



Rochester Hills Minutes

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Home Page:
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City Council Regular Meeting

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,
Stephanie Morita, Mark A. Tisdell, 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, October 21, 2019

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Tisdell called the Regular Rochester Hills City Council Meeting to order at 7:02 p.m. Michigan Time.

ROLL CALL

Present 6 - Susan M. Bowyer, Dale Hetrick, James Kubicina, Stephanie Morita, Mark A. Tisdell and David Walker

Absent 1 - Ryan Deel

Others Present:

*Bryan Barnett, Mayor
Ryan Barrett, Rochester Hills Government Youth Council Representative
Tina Barton, City Clerk
Ken Elwert, Parks & Natural Resources Director
Lee Mayes, Captain/Assistant Fire Marshal
Pat McKay, Museum Manager
Allan Schneck, Public Services Director
Joe Snyder, Chief Financial Officer
John Staran, City Attorney
Christine Wissbrun, Administrative Associate II*

PLEDGE OF ALLEGIANCE

Girl Scout Troop #71658, Long Meadow Elementary School, led the Pledge of Allegiance.

APPROVAL OF AGENDA

A motion was made by Bowyer, seconded by Hetrick, that the Agenda be Approved as Presented. The motion carried by the following vote:

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Excused 1 - Deel

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

Ryan Barrett, RHGYC Representative, noted he is in the 9th grade at Rochester High School. He reported Clerk Barton spoke to the RHGYC at their last meeting and thanked her for taking the time to explain the responsibilities of the Clerk's Office and the services they provide to the City's residents. He indicated the RHGYC is planning two projects to be carried out this year and announced the next meeting is on November 18th at 6:00 p.m. at the Van Hoosen Museum.

Older Persons' Commission (OPC):

Mr. Kubicina announced the following upcoming OPC events:

- The 650 Midday Club presents Paul Venditti, a Frank Sinatra impersonator, on Wednesday, November 6, 1:00 - 3:00 p.m. The event is open to the public, tickets are \$10 and may be obtained by calling 248-608-0251.
- Artisan Market, Saturday, November 9th, 9:00 a.m. - 4:00 p.m., featuring local artists and crafters. Admission is \$1 at the door.
- Tickets are available for the 650 Players' Tribute 2 the Stars performances on November 1, 7:00-9:00 p.m., and November 3, 2:00-4:00 p.m. Call 248-608-0251 for tickets.

Paint Creek Trailways Commission:

Dr. Bowyer reported the resurfacing of the trail is almost complete. She announced the Community Foundation has awarded a grant for the installation of a butterfly pollinator garden north of Tienken Road on the east side of the trail.

Avondale Youth Assistance:

Vice President Morita promoted the 2019 annual pumpkin painting event on October 26th at 1:30 p.m. at Fire Station #1 in downtown Auburn Hills. The event is sponsored by Avondale Youth Assistance and information is available on their Facebook page.

PRESENTATIONS

2019-0459 Presentation by Girl Scout Troop #71658, Long Meadow Elementary School, on their plans for a Little Free Library to be located in Innovation Hills

Attachments: [102119 Agenda Summary.pdf](#)

Ken Elwert, Parks & Natural Resources Director, introduced Girl Scout Troop 71658 from Long Meadow Elementary School.

Emma Hartness explained the purpose of establishing a Little Free Library is to encourage all people to read by making books available 24/7. She noted the project will fulfill the Bronze Award requirements of a team effort by a group of Junior Girl Scouts to benefit the local community and indicated the troop will raise money for the project by asking for donations at their cookie booth.

Upasana Kashyap stated the proposal is for a two-story library box with a gabled roof and a screw-in post from the Little Free Library website, which will be registered on the website. She noted Innovation Hills, in the northeast corner of the sensory garden, was chosen as the location after careful consideration.

Penelope Georgi noted the roof will be green to represent the Girl Scouts of the U.S.A., the outside will be blue to represent Daisy Girl Scouts, and the troop's handprints and names will also be on the outside. She indicated the troop will stock the library through various book drives, use of posters, and word of mouth, and will monitor it for one year after installation to make sure it is staying stocked. She further noted the top shelf will be labeled for adult books and the bottom shelf will be labeled for children's books.

Adriana Palazzolo stated they propose to install the library in the spring of 2020 and have a dedication ceremony with city officials. She stated the library will have an engraved plaque noting it is registered on the Little Free Library website. She said Troop 71658, Long Meadow Elementary Girl Scouts, looks forward to leaving a long-lasting impact for the citizens of Rochester Hills by fund raising, assembling and installing a Little Free Library at Innovation Hills.

President Tisdell questioned when fundraising begins and how people can donate books.

Ms. Hartness indicated fundraising begins on the first day of December when cookie sales start, and those interested in donating books should contact the Troop leader through Long Meadow Elementary School.

President Tisdell, Mr. Hetrick, Dr. Bowyer and Mayor Barnett commended the Girl Scouts on a great presentation and their thoughtful and meaningful plans for decorating the Little Free Library and thanked them for bringing forth a project that is an excellent fit for Innovation Hills.

Presented.

PUBLIC HEARINGS

2019-0449 FY 2019 3rd Quarter Budget Amendments

Attachments: [102119 Agenda Summary.pdf](#)
[3rd Qtr BA \(Overview\).pdf](#)
[3rd Qtr BA \(Line Item Detail\).pdf](#)
[Public Hearing Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented the request for FY 2019 3rd Quarter Budget Amendments which proposes an increase in total revenues of \$51,960.00 and an increase in total expenses of \$1,084,120.00, resulting in a net impact on citywide fund balances and retained earnings of \$1,032,160.00. He noted the bulk of the amendments reflect FY 2018 true-up amounts, a reflection of the true cost of services provided in FY 2018 as compared to the original budgeted allocation. He reported the grand total 2018 Interfund true-up charges net a total reduction of \$578,820.00 in Citywide operating expenditures.

Mr. Snyder identified the two projects responsible for Capital Outlay of \$1.2 million:

- Architectural and design services for the Dairy Barn roof replacement at a cost of \$300,000. He noted the contracts were approved by City Council recently, funds are allocated in the 2020 adopted budget for the project, and the request is to pull some of the funds into 2019 to initiate the project.
- Oakland/Macomb Sanitary Sewer Improvement Assessment #1 at a cost of \$970,000 which is the first of an estimated four assessments for Rochester Hills' share of the \$88 million sanitary sewer pump station and sewer main improvements planned for the district over the next two years. He indicated formal approval for the prepayment of the assessment is included on tonight's agenda, and the funding is identified in the City's Capital Improvement Plan and is included in both the FY2020 adopted and FY2021 proposed budgets.

Mr. Snyder explained Transfers Out are proposed to increase by \$449,000, the bulk of which is transfers from the Capital Improvement Fund to the Facilities Fund for the Dairy Barn project, with the remainder being transfers related to interfund balancing per the City's fund balance policy.

President Tisdell Opened the Public Hearing at 7:19 p.m.
Seeing No Public Comment, President Tisdell Closed the Public Hearing at 7:19 p.m.

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

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

Enactment No: RES0308-2019

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

Whereas, the Public Hearing for the proposed FY 2019 3rd Quarter Budget Amendments was noticed on October 3, 2019; and

Whereas, the proposed FY 2019 3rd Quarter Budget Amendments were available for public viewing beginning on October 11, 2019; and

Whereas, at its October 21, 2019 meeting City Council held a Public Hearing on the proposed FY 2019 3rd Quarter Budget Amendments.

Now, Therefore, Be It Resolved that the Rochester Hills City Council hereby approves the following FY 2019 fund totals as amended:

TOTAL BUDGET SUMMARY	Current Budget Change Amended Budget		
101 - General Fund	38,515,950	(89,370)	38,426,580
202 - Major Road Fund	18,528,650	(42,250)	18,486,400
203 - Local Street Fund	13,730,100	(27,120)	13,702,980
206 - Fire Department Fund	14,472,590	-	14,472,590
207 - Special Police Fund	10,010,380	(7,020)	10,003,360
213 - RARA Millage Fund	668,130	-	668,130
214 - Pathway Maintenance Fund	829,430	-	829,430
226 - Solid Waste Fund	464,700	-	464,700
232 - Tree Fund	545,000	-	545,000
244 - Water Resources Fund	752,750	270	743,020
265 - OPC Millage Fund	1,166,450	-	1,166,450
299 - Green Space Fund	307,560	-	307,560
331 - Drain Debt Fund	202,480	-	202,480
369 - OPC Building Refunding Debt Fund	777,060	-	777,060
393 - Municipal Building Refunding Debt Fund	867,150	-	867,150
402 - Fire Capital Fund	611,500	-	611,500
403 - Pathway Construction Fund	195,000	-	195,000
420 - Capital Improvement Fund	11,266,620	301,000	11,567,620
510 - Sewer Department	16,704,540	(60,760)	16,643,780
530 - Water Department	20,691,910	(69,500)	20,622,410
593 - Water & Sewer Capital Fund			

595 - Water & Sewer Debt Fund	7,839,720	970,000	8,809,720
631 - Facilities Fund	1,388,160	-	1,388,160
636 - MIS Fund	16,923,570	249,820	17,173,390
661 - Fleet Fund	5,026,210	(1,080)	5,025,130
677 - Insurance Fund	4,670,250	(139,870)	4,530,380
736 - Retiree Healthcare Trust Fund	405,000	-	405,000
752 - Cemetery Perpetual Care Trust Fund	186,610	-	186,610
761 - Green Space Perpetual Care Trust Fund	-	-	-
843 - BRA: Madison Park	298,500	-	298,500
844 - BRA: Legacy	539,490	-	539,490
848 - LDFA Fund	97,430	-	97,430
870 - RH Museum Foundation Fund	516,070	-	516,070
	100	-	100
GRAND TOTAL - ALL FUNDS	189,189,060	1,084,120	190,273,180

PUBLIC COMMENT for Items not on the Agenda

None.

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.

- 2019-0454** Request for Purchase Authorization - PARKS: Authorization of payment to Paint Creek Trailways Commission in the amount of \$24,510.00 for the City of Rochester Hills' portion of the fees related to the Paint Creek Trailways Resurfacing Project; Paint Creek Trailways Commission, Rochester, MI

Attachments: [102119 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0309-2019

Resolved, that the Rochester Hills City Council hereby authorizes payment to Paint Creek Trailways Commission in the amount of \$24,510.00 for the City of Rochester Hills' portion of the fees related to the Paint Creek Trailways Resurfacing project.

2019-0456 Request for Approval of a Fireworks Display Permit for Light the Village, November 22, 2019; Wolverine Fireworks Display, Inc., Applicant

Attachments: [102119 Agenda Summary.pdf](#)
[Fire Department Approval.pdf](#)
[Permit Application.pdf](#)
[Permit App Letter.pdf](#)
[Proposal List.pdf](#)
[Permit Form.pdf](#)
[Map.pdf](#)
[Insurance Certificates.pdf](#)
[SDS for Fireworks.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0310-2019

Whereas, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan, is providing the fireworks display for The Village of Rochester Hills, Rochester Hills, Michigan; and

Whereas, Wolverine Fireworks Display, Inc. has provided the necessary insurance with the City of Rochester Hills; and

Whereas, the Rochester Hills Fire Department has no objection to the issuance of a fireworks permit providing their safety procedures are followed.

Resolved, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. to provide a fireworks display for The Village of Rochester Hills on Friday, November 22, 2019, subject to the following conditions:

1. The display shall be in conformance with the 2016 Edition of NFPA 1126, and the 2018 Edition of NFPA 1123 and the 2006 International Fire Code.
2. During the firing of the display, all personnel in the discharge site shall wear head protection, eye protection, hearing protection, and foot protection and shall wear cotton, wool, or similarly flame-resistant, long-sleeved, long-legged clothing.
3. No smoking shall be allowed in the discharge area where fireworks or other pyrotechnic materials are present.
4. No person shall be allowed in the discharge area while under the influence of alcohol, narcotics, or drugs that could adversely affect judgment, movement, or stability.
5. Subject to onsite inspection the night of the display.

2019-0415 Request for Approval to add Delinquent Solid Waste Charges to the 2019 Winter Tax Roll

Attachments: [102119 Agenda Summary \(Revised\).pdf](#)
[102119 Agenda Summary.pdf](#)
[092319 Agenda Summary.pdf](#)
[092319 Resolution Draft.pdf](#)
[Resolution \(Draft\).pdf](#)
[Resolution \(Draft Revised\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0311-2019

Resolved, that the Rochester Hills City Council hereby approves the following delinquent charges, as certified by the City of Rochester Hills Treasurer, to be made a part of the 2019 Winter Tax Roll; and

Further Resolved, the City Assessor be and is hereby authorized to spread said amount on the 2019 Winter Tax Roll.

Roll/Fund Total Ordinance

Delinquent Solid Waste Collection	\$185,402.82	Ch. 86-103.(4) and .(5)
GFL Environmental USA Inc.		

- 2019-0457** Request for Acceptance of a Turnaround Easement granted by MJC Woodland Crossing LLC, a Michigan limited liability company to the City of Rochester Hills, a Michigan municipal corporation for Woodland Crossing

Attachments: [102119 Agenda Summary.pdf](#)
[Turnaround Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0312-2019

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a Turnaround Easement for the construction, operation, maintenance, repair and/or replacement of a paved 30' x 30' turnaround for fire and emergency access on, under, through and across land more particularly described as Parcel Nos. 15-25-352-017 and 15-25-352-018, granted by MJC Woodland Crossing LLC, a Michigan limited liability company, whose address is 46600 Romeo Plank Road, Suite 5, Macomb, MI 48044, for Woodland Crossing.

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

Passed the Consent Agenda

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

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Hetrick announced his 33rd wedding anniversary falls on the same day as the Light the Village event on November 22.

Mr. Kubicina shared pictures from Fire Station #1's Open House. He noted that October is Breast Cancer Awareness Month and shared that his wife is a breast cancer survivor. He commended Museum Manager and Firefighter/EMT Pat McKay for his contributions to the City, and showcased the rappelling exercise which was a part of the Fire Ops 101 training.

Mayor Barnett made the following announcements:

- There is an election on November 5th for City Council, as well as ballot questions for the City, Oakland Community College, and Rochester Community Schools. He encouraged voters to educate themselves on the issues. He announced absentee voter (AV) ballots are available and a record number have already been issued to voters.
- He thanked City Clerk Barton for her excellent administration of elections and voiced appreciation for all who help on election day. He noted the polls will be open 7:00 a.m. - 8:00 p.m.
- He announced trick-or-treating hours in the City of Rochester Hills are 6:00-8:00 p.m. and urged everyone to be safe.
- Regarding Breast Cancer Awareness Month, he noted one of the ambulances has been wrapped in pink, and that Rochester High School staged a "pink out" at their recent football game. He thanked everyone for their efforts to promote breast cancer awareness.
- He encouraged residents to enjoy the cross-city football battle this weekend as Rochester Adams High School takes on Stoney Creek High School. The game will be held at Stoney Creek High School.
- He remembered former Michigan Governor Milliken who passed away at the age of 97, noting his 14 years in office makes him Michigan's longest serving governor. He stated Governor Milliken was acclaimed for his ability to bridge across the party aisle and put the issues of the state ahead of politics.
- He shared pictures of the preview event at Innovation Hills, the City's first new park in 25 years, highlighted the park's unique features, thanked the community for its support and the Girl Scouts for their investment in the park. He noted there are more phases to come, including a massive, innovative playground to be installed next year.
- He noted he was the keynote speaker at the Southeast Michigan Council of Governments (SEMCOG) meeting last week and was able to share Rochester Hills' successes, including the Fellows Program that recently concluded. He recognized Tom Talbert for designing the program that provided interns and six fellows for the City, and for obtaining a grant from Wells Fargo to fund the program. The participants presented a final report on how to get millennials interested in local government.
- He reported the Brewster Bulldogs Robotics Team presented staff with ideas to combat the City's deer problem and will be presenting their ideas to City Council soon.
- He thanked the City Council and City team members for a successful Fall Festival at the Dairy Barn, and recognized Museum Supervisor Pat McKay for preparing the facility for the event.
- He announced road construction is nearing completion on Livernois, with the road slated to open no later than November 8th. He reported the Auburn Road project is on schedule and stated the busiest year in road work will conclude with

everything completed in the next 10 days to two weeks.

Clerk Barton reminded residents of the local election on Tuesday, November 5th. She stated 8,200 AV ballots have been issued which is a record, exceeding by 1,500 the normal number for a local election. She encouraged voters with AV ballots to return them as soon as possible and no later than 8:00 p.m. on election night. Clerk Barton announced the need for election workers and urged residents to apply.

ATTORNEY'S REPORT

City Attorney John Staran had nothing to report.

NEW BUSINESS

2019-0460 Request for Nonprofit Designation for a Charitable Gaming License from the State of Michigan - Dynamic Kids

Attachments: [102119 Agenda Summary.pdf](#)
[Dynamic Kids Overview.pdf](#)
[Bylaws.pdf](#)
[Articles of Inc.pdf](#)
[IRS Determination Ltr.pdf](#)
[Form 990-N.pdf](#)
[Profit and Loss Stmt.pdf](#)
[Board of Directors.pdf](#)
[093019 Board Meeting.pdf](#)
[Explanation of Charitable Gaming Activity.pdf](#)
[Application and Resolution.pdf](#)
[Charitable Gaming License Policy 062011.pdf](#)
[Resolution \(Draft\).pdf](#)

Tina Barton, City Clerk, explained an organization must be recognized as a charity within the City of Rochester Hills for the City Council to approve its nonprofit designation for the purposes of obtaining a charitable gaming license. In addition, the City Council is responsible for considering the organization's age, viability, scope and level of activity and involvement in the community, the extent to which the organization has gained identification or recognition within the City, and any other criteria the City Council deems relevant.

RaSheem Barnett, representing Dynamic Kids, provided an overview of the organization:

- Established by him and his wife in 2018 as a tutoring center for children with unique learning needs.
- The program also trains parents to teach unique learners.
- A team of professionals works alongside Dynamic Kids to ensure the needs of the students are in alignment with the goals established on the schools' IEP.
- It is a 501(c)(3) organization.
- Joined the Rochester Chamber of Commerce in 2018.
- Featured in Metro Parent for Bridging the Gap in Special Education in 2018.
- Had a robust ribbon cutting with the Mayor and council members in attendance

in 2018.

- Provides free resources such as the Help with Handwriting free workshop in 2019.
- Works with Rochester Community Schools to be an additional resource to students with unique needs and their parents.
- Received a donation from the Rochester Rotary Club in 2018.
- Promotes inclusion through community events.

Ms. Barton noted the only item missing from the documents reviewed by City Attorney Staran was the solicitation registration.

Mr. Barnett explained the application cannot be completed until the City approves the nonprofit designation.

Attorney Staran stated he was satisfied that Mr. Barnett could provide the completed application if the designation is approved by City Council.

Vice President Morita questioned how many students Dynamic Kids is serving, who conducts the tutoring of students, and, noting the organization is currently operating at a loss, if the goal of Dynamic Kids is to break even or make a profit.

Mr. Barnett responded that Dynamic Kids is currently providing services for 12 students; teachers with special needs education provide the tutoring, and the goal of the organization is to break even financially.

Vice President Morita expressed admiration for the mission of Dynamic Kids but said she has concerns about the length of time the charity has been in the community. She continued that, nonetheless, she is comfortable approving the request for nonprofit designation provided the solicitation registration application is provided in a form acceptable by the City Attorney and the City Clerk.

Mr. Hetrick asked for information about the financial sustainability of the organization.

Mr. Barnett explained that Dynamic Kids charges a fee for its services which is competitive with similar entities and is affordable for parents. He indicated meetings with the Avondale, Troy, and Rochester Community school districts have resulted in positive feedback and referrals, making him confident of future growth and financial viability.

Mr. Kubicina encouraged Mr. Barnett to continue with the worthwhile and needed program.

A motion was made by Morita, seconded by Hetrick, that this matter be Adopted by Resolution with the applicant to provide a completed State of Michigan Solicitation Registration form approved by both the City Attorney and the City Clerk. The motion CARRIED by the following vote:

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

Enactment No: RES0313-2019

Resolved, that the request from Dynamic Kids, located at 6536 Chatham, Rochester Hills, MI 48306, Oakland County, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for approval.

2019-0450 Request for Approval of the 2019 Special Assessment Roll #1
Oakland-Macomb Interceptor Drainage District (OMID) Prepayment Option

Attachments: [102119 Agenda Summary.pdf](#)
[OMIDDD Cover Letter.pdf](#)
[OMIDDD Project Description.pdf](#)
[Resolution Special Assessment Roll #1.pdf](#)
[OMIDDD Special Assessment #1.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated this request is for approval to pre-pay the City of Rochester Hills Special Assessment #1 relating to Series 2019 Bonds for the Oakland-Macomb Interceptor Drainage District (OMID). He explained this is Assessment #1 of an anticipated four assessments from OMID related to the \$88 million in needed sanitary sewer system improvements over the next two years. He noted the City of Rochester Hills has been allocated an 8.1 percent share for the first phase of this multi-year project, which if prepaid, amounts to \$966,783.52, and explained the share is based on the City's proportion of sanitary sewer flow into the facilities. He indicated the facilities serve over 850,000 residents and businesses in the area, including the City of Rochester Hills, and due to their age the facilities now require significant rehabilitation and improvements.

Mr. Snyder reported the project has been included in the City's multi-year Capital Improvement Plan and funding is included in both the FY2020 adopted and FY2021 projected budgets. He noted by prepaying Assessment #1 the City avoids interest and bond financing costs of \$47,000.00 over the life of the bond and avoids incorporating the associated debt service as a component of sanitary sewer rates.

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

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

Enactment No: RES0314-2019

Whereas, pursuant to the petitions received by the Charter Township of Waterford, Oakland County, and the City of Sterling Heights, Macomb County (collectively, the "Petitions") requesting the Maintenance, Extension and Improvement of the Oakland-Macomb Interceptor Drain (the "Drain") pursuant to Section 535 of Michigan Public Act 40 of the Public Acts of 1956 ("Drain Code" or Act 40), as amended, MCL §280.535 and filed with the Director of the Michigan Department of Agriculture, proceedings have been carried out by the Augmented Drainage Board and Drainage Board for the Oakland-Macomb Interceptor Drain Drainage District (the "Drainage District") to acquire, finance, construct, improve, and replace certain wastewater facilities (the "Project") as set forth in Attachment A, and said Project having been determined to be necessary for the public health; and,

Whereas, on August 21, 2019, the Drainage Board for the Drainage District confirmed and adopted a Final Order of Apportionment and cost of the Project has been apportioned against the following public corporations in the counties of Oakland and Macomb as follows: (in Oakland County) City of Auburn Hills (4.9705%), Independence Township (includes City of Clarkston) (2.4213%), City of Lake Angelus (0.0185%), City of Rochester (1.9526%), City of Rochester Hills (8.1106%), Oakland Township (1.0393%), Orion Township (3.1494%), Oxford Township (1.2468%), Village of Lake Orion (0.3409%), Village of Oxford (0.5928%), Waterford Township (7.6159%), West Bloomfield Township (1.6414%); (in Macomb County) Chesterfield Township (4.7983%), City of Fraser (2.7237%), City of Sterling Heights (20.8080%), City of Utica (1.1036%), Clinton Township (14.1538%), Harrison Township (4.1556%), Lenox Township (0.6353%), Macomb Township (9.4344%), Shelby Township (6.6490%), Village of New Haven (0.5475%), and Washington Township (1.8907%) (the "Public Corporations"); and,

Whereas, on September 18, 2019, the Drainage Board approved and adopted Oakland-Macomb Interceptor Drain Special Assessment Roll No. 1 Relating to Series 2019 Bonds with respect to the costs of the first segment of the Project not to exceed \$12,000,000, for the acquisition and capital payment to the Great Lakes Water Authority in accordance with the Final Order of Apportionment; and,

Whereas, pursuant to the authorization provided in Section 528 of Chapter 21 of the Drain Code (MCL §280.528), the Drainage Board of the Drainage District expects to provide for the issuance of one or more series of bonds to finance the costs of the Project, and the costs of issuance of such bonds, in anticipation of the collection of assessments to be made pursuant to the Drain Code, and to pledge the full faith and credit of the Drainage District for the prompt payment of the principal thereof and the interest thereon; and

Whereas, such bonds will be payable from the collection of special assessments against the Public Corporations, said special assessments to be duly confirmed as provided in the Drain Code; and

Whereas, prior to the issuance of said bonds for the first segment, the Drainage Board has notified the City of Rochester Hills, to permit, should the City of Rochester Hills determine expedient, to prepay the assessment and avoid interest and finance charges associated with the anticipated 2019 bond issue for this Project segment; and,

Whereas, the Drainage Board has requested that the City of Rochester Hills adopt a resolution and affirming its intention to prepay its 2019 drain assessment for this Project segment, and forward same by November 1, 2019, and make full payment of the assessment by December 1, 2019.

Now, Therefore, Be It Resolved, that the City of Rochester Hills hereby confirms that it will pay in full, its drain assessment in the amount of \$966,783.52, pursuant to the Oakland-Macomb Interceptor Drain 2019 Special Assessment Roll No. 1.

Be It Further Resolved, that the City/Township Treasurer is directed to notify the Drainage Board for the Oakland-Macomb Interceptor Drain Drainage District by November 1, 2019 and of its intention to submit payment to the no later than December 1, 2019.

Be It Further Resolved, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

2019-0455 Request for Purchase Authorization - DPS/FLEET: Purchase authorization of one (1) concrete floor saw in the amount of \$25,819.97; Performance Line Tool Center, Waterford, MI

Attachments: [102119 Agenda Summary.pdf](#)
[Bid Tabulation.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated this request is for approval to purchase a floor saw to complement the Department's second saw and to replace an existing 11-year old saw which spends more time being repaired than used. He noted the purchase is a scheduled replacement.

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

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

Enactment No: RES0315-2019

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) concrete floor saw to Performance Line Tool Center, Waterford, Michigan in the amount of \$25,819.97.

2019-0458 Request for Purchase Authorization - FACILITIES: Blanket Purchase Order/Contract for a temporary trailer for exhibits at the Rochester Hills Museum at Van Hoosen Farms in the amount not-to-exceed \$59,601.00; The George W. Auch Company, Pontiac, MI

Attachments: [102119 Agenda Summary.pdf](#)
[Temp Trailer Recommendation.pdf](#)
[Resolution \(Draft\).pdf](#)

Ken Elwert, Parks & Natural Resources Director, stated this request is for a temporary trailer for approximately one year to house the museum displays while the Dairy Barn roof and structure are being repaired. He noted funding for the project is included in the FY2020 Adopted Budget and if the purchase is approved by City Council, a 4th Quarter 2019 Budget Amendment will be prepared to increase the 2019 project budget in the Facilities Fund (631) by the amount needed with a corresponding transfer-in from the Capital Improvement Fund (420).

Vice President Morita emphasized the double wide trailer will allow school tours to continue.

Pat McKay, Museum Manager, noted the trailer will be able to accommodate 5,000 students.

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

Aye 6 - Bowyer, Hetrick, Kubicina, Morita, Tisdell and Walker

Absent 1 - Deel

Enactment No: RES0316-2019

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase

order/contract for a temporary trailer for exhibits at the Rochester Hills Museum at Van Hoosen Farms to The George W. Auch Company, Pontiac, Michigan in the amount not-to-exceed \$59,601.00 and further authorizes the Mayor to execute a contract on behalf of the City.

ANY OTHER BUSINESS

Mr. Walker reported the Executive Director of SEMCOG reached out by email about pending House Bills 4691 and 4691 regarding funding and liability issues related to storm water systems. He noted the Mayor's office is composing a letter of support to be sent by Mayor Barnett to the Honorable Michael Webber in support of the two bills.

Mr. Hetrick noted he is a long-time member of the Public Safety and Infrastructure Technical Review Committee and the storm water issue is one that has been considered in depth for over a year. He commented that having the support of SEMCOG to move the bills forward, as well as the support of the City, makes a lot of sense. He reported listening to commentary at a recent SEMCOG Executive Committee meeting about the issue and expressed appreciation for the Mayor's office bringing the letter forward to drive a result through the legislature.

Vice President Morita stated that in her reading of the bills she discovered language that might have unintended consequences and mentioned she would be happy to talk to the City Attorney about her concerns before the letter of support is sent to State Representative Webber.

President Tisdell noted that State Representative Weber has been one of the sponsors and it has been difficult to move the legislation out of committee. He also noted that SEMCOG and the Michigan Municipal League (MML) support the bills, but agreed it would be good for Vice President Morita to share her concerns with the City Attorney.

NEXT MEETING DATE

- Regular Meeting - Monday, November 11, 2019 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 8:09 p.m.

RYAN DEEL, President
Rochester Hills City Council

TINA BARTON, MMC, Clerk
City of Rochester Hills

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

Approved as presented at the April 13, 2020 Regular City Council Meeting.