



Rochester Hills Minutes

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

City Council Regular Meeting

*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 11, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

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

Others Present:

*Bryan Barnett, Mayor
Scott Cope, Building/Ordinance/Facilities Director
Lisa Cummins, Purchasing Manager
Ken Elwert, Parks & Natural Resources Director
Matt Enheuser, Natural Resources Manager
Todd Gary, Deputy Fire Chief
Pam Gordon, Human Resources Director
Kristen Kapelanski, Planning Manager
Kevin Krajewski, Information Services Director
Gerry Pink, Lead Arborist
Sara Roediger, Planning & Economic Development Director
Allan Schneck, Public Services Director
Leanne Scott, Deputy Clerk
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Bob White, Ordinance Manager*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion was made by Morita, seconded by Hetrick, 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 Hayden Bear, RHGYC Representative.

Hayden Bear stated he goes to Rochester High School and is in the 11th grade. He mentioned the Rochester Hills Government Youth Council recently held a cultural togetherness event at City Hall for city employees, their families, and high school students. The purpose of the event was to celebrate the many cultures in the community through everyone's favorite things; food and entertainment. He mentioned it was an amazing event. He thanked everyone for coming and supporting the Youth Council. He also thanked Genisys Credit Union and the Mayor's Advisory Committee on Diversity, Equality, and Inclusion for donating towards the event. He stated the Youth Council is planning various projects to carry out within the next few months and noted that their next meeting is at City Hall on March 18th at 6:00 p.m.

Dr. Bowyer mentioned she enjoyed the Youth Council Cultural Event. She stated they did a great job and hopes that it can be done every year, getting more people involved and spreading the word.

Green Space Advisory Board:

Dr. Bowyer announced that the Discovery Hike is scheduled for Saturday, May 4th at 10:00 a.m. at the Harding Green Space. It is a free event. Enjoy the great views and all the work that has been done.

She reminded the public that Paint Creek Trailways is replacing the bridge between Silverbell and Dutton Road, and that portion of the trail will be closed from the end of May until the middle of September. The trail is also being resurfaced, and there will be one mile closures throughout the whole 9 miles all summer long. She suggested going to paintcreektrail.org for updates.

Older Persons' Commission (OPC):

Mr. Kubicina announced the following upcoming OPC events:

- March activity letter went out to 40,000 Rochester, Rochester Hills, and Oakland Township residents. This letter will go out every month and has something for everyone aged 50 years or older.
- Summer Solstice Soiree - Save the Date June 21st (first day of summer). This is an outdoor garden party surrounding the stone cottage with a 4-course dinner, live music, and a silent auction.
- Savy Seniors - Wednesday, March 20, from 10 a.m. - 11 a.m. This is a

chance to simplify your life and get organized. Theresa Brune will be there to talk about downsizing.

Rochester Avon Recreation Authority (RARA):

Mr. Deel announced the following upcoming RARA events:

- Reported RARA's SPT competition dance team attended the Precision Arts Challenge and won top awards, including best in show, most entertaining, most emotional execution and the best top 10 scores overall. One of the dancers won Ms. Precision.

- Baseball and softball registration is open. Go to rararegistration.org to register. Teams do fill up fast.

Mr. Deel expressed his appreciation to the RHGYC for making the Cultural Event fantastic. He stated it was a fun evening with an educational component, as the students researched each of the cultures that were included in the event. He thanked the Mayor's Office for offering up City Hall and for helping with the funding through the Mayor's Council on Diversity and Inclusion.

Vice President Morita stated that on March 21st the awards for the Avondale Youth Assistance will be given out. She explained Avondale Youth Assistance is a group that is affiliated with Avondale Schools and it is a delinquency diversion type program. She mentioned Avondale Youth Assistance gives out youth recognition awards to its students for overcoming some type of difficulty or for some type of significant achievement. There are usually about 100-150 kids at this event, and shaking the hands of elected officials means a lot to them, so she encouraged the Council to attend.

PRESENTATIONS

2019-0107 Presentation on the prevention of foreclosure and other services provided by the Oakland County Treasurer's Office; Andy Meisner, Oakland County Treasurer, presenter

Attachments: [031119 Agenda Summary.pdf](#)

Andy Meisner, Oakland County Treasurer, asked to partner up with the City of Rochester Hills to get the word out that April 1st is the deadline for property tax foreclosures. He stated that his office can work with residents that may be having some trouble. He mentioned they can get on payment plan or his office can help them get connected with a program called STEP forward MI; if somebody owns a home and is experiencing a financial hardship they can apply. Residents can reach out to his office at 248-858-0611 and arrange a time to get a one-on-one meeting prior to April 1st. He noted that tax foreclosures are at a 10 year low, but stated one tax foreclosure is too many. He asked the City to share a link on the website. He also mentioned if people feel more comfortable they can call him directly at 248-421-2639.

He went on to talk about the County's partnership with Rochester Hills in the Local Government Investment Pool. He explained that the Local Government Investment Pool is a tool used to optimize returns on investments. The County just maintains it. Since inception, Rochester Hill's tax payers have earned \$617, 058.15 through the LGIP. He encouraged the City to keep using this.

He also mentioned an art contest he held wherein a number of students (8th-12th grade) from Rochester Hill's Schools participated. He pointed out that the contest had a financial literary theme; the students had to take some of the learning benchmarks from the state curriculum on financial literacy and incorporate it into art work. He shared that scholarships are going to be given out and the award ceremony is scheduled for April 15th. He noted that every piece of art work goes on the walls at the County Treasurer's office, which stimulates conversation about responsible money management and taking control of money.

Presented

2019-0105 2019 Gypsy Moth Status and Treatment Update

Attachments: [031119 Agenda Summary.pdf](#)
[Gypsy Moth Presentation.pdf](#)

Ken Elwert, Parks & Natural Resources Director, stated the City has been fully engaged in the gypsy moth program since last year and this presentation is to provide an update. He introduced Matt Einheuser the City's Natural Resources Manager.

Matt Einheuser, Natural Resources Manager, stated this presentation is to give a brief update on the gypsy moth status and treatment plan for 2019. He stated that it has been 14 years since the City has had to do any type of treatment because of natural cycle controls in the environment. However, in 2018 the City saw an increase in resident calls on gypsy moths and the City's arborist observed more gypsy moth affects in the community, such as defoliation of trees. He mentioned that prompted the City to do a fall survey of egg mass counts throughout the entire community which gave the City some guidelines on how to move forward with treatment.

Mr. Elwert stated there are other communities in southeast Michigan that pay up to \$200,000 to fully engage in gypsy moth programs, and pointed out that we are doing this all in house.

Mr. Einheuser stated there were two locations identified for an aerial treatment which will be done in May/early June. He stated the City will be using an organic product, naturally found in soil that is commonly used throughout the state. He explained that this product only affects caterpillars, and it is not harmful to humans, pets, or any other species. He stated the City will also be doing an outreach to areas that had lower numbers. He stated those residents in the

treatment areas will be sent a letter and the website will be continually updated. He mentioned that the City will continue to monitor those areas in the fall.

Dr. Bowyer asked if the residents that came before Council last year that had the large problem with gypsy moths are in the treatment area.

Mr. Einheuser stated they are in the Old Perch area which is where the City saw 100% defoliation of trees.

Dr. Bowyer asked if those trees could be saved.

Mr. Einheuser stated the City should be able to save the trees. He commented that 2018 was the first year of full defoliation, and explained the risk of losing the trees comes in when there is a second year of full defoliation.

Mr. Kubicina thanked Matt and Ken for their prompt attention on this matter.

Mr. Elwert mentioned the funding for this program is through the Tree Fund.

Mayor Barnett mentioned he received a couple of letters from residents thanking Council and the City for taking this situation seriously and following through with it.

President Tisdell stated the last time areas were sprayed it was a County program. He mentioned under that program there had to be a minimum area, approximately 10 times the size they are dealing with now, before the County would get involved. He thanked Mr. Elwert and his staff for taking aggressive action.

Presented

PLANNING AND ECONOMIC DEVELOPMENT

- 2018-0152** Request for Final Planned Unit Development Site Plan Approval - Brewster Village Condominiums, a proposed 30-unit development on 7.3 acres located north of Walton, on the west side of Brewster, zoned SP Special Purpose and R-1 and R-3 One Family Residential, Robertson Brothers Homes, Applicant

Attachments: [031119 Agenda Summary FSP.pdf](#)
[Map aerial.pdf](#)
[Review Comments, Minutes.pdf](#)
[Revised EIS 121918.pdf](#)
[F & V Memo.pdf](#)
[Letter HOA Landscape Easement.pdf](#)
[Landscape Plan Easement.pdf](#)
[Robertson Brothers Ltr 021319.pdf](#)
[Robertson Bros Response to Review Ltr 1 021119.pdf](#)
[NF Engineers Response 021319.pdf](#)
[Illustrative Site Plan.pdf](#)
[Exterior Package.pdf](#)
[Remington Elevations.pdf](#)
[Staff Report 121818.pdf](#)
[Final Site Plan 021319.pdf](#)
[010719 Agenda Summary.pdf](#)
[Suppl Presentation.pdf](#)
[Colored Elevations.pdf](#)
[Material Packet.pdf](#)
[Site Plans.pdf](#)
[Minutes PC 051518.pdf](#)
[PHN Prelim PUD OP.pdf](#)
[Brewster Place PC memo.pdf](#)
[Brewster Place 041718 Narrative from applicant.pdf](#)
[Brewster Place Presentation 041718.pdf](#)
[Letter Postponement - Supplemental.pdf](#)
[010719 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, stated they are requesting approval of a PUD agreement and a PUD site plan. She mentioned the applicant is proposing to construct a 30-unit detached condo development on the west side of Brewster just north of Walton. The property is a split zoned between single family residential and special purpose. She stated City Council granted approval of the preliminary PUD on January 7th, 2019. She noted the plan generally remains the same with some minor modifications; a left turn lane has been added to Brewster, and a tree removal permit was approved for the removal of 234 regulated trees which will be replaced on site. She also added there has been a natural features set back of 450 linear feet, as well as adjustments to additional landscaping on the Shadow Woods property. She mentioned that the Planning Commission recommended approval on February 19, 2019.

Tim Loughrin, Robertson Brothers, stated the plan is for 30 detached condominium units which are age-targeted, not age restricted. The condos are all ranch units, approximately 1850 sq ft., built with quality materials. He mentioned a left turn lane has been added. He noted every bit of green will be maintained by a home owners association. He mentioned they do have a signed agreement in place with the neighboring Shadow Woods HOA for the sharing of a storm water detention pond and an easement where tree buffers will be put in place.

President Tisdell questioned if they had a total number of trees that will be going in for the buffer.

Mr. Loughrin responded there will be approximately 30 trees.

Vice President Morita stated that she wanted a condition added to the resolution that the developer provide an executed agreement with the Shadow Woods HOA for the detention pond in a form acceptable to the City and record it with the Register of Deeds prior to issuance of a Land Improvement Permit.

Mr. Loughrin stated they are willing to accommodate that.

Dr. Bowyer questioned if the roads will be public or private.

Mr. Loughrin responded that the roads will be private.

Dr. Bowyer stated that in the future when these roads are no longer usable, residents may come to the City requesting they be repaired. She questioned if there is language in the agreement with the homeowner letting them know they will be responsible for road repairs.

Ms. Kapelanski stated that the residents will be responsible for maintaining the roads.

Mr. Schneck stated it is outlined in their deed restrictions.

Mr. Loughrin stated they do have a recorded Master Deed which calls out these types of things. He mentioned the requirements for private roads are just as stringent as public roads, so he believes these road will last a long time.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution, as amended, to include condition #6, that the developer is to provide an executed agreement with the Shadow Woods Home Owners Association for the detention pond in a form acceptable to the city and recorded with the Register of Deeds prior to issuance of a land improvement permit . The motion carried by the following vote:

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

Enactment No: RES0079-2019

Resolved, that the Rochester Hills City Council hereby approves the Final Planned Unit Development Site Plans for Brewster Village Condominiums, a 30-unit, detached condominium development on 7.3 acres located north of Walton, on the west side of Brewster, zoned SP Special Purpose and R-1 and R-3 One Family Residential, Parcel Nos. 15-08-376-015 and 15-08-331-041, Robertson Brothers Homes, Applicant, based on plans dated received by the Planning and Economic Development Department on January 25, 2019 with the following findings and conditions.

Findings

- 1. The site plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City ordinances, standards and requirements can be met subject to the conditions noted below.*
- 2. The location and design of the driveway providing vehicular ingress to and egress from the site will promote safety and convenience of both vehicular and pedestrian traffic both within the site and on adjoining streets.*
- 3. There will be a satisfactory and harmonious relationship between the development on the site and the existing and prospective development of contiguous land and*

adjacent neighborhoods.

4. The proposed development does not have an unreasonably detrimental, nor an injurious, effect upon the natural characteristics and features of the parcels being developed and the larger area of which the parcels are a part.

5. The proposed Final Plan promotes the goals and objectives of the Master Plan by providing an alternative housing option.

Conditions

1. Provide landscape bond in the amount of \$108,240.00, plus inspection fees, for landscaping and irrigation, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit by Engineering.

2. Provide Master Deed with Exhibit B to the Department of Public Services/Engineering for review and approval prior to the Engineering Department issuing Preliminary Acceptance of any site improvements.

3. Payment of \$6,502 into the tree fund for street trees prior to issuance of a Land Improvement Permit by Engineering.

4. Address all applicable comments from City departments and outside agency review letters, prior to final approval by staff.

5. An executed agreement for tree screening between the applicant and the neighboring HOA should be in place and approved by staff prior to issuance of a Land Improvement Permit.

2019-0061

Request for Approval of the PUD Agreement for Brewster Village Condominiums, a proposed 30-unit development on 7.3 acres, located north of Walton, on the west side of Brewster, zoned SP Special Purpose and R-1 and R-3 One Family Residential, Robertson Brothers Homes, Applicant

Attachments: [031119 Agenda Summary PUD Agreement.pdf](#)
[Staff Report 021919.pdf](#)
[PUD Agreement 022019.pdf](#)
[Email Staran 022719.pdf](#)
[Minutes PC 021919.pdf](#)
[Resolution \(Draft\).pdf](#)

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: RES0080-2019

Resolved, that the Rochester Hills City Council hereby approves the PUD Agreement for Brewster Village, a 30-unit, detached condominium development on 7.3 acres, located north of Walton on the west side of Brewster, zoned SP Special Purchase and R-1 and R-3 One Family Residential, Parcel Nos. 15-08-376-015 and 15-08-331-041, based the PUD Agreement dated received February 20, 2019 by the Planning and Economic Development Department from Robertson Brothers Homes, Applicant, with the following findings and conditions:

Findings

1. The proposed Final PUD is consistent with the proposed intent and criteria of the PUD option.

2. The proposed Final PUD is consistent with the approved PUD Concept Plan.

3. The PUD will not create an unacceptable impact on public utility and circulation

systems, surrounding properties, or the environment.

4. The proposed PUD promotes the goals and objectives of the Master Plan as they relate to providing varied housing for the residents of the City.

5. The proposed plan provides appropriate transition between the existing land uses surrounding the property.

Conditions

1. The appropriate sheets from the approved final plan set shall be attached to the PUD agreement as exhibits, including the building elevations.

2. All other conditions specifically listed in the agreement shall be met prior to final approval by city staff.

2019-0041 Request for Preliminary and Final Site Condominium Plan Approval - Saddlebrook Orchards, a proposed ten-unit site condo development on five acres, located on the north side of Auburn, between Crooks and Livernois, zoned R-4 One Family Residential with an MR Mixed Residential Overlay, Michael Magnoli, Gianna Investments, LLC, Applicant

Attachments: [031119 Agenda Summary PSCP-Final.pdf](#)
[Staff Report 021919.pdf](#)
[Review Comments.pdf](#)
[Public Hearing Notice 021919.pdf](#)
[EIS Updated 022719.pdf](#)
[Response Letter PEA 012119.pdf](#)
[Site Plans PC.pdf](#)
[Minutes PC 021919.pdf](#)
[Resolution \(Draft\).pdf](#)

Kristen Kapelanski, Planning Manager, stated the applicant is proposing to construct a 10-unit site condo development on the north side of Auburn, between Crooks and Livernois Road, currently zoned R-4. She mentioned this applicant previously received approval in 2007 and 2017 for 9 units. Those approvals did expire before the applicant was able to complete the construction review process so they are back requesting approval with the addition of one unit. She stated the Planning Commission approved a tree removal permit for 104 regulated trees which will all be replaced on site, and an environmental impact statement has been updated.

President Tisdell stated that a recession probably got in the way of construction, and questioned if the applicants see anything else in the future getting in the way.

Michael Magnoli, Gianna Investments, stated they are excited for right now.

A motion was made by Kubicina, 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: RES0081-2019

Resolved, that the Rochester Hills City Council hereby approves the Preliminary and Final Site Condominium Plan for Saddlebrook Orchards, a ten-unit site condominium development on five acres, located on the north side of Auburn, between Crooks and

Livernois, zoned R-4 One Family Residential with an MR Mixed Residential Overlay, Parcel No. 15-28-300-029, Michael Magnoli, Gianna Investments, LLC, Applicant, based on plans dated received by the Planning and Economic Development Department on January 24, 2019 and the updated EIS dated received February 27, 2019 with the following findings and conditions.

Findings

1. *The site condo plan and supporting documents demonstrate that all applicable requirements of the Zoning Ordinance, as well as other City Ordinances, standards, and requirements, can be met subject to the conditions noted below.*
2. *The proposed project will be accessed from Auburn Rd., thereby promoting safety and convenience of vehicular traffic both within the site and on adjoining streets. Sidewalks have been incorporated to promote safety and convenience of pedestrian traffic.*
3. *Adequate utilities are available to the site.*
4. *The preliminary and final plan represents a reasonable street and lot layout and orientation.*
5. *The proposed improvements should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.*
6. *The proposed development will not have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.*

Conditions

1. *Address all applicable comments from other City departments and outside agency review letters, prior to final approval by staff.*
2. *Provide a landscape performance bond for replacement trees and landscaping in the amount of \$102,644.00 plus inspection fees, as adjusted as necessary by staff, prior to issuance of a Land Improvement Permit by Engineering.*
3. *Submittal of By-Laws, Master Deed and Exhibit B's for the condominium association prior to issuance of a Land Improvement Permit by Engineering.*
4. *Payment into the City's Tree Fund for 10 street trees at \$216.75 for a total of \$2,167.50, prior to issuance of a Land Improvement Permit.*

- 2018-0130** Request for concurrence with proposed environmental remediation scope and activity for Legacy of Rochester Hills, 22 acres located at the northeast corner of Hamlin and Adams Roads

Attachments: [031119 Agenda Summary Legacy Enviro Concurrence.pdf](#)
[Goldberg Letter.pdf](#)
[AKT Environmental Letter 030119.pdf](#)
[ASTI Review 030119.pdf](#)
[Updated Environmental Plans Legacy 012519.pdf](#)
[042318 Agenda Summary.pdf](#)
[ASTI Memo on Brownfield Plan 040918-041218.pdf](#)
[Hamlin-Adams Brownfield Plan Final - 04 09 18.pdf](#)
[Rochester IRR 040618.pdf](#)
[Applicant response TIF & Interest.pdf](#)
[ASTI Memo on 381 Work Plan 040418-041218.pdf](#)
[Hamlin Adams Act 381 Work Plan DRAFT 4 4 2018.pdf](#)
[Minutes BRA 041018.pdf](#)
[PHN 042318.pdf](#)
[Hamlin Adams Brownfield Application.pdf](#)
[Memo Roediger 4-10-18 Mtg..pdf](#)
[Brownfield Policy Final.pdf](#)
[042319 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)
[SUPPL Correction for Resolution.pdf](#)
[SUPPL Resolution \(Revised\).pdf](#)

*In attendance were **Sara Roediger**, Planning and Economic Development Director, **Eric Bell** and **Jordan Goldberg**, Goldberg Companies Inc., **Tony Anthony**, AKT Peerless, **Arthur Siegel**, Jaffe Law, and **Thomas Wackerman**, ASTI Environmental.*

***Ms. Roediger** stated that on April 23rd Council approved an amended Consent Judgment and Brownfield Plan for this site that has long history with landfill use. The Consent Judgment allowed office and retail use and was amended to allow for a luxury apartment complex. She mentioned the applicant has been working with the State to get an approved Act 381 work plan from the Michigan Department of Environmental Quality (MDEQ). She noted Parcel "A" is where the residential units will be constructed and the applicant recently submitted a no further action request to the State to confirm that site is clean. She stated there are some minor modifications in the Consent Judgement in regards to the environmental clean-up of Parcel "B" and noted that the applicants will review the modifications.*

***Mr. Anthony** noted they finished excavating the bulk of the landfill that was on Parcel "A". He stated the changes they are presenting are in the area of excavation, additional landscaping, and the cover area, which was originally about an acre and is now around 1.3 acres. He mentioned the final change is to go from a 4 vent system to a 2 vent system. Originally it was 4 vents sticking up from the containment area, but with 2 vents they will be lower and camouflaged with rocks. He stated they were able to reduce the number of vents by using a perforated vent system that they will be able to unroll and lay on top of the fill material. He mentioned that Mr. Wackerman stated one of the drawings suggested they may be trenching into the fill material and clarified that is not their intention at all. He explained they will be bringing in sand to level the field for the cover and it is within that sand that that material will be.*

***Lawrence Schloss**, 2851 Current Dr., stated that his concern is for the health and safety, and the completeness of the toxic waste clean-up. He questioned what standards are being utilized in the toxic clean-up and if this project fits within the City's Master Plan and Zoning. He believes the proposed curb cut on*

the west side, entering north bound on Adams, is a safety problem and questioned if traffic studies have been done.

Paul Boulanger, 2025 Mapleridge, stated he is the President of Rookery Woods Homeowner's Association and his concern is that the buildings look like they are 5 or 6 stories. He questioned whether the exits onto Adams Road that were in the plan are too close to the intersection and if they are fully legal.

Ed Baron, 3310 Green Spring Ln., stated he is the chairman of the environmental committee for the Quall Ridge Homeowner's Association. He noted Parcel "A" is being cleaned up to a residential standard and Parcel "B" is being cleaned up to an industrial standard, which is a lower grade. He mentioned he was told that some of the funds to clean-up of Parcel "B" have been allocated to Parcel "A" and questioned if that will affect the Consent Judgment. He expressed his concern about the vent system going from 4 to 2 pipes, stating that it is his understanding the toxic level of methane is higher than normal. He requested that environmentally these issues be addressed.

Mr. Wackerman stated the area is going to be cleaned up to the State's requirement, PART 201 of Act 451, which is a residential standard. He stated Parcel "A" has to go through MDEQ review for a no further action. There will also be a MDEQ review on Parcel "B" for documentation of due care compliance, which is a document that lays out how the property will be managed over time because that will be closed to a nonresidential standard.

President Tisdell questioned if there has been any indication of methane in Parcel "B" right now.

Mr. Wackerman noted that this area is largely an industrial waste land fill and, as such, the mechanism of gas generation is different. He explained the vents are designed to make sure any gas pressure is equilibrated. He noted in the event that barometric pressure changes, they do not want to have any possibility of it venting unintentionally somewhere on the cap. He stated there is no indication of any methane or vapors being generated, and mentioned that vent testing will be part of the due care plan along with the effects of the vent on the land fill.

President Tisdell referred the public comment regarding the Master Plan and this being governed by a Consent Judgment to Ms. Roediger.

Ms. Roediger responded that what is being proposed tonight is merely environmental. She mentioned the site plan still needs to go to the Planning Commission before it comes before Council and that includes curb cuts, building height, design, and landscaping. She noted the site is governed by a Consent Judgment which is separate from standard zoning.

President Tisdell questioned the building height.

Ms. Roediger stated the buildings along the northern end are all two story, and the buildings near Hamlin start at four and then drop to three and two stories high.

President Tisdell addressing public comment questioned if monies were shifted between Parcel "A" and Parcel "B".

Mr. Siegel stated the project was always intended to bring Parcel "A" to a residential standard. He mentioned there may have been a little more money spent on Parcel "A" than what was budgeted for because additional contamination was discovered. He stated Council approved the Brownfield Plan which stated there could be minor adjustments made as a result of work being done in the field. He mentioned there was a modification to the encapsulation area in Parcel "B". He commented in the areas of greater contamination it would be safer and better to encapsulate them in place, rather than try to dig them up and haul them through the City. He noted they are still coming in on budget.

Mayor Barnett explained that Tom Wackerman was hired by the City to go over the data and details provided by the Goldberg team, and to ensure that what was presented to the City is actually what is taking place.

Vice President Morita questioned if there was going to be perimeter installation around the developed parcel to contain potential methane traveling across Hamlin Road.

Mr. Anthony stated the MDEQ has been monitoring that border where methane is produced. He mentioned methane has not been detected moving across that barrier in over 11 years. He stated that he does not think it is necessary for perimeter installation, as that is not a pathway of migration.

Vice President Morita questioned how tall the pipes were going to be coming out of the encapsulated area on Parcel "B" and if the rocks were the same height.

Mr. Anthony stated the pipes are less than 3 feet, which is an industry standard for what you would see at a landfill. He noted the pipes will be within a faux rock which is also designed to hide the vents and natural rocks will be put in the surrounding area.

Vice President Morita questioned the building height, as the buildings look like they are 5 stories high with the decorative windows in the roof line.

Mr. Goldberg stated the dormers are there because the roof is long and expansive with no break-ups in the roofline and when taken off the building is not attractive. He mentioned it does give the appearance of a fifth story, but reassured everyone that it is just for elevation purposes. He stated they looked at several different ways to alter the roofline and decided that the dormers will give it the best appearance.

Vice President Morita stated that a drive has been removed from the plan. She mentioned in order to go southbound on Adams Road cars will have to go through the turnaround; they will not be able to drive straight across and turn left.

Dr. Bowyer questioned if the MDEQ is doing all the testing to confirm the area is up to residential standards.

Mr. Siegel stated the testing has been done by company representatives, but the MDEQ has overseen the testing and is reviewing the data.

Dr. Bowyer stated that in the plans it looked like the two vents were going to be trenching down. She requested confirmation that the pipes will be put on top, with sand on top of that and then encapsulating on top of that.

Mr. Anthony stated they will not be disturbing the land.

Mr. Hetrick questioned how frequently testing will occur at the vent.

Mr. Anthony stated they will check monthly for methane and quarterly for landfill gasses.

Mr. Hetrick questioned if the funding of the Brownfield Plan remains the same and that no more money is being requested to get the project done.

Ms. Roediger stated that is correct.

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: RES0082-2019

Whereas, the City Council has been updated regarding the environmental aspects of the planned remediation and redevelopment of the subject property located at the northeast corner of Hamlin and Adams Roads, known as the Legacy of Rochester Hills project; and

Whereas, City Council has been advised the areas for remediation in Parcel A (Areas A-D), as described in the approved Brownfield Plan, were enlarged in order to remove more urban fill materials determined through field observations and further soil sampling, and that, according to the developer, the environmental remediation of Parcel A has achieved residential closure criteria; and

Whereas, relative to Parcel B, City Council has been advised that additional remediation in Area E is proposed; however, due to discovery of the presence of "paint waste" extending beyond the area originally intended to be included within the encapsulation area, the location and size of the encapsulation area needs to be enlarged (from 1 acre to 1.3 acres) and reconfigured to incorporate portions of area E; and

Whereas, City Council has been advised that in connection with the enlargement and reconfiguration of the encapsulation area, soils will be removed from two areas in Parcel B, and the encapsulation area will be moved to the south to incorporate impacts identified in the southern portion of Area E, and that portions of Area E will be excavated and removed for off-site disposal, and that new excavations will be conducted north of the encapsulation area with the excavated materials to be removed for off-site disposal; and

Whereas, ultimately the adequacy of the excavation and encapsulation will be subject to MDEQ review and approval; and

Whereas, the City's own expert environmental consultant has advised that the proposed enlargement of the encapsulation area will not impose any additional risks or use restrictions for Parcel B; that relocation of the encapsulation area to the south will contain more of the impacted materials and will move encapsulated materials further away from the adjacent residences to the north; and that relocation of materials from the northern area will allow installation of trees and landscape in that area; and

Whereas, under Section 2.3, paragraph A of the Amended Consent Judgment which governs the use and development of the subject property, the concurrence of the City is required for any significant or material deviation, change, or amendment to the Work Plan or the proposed remediation scope and activity.

Resolved, that the Rochester Hills City Council concurs with the updated proposed environmental remediation scope and activity as presented and described.

PUBLIC COMMENT for Items not on the Agenda

Jim Canu, 6410 Orion Road, expressed his concerns with the sight lines at the curve on Orion Road, entering or exiting the Papa Joe's parking lot. He also stated the roundabout near Avon Players Community Theater is an issue. He mentioned people blow right through going 50 M.P.H. and there is no respect for the rules at that roundabout and he has concerns for the elderly people coming to the plays. He also stated he lives on Orion Rd. and lately there has been an increase in industrial truck traffic using it as a cut through. He mentioned that he has contacted the Oakland County Sheriff's Office and had them look into what appears to be leakage from some of these trucks.

Senator McMorrow mentioned that she was honored to be here and to work with and for the Council. She stated she has been in office since January 1, 2019. She updated Council on her committee assignments.

- Insurance and Banking. She mentioned they are tackling auto no fault every Wednesday morning at 8:30 a.m.

- Energy and Technology. She mentioned they are diving into what happened during the polar vortex. She also mentioned she has had some presentations from Consumer Energy and they are talking about how we move forward in a more substantial energy mix while making sure we increase reliability. She mentioned she is personally talking about how to defend against cyber security threats.

- Minority Vice Chair for Economic Development in Small Business. She mentioned she is trying to be a loud voice for millennials. She explained our state is experiencing outbound migration and low birth rates. There is the potential for 100,000 fewer school aged children than we have seen in the past, so there will be ramifications on our school budgets and for our cities. She mentioned she is trying to attract young, talented families into the area to buy homes and start small businesses.

She stated that Governor Whitmer just gave her budget presentation. She mentioned there seems to be bipartisan consensus on the revenue of \$2.5 billion needed annually. She stated she wants to put every good idea coming from the communities onto the table, and she believes Oakland County has a very strong voice in the legislature.

She also mentioned that her office is working very diligently on implantation of the lead and copper rule, which is something that all the local municipalities has

reached out about. She stated her office will be hosting a round table discussion during the Michigan Municipal League conference with representatives from the Governor's Office and the Attorney General's Office to talk about that. She mentioned she is having an in district event at Dessert Oasis Coffee in Rochester on March 25th at 8:00 a.m.

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.

- 2019-0083** Request for Purchase Authorization - FIRE: Blanket Purchase Order for the purchase of emergency medical supplies in the amount not-to-exceed \$52,500.00 through January 31, 2020; J&B Medical Supply, Wixom, MI

Attachments: [031119 Agenda Summary.pdf](#)
[City of Farmington Hills Contract Ext Doc.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0083-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the purchase of emergency medical supplies to J&B Medical Supply, Wixom, Michigan in the amount not-to-exceed \$52,500.00 through January 31, 2020.

- 2019-0101** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 6AC Natural Stone in the amount not-to-exceed \$7,200.00 through December 31, 2020; Osburn Industries, Inc., Taylor, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0084-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Osburn Industries, Inc., Taylor, Michigan for the purchase of 6AC Natural Stone in the amount not-to-exceed \$7,200.00 through December 31, 2020.

- 2019-0099** Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 21AA Limestone in the amount not-to-exceed \$42,340.00 through December 31, 2020; Gary's Transport, Inc., Macomb, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0085-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Gary's Transport, Macomb, Michigan for the purchase of 21AA Limestone in the amount not-to-exceed \$42,340.00 through December 31, 2020.

2019-0100 Request for Purchase Authorization - DPS/GAR: Blanket Purchase Order for 23A Road Gravel in the amount not-to-exceed \$30,000.00 through December 31, 2020; Richmond Transport, Lenox, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0086-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order to Richmond Transport, Lenox, Michigan for the purchase of 23A Road Gravel in the amount not-to-exceed \$30,000.00 through December 31, 2020.

Passed the Consent Agenda

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

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

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Kubicina welcomed State Senator McMorrow. He stated that he had the pleasure of going to give a proclamation last week to the Stoney Creek Cheer Team State Champs, Division 1, on March 1st. He congratulated the team, as well as their coach Trisha Williams.

Vice President Morita shouted out to Oakland County Commissioner Tom Kuhn. He has been very involved in dealing with the resurfacing and improvements happening on Adams Road. She questioned if the City is going to resurface Adams Road at the same time Livernois will be under construction and how will residents receive information to get around that. She also mentioned that on Adams Road, north of Avon, Oakland University has some really huge trees on the west side of the road with dead limbs that sometimes fall into the roadway. She noted that Mr. Kuhn has had some discussion with the Road Commission for Oakland County (RCOC) and it appears that these same trees are holding up safety improvements for the area. She stated she would like to start a discussion with Oakland University on the issue, so the City can get some of those left turns and deceleration lanes that residents are looking for.

She mentioned that as part of the Legacy project, funding was offered to be provided to dedicate a right turn lane at Portage Trail, just north of the subject property. She mentioned Mr. Schneck has stated Adams Road is not a reconstruction project, but a resurfacing project; however, from her understanding what needs to be done to get a dedicated turn lane is about 6 feet of pavement. She requested that this matter be looked into as she believes this will make the intersection much safer.

Dr. Bowyer wished everyone a happy St. Patrick's Day. She also thanked Senator McMorrow for giving Council legislative updates and hopes she continues to do this.

She noted the following events:

- Outdoor engagement activities include Antler Amble on April 5, 2019 from 1:00 p.m. to 2:30 p.m. at Bloomer Park costing \$5. This includes a guided tour through the park and if you find any antlers you get to keep them. Sap-to-Syrup Pancake Breakfast will be held on March 16, 2019 from 9:00 a.m. to 12:00 p.m. at the Rochester Hills Museum at Van Hoosen Farm. This is \$7 and kids ages 4 and under are free. The 11:00 a.m. breakfast is already sold out.
- The Green Schools Program; every school achieved their goal.
- HOA Leadership Forum is Thursday April 4th at 6:30 p.m. in the City Hall auditorium. Anyone with questions or suggestions should email Bob White at whiteb@rochesterhills.org.
- Auburn Road Corridor update; right now the City is doing a contractor selection for the alley projects and following in another month will be a contractor selection for the road projects. DTE is going to be out doing pole relocations and Consumers Energy will be relocating a gas main (March/April). House demolitions will be done on the properties that were donated to the City and there will also be some tree removals.

Mr. Deel mentioned that at the last City Council meeting the Mayor announced the Eddington realignment was recognized as the Best Project in Southeast Michigan. Approximately two days later it was announced that it was Project of the Year by the Michigan Chapter of the American Public Works Association and it is now in the running for the Best in the Nation. He recognized that having the intersection realigned makes it much safer and that this recognition is well deserved.

Mayor Barnett mentioned the following items:

- Thanked Senator McMorrow for being there and working on issues within the community.
- Addressed the public comment from Mr. Canu and stated Mr. Schneck would be able to help him in regards to some of the road concerns he had. He noted that some of the roads are not under the City's jurisdiction, so there are limitations on what can be done regarding speed limits and truck traffic. He also stated that if something is leaking hopefully the City will be able to get to the bottom of it.
- Appreciated Council member Kubicina for recognizing the schools, with Stoney Creek receiving the State Competitive Cheer Championship, followed by Rochester Adams.
- Noted that the City was named the Safest City in Michigan by Safe Homes and the sixth Safest City in the Country according to FBI statistics.
- Showed a picture of a massive fire in Auburn Hills. He mentioned many Fire Departments, including the City's worked together to get the fire out. He thanked the firefighters that were on the scene.
- Mentioned City Firefighter Jerry Yurgo and his wife Kathy opened a store in the City called Nothing Bundt Cakes off of Adams Road, across from the Village.

He mentioned it was a great place and wished them well.

- Thanked Genisys Credit Union for their support of the wonderful cultural togetherness event put on by the Youth Council. He noted it was a great opportunity to celebrate diversity, which makes this City a stronger and better community.

- Mentioned he is leading a panel called Digging into Diversity and Inclusion. There is a ticketed event on March 21st in the morning at Great Oaks Country Club and all profits are going to benefit Dutton Farm. He stated the organization provides meaningful employment for the disabled community.

- Mentioned the Eddington project being recognized as the Best Project in the State is a really nice win for the community. He noted that not everyone loved this project from the beginning, but Council stuck with it and trusted the experts. He stated the importance of this project was to align those intersections and improve the safety of that area. He thanked the Department of Public Service, the Planning Department, and members of Council for their strategic leadership on this project.

- Recognized the ladies from ARaymond who donated a check to the City for \$1,000 for Innovation Hills. They raised this money entirely on their own. He stated it is fantastic to see the community jumping in and getting excited about this project.

- Recognized the passing of Ted Lindsay. He mentioned he was one of the most influential hockey players of all time. He stated he also did a lot for the community. He noted about two months ago his foundation donated one million dollars to Oakland University for their Center for Autism Research.

ATTORNEY'S REPORT

NOMINATIONS/APPOINTMENTS

2019-0084 Nomination/Appointment of one (1) Citizen Representative to the Zoning/Sign Board of Appeals for a three-year term to expire March 31, 2022

Attachments: [031119 Agenda Summary.pdf](#)
[Nomination Form.pdf](#)
[Braun III CQ.pdf](#)
[Dunn CQ.pdf](#)
[Farmer CQ.pdf](#)
[Gwiazdowski CQ.pdf](#)
[Holmes CQ.pdf](#)
[Hurst CQ.pdf](#)
[Ivezaj CQ.pdf](#)
[Kalas CQ.pdf](#)
[Koluch CQ.pdf](#)
[Krajewski CQ.pdf](#)
[Long CQ.pdf](#)
[Lyons CQ.pdf](#)
[McCracken CQ.pdf](#)
[McGuire CQ.pdf](#)
[McGunn CQ.pdf](#)
[Mendez, Jr. CQ.pdf](#)
[Paurazas CQ.pdf](#)
[Schultz CQ.pdf](#)
[Siegfried CQ.pdf](#)
[Thompson CQ.pdf](#)
[Notice of Vacancy.pdf](#)
[Resolution \(Draft\).pdf](#)

Mr. Hetrick stated he is the Council representative on Zoning/Sign Board of Appeals and he would like to nominate Mr. Koluch.

A motion was made by Hetrick, seconded by Kubicina, that this matter be Adopted by Resolution to appoint Kenneth Koluch to the Zoning/Sign Board of Appeals, to serve a three-year term expiring March 31, 2022. The motion carried by the following vote:

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

Enactment No: RES0087-2019

Resolved, that the Rochester Hills City Council hereby appoints Kenneth A. Koluch, to the Zoning/Sign Board of Appeals to serve a three-year term expiring March 31, 2022

NEW BUSINESS

2019-0108

Request for Approval of Award of Contract - BUILDING: Waiver of Section 2-273(b) of the Purchasing Ordinance; Approval of award of a contract for Solid Waste, Recycling, and Yard Waste Collection, Transportation, Processing and Disposal Services for a five (5) year contract term to expire March 31, 2024; GFL Environmental USA Inc., Southfield, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Solid Waste Multi-Year Analysis.pdf](#)
[Watermark Proposed Contract Complete.pdf](#)
[SUPPL Watermark Proposed Contract Complete \(Revised\).pdf](#)
[Waste and Recycling Program Presentation.pdf](#)
[Resolution \(Draft\).pdf](#)
[Resolution \(Revised-Draft\).pdf](#)

Scott Cope, Building/Ordinance/Facilities Director, **Lisa Cummins**, Manager of Procurement, **Bob White**, Manager of Ordinance Services, and **Jim Frey**, Resources Recycling Systems Inc., were in attendance.

Mr. Frey stated he had the pleasure of working with the City over ten years ago when the City was considering the first Solid Waste contract, which has now become an excellent example of Municipal Single Hauler Contracting. He mentioned that it was a bold move at that time and has now become a benchmark for the region. He explained they are here tonight to discuss the process they went through in order to provide recommendations for awarding a new five-year contract for Solid Waste, Recycling, and Yard Waste Collection, Transportation, Processing and Disposal Services.

He reviewed the following background:

- Initial 10 Yr Contract (5+5) Ends March 31, 2019
- Allied Waste was Original contractor
- Industry Continues to Churn - Less Competition
- Lots of Turnover in Commercial Drivers Market
- Has Caused Issues with Missed Pickups/Complaints
- Challenges in Recycling Market
- Refresh Needed in Recycling Rewards System
- 10 Years of Positive Results with Lessons Learned

Mr. Frey explained the procurement process utilized, including the preparation and the methodical Request for Proposal (RFP) process:

- Procurement Committee Organized
- Reviewed Current Contractor Performance
- Documented Gaps
- Developed RFP to Address Gaps
- Included Options on Recycling and Rewards
- Recruited Poll of Potential Vendors from Region
- Released RFP, Pre-Proposal Meeting, Q&A Process

He noted that once proposals were submitted through the competitive response process, including best and final offers, the City received three responses; although in the end only one was determined to be fully responsive to the full scope and to the best and final offer process. He ran through the process and pointed out that they did receive a response from Republic that indicated they had given up their right to actually submit a proposal when they sold the routes.

- Vendor Interviews After Proposals Submitted
 - o Waste Management (WM)

- *Green For Life (GFL)*
- *Republic - Letter and No-Submittal*
- *Clarifying Questions and Updated Proposals*
- *Best and Final Offer Process (BAFO)*
- *Confirm Program Elements (GFL BAFO, SOCRRA & RB)*
- *Final Analysis and Recommendation*

Mr. Frey indicated that upon completion of the above process, they decided it would be best to implement the following recommended program:

- *GFL as Collection and Disposal Contractor*
 - *Continue Collection Service with Upgrades*
 - *Includes Waste Disposal and Yard Waste Composting*
 - *Deliver Recyclables to City Designated Processor*
- *Recycling Processing Contract with SOCRRA*
 - *Intergovernmental Contract with the Authority*
 - *Added Benefits for City Residents (drop-offs, etc.)*
- *Recycling Rewards Contract with RecycleBank*
- *Green City Initiative*

He reviewed the following key program features, pointing out that many are staying the same.

- *4 Days of Collection - Friday for Holiday Shift*
- *Carts for Waste and Recycling*
- *Same Great List of Acceptable Recyclables*
- *RecycleBank Rewards Program Continues*
- *Yard Waste Pickup During Season*
- *Free Christmas Tree Pickup*
- *Senior and Pre-Pay and SnowBird Discounts*
- *Same Single Hauler Benefits - Safer Streets, Lower Cost*

He also explained the key changes to the program:

- *Discounts Can't be Stacked - Have to Choose*
- *City Management of RecycleBank Rewards*
- *City Direct Contracting for Recycling Processing*
- *Added SOCRRA Resident Benefits*
 - *Free Drop-off for Additional Recyclables, Document Shredding, Big Loads of Cardboard, etc.*
 - *Drop-off of Household Hazardous Waste and E-Scrap at No Cost to Resident (charge to City)*
 - *Free Compost Pick-up at City Designation Location*
 - *For-Fee Drop-off of Household Waste, Bulk Items*

Mr. Frey highlighted the following new features to the program:

- *New Veteran's Discount*
- *New SOCRRA Drop-Off Services for Residents*
- *SOCRRA Support for Outreach/MRF Tours*
- *Green Initiative - Improved Recycling at City Parks*

- Improved RecycleBank Rewards Program
- Added Community Rewards Donation Options
- All Trucks are New - Quieter with Lower Emissions
- All Trucks have GPS for Better Service Tracking

He explained that the program includes a 5-year contract with known pricing and no fuel escalation, along with a 5-year renewal option for the City. The pricing was broken down by year as follows:

Year 1: \$55.75 Per Quarter Per Household*
Year 2: \$57.33 Per Quarter Per Household
Year 3: \$58.97 Per Quarter Per Household
Year 4: \$60.65 Per Quarter Per Household
Year 5: \$62.38 Per Quarter Per Household

Mr. Frey pointed out that if you took the price that was quoted ten years ago and add to it the inflation that has taken place according to the Bureau of Statistics, you would end up with almost the same price as being quoted here; it was just \$0.50 less per quarter.

He summarized the overall benefits of the program stating it is truly a win/win for Rochester Hills:

- Comprehensive Service - Expanded in Key Areas
- Most Innovative Recycling Program in the Region
- Discounts up to 5%
- Guaranteed Pricing for 5 Years
- Monday - Thursday Collection
- Safer and Quieter Streets
- Improved Community Appearance
- RecycleBank Rewards Program
- Local Economic Stimulus
- \$55.75 per Quarter - About the same as 10 years ago*
- Green Initiative for Comprehensive City Park Recycling Program

Lee Zendel, 1575 Dutton Rd., mentioned that driving this morning he saw 4 recycling containers on the ground. He referred to Attachment "B", Page 3, Item IV which states must exercise due care in preventing damage to carts thereto and shall return all carts to an upright position with lids replaced there on. He noted all is a very inclusive word. He stated that sentence needs to be stricken out or the company needs to train their employees to put all carts upright.

President Tisdell questioned if the City is seeing a trend with GFL and the number of complaints coming in.

Mr. White stated that no matter what company is used it is tough to get the carts upright and the lids closed. He mentioned winds are always an issue; however, the City will continue to try to find a solution for that issue.

President Tisdell questioned if there is something in the agreement relative to performance.

Ms. Cummins stated there are assessment dollars in the contract for staff having to address those types of issues.

Mr. Kubicina stated he appreciates having a single point hauler. He noted that one of the bigger success stories that the City has is the RecycleBank points and donating those points to the schools.

Vice President Morita questioned what we are paying quarterly for GFL currently, and stated she is concerned about the increase.

Mr. White stated we are currently paying \$48.72, which will be going up to \$55.75 due to inflation.

Mr. Frey stated that 10 years ago the City purchased all of the carts. He mentioned the carts have about a 10-year life. He explained that under the new contract the vendor will be responsible for replacing the carts which contributes to the price increase.

Vice President Morita questioned if the 10% increase is just for carts alone.

Mayor Barnett stated one of the biggest reason for the change is that recycling does not hold the same value it once did.

Mr. Frey stated there can be an uncertainty with the cost associated with the recycling process, however, the City has taken care of that concern with SOCCRA. He also added that staff and operating cost have also increased as the haulers are having to pay more for drivers because of the competitive market for CDL drivers.

Vice President Morita questioned if eliminating recycling would lower the cost. She stated she thinks RecycleBank is a great program, but expressed concern that the options to use your points have been cut down dramatically. She questioned with this new contract what the RecycleBank program will look like and how the concern of issuing the correct number of points to each household will be handled.

Mr. Frey stated he could not respond to whether or not eliminating recycling would lower the cost because he does not have anything to compare that to; he is not aware of another community that does not include recycling.

Mayor Barnett stated they met with the C.E.O. of RecycleBank to negotiate the new program. He highlighted the following additions/improvements:

- Within 90 days of the start of the new program RecycleBank will hire a local staff person at their expense to engage local partners
- There will be regular check-ins every 90 days
- Expand the list of benefactors/programs that points can be donated to
- Agree to be a strong community partner going-forward

Mr. White stated that the GPS system that will be on the trucks will be able to identify the houses where a recycle cart was lifted. He noted it will also help with addressing complaints and concerns as to whether or not carts were missed.

Vice President Morita mentioned that in 5 years if recycling keeps going up and it is costing us more to recycle, the City may have to find different options

of recycling for the residents. She also thanked Mr. White for being patient with the residents when they have issues and the Mayor for engaging RecycleBank.

Mr. Hetrick asked if residents will receive a list of discounts and if there will still be a large item pickup.

Ms. Cummins stated the discounts will be posted as part of the roll out to the new program and confirmed that there will be a large item pickup on a scheduled day for each route.

Mr. Hetrick questioned if the City would have paid more had we not gone with SOCRRA.

Mr. Frey responded yes, explaining that the Committee did request a with and without price from GFL.

Dr. Bowyer questioned what SOCRRA does with all the recyclables.

Mr. Frey stated they are processed into commodities and then sold throughout the country. He mentioned the recycling markets are still huge even with China stepping out.

Dr. Bowyer mentioned that is something that should be relayed to the residents because there is so much news that recyclables are not going anywhere, other than to a landfill. She also stated residents should be educated on how to recycle correctly.

Mr. Frey stated SOCRRA already has printed materials established on what items should be recycled.

Dr. Deel stated the number one issue he hears from residents when it comes to GFL is missed pickups. He mentioned the contract has a liquidated damage provision for each failure to complete all routine pick ups by 7 p.m. on the scheduled day. He asked if the City is prepared to enforce this portion of the contract.

Ms. Cummins responded yes.

Mr. Deel stated he believes the rate increase is modest. He mentioned he likes that students can tour the SOCRRA facility and find out what happens to their recyclables. He noted that it will be nice for residents to not have to wait for shredding and NoHaz days; residents will now be able to take recyclables directly to the facility, which is reflected in the pricing. He mentioned he knows the recycling market is volatile, but by using SOCRRA there is stability. He stated RecycleBank benefits our residents.

Mayor Barnett thanked the team for their work and stated he would have loved to bring the numbers in less than what the City was paying last time, but with the market conditions that was not an option. He noted the City will now have a recycling program throughout all the parks.

President Tisdell mentioned that when the City negotiated pricing 5 years ago they did a very good job and that was a tough act to follow. He stated the City fought for some good things in this contract, including out of container pickup and recycling in the parks. He thanked the entire team.

A motion was made by Deel, 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: RES0088-2019

Resolved, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements 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.

Further Resolved, that the Rochester Hills City Council hereby authorizes the award of a contract for the City's Solid Waste, Recycling, and Yard Waste Collection, Transportation, Processing and Disposal Services to GFL Environmental USA Inc., Southfield, Michigan for a five (5) year contract term to expire March 31, 2024 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.

2019-0110

Request for Approval of Award of Contract - BUILDING: Waiver of Section 2-273(b) of the Purchasing Ordinance; Approval of award of a contract for the City's Recycling Incentives Rewards Program for a five (5) year contract term; Recyclebank LLC., New York, New York

Attachments: [031119 Agenda Summary.pdf](#)
[SUPPL 031119 Agenda Summary \(Revised\).pdf](#)
[Watermark_Proposed Recyclebank Contract.pdf](#)
[Resolution \(Draft\).pdf](#)
[Resolution \(Revised-Draft\).pdf](#)

Lee Zendel, 1575 Dutton Road, mentioned he always gets 65 points from RecycleBank no matter how much he puts in his recycle bin. He stated that if the points are always the same, then the program is not worth anything. He referred to verbiage in the contract that states the weight of the recyclables collected may be a best estimate determined solely at RecycleBank's discretion and stated this is an issue with the contract.

Mayor Barnett noted there was challenge with the equipment when GFL brought in new vehicles. He stated it was important that nobody missed out on RecycleBank points, so residents were credited for them. He mentioned that moving forward with the GPS system, this will be tracked much closer. He also mentioned that the City gets information about how much tonnage is collected from each route and although some residents may not be getting the right amount of points, this has not changed the number of people recycling.

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

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

Enactment No: RES0089-2019

Resolved, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements 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.

Further Resolved, that the Rochester Hills City Council hereby authorizes the award of a contract for the City's Recycling Incentives Rewards Program to Recyclebank LLC., New York, New York for a five (5) year contract term to expire on March 31, 2024 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.

2019-0109

Request for Approval of Agreement - BUILDING: Waiver of Section 2-273(b) of the Purchasing Ordinance; Approval of inter-local agreement between the City of Rochester Hills and Southeastern Oakland County Resource Recovery Authority (SOCRRA) as the City's designated Recycling Processing Site for a five (5) year contract term to expire March 31, 2024; Southeastern Oakland County Resource Recovery Authority (SOCCRA), Troy, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Watermark Proposed SOCCRA Intergovernmental Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)
[Resolution \(Revised-Draft\).pdf](#)

Lee Zendel, 1575 Dutton Road, questioned how many recyclables that are not accepted by SOCCRA will end up going to a landfill. He also mentioned that it is interesting what has happened to the recycling market noting that China has stopped buying American recyclables because they are too dirty. He stated he would like to know the current markets for the 5 different recyclable categories and questioned if the tonnage of each has been reviewed recently to see if we can get beyond the \$60 a ton average.

Mr. Frey stated that loads come in and go through a prohibited material or containment process and everything that is not turned into a commodity is a residual and SOCCRA does keep this data. He stated that SOCCRA, is operating below 10% for residuals. He noted that SOCCRA believes that the City's materials will be of similar quality, reinforcing their message about quality materials. He mentioned the various facilities and mills some of the recyclables go to. He stated that with this arrangement any resident can go and see the facility and ask where certain materials go and how much they get for them.

President Tisdell stated that with SOCCRA's incentives, education tools, and the City's direct management with the RecycleBank points the whole system is

improved.

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: RES0090-2019

Resolved, that the Rochester Hills City Council hereby waives Section 2-273(b), the requirements 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.

Further Resolved, that the Rochester Hills City Council hereby authorizes the approval of the inter-local agreement between the City of Rochester Hills and Southeastern Oakland County Resource Recovery Authority, (SOCRRA), Troy, Michigan for a five (5) year contract term to expire March 31, 2024 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.

2019-0104 Request for Purchase Authorization - DPS/ENG: Approval of the Cost Participation Agreement between the Board of Commissioners for the County of Oakland and the City of Rochester Hills to study the Avon/Dequindre 23 Mile Road corridor by Yates Cider Mill in the amount of \$15,000.00; Road Commission for Oakland County, Beverly Hills, MI

Attachments: [031119 Agenda Summary.pdf](#)
[Corridor Study.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated this is a Cost Participation Agreement with Oakland County. Great Lakes Water Authority is replacing a 96-inch watermain and part of that realignment comes down Avon and through Dequindre Road. He mentioned that at that time the Road Commission for Oakland County (RCOC) would like to perform an analysis on the road geometrics. The City has some interest in non-motorized facilities in that area. He recognized that Mr. Staran did review the agreement.

Vice President Morita thanked Mr. Schneck stating this area is very congested.

A motion was made by Morita, seconded by Deel, 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: RES0091-2019

Resolved, that the Rochester Hills City Council hereby approves the Cost Participation Agreement between the City of Rochester Hills and the Board of Commissioners for the County of Oakland to study the Avon/Dequindre 23 Mile Road corridor by Yates Cider Mill in the amount of \$15,000.00 and further authorizes the Mayor to execute the agreement on behalf of the City.

2019-0106 Request for Approval of the Settlement Agreement between the City of Rochester Hills and the International Association of Fire Fighters (IAFF) Local 3472

Attachments: [031119 Agenda Summary 3472.pdf](#)
[Resolution \(Draft\).pdf](#)

Pamela Gordon, Human Resources Director, and Deputy Fire Chief **Todd Gary** were in attendance. Ms. Gordon stated they are requesting approval of a 3-year contract with the City's full-time Firefighters Union, IAFF Local 3472. She mentioned this contract is consistent with the economic improvements associated with the other general employee contract that was approved in December. She also mentioned they are within current budget parameters for 2019.

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: RES0092-2019

Whereas, negotiations between the City of Rochester Hills and IAFF Local 3472 have resulted in a tentative three-year agreement, for the period of January 1, 2019 through December 31, 2021.

Resolved, that City Council hereby grants approval of the settlement agreement for the above contract term.

2019-0097 Request for Purchase Authorization - MAY/CH55 - Purchase and installation of video and audio storage systems in the amount not-to-exceed \$38,230.00; Key Code Media, Inc., Burbank, CA

Attachments: [031119 Agenda Summary.pdf](#)
[Proposal Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Jason Dale, Media Production Leader, stated he is requesting approval to replace a media file storage and editing system. He mentioned the previous one was purchased in 2013 and is out dated and showing signs of failure.

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: RES0093-2019

Resolved, that the Rochester Hills City Council hereby authorizes the purchase and installation of video and audio storage systems to Key Code Media, Inc., Burbank,

California in the amount not-to-exceed \$38,230.00.

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

2019-0093 Discussion regarding the proposed amendment to *City Council Rules of Procedure Article VII, Section .01 Boards and Commissions*

Attachments: [031119 Agenda Summary.pdf](#)
[Article VII Section .01 Amend \(final\).pdf](#)
[022519 Agenda Summary.pdf](#)
[Article VII Section .01 Amendment.docx.pdf](#)
[022519 Resolution \(Draft\).pdf](#)
[Resolution \(Draft\).pdf](#)

Vice President Morita pointed out a few typographical edits she would like the Clerk's Office to make prior to sending a final version to the Council Members.

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: RES0094-2019

Resolved, that the Rochester Hills City Council hereby amends its City Council Rules of Procedure as presented.

ANY OTHER BUSINESS

NEXT MEETING DATE

Regular Meeting - Monday, March 25, 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 10:09 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 April 8, 2019 Regular City Council Meeting.