirm the Mayor's Reappointment of Deborah Brnabic, Greg Hooper, and Nicholas Kaltsounis to the Planning Commission for three (3) year terms to expire March 31, 2022

Attachments: [032519 Agenda Summary.pdf](#)
[Brnabic CQ.pdf](#)
[Hooper CQ.pdf](#)
[Kaltsounis CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Vice President Morita stated she has the pleasure of serving on the Planning Commission with Ms. Brnabic, Mr. Hooper, and Mr. Kaltsounis. She mentioned they do a great job and are meticulous in their review of the projects that come before them.

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: RES0105-2019

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Deborah Brnabic, Greg Hooper, and Nicholas Kaltsounis to the Planning Commission for three (3) year terms to expire March 31, 2022.

[2019-0117](#) Request for recommendation of a Planning Commission representative to the Zoning Board of Appeals for a one-year term to expire on March 31, 2020.

Attachments: [032519 Agenda Summary.pdf](#)
[Memo PC Rep to ZBA.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Hetrick stated Ms. Brnabic would be a great choice.

A motion was made by Hetrick, seconded by Deel, that this matter be Adopted by Resolution to appoint Deborah Brnabic to the Zoning Board of Appeals to serve a one-year term expiring March 31, 2020. The motion carried by the following vote:

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

Enactment No: RES0106-2019

NEW BUSINESS

[2018-0295](#) Request for Purchase Authorization - Increase to blanket purchase order for snow removal services for the 2018-2019 winter season at City Hall, 52/3rd District Court, Oakland County Sheriff's Office Substation, and the five (5) fire stations in the amount of \$50,000.00 for a new not-to-exceed amount of \$125,000.00 through June 30, 2019; Xpert Lawn and Snow, Inc., Warren, MI

Attachments: [032519 Agenda Summary.pdf](#)
[073018 Agenda Summary.pdf](#)
[Proposals Tabulation.pdf](#)
[073018 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Gary Nauts, Facilities Manager, stated the increase of \$50,000 is needed primarily due to the addition of five fire stations, and a number of snow and ice storms we have experienced thus far.

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: RES0107-2019

Resolved, that the Rochester Hills City Council hereby authorizes an increase to the blanket purchase order for snow removal services for the 2018-2019 winter season at City Hall, 52/3rd District Court, Oakland County Sheriff's Office Substation, and the five (5) fire stations to Xpert Lawn Snow, Inc., Warren, Michigan in the amount of \$50,000.00 for a new not-to-exceed amount of \$125,000.00 through June 30, 2019 and further authorizes the Mayor to execute a contract addendum on behalf of the City.

2019-0122

Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for the Auburn Road Alley and Parking Lot Improvements Project in the amount of \$2,317,702.20 with a 10% project contingency in the amount of \$231,770.22 for a total not-to-exceed amount of \$2,549,472.42; Pro-Line Asphalt Paving Corp., Washington, MI

Attachments: [032519 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated this item is part of Phase I of the Auburn Road Project. He noted that they are aware of the budget concern and mentioned the following as ways than plan to tackle that issue:

- They have applied for the Local Road Improvement Matching Fund Pilot Program through Oakland County. He mentioned the City's match to that program is \$136,625.00.
- Due to good project management, the City typically does not dip into the contingency funds included for a project. The contingency amount for this project is \$231,770.22.
- He stated they have also applied for a grant through SEMCOG called the Green Infrastructure Implementation Grant in the amount of \$50,000.00. Although not all \$50,000.00 would be attributable to the alley and parking lot work, the amount that is would be offsetting revenue.
- There will be a favorable seven figure number coming before Council as part of the 2nd Quarter Budget Amendment for Local Roads.

Vice President Morita questioned why there was only one bid.

Mr. Schneck stated Ms. Cummins contacted a couple of potential vendors, however, based on the deadline for completion and the scope of the work, the

City did only have one vendor bid.

Vice President Morita asked if the City is expecting to only see one bid on future projects.

Mr. Schneck responded that based on the shutdown that occurred last year there is a lot of work that still needs to be completed and contractors are being selective on which projects they want to bid on. However, he anticipates the April 5th bidding opening for the Auburn Road Project will have multiple bidders.

Vice President Morita asked if this was for Phase 1.

Mr. Schneck stated that is correct.

Mr. Hetrick stated that on the agenda summary there is about \$165,000.00 in overage. He questioned if not having to use the contingency, and the \$135,000.00 from the Oakland County Pilot Program, would that eliminate the majority of the overage.

Mr. Schneck responded that is correct.

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: RES0108-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the Auburn Road Alley and Parking Lot Improvements Project to Pro-Line Asphalt Paving Corp., Washington, Michigan in the amount of \$2,317,702.20 with a 10% project contingency in the amount of \$231,770.22 for a total not-to-exceed project amount of \$2,549,472.42 and further authorizes the Mayor to execute the contract on behalf of the City.

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

2019-0123

Request for Purchase Authorization - DPS/ENG: Blanket Purchase Order/Contract for construction engineering services for the Auburn Road Alley and Parking Lot Improvements project in the not-to-exceed amount of \$347,000.00; OHM Advisors, Livonia, MI

Attachments: [032519 Agenda Summary.pdf](#)
[OHM Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Paul Davis, City Engineer/Deputy Public Services Director, stated that the City does not have the resources or ability to go forward and perform construction engineering services on larger projects, and, therefore, is proposing to award a construction engineering service contract to OHM Advisors. OHM Advisors

would provide the inspection, documentation, quantity tracking, and payments to the contractor services that are required for the Auburn Road Project.

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

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

Enactment No: RES0109-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for construction engineering services for the Auburn Road Alley Parking Lot Improvements project to OHM Advisors, Livonia, Michigan in the not-to-exceed amount of \$347,000.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

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

[2019-0124](#)

Request for Purchase Authorization - DPS/ENG: Authorization of contract between the Michigan Department of Transportation (MDOT) and the City of Rochester Hills for the construction of the Auburn Road roadway work from Culbertson to Hessel in the amount of \$6,117,200.00; Michigan Department of Transportation, Lansing, MI

Attachments: [032519 Agenda Summary.pdf](#)
[Contract.pdf](#)
[Email Staran.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Davis stated that what is before Council is to enter into an inter-local agreement with Michigan Department of Transportation (MDOT) on the Phase 2 portion of the Auburn Road Project. He mentioned this is typical of MDOT to require an agreement, even before receiving the bids. The bid is scheduled for April 5th. He noted the agreement is based on the engineers estimate for the project. He mentioned the City inquired whether an amended agreement would need to be done with MDOT if the bid come in differently then what was estimated, and were told that is very rare for that to happen. He stated this is an advanced construct project and MDOT is requiring a deposit on this of \$375,000.00.

Mr. Schneck stressed that there has been a lot work to get fund balances in place. He noted the negotiation with MDOT on the conveyance of Auburn Road provided funding. Also \$625,000.00 was provided for the South Boulevard project and \$700,000.00 for Livornois, which offset the City's participatory share so those funds can reside in Fund Balance. He mentioned based upon a motion by the City the Federal Aide Committee approved moving up the federal aid dollars from 2021 to 2020, which makes the City's reimbursement eligible for the fall of 2019.

President Tisdell mentioned capacity and pricing is an issue. He noted it was

not a shock that Pro-Line was the only bidder that had the capacity and ability to complete the road on time.

A motion was made by Deel, 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: RES0110-2019

Resolved, that the Rochester Hills City Council hereby authorizes a contract between the Michigan Department of Transportation (MDOT) and the City of Rochester Hills for the construction of the Auburn Road roadway work from Culbertson to Hessel in the amount of \$6,117,200.00 and further authorizes the Mayor and City Clerk to execute the agreement on behalf of the City.

ANY OTHER BUSINESS

NEXT MEETING DATE

Regular Meeting - Monday, April 8, 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 8:44 p.m.

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

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

*Leah Motyka
Administrative Coordinator - City Council
City Clerk's Office*

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