



Rochester Hills

Minutes

City Council Regular Meeting

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

*Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark Tisdel,
Michael Webber and Ravi Yalamanchi*

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 4, 2013

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

*Council observed a moment of silence to observe the passing of former Mayor Pat
Somerville and DPS Employee Mike McKechnie.*

ROLL CALL

Present 7 - Greg Hooper, Nathan Klomp, Adam Kochenderfer, James Rosen, Mark
Tisdel, Michael Webber and Ravi Yalamanchi

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Alan Buckenmeyer, Parks Operations Manager
Paul Davis, City Engineer/Deputy Director of DPS/Engineering
Bob Grace, Director of MIS
Mike Hartner, Director of Parks and Forestry
Emma Hickey, Rochester Hills Government Youth Council Representative
Kevin Krajewski, Network Administrator/Deputy Director of MIS
Tara Presta, Chief Assistant
Allan Schneck, Director of DPS/Engineering
John Staran, City Attorney
Pamela Valentik, Manager of Economic Development*

PLEDGE OF ALLEGIANCE

*Mayor Barnett introduced Owen Groesser, Member of the Van Hoosen Middle
School Basketball Team. He commented that Owen recently did an amazing thing
during his team's basketball game by shooting two three-pointers, and making
ESPN SportCenter's Top Ten Plays of the Day.*

A video highlighting Owen's achievement was played.

2013-0085 Proclamation in Recognition of Owen Groesser

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

Mayor Barnett invited Owen Groesser, member of the Van Hoosen Middle School Basketball Team and Chris Groesser, Owen's father, to join him at the podium.

Chris Groesser stated that after he put Owen's story of his two three-point shots made during his team's basketball game on Twitter, it went viral, and resulted in a campaign to get the video of Owen's accomplishments onto ESPN's SportsCenter. On the night of the game, his video actually became one of SportsCenter's Top Ten Plays; and by the next morning, it was actually the number one play. Since January 23rd, ESPN has been in town for eight days filming Owen at his school. He commented that a six-to-twelve minute segment featuring Owen will air on ESPN's E-60 sometime in April or May.

Mayor Barnett commented that he is proud of the way Owen represents the City of Rochester Hills. He read the proclamation.

Mr. Webber stated that Owen makes everyone in the City proud and commented that while he also played basketball at Van Hoosen, he was not able to make three-point shots like that.

Presented.

Whereas, Owen Groesser, an eighth grade Van Hoosen Middle School student and basketball player enjoyed a night to remember on January 23, 2013; and

Whereas, Owen came into the game just in time to receive a pass and sink a 3-pointer, sparking a wild celebration in the stands. He also made another 3-pointer, finishing with six points in approximately two minutes of play time; and

Whereas, Owen has been a very important part of his basketball team and wears his Van Hoosen jersey with pride; and

Whereas, Owen's friends and teammates were so proud of him and the great game he had, they launched a Twitter campaign called #GetOwenOnSportsCenter, which was a huge success and resulted in a highlight on "SportsCenter."

Now, Therefore, Be It Resolved, that the Mayor and City Council of Rochester Hills hereby recognize Owen Groesser for being an outstanding member of the Van Hoosen Middle School basketball team and congratulate him on his great success.

APPROVAL OF AGENDA

A motion was made by Kochenderfer, seconded by Webber, that the Agenda be Approved as Amended to move Legislative File 2013-0085 Proclamation in Recognition of Owen Groesser to immediately follow the Call to Order; and Legislative File 2013-0063 Request for Authorization to enter into a Service Agreement with Dinosaur Hill for the administration and management of the City's Community Garden at Wabash Park as the first item of New Business. The motion carried by the following vote:

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

PUBLIC COMMENT

Scot Beaton, 655 Bolinger, expressed his condolences on the passing of DPS employee Mike McKechnie and former Mayor Pat Somerville. He stated that Mr. McKechnie was a tremendous asset to the City; and he recalled the advice and assistance that Mayor Somerville gave him as he successfully ran for City Council Representative for District 4.

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mayor Barnett commented that the men and women who work at the City's DPS Facility are an incredible group, and the City suffered a big loss when Mike McKechnie passed away last week. He stated that Mr. McKechnie was a 27-year veteran of the DPS team and impacted the lives of the residents and employees in big ways. He mentioned that Mr. McKechnie leaves behind four children and two grandchildren. He noted that he was elected to City Council on the same day that Pat Somerville was elected as Mayor. He stated that she had a tremendous tender heart for the community and was incredibly passionate. He commented that she knew the community well and the city owes her and her legacy a tremendous amount of gratitude. He announced that her visitation will be held at the Potere-Modetz Funeral Home on Friday, March 8th from 2:30 p.m. to 9:00 p.m.; with a funeral held at 11 a.m. on Saturday, March 9th, at St. Paul's United Methodist Church.

He mentioned the following:

- The Clerk's Office will hold a Passport Day on Saturday, March 9th from 9:00 a.m. to 1:00 p.m.
- There is still time to donate your RecycleBank points to Long Meadow or University Hills Elementary Schools through the Green Schools Program. The deadline is March 15, 2013. Donated points will be matched by RecycleBank up to a total of \$5,000 for each school to be used for Green programs.
- The State of the City Address will be held on Wednesday, March 13th at the Imagine Theater at 7:00 p.m. Residents interested in attending should call his office to RSVP.
- An exhibit at the Rochester Hills Museum at Van Hoosen Farm highlights religious institutions in the City going back one hundred years. While there, visitors can view the work on the Calf Barn Restoration program, which is taking shape.

- He was Washington, D.C. last weekend attending a Delegation of Mayors. Discussions included the effects of sequestration at the local level. One impact is the elimination of tax exemptions on municipal bonds, which will impact bonds currently issued and could result in up to \$1.8 million in increased interest cost to the City if that change was allowed to proceed immediately. Mayors in attendance spoke in opposition to the change, hoping to keep tax exempt status.
- Council Member Adam Kochenderfer was married on Saturday.

Emma Hickey, Rochester Hills Government Youth Council Representative (RHGYC), announced the following:

- The RHGYC's Strive 4 a Safer Drive campaign featured several events, including a multi-media contest at the high schools soliciting submissions to promote safe driving. Winners were chosen from participating schools; the winners will receive Visa gift cards. A safe driving game show was held at Adams High School to promote safe driving.
- RHGYC's Green Team members have reusable grocery bags for sale at \$3 each, with proceeds slated to plant trees at Bloomer Park.
- The RHGYC's annual 5K is scheduled for Saturday, June 15, 2013 at Bloomer Park. Interested participants can register online at goracego.com. Sponsors are also needed; contact Leanne Scott, City Council Coordinator and Adult Advisor to the RHGYC for a sponsor's packet.

Council Members expressed their condolences to the families of Mr. McKechnie and former Mayor Somerville.

Mr. Tisdell mentioned that he was contacted by Karen Sweeney, coordinator for Crittenton Hospital's Auxiliary, who mentioned that the Auxiliary is in need of adult volunteers. He stated that an Orientation Meeting for new volunteers is held on the first Tuesday of every month at 1:30 p.m. in the front lobby of hospital.

Mr. Kochenderfer thanked everyone for their congratulations on his wedding.

Mr. Klomp welcomed incoming City Clerk Tina Barton, and expressed his congratulations to Mr. Kochenderfer on his marriage.

Mr. Webber welcomed Clerk Barton and offered his congratulations to Mr. Kochenderfer.

President Hooper noted that former Mayor Somerville was the ultimate support for the seniors in the community and commented that her legacy defines that. He welcomed Clerk Barton and congratulated Mr. Kochenderfer on his marriage.

ATTORNEY MATTERS

City Attorney John Staran had nothing to report.

PRESENTATIONS

2008-0516 Update from Hi-Tech Mold regarding its progress since the approval of a Tax Abatement on October 20, 2008, Robert Schulte, President and CEO, presenter

Attachments: [Agenda Summary.pdf](#)
[Presentation.pdf](#)
[102008 Agenda Summary.pdf](#)
[Application.pdf](#)
[Development Agreement Draft.pdf](#)
[TB Analysis.pdf](#)
[Public Hearing Notice.pdf](#)
[101308 Agenda Summary.pdf](#)
[101308 Resolution.pdf](#)
[102008 Resolution.pdf](#)

Robert Schulte, President and CEO, Hi-Tech Mold & Engineering, Inc., introduced Dave Geschke, General Manager, and gave the following presentation to update Council on their progress since receiving a Tax Exemption:

HI-TECH MOLD & ENGINEERING, INC.

Our Story:

- Founded as a Mold Making Company by the Schulte Family in 1982, Hi-Tech has expanded to two companies employing over 200 people and is a Global Supplier of Tooling. Hi-Tech is listed as one of the largest mold makers in North America.
- Hi-Tech is a Tier I Supplier to Ford, General Motors, Chrysler, BMW, Nissan, Toyota, and Tier II Supplier to JCI, IAC, ACH, Faurecia, Inteva, Plastic Omnium, Scherer Trier, Century Plastics, M-TEK and other automotive companies. Hi-Tech also serves Caterpillar, Whirlpool, Electrolux, and other consumer product companies. Hi-Tech supplies and supports major automotive tooling programs in China, Mexico, Brazil, Germany, India and Egypt.
- From concept to customer individual components or entire programs; Hi-Tech possesses the vision, leadership, experience and resources required to make any project a success.

Current Customers:

- GM, BMW, Ford, Chrysler, Faurecia, Johnson Controls, Toyota, Nissan, Toyota Boshoku Americ, IAC, Visteon, Plastic Omnium, Magna, Scherer Trier

He noted that Chrysler is approximately sixty percent of the company's business today.

Hi-Tech Offers:

- Complete Mold Builds
- Program Management

- * Project Engineers on staff with over 100 combined years of experience
- Tooling Design & Feasibility
- * Superior Mold Designers with over 170 years of experience in Injection, Compression, LPM, Hydroforming and Blow Molding
- Catia V5, Ideas, Unigraphics, Softech and Autocad
- Product Feasibility, Draft Analysis and Mold Flow
- Mold Fabrication and Repair
- Hot Runner Systems
- Mold Tryout and Low Volume Parts Production

Fixtures, Gages, Models and End of Arm Tooling:

- Check Fixtures
- CMM Holding Fixtures
- QAF (Quality Assurance Fixtures)
- Cube Models and Sight Models
- End of Arm Tooling

TA-Tech Secondary Equipment:

- Leading Manufacturer and Integrator of Automation Equipment, Assembly Systems, Test Equipment and Specialized Machinery
- Products
 - * Robotics Integration
 - * Robotic Clip Assembly
 - * Robotic Laser Cutting
 - * Ultrasonic Welding Equipment
 - * Servo-Sonic Welding
 - * Interchangeable Tooling
 - * Fabric Wrap/Edge Folding
 - * Heat Staking
 - * Vibration Welding
 - * Hotplate Welding
 - * Punch and Pierce

Mr. Schulte explained that Hi-Tech participates in a joint venture located in a Tennessee facility. He commented that the company's headquarters will remain in Rochester Hills.

Parts Production at Baxter Enterprises - Tennessee Facility:

- 25 molding machines ranging from 85 to 3,500 tons
- Over 330,000 square feet of operating space with ability to expand as needed.
- Product Design; Complex Assemblies; Paint Facility

He stated that the facility, 60 miles west of Chattanooga, will help Hi-Tech better itself to become a full-service provider to the automotive sector and a powerhouse for technology. He mentioned that much of the engineering activities happen in the state of Michigan and this will not change.

Charts were displayed showing growth in sales and employment. He noted that the 2013 sales are expected to reach approximately \$61 million, and combined company sales should top \$110 million. Employment has rebounded from the 2009 recession, with a prediction of an additional 10 employees needed in 2013 to support needs.

He displayed a chart detailing Hi-Tech's investment pledge when the exemption was granted, and noted that their actual investment was \$7,091,366.24, far exceeding the pledged goal of \$3,850,000. He commented that there is continuous reinvestment in the company, to provide an advantage over its global competition. The firm uses technology to compete against the labor rates of other countries.

Council Discussion:

President Hooper expressed his appreciation that Hi-Tech fulfilled its pledge to the City for investment and employment, and stated that the City's pledge of a tax exemption was an investment to further growth and provide more opportunities in Rochester Hills. He mentioned that Hi-Tech supports the community, stating that the company funded the installation of a vault toilet on the Clinton River Trail and lent support to the efforts of the Rochester Hills Government Youth Council.

Mr. Yalamanchi commented that Hi-Tech has been a great partner to the City and he expressed his wishes for the company's continued success.

Mayor Barnett stated that Hi-Tech is a partner of the community, and is a vibrant and growing business employing residents and paying taxes. He mentioned that employees are avid users of the City's parks and trails, and the firm stepped up to help the Clinton River Trail install its vault toilet facility. He noted that the firm contributes to the Mayor's Business Council. He thanked the firm for its commitment to the city.

Presented.

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.

2013-0086 Approval of Minutes - City Council Special Meeting - February 11, 2013

Attachments: [CC Spec Mtg Min 021113.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0042-2013

Resolved, that the Minutes of a Rochester Hills City Council Special Meeting held on February 11, 2013 be approved as presented.

2013-0087 Approval of Minutes - City Council Regular Meeting - February 11, 2013

Attachments: [CCMin 021113.pdf](#)
[Resolution.pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0043-2013

Resolved, that the Minutes of a Rochester Hills City Council Regular Meeting held on February 11, 2013 be approved as presented.

Passed the Consent Agenda

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

The following Consent Agenda Item was Discussed and Adopted by Separate Motion:

2013-0066 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for crack sealant material in the amount not-to-exceed \$68,800.00; National Highway Maintenance Systems, LTD, Akron, OH

Attachments: [Agenda Summary.pdf](#)
[BID Tabulation.pdf](#)
[Resolution.pdf](#)

Mr. Kochenderfer expressed concern that there was only one bidder. He questioned why other bids were not received.

Mr. Schneck responded that the solicitation went out to 83 companies. He stated that the City's Purchasing Department does a phenomenal job and commented that there is no way to make any firms bid.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0044-2013

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order to National Highway Maintenance Systems LTD, Akron, Ohio for the purchase of crack sealant material in the amount not-to-exceed \$68,800.00 through December 31, 2013.

NOMINATIONS/APPOINTMENTS

2013-0058 Nomination/Appointment of one (1) Citizen Representative to the Zoning/Sign Board of Appeals for a three-year term to expire March 31, 2016

Attachments: [Agenda Summary.pdf](#)
[Appointment Form.pdf](#)
[Koluch CQ.pdf](#)
[Riedel CQ.pdf](#)
[030413 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Aubuchon CQ.pdf](#)
[Booth CQ.pdf](#)
[Deel CQ.pdf](#)
[Graves CQ.pdf](#)
[Mazur-Abeare CQ.pdf](#)
[Olson CQ.pdf](#)
[Paurazas CQ.pdf](#)
[Schmeisl CQ.pdf](#)
[Schultz CQ.pdf](#)
[Shurkus CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution.pdf](#)

President Hooper Opened the Floor for Nominations.

Mr. Yalamanchi nominated Kurt Reidel.

Mr. Kochenderfer nominated Kenneth Koluch.

Seeing No Further Nominations, President Hooper Closed the Floor for Nominations.

He noted that since there were two nominations, this item would be deferred to the next Regular City Council Meeting for a vote.

Discussed.

2013-0088 Acceptance of Resignation from Linda Raschke from the Police and Road Funding Technical Review Committee

Attachments: [Agenda Summary.pdf](#)
[Raschke Resignation.pdf](#)
[Resolution.pdf](#)

President Hooper noted that Linda Raschke has resigned from the Police and Road Funding Technical Review Committee (PRTRC) due to personal commitments.

Mr. Webber noted that he served with Ms. Raschke on PRTRC. He mentioned that she is a former City Council Member, and stated that he is sorry to see her leave the committee.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0045-2013

Resolved, that the Rochester Hills City Council hereby accepts the resignation of Linda Raschke as a member of the Police and Road Funding Technical Review Committee effective February 25, 2013.

NEW BUSINESS

(Mr. Rosen exited at 8:40 p.m. and re-entered at 8:42 p.m.)

2013-0063 Request for Authorization to enter into a Service Agreement with Dinosaur Hill for the administration and management of the City's Community Garden at Wabash Park

Attachments: [Agenda Summary.pdf](#)
[Community Garden Agreement.pdf](#)
[Community Garden Guidelines.pdf](#)
[021113 Agenda Summary.pdf](#)
[Proposed Structure Memo.pdf](#)
[Community Garden Documents.pdf](#)
[021113 Resolution.pdf](#)
[Resolution.pdf](#)

Mayor Barnett stated that much has been done since the introduction of the concept of a community garden at last month's Council Meeting. He stated that the surrounding community has been engaged in the process and residents shared their concerns. He explained that following the guidelines of legal notification requirements, a letter was sent out to surrounding properties and a website portal was opened for information and comments. Twelve individuals indicated support for the community garden and nine individuals expressed concern or dissent. He distributed updated information regarding the garden, including a revised drawing, excerpts from the 2011-2015 Parks Master Plan indicating the plan for Wabash Park, and the Mission Statement that guides the City's parks. He mentioned that the layout of the proposed garden is 90 by 100 feet; after consideration of comments from Master Gardeners at the last meeting, four-foot by eight-foot beds are now proposed, for a total of 72 beds. He explained that the total overall acreage proposed for the garden represents just under six percent of the park's total acreage.

He commented that there is community interest in having a garden. He noted that most residents' concerns are not with the idea of a community garden itself. He pointed out that gardens at the Older Persons Center and in the City of Rochester are full and have a wait list, and seniors in the community as well as the Rochester Hills Government Youth Council have expressed interest. He distributed a spreadsheet which highlighted the various possible locations for a garden along with criteria for site selection. He stated that Wabash Park rose to the top of the selection list in meeting the criteria. He noted that concerns were expressed regarding a reference in the proposed agreement to the use of Court-Appointed Volunteers as manpower; he explained that while that reference is included in Dinosaur Hill's agreement with Rochester, it has been removed from this proposed agreement.

Mayor Barnett explained that traffic concerns expressed by residents were reviewed with Dinosaur Hill personnel; and it was determined that from

Rochester's experience, typically only one to two cars will be there at any one time. He pointed out that the lot at Wabash Park holds 21 or 22 cars and the impact should be minimal.

He commented that Dinosaur Hill's Executive Director Sue Neal was unable to attend due to a family emergency; Board Member Nick Gaydos was in attendance to answer any questions.

***Nick Gaydos**, representing the Board of Directors of Dinosaur Hill, stated that Dinosaur Hill has a long history of serving Rochester Hills residents and is excited about this potential partnership with the City. He noted that Dinosaur Hill favors any project that keeps people outside, active, growing healthy foods, and interacting with the community. He mentioned that the gardeners that have plots in Rochester's community garden take ownership in their plots and invest much time.*

Public Comments:

***Bob Ryzor**, 2530 Hickory Lawn, stated that he lives next door to Wabash Park. He expressed concerns over traffic congestion and the narrow road, the lack of sidewalks, insufficient parking for the addition of a garden, and the plan for a seven-and-one-half foot chicken wire fence to protect the garden. He suggested the garden be located at the City's DPS Facility.*

***Keith Gibbs**, 2308 Cumberland, commented that he just learned about the plan for the garden this evening and questioned what the initial investment would be to serve only 84 residents or non-residents. He suggested the money be used elsewhere to serve more people.*

***Brian Hoppe**, 2688 Hickory Lawn, stated that the Parks Master Plan emphasizes preserving open space and commented that a seven-foot-tall fence does not meet that goal. He noted that the area selected for the garden is a dry high area of the park currently used for sports games and practice areas; he suggested other parks that rated less desirably be improved to include the garden. He noted that 55 percent of the City is comprised of preschool and school-age families and stated that developing this area as a garden would take away from these families. He expressed concern over parking needs and traffic congestion.*

***Jennifer Arsenault**, 2678 Hickory Lawn, stated that while she is not against a garden, she is opposed to the location chosen. She commented that the residents' opinions are being pushed to the side and stated that the plans for Wabash Park highlighted in the Parks Master Plan are not being followed.*

***Cary Riggs**, 17 Labbe Lane, Leonard, stated that he is a member of the Rochester Rotary Club and expressed the Club's interest in becoming involved in the garden. He commented that it will be an educational opportunity for children and stated that he has seen successful gardens in other communities.*

***Darek Bazinski**, 2667 Hickory Lawn, commented that he is a coach with the Rochester Youth Soccer League and suggested empty land at Hampton School be used for a garden as there is available parking and the land is not currently used.*

Scot Beaton, 655 Bolinger, stated that Wabash Park is a neighborhood park and should not be the location of a community garden. He commented that farming is a commercial use and is a violation of the recent Parks Amendment. He stated that the garden should be sited at the DPS Facility.

Gerald Carvey, 2146 London Bridge Drive, stated that after downsizing to a condominium, he was thrilled to learn the City is considering a community garden. He mentioned that community gardens are located throughout Europe.

Michelle Dunham, 290 Reitman, spoke in support of the community garden project, noting that they were once called victory gardens. She stated that gardens build life, work and leadership skills in high school students and show ownership and community pride. She mentioned several areas where they have been put into place and listed reasons for having a community garden.

President Hooper requested the following resident concerns be addressed:

- Whether a stop sign at the neighborhood intersection or posted no-parking would mitigate some of the traffic concerns.
- Whether there is a specific analysis for the number of parking spots needed.
- What the Rochester garden plot sizes are and how much time a gardener spends on an average visit.
- Whether the seven-and-one-half foot fence would be chicken wire with posts ten foot on center.
- Whether there will be a security gate prohibiting open access.
- Whether the DPS Facility or other poorly-rated parks were considered.
- Whether the initial investment of \$30,000 approved would be sufficient for the estimated costs.

Mayor Barnett responded that he would request that the Advisory Traffic and Safety Board review the intersection in question to determine whether a stop sign or no-parking posting is warranted. He suggested that the traffic patterns be reviewed after the garden opens to determine if parking is a problem.

Mr. Gaydos responded that the lot at Scott Street is in between Rochester's DPW facility and the basketball court and baseball field. He commented that on a day-to-day basis there are typically one to two cars accessing the garden. During harvest season, that number goes to three or four cars at a time. He mentioned that the Scott Street garden had almost 100 plots in 2012 and nine parking spots are allocated next to the garden. He commented that he has never seen the garden parking overflow to the nearby paved baseball lot. He stated that some gardeners come every day, while others visit once a week. The Scott Street garden plots are also four-foot by eight-foot and noted that it takes his family approximately 15 minutes to water two plots.

Mike Hartner, Director of Parks and Forestry, commented that nothing is deer-proof; and noted that the deer-resistant fencing to be used is seven-and-one-half foot black light gauge wire, not chain link or heavy duty

weave. He stated that the fencing will appear wispy from a distance. He explained that he prefers that round posts with end caps be used to ensure the garden fencing looks pleasant year-round. He mentioned that the garden will be set up with a grid pattern, with pathways utilizing the same material as the Clinton River Trail, and will be visually kept to a high level from the street.

Tara Presta, Chief Assistant, stated that Dinosaur Hill uses a combination lock to secure the gate which is changed out annually. The combination is given to the users.

Mayor Barnett commented that the DPS Facility is only open from 7:00 a.m. to 3:30 p.m. weekdays. He mentioned that the chemicals, aggregates and large vehicles housed there do not make a good mix with gardeners. He added that several of the parks considered are undeveloped with no infrastructure.

Mr. Hartner mentioned that those parks with developed ballfields are part of the City's lottery system and commented that there are not enough fields now to keep up with requests. He pointed out that the garden would not be a permanent facility, and could be moved to a different location. He stated that the water tap would then remain and become a drinking fountain. He noted that the initially-approved amount of \$30,000 should be more than enough funding for the garden. He mentioned that the City already maintains the park, mowing the grass and picking up trash.

President Hooper commented that the City will continue to own the park, and the agreement with Dinosaur Hill will include management of the collection of rental fees.

Mr. Hartner added that Dinosaur Hill will provide gardeners' education as well.

President Hooper requested questions regarding the Parks Master Plan and how the garden relates to the City's Green Space Millage be addressed. He noted that the Parks Master Plan shows the area in question at Wabash Park to be a picnic/play area.

Mr. Hartner responded that the preservation of open space and green space is an important reason why people like living in Rochester Hills. He explained that a balance is desired between active parks with structured recreation and passive parks such as Bloomer Park with trails, and open space and green space properties. He pointed out that the Green Space millage was passed to preserve green space for its own purposes, and explained that the City does not use green space properties for soccer or ball fields. He stated that at the time that the Parks Master Plan was adopted, that portion of Wabash Park was an unstructured open area. He commented that 90 percent of that area will still be available for that purpose. He mentioned the development of Nowicki Park and stated that the City is years away from providing funding for that park.

President Hooper noted that the Parks Master Plan calls for the paving of the parking lot, the addition of a small picnic structure, and Americans With Disabilities Act (ADA) compliance at Wabash Park. He mentioned that community gardens are not addressed in the Master Plan.

Mr. Hartner responded that crushed limestone will be added to the lot along with ADA-compliant spaces and a path to the garden feature, per Federal Law. He stated that a community garden was not requested for inclusion in the Plan two years ago; however, as people see them in more and more locations, they are becoming more popular.

Mayor Barnett added that previous Parks Master Plans never included a Velodrome either. He noted that the Parks Master Plan does not preclude the use for a garden and commented that perhaps this additional investment will drive the need for more picnic areas.

President Hooper noted that senior citizens represent only 12 percent of the community and questioned what percentage of garden plots are maintained by seniors.

Mr. Hartner responded that the garden is not limited to any specific age group and is for anybody that would like to learn more and has the wherewithal to maintain a garden.

Mr. Gaydos added that Rochester's garden includes young families, married couples, and singles. He noted that Crittenton Hospital has a plot, along with Mitchells' Restaurant, where they have rows planted for the hungry. He explained that senior citizens maintain about 12 percent of the garden plots, the same as their representation in the community.

President Hooper questioned whether a water main is available to the park property.

Mr. Hartner responded that there is a water main along Wabash and a lead will be brought in to the middle of the site. He added that the lead can be used to provide a drinking fountain for the playground as well.

President Hooper questioned whether the City has had any conversation with the School District regarding any school properties.

Mayor Barnett responded that the Administration focused on City-owned properties as the search was left to properties it controlled. He explained that many schools are participating in the Raising Rochester initiative.

President Hooper requested Mr. Staran address comments that a community garden constitutes a commercial use of park property.

John Staran, City Attorney, responded that there is a major distinction between farming and community gardening. He explained that farming involves the planting, cultivation and harvesting of produce and sometimes farm animals for commercial sale and consumption. He commented that a community garden is intended for personal use, enjoyment and consumption. He pointed out that gardening is allowed under City ordinances in single family neighborhoods and residential zoning districts and is not considered a commercial use if it does not involve commercial resale of the farm's production. He mentioned that the proposed

guidelines provide that the use, growth and harvesting of any crops or produce grown in the community garden cannot be done for commercial purposes and is expressly disallowed. He added that from a planning and zoning perspective, gardens of this nature have been recognized throughout the country as appropriate recreational uses and are located in many cases in public parks. He stated that he is quite confident that what is being proposed can be located in the park and is entirely consistent with the City's Charter.

President Hooper questioned whether reference to court-appointed manpower was stricken from the proposed agreement. He mentioned that the City does use court-appointed manpower for various projects.

Ms. Presta confirmed that it was.

Council Discussion:

Mr. Kochenderfer thanked the residents for their input and stated that he has heard feedback from both residents in support and residents who are against the garden. He commented that no one will know what the traffic patterns will be and stated that the City can only rely on others who have done this before. He mentioned that the City is not investing all that much money. He pointed out that the agreement calls for a garden advisory board and suggested that at least one member of the surrounding community be a member of the board. He stated that the City has many tools available to counteract any negative consequences that arise. He commented that he is in favor of moving forward.

Mr. Tisdell stated that a garden would promote inter-generational contact and mentioned that Pranita Balusu, Rochester Hills Government Youth Council Representative (RHGYC), approached the Administration with a proposal for a community garden one year ago. He pointed out that good activity will crowd out bad activity.

Mr. Hartner commented that the RHGYC presented the concept at their Youth Summit last year, where 170 high school students discussed the idea. He explained that areas that are underutilized or hidden away can lead to undesirable activities. He stated that it is his experience that the more individuals are in the parks and on the trails with cellphones, the more undesirable activities are deterred.

Mr. Klomp stated that it is good to hear the residents' appreciation for the park. He commented that he recognizes that there will be some anxiety due to uncertainty. He requested the following information:

- What will the timetable be for the garden if approved tonight.
- How any issues between gardeners or surrounding residents would be addressed.
- Have enrichment ideas been considered.
- Whether there will be room for improvement of the process in a year or two.

Mr. Hartner responded that Memorial Day would be targeted, noting that material could be ordered and manpower lined up such as the RHGYC and the Rotary

Club. He pointed out that the garden would most likely be used three months out of the year.

Mr. Gaydos noted that Dinosaur Hill would ensure that the gardeners are able to work with each other. He commented that because of the ownership each gardener takes in his or her plot, one tends to see a general respect. He stated that gardeners take over for other gardeners when they go on vacation. He noted that initial concerns expressed when Rochester first implemented the garden have diminished. He added that Dinosaur Hill will provide educational activities and handle any disputes or intervene if gardeners allow their plots to run fallow.

Ms. Presta stated that activities to engage children and adults will be coordinated through Dinosaur Hill. She commented that there will not be a shortage of people wanting to work on a garden. She noted that the City has an ongoing focus to continue to enrich its parks and improve leisure activities among its residents, and stated that a community garden is consistent with activities in other parks.

Mr. Webber questioned whether the City Hall site was considered and how any problems with or any disruptions by gardeners would be addressed.

Mayor Barnett responded that the only suitable location for a garden on the City Hall site would be within the commons area in front. He mentioned that the site is well off the road and would score low on visibility especially on the weekend.

Mr. Gaydos stated that each gardener must sign an agreement that they will comply with the general garden guidelines and there will be a process to deal with any complaints.

Ms. Presta commented that complaints would be addressed by the garden advisory board.

Mr. Webber stated that he supported the project and would tend to lean on Mr. Hartner's opinion on the City's park system. He commented that he is not married to the location; however, he will defer to the Administration for optimal site selection.

Mr. Yalamanchi questioned why visibility is a factor in site selection.

Mayor Barnett responded that in discussions with Dinosaur Hill personnel, it was noted that visibility ensures the safety of the gardens and gardeners. He commented that similar considerations are made when selecting a location for playground equipment.

Mr. Yalamanchi suggested that if Bloomer or Spencer Park were considered for future garden sites, gardeners could receive a pass to enter those parks without an entry fee. He commented that if all residents were against the garden, he would suggest a second look for an alternative site; however, he stated that he has received emails in support of the garden.

Ms. Arsenault questioned how many positive emails were residents in the area surrounding the park. She commented that the timeframe to respond and comment was too short.

Mr. Yalamanchi noted that there are residents in the neighborhood who are supportive of the garden. He questioned how the revenue model will operate and whether the rent monies will go to Dinosaur Hill.

Mayor Barnett responded that Dinosaur Hill will receive the monies collected for the plots and the City will be reimbursed for the water bill up to \$250.00. He noted 70 plots will generate less than \$2,000.00 for Dinosaur Hill after the water bill is reimbursed.

Mr. Yalamanchi questioned whether the guidelines will be included in the agreement signed by gardeners.

Ms. Presta responded that the guidelines will be attached to the actual application gardeners will fill out.

Mr. Yalamanchi concurred that a resident should be included on the advisory board. He requested that the location be reviewed again and the item be postponed for two weeks to the next Council meeting.

President Hooper questioned whether Dinosaur Hill will assemble the garden advisory board.

Mr. Rosen commented that previously, he had thought this was a good idea that would be met with wide approval. He stated that he was surprised with the negative reaction in the area. He noted that he received seven or eight negative and three positive emails. He commented that at this point he does not know if the reaction is simply because the residents do not want this in their park or if it simply is not as good of a location as was previously thought. He stated that while he understands the urgency to move forward, it would be difficult to undo a garden at that location if found to be a poor decision. He noted that there would be no harm done in waiting two weeks.

Mr. Tisdell stated that while he understands the positions that Mr. Yalamanchi and Mr. Rosen have taken, there is City-owned land at Wabash Park that is by the Administration's definition underutilized with an existing parking lot and playground. He commented that he does not support postponing the item.

President Hooper questioned what new information would arise in two weeks that is not available now. He stated that he disagrees with the request to postpone, noting that the garden would be removed if found to not be feasible in that location.

Mr. Yalamanchi commented that he wishes to hear more from the surrounding neighborhood.

President Hooper noted that a letter was sent out on February 18, 2013 and questioned whether it was sent to anyone within 1,000 feet of the center of the park property.

Mr. Staran responded that the perimeter of the site is used for determining notification.

A motion was made by Yalamanchi, seconded by Rosen, that this matter be Adopted by Resolution. The motion failed by the following vote:

Aye 2 - Rosen and Yalamanchi

Nay 5 - Hooper, Klomp, Kochenderfer, Tisdell and Webber

Enactment No: RES0053-2013

Resolved, that the Rochester Hills City Council postpones consideration of the Request for Authorization to enter into a Service Agreement with Dinosaur Hill for the administration and management of the City's Community Garden at Wabash Park to the next Regular City Council Meeting.

2013-0063 Request for Authorization to enter into a Service Agreement with Dinosaur Hill for the administration and management of the City's Community Garden at Wabash Park

Attachments: [Agenda Summary.pdf](#)
[Community Garden Agreement.pdf](#)
[Community Garden Guidelines.pdf](#)
[021113 Agenda Summary.pdf](#)
[Proposed Structure Memo.pdf](#)
[Community Garden Documents.pdf](#)
[021113 Resolution.pdf](#)
[Resolution.pdf](#)

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

Aye 5 - Hooper, Klomp, Kochenderfer, Tisdell and Webber

Nay 2 - Rosen and Yalamanchi

Enactment No: RES0053-2013

Resolved, that the Rochester Hills City Council approves the Community Garden guidelines and authorizes the Mayor and City Clerk to execute the Service Agreement with Dinosaur Hill.

2013-0078 Request for Purchase Authorization - MIS: Five-Year Lease Agreement for multi function devices in the amount of \$110,257.80 and Maintenance Agreement for multi function devices and printer management in the amount of \$89,742.20 through April 1, 2018; PNC Equipment Finance, LLC, Cincinnati, OH; Applied Imaging, Novi, MI

Attachments: [Agenda Summary.pdf](#)
[Lease Documents.pdf](#)
[Resolution.pdf](#)

Bob Grace, Director of MIS, stated printing needs were assessed from a total City-wide perspective. He noted that a review of current equipment, including 19 copiers, 18 printers and two fax machines throughout City facilities was undertaken.

The resulting proposed contract is for print management solutions and printer consolidation, including any necessary maintenance and toner devices. He explained that the City historically spends a certain amount of dollars in five years for printing services, supplies and repairs; and alternatives were explored to determine whether there would be a less expensive way to provide these services throughout the City. He noted that Farmington Hills went through a Request for Proposal (RFP) process using the Michigan Intergovernmental Trade Network (MITN) and selected Applied Imaging. The company was asked to review the City's data and returned with a five-year cost, which will yield a five year savings calculated at over \$30,000.

Council Discussion:

Mr. Kochenderfer noted that the lease agreement contains an as-is clause and provides no warranties for the equipment. He questioned whether the machines provided will be new.

Mr. Grace responded that they will.

Mr. Kochenderfer questioned whether the Administration is comfortable with the manufacturer's warranties for the equipment.

Mr. Grace responded that the Administration is comfortable with the warranties, and with Applied Imaging providing any service required.

Kevin Krajewski, Network Administrator/Deputy Director of MIS, stated that Applied Imaging will provide all service and repairs and the City will pay nothing additional for service.

Mr. Kochenderfer noted that no maintenance agreement was included in the meeting packet. He commented that if a substandard machine is provided, the City will have to rely on the maintenance agreement.

Mr. Grace responded that he could provide a copy of the maintenance agreement. He pointed out that all new machines will be going in, and mentioned that the City's current machines range in age from four to eight-and-one-half years old. He added that the contract with the current maintenance vendor expires at the end of this month and the vendor will not allow the City to continue the contract on a month-to-month basis. He mentioned that a ten percent increase in the current maintenance price is expected from the current vendor.

Mr. Kochenderfer stated that his goal in questioning this item is to gain assurance that the City's exposure will be covered. He requested Mr. Grace explain the maintenance agreement and questioned whether it is a fixed price for unlimited maintenance services.

Mr. Grace responded that the maintenance agreement calls for a fixed price, with a two-and-one-half hour response time. He added that the City of Farmington Hills

has had this same contract for over a year and is very happy with the service from Applied Imaging at this point. He stated that the contract calls for unlimited maintenance, and noted that the City will also keep spare machines in the storage area to replace any that fail. The price quoted will not change for five years, is less than the City is currently paying, and includes all supplies except for paper. He pointed out that toner is included, and mentioned that all departments are currently paying their own toner costs.

Mr. Kochenderfer questioned what would happen if one of the machines delivered is found to be a problem.

Mr. Krajewski responded that any necessary repairs would be included.

Mr. Kochenderfer stated that he would be more comfortable if this item were postponed until he had a chance to review the maintenance agreement.

Mr. Grace responded that the company will need two weeks notice to move machines around to all City facilities.

Mr. Klomp questioned whether the City's current machines are leased.

Mr. Krajewski responded that they are not.

Mr. Klomp questioned whether there is any salvage value in the City's current equipment.

Mr. Krajewski stated that there is little value, with machines returning between \$25 and \$50 each.

Mr. Klomp questioned whether the City would receive the same price as the Farmington Hills contract.

Mr. Grace responded that the contract is identical to Farmington Hills' and is on MITN.

Mr. Yalamanchi commented that he is familiar with this method and stated that it is a good way of doing this. He questioned whether there would be any extra cost if printing exceeds estimated amounts.

Mr. Grace stated that there is no limit to copying; however, he noted that the City will be paying by the page.

Mr. Krajewski added that the amount requested for approval is based on historical printing data. He commented that another benefit to moving toward this contract is there will be uniformity throughout the City on all machines.

Mr. Webber expressed his appreciation for the efficiencies this will provide. He requested Mr. Grace provide a copy of the maintenance agreement to Leanne Scott, City Council Coordinator, for distribution to Council Members.

Mr. Kochenderfer stated that while he knows that the Department does a great job, he cannot vote in favor of an agreement that he has not had the opportunity to review. He commented that his no vote on this item will be because he does not have all the information.

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

Aye 6 - Hooper, Klomp, Rosen, Tisdell, Webber and Yalamanchi

Nay 1 - Kochenderfer

Enactment No: RES0046-2013

Resolved, that the Rochester Hills City Council hereby waives under Section 2-273(b), the 3-year requirement for long term contracts, under Section 2-281, which allows City Council the authority to waive any regulation or procedure pertaining to purchasing, deeming it to be in the best interest of the City.

Resolved, that the Rochester Hills City Council hereby authorizes a five-year lease agreement for multi function devices to PNC Equipment Finance, LLC, Cincinnati, Ohio, in the amount of \$110,257.80 and a Maintenance Agreement for multi function devices and printer management to Applied Imaging, Novi, Michigan, in the amount of \$89,742.20 for a total amount not-to-exceed \$200,000.00 through April 1, 2018 and further authorizes the Mayor to execute agreements on behalf of the City.

Whereas, Lessee, a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State or Commonwealth ("the State") is authorized by the laws of the State to purchase, acquire, lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

Whereas, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee.

Whereas, the Governing Body hereby finds and determines that the execution of one or more Lease-Purchase Agreements or lease schedules ("Leases") in the principal amount not exceeding the amount stated (\$99,762.76) for the purpose of acquiring the property ("Equipment") to be described in the leases is appropriate and necessary to the functions and operations of the Lessee.

Whereas, PNC Equipment Finance, LLC ("Lessor") shall act as lessor under said Leases.

Now, Therefore, Be It Resolved by the Rochester Hills City Council ("Governing Body") of the Lessee:

Section 1. That the Mayor of the City of Rochester Hills, acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute and deliver one or more Leases in substantially the form set forth in the document presently before the Governing Body,

which document is available for public inspection at the office of the Lessee. The authorized representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Leases are hereby authorized.

Section 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Leases on behalf of the Lessee.

Section 3. The aggregate original principal amount of the Leases shall not exceed the amount stated above and shall bear interest as set forth in the Leases and the Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 4. The Lessee's obligations under the Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Lease and the Lessee's obligations under the Leases shall not constitute general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 5. As to each Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the fiscal year in which each such Lease is issued and hereby designates each Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended. As of the date of this resolution, the Rochester Hills City Council is not considering any issuance of bonds.

Section 6. This resolution shall take effect immediately upon its adoption and approval.

2013-0077 Request for Purchase Authorization - FAC/PARKS: Purchase of equipment and construction of Borden Park Playground in the amount not-to-exceed \$129,716.00; Playworld Midstates, Holland, MI

Attachments: [Agenda Summary.pdf](#)
[Playworld Borden Park.pdf](#)
[Resolution.pdf](#)

Alan Buckenmeyer, Parks Operations Manager, stated that the proposed purchase of Playground Equipment for Borden Park will bring that equipment up to conformance with all laws and take advantage of having standardized features and parts throughout play areas in the City.

President Hooper commented that he is concerned with the sole source nature of the purchase. He questioned whether having a sole source for this equipment is beneficial.

Mr. Buckenmeyer responded that the City has been happy with the equipment and service the vendor has been providing. He noted that while this is a sole source now, it was not when the vendor was initially selected. He pointed out that the City is receiving an additional ten percent off of the cooperative purchase price.

Mr. Yalamanchi questioned what condition the playground equipment is in throughout the other City parks.

Mr. Buckenmeyer responded that Borden Park's play equipment is the last to be replaced. He mentioned that the equipment was originally scheduled to be replaced five years ago; however, at that time capital projects such as this were put on hold.

Mr. Webber commented that it is good that the City was able to postpone the purchase for an additional four to five years.

Mr. Klomp stated that he is happy to see the project moving forward, as the equipment is getting old.

Mr. Buckenmeyer noted that swings will be added to Borden.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0047-2013

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of equipment and construction of Borden Park Playground to Playworld Midstates, Holland, Michigan in the amount not-to-exceed \$129,716.00.

2013-0084 Request for Approval of the Interlocal Service Agreement between the City of Rochester Hills and Rochester Community School District for Services

Attachments: [Agenda Summary.pdf](#)
[Interlocal Agreement.pdf](#)
[Resolution.pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that the proposed Interlocal Agreement does not obligate either agency to provide services. He mentioned that services provided will be based on capacity. He commented that initial discussions have been held to determine how the entities can assist each other.

President Hooper stated that it is good that the City continues to move toward shared services.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0048-2013

Resolved, that the Rochester Hills City Council approves the Interlocal Service Agreement between the City of Rochester Hills and the Rochester Community School District for Services and authorizes the Mayor to execute the agreement on behalf of the City.

(Mr. Klomp exited at 10:02 p.m. and re-entered at 10:04 p.m.)

2013-0012 Request for Purchase Authorization - DPS/ENG: Increase to contract for engineering design services for the Firewood and Falcon Road Rehabilitation and Firewood Pathway Construction Project in the amount of \$19,724.00 for a

total not-to-exceed amount of \$123,288.00; Spalding DeDecker Associates, Inc., Rochester Hills, MI

Attachments: [Agenda Summary.pdf](#)
[Amendment 1.pdf](#)
[Q11413 Agenda Summary.pdf](#)
[SDA Project Scope and Fee.pdf](#)
[Q11413 Resolution.pdf](#)
[Resolution.pdf](#)

Allan Schneck, Director of DPS/Engineering, stated that this item is coming back to Council subsequent to a review of the northern roundabout and a determination that it will be reconstructed. He added that the geometrics of the roundabout will change. Additionally, after communications with the local homeowners associations, it was requested that the pathway on the east side be extended into the park area. As such, even though a survey was completed from right-of-way to right-of-way, there is some additional survey work that needs to be done.

President Hooper questioned whether a review of concrete versus asphalt was undertaken.

Mr. Schneck responded that a life cycle analysis will be done during the pavement design phase. He explained that typically a design utilizing open ditches is done with a hot melt asphalt (HMA) cross-section.

President Hooper questioned whether both options will be available in the bid.

Mr. Schneck responded that an alternate for concrete could be added to the solicitation.

Mr. Rosen questioned what the dimensions for the roundabout will be and whether the site plan consent agreement for that subdivision was reviewed.

Mr. Schneck responded that it is his understanding that the consent judgment included reference that there had to be a traffic calming device; however, no geometrics were specified. He stated that the roundabout is that device, and explained that it is being redesigned to today's standards. He commented that he had not seen the actual consent agreement.

Mr. Rosen stated that he would recommend that the consent agreement be reviewed before proceeding.

Mr. Yalamanchi concurred with the redesign of the roundabout and questioned whether the current standards will call for one that is smaller or bigger.

Mr. Schneck responded that it will be smaller than the existing roundabout with a smaller inside diameter.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0049-2013

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the Contract/Blanket Purchase Order for engineering design services for the Firewood and Falcon Road Rehabilitation and Firewood Pathway Construction Project to Spalding DeDecker Associates, Inc., Rochester Hills, Michigan in the amount of \$19,724.00 for a total not-to-exceed amount of \$123,288.00 with the following two conditions:

1. Add construction bid alternate for concrete surfacing.
2. Verify the previous Consent Agreement and ramifications thereof.

2013-0082 Request for Approval for a connection to the Shelby Township sanitary sewer system to service a proposed residential development in Rochester Hills

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

Paul Davis, City Engineer/Deputy Director of DPS/Engineering, stated that Council's approval is requested to support an upcoming interlocal agreement to allow the property owner on the west side of Dequindre Road to connect into Shelby Township's sewer system. The developer is proposing a lot split and the City has no sewer available to this property. He pointed out that this connection was previously approved in 2006; however, a different person owned the property at that time. He mentioned that Shelby Township has requested that the City show a Resolution of Support for the connection.

At President Hooper's request, **Mr. Davis** displayed a map and highlighted the property in question. He stated that while the City has watermain available to the property, there is no City sanitary sewer connection anywhere in the vicinity.

Mr. Yalamanchi questioned whether a water connection will be made, and how the utilities will be billed.

Mr. Davis responded that a watermain is available for connection; the City will work with Shelby Township to provide the numbers they need for sewer billing.

President Hooper noted that the City has customers on the system that are billed for water-only or sewer-only.

Mr. Davis mentioned that the customers would be reclaimed by Rochester Hills in the event that the City did extend sewers into that area.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0050-2013

Whereas, the Department of Public Services recommends approval of the request from Vito Terracciano of Christenbury Development, LLC, for a connection to the Shelby Township sanitary sewer system to service a proposed residential development in Rochester Hills.

Resolved, City Council approves the request subject to the execution of an

inter-governmental agreement between Shelby Township, the City of Rochester Hills and the property owner, which will indicate all the conditions and fees associated with the connection.

(Mr. Webber exited at 10:20 p.m. and re-entered at 10:23 p.m.)

- 2013-0083** Request for Purchase Authorization - DPS/ENG: Contract for engineering design services for the Hamlin Road Improvement Project between Hamlin Ct. and Dequindre in the amount not-to-exceed \$414,252.57; Orchard Hiltz & McCliment, Inc., Livonia, MI

Attachments: [Agenda Summary.pdf](#)
[Exhibit A - Scope of Services.pdf](#)
[Derivation of Cost Proposal.pdf](#)
[Resolution.pdf](#)

Paul Davis, City Engineer/Deputy Director of DPS/Engineering, noted that Mark Loch was in attendance representing Orchard, Hiltz & McCliment, Inc. (OHM), the firm proposed for the design work on the Hamlin Road Improvements project. He explained the different categories of Federal Funding for projects, and noted that this project is referred to as a 3R project (resurfacing, restoration and rehabilitation). He stated that design and construction engineering will be 100 percent local cost and construction will be 50 percent local cost. He noted that the project was awarded \$1,769,000 in Federal Funding for the construction phase. He commented that OHM's proposal is significant and thorough. He pointed out that similar to many projects, the Administration looks to take advantage of economies of scale and determined that additional work would include replacement of the water main between Livernois and Rochester Road, construction pathway work, and a resurfacing of Regency Drive. He mentioned that while these projects are identified in the Capital Improvement Plan (CIP), they were not slated for this year in the CIP as the Administration was not aware that these projects would be selected in the 3R program for 2015, necessitating design in 2013 and right-of-way acquisition in 2014. He stated that should this be approved tonight, a number of budget amendments would be needed.

Mr. Davis suggested that Council consider adding the paving of Crestline, which runs north off of Hamlin Road between Livernois and Rochester Roads. He explained that this gravel road is 920 feet long and sees a fairly significant amount of traffic. The average vehicle count per day on the road is 1,860, with 338 homes in Avon Hills Subdivision Nos. 1 through 5 having access to the road. He commented that while a decision to add Crestline does not have to be made tonight, with the amount of asphalt paving connected to the project, it would make sense to undertake this section at the same time. He stated that OHM could be asked to provide a price for design of this section.

He mentioned that a developer formerly connected to the property at the northeast corner of Hamlin and Crestline proposed a joint effort to pave the road and install water main in 2004. He explained that a Special Assessment District was once considered for the section with several of the homeowners agreeing to the paving. However, the economy declined and the development project did not proceed. He commented that full road design plans were completed at that time, and noted that

most of the design has not changed. He added that the developer stated that he would provide the existing plans to the City. He stated that this section of road is demanding on the DPS Department, requiring chloriding and grading. He pointed out that the proposal currently does not include Crestline.

Public Comment:

Scot Beaton, 655 Bolinger, commented that he has no problem with adding Crestline if the residents want it paved. He stated that this is a quaint historic strip of Rochester Hills and questioned why a 50 mile per hour street design was proposed.

Council Discussion:

President Hooper questioned whether the design will be for concrete or asphalt.

Mr. Davis responded that the design will be for asphalt with some concrete curbing. He pointed out that the section of Hamlin east of Rochester Road will be a resurfacing of the existing three lanes.

President Hooper noted that the project is in the Master Thoroughfare Plan and has been discussed with the residents over the past two or three Plans. He mentioned that consideration of that stretch of roadway for a four-lane boulevard was not well-received, and residents conveyed that they wanted a three-lane road. He stated that his only thought would be that concrete should be considered.

Mr. Davis responded that concrete can be considered for the section between Livernois and Rochester Roads. He pointed out that the section east of Rochester Road is simply an overlay. He stated that he has preliminary estimates for the inclusion of Crestline, as the Police and Road Funding Technical Review Committee has reviewed basic paving techniques. He pointed out that the section on the existing plans was proposed as eight inches of asphalt over six inches of aggregate. He commented that for a 20-year life, he would consider six inches of asphalt. He noted that based on similar work, it is estimated that this would result in \$176,000 in construction costs. He mentioned that a four-inch pavement section over an acceptable base would decrease the cost to \$146,000. He commented that a review of traffic would be undertaken to determine what an acceptable section would be.

Mr. Yalamanchi questioned how including this section could affect the City's SAD Policy.

President Hooper stated that he strongly supports including Crestline, as it is the most highly traveled gravel road in the city. He stated that the City has the choice to either pay for the project itself or do a forced SAD on only five homes.

Mr. Yalamanchi concurred with including Crestline and questioned whether the design would be included this year.

Mr. Davis responded that he would suggest moving the approval amount up to \$450,000 if including Crestline.

Mr. Rosen questioned what the developer of the property on Crestline plans to do and commented that it is worth undertaking the design and subsequently determining how to pay for construction.

Mr. Davis responded that the site plan was originally submitted in 2004 and has not been resubmitted. He stated that all approvals would have to be renewed and pointed out that he had contacted the developer to inquire about the road plans.

Mr. Rosen concurred with including Crestline in the design now, noting that there will be three options on how the project will be paid for.

Mr. Davis noted that construction would occur in 2015 which would give time to determine the funding source.

Mr. Rosen stated that the project appears to be a straight refinish of the roadway from Rochester to Dequindre Roads. He questioned the reference in the documents to the possibility of a roundabout at John R.

Mr. Davis responded that additional work is being included at the intersection at John R. He noted that even though a funding source through the Congestion Mitigation and Air Quality Improvement (CMAQ) Program provides the opportunity to construct roundabouts and have them paid out of that program, the program itself is funded way out and it was determined that it is not feasible to fund through the program. Therefore, a roundabout is not being considered for that intersection.

Mr. Rosen questioned whether any work on Dequindre Road is included with this project.

Mr. Davis responded that the City is waiting for the Road Commission for Oakland County (RCOC) to take the lead on Dequindre Road work. He added that the recent resurfacing work undertaken on Dequindre was done out of desperation to do something to improve that section of roadway.

President Hooper commented that as SADs are capped at \$5,000, the lions' share of the project will still be paid by the City.

Mr. Tisdell mentioned that there have been problems reported of traffic passing on the right at the elementary school on Hamlin and commented that a turn lane would resolve most, if not all of those concerns.

Allan Schneck, Director of DPS/Engineering, responded that there are no places to pass on the right at that location, and commented that crashes and traffic counts along that stretch of roadway will be taken into consideration as a part of the design phase. He concurred that a turn lane would mitigate queuing for left turns.

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

Aye 7 - Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi

Enactment No: RES0051-2013

Resolved, that the Rochester Hills City Council hereby authorizes a Contract/Blanket Purchase Order for engineering design services for the Hamlin Road Improvement Project between Hamlin Ct. and Dequindre to Orchard Hiltz & McCliment, Inc., Livonia, Michigan, in the amount not-to-exceed \$450,000.00, including design of Crestline between Hamlin Road and Parkland, and further authorizes the Mayor to execute a contract on behalf of the City.

COUNCIL COMMITTEE REPORTS

None.

ANY OTHER BUSINESS

None.

NEXT MEETING DATE

Regular Meeting - Monday, March 18, 2013 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 10:45 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

*TINA BARTON, Clerk
City of Rochester Hills*

*MARY JO PACHLA
Administrative Secretary
City Clerk's Office*

Approved as presented at the April 8, 2013 Regular City Council Meeting.