



Rochester Hills

Minutes

City Council Regular Meeting

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

*Kevin S. Brown, Dale A. Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie Morita,
Mark A. Tisdell and Thomas W. Wiggins*

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, January 12, 2015

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 6 - Dale Hetrick, Greg Hooper, Adam Kochenderfer, Stephanie Morita, Mark A.
Tisdell and Thomas W. Wiggins

Absent 1 - Kevin S. Brown

Others Present:

*Bryan Barnett, Mayor
Tina Barton, City Clerk
Maura Losh, Rochester Hills Government Youth Council Representative
Sara Roediger, Manager of Planning
Jack Sage, Ordinance Inspector
Allan Schneck, Director of DPS/Engineering*

Mr. Brown provided prior notice that he would be unable to attend.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

COUNCIL AND YOUTH COMMITTEE REPORTS

*Maura Losh, Rochester Hills Government Youth Council (RHGYC) representative,
reported that the RHGYC held a successful fund raiser at Barnes and Noble in
December. She stated that the group is selected Chair and Vice Chair*

for the second half of the year at this evening's meeting; Chris Russell will be Chair and Alexis Smith will be Vice Chair. Voting for Secretary is ongoing. She noted that the group will be participating in the Fire and Ice Festival fund raising events for the Rochester Area Youth Assistance from January 23 through 25. She announced that this year's 5K Walk/Run will be held Saturday, June 13, 2015.

ORDINANCE FOR INTRODUCTION

2014-0497 Acceptance for First Reading - An amendment to Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills to rezone approximately 1.87 acres of the eastern portion of one parcel of land located at 6780 Old Orion Ct., north of Tienken, west of Rochester Rd., from R-1, One Family Residential to R-1, One Family Residential with an FB-1, Flexible Business Overlay, and to prescribe penalties for the violation thereof, Silver Spoon Ristorante Italiano, LLC, Applicant

Attachments: [012615 Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[011215 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[Letter of Intent 102814.pdf](#)
[Map aerial.pdf](#)
[Staff Report 121214.pdf](#)
[Minutes PC 121614.pdf](#)
[Public Hearing Notice.pdf](#)
[011215 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, explained that the Applicant is requesting a rezoning of 1.87 acres on the west side of Old Orion Court. She noted that if granted, the R-1 underlying zoning of the property will remain, and an FB-1 overlay will be added. She stated that the overlay will allow for more variety in the type of residential use, including a live/work development and select office, civic or educational uses. She pointed out that restaurants and places of worship are permitted in FB-1 with approval of a Conditional Land Use. She stated that the request is consistent with the recommendations of the Master Land Use Plan, amended most recently in 2013. She noted that the site was specifically reviewed during the update; and it was determined that an FB overlay would be recommended for the property, allowing for additional transitional uses.

She reported that the Planning Commission held a Public Hearing on the request on December 16, 2014, and the rezoning was recommended. She stated that while a specific site plan cannot be considered in a rezoning request, one has been submitted using the existing building. She commented that the site plan proposed is for the relocation of the Silver Spoon restaurant currently located in the Papa Joe's center to the south.

In attendance for the applicant was **Rito Lisi** and **Joe Nirta**, representing The Silver Spoon Ristorante Italiano LLC.

Public Comment:

Melinda Hill, 1481 Mill Race, stated that while she loves the Silver Spoon, she does not wish to see it relocate to this property. She commented that nearby residential properties will have to be subjected to dumpsters, deliveries and late hours, and alcohol served next to their homes. She suggested that the minutes from the meetings regarding the 2012 Master Land Use Plan should have been included for review, noting that July and September 2012 meetings suggested a conditional rezoning for the property, not a restaurant. She likened it to spot zoning.

Scot Beaton, 655 Bolinger, commented that perhaps at the second reading for the rezoning could be conditionally limited to this type of restaurant. He noted that three residents came to the Public Hearing and one owner has been there since 1954 and expressed concern regarding a restaurant next to his home. He mentioned that the request is for rezoning approximately one-half of the property, and the development will be separated by a major wetland. He commented that modern planning techniques seek a walkable city, and he stated that he looks forward to this working out for the best for everyone.

Council Discussion:

President Hooper noted that if approved, the rezoning will apply an FB-1 overlay. The restaurant will require the granting of a Conditional Land Use.

Ms. Roediger pointed out that the impact to neighbors will be addressed when the Conditional Land Use is considered. She noted that the site plan is considered at that point.

Mr. Kochenderfer stated that he knows the applicants well. He pointed out that Council cannot look at an applicant's specific use when considering the request. He commented that this is a unique request, as the property has natural buffer zones, with significant wetlands in between the proposal and the homes that currently exist. He mentioned that even under the current R-1 zoning, there are many other uses for the property, including places of worship, libraries or museums. He stated that as he reviews the adjacent businesses to the east, he believes that the rezoning makes quite a bit of sense. He noted that Council will look at the specifics of a restaurant when reviewing a request for the Conditional Land Use.

A motion was made by Kochenderfer, seconded by Hetrick, that this matter be Accepted for First Reading by Resolution. The motion carried by the following vote:

Aye 5 - Hetrick, Hooper, Kochenderfer, Morita and Tisdell

Nay 1 - Wiggins

Absent 1 - Brown

Resolved, that an Ordinance to Amend Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Rezone approximately 1.87 acres of the eastern portion of Parcel No. 15-03-476-013, located at 6780 Old Orion Ct., Rochester Hills, Michigan 48306, north of Tienken and west of Rochester Rd. from R-1, One Family Residential to R-1, One Family Residential with an FB-1, Flexible Business 1 Overlay, and to prescribe a penalty for violations thereof, is hereby accepted for First Reading.

PLANNING AND ECONOMIC DEVELOPMENT

2014-0083 Request for Approval of a Planned Unit Development (PUD) Agreement - Sanctuary at River's Edge PUD, a proposed 20-unit residential development on 6.19 acres, located north of Avon, east of Livernois and south of Harding, zoned RCD, One-Family Cluster, MJ Ridgepoint, LLC, Applicant

Attachments: [011215 Agenda Summary.pdf](#)
[PUD Agreement \(Final\).pdf](#)
[Final PUD Staff Report 121214.pdf](#)
[Map Aerial.pdf](#)
[Final Plans.pdf](#)
[Minutes PC 121614.pdf](#)
[Minutes PC 061714.pdf](#)
[Minutes PC 022514.pdf](#)
[Review Comments 120914.pdf](#)
[072114 Agenda Summary.pdf](#)
[Pre Staff Report 061314.pdf](#)
[Review Comments 061214.pdf](#)
[Concept Plans.pdf](#)
[Cover Memo 022114.pdf](#)
[Public Hearing Notice.pdf](#)
[072114 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Manager of Planning, noted that this project has been in process with the City since before she began in her position. She stated that the Planned Unit Development (PUD) agreement, final site plan, and wetland use permit, comprises the last step of the PUD process. She noted that the request is for 20 detached site condominiums at a density of 3.25 units per acre, located on the south side of Helmand just south of the City of Rochester, abutting the Clinton River Trail. The plans include two non-motorized connections to the Clinton River Trail, including one off-site trail connection that will be made through a utility easement that is located just east of the property to give the public greater access to the trail. In addition, portions of Peach Street and Helmand Street which are currently gravel roads will be paved, bringing them up to City standards for better access to the development.

She noted that the Preliminary PUD was approved by City Council at a meeting on July 21, 2014. The Planning Commission held Public Hearings at their December 16, 2014 meeting and unanimously recommended approval for all of the requests. In addition to those requests, the Planning Commission approved a Tree Removal Permit, a Natural Features Setback Modification, and a Cul-de-Sac waiver to allow for a road slightly longer than permitted by Ordinance.

She mentioned that the only concerns that were raised at the Planning Commission meeting were with regard to Castell Avenue, the public road that is just east of the property. She noted that Castell at that point is a gravel road with almost a 90-degree turn, and the residents of the three homes that have access off of that road have requested that the City work with them to limit access in some way. The residents have expressed concern over the 20 additional homes cutting through

their roadway, which does not meet current standards. She stated that Planning Staff have been working with the Fire Department and Engineering Department, and it is expected that either the road could be vacated or a gate installed to limit access. She commented that it is expected that the issue can be resolved independent of the plan before Council this evening.

She explained that in terms of the Wetland Use Permit, three small low quality wetlands exist on the site. Two of the wetlands are proposed to be filled, for a total of just over 8,700 square feet, or 0.2 acres of the entire property. She noted that the City's wetland consultant recommends approval of the plan as shown.

Jim Polyzois, MJ Ridgepoint LLC, and **Ralph Nunez**, Design Team Plus, were in attendance representing the Applicant.

Mr. Nunez explained that he is the land planner/landscape architect for the project. He noted that there is only a slight change from when the project was presented to Council for preliminary approval. He stated that the preliminary design originally called for infiltration sites along the back of the properties bordering and running north/south. He noted that concerns were expressed about maintenance as well as vegetation being eaten by deer. Upon Engineering review, it was determined that instead traditional pipe in the rear yards would be installed for a detention basin. He pointed out that the change in design will allow trees to be kept in the back areas. He mentioned that the plan now calls for ten, 12- and 14-foot evergreens and three, four, five and six-inch caliper deciduous trees. He noted that trees will be strengthened on the eastern property line as well as the north, and also along the Clinton River area. He mentioned that the tree credits will be balanced out to be the same as originally proposed.

President Hooper questioned whether the changes to the proposed trees are reflected on the plan.

Ms. Roediger responded that they are not shown currently on the plan. She noted that this will be handled through the final construction drawings, and Staff will ensure that the credits are matched. She explained that there are 275 tree credits on this property; and Staff confirm that there are still 275 credits. She mentioned that larger trees will receive more credits per tree.

Mr. Nunez confirmed that this will be reflected on the final plans submitted.

President Hooper noted that there is a request for a final site plan approval tonight.

Ms. Roediger responded that Staff can work out the details through the construction drawings with Engineering.

Public Comment:

George Snow, 505 Harding, stated that he is one of the adjacent neighbors, and commented that he speaks for the two other neighbors in attendance this

evening. He noted that while it appears that they have made a lot of progress, the neighbors still have serious concerns regarding the 25 foot right-of-way for their road. He commented that the neighbors would like to see an agreement to somehow gate the roadway or limit access.

Council Discussion:

President Hooper commented that it appears that the neighbors' concerns will be resolved. He noted that Ms. Morita requested a question be addressed.

Ms. Morita stated that it is her understanding from reviewing the Planning Commission minutes that specific commencement and completion dates were to be called out in the contract. She noted that it appears that the plans call for a 50-foot private road rather than the standard 60-foot wide road. She questioned where bonding requirements were addressed in the agreement to ensure that the infrastructure is properly completed. She commented that she had a personal experience in dealing with a situation where a developer building a private road for a new development did not complete the work. She stated that the community had to go in and assess every homeowner in their brand new homes to complete the roads because proper bonding was not in place.

Ms. Roediger responded that she did not know the answer to the bonding question. She offered that she could work with Engineering and with Ed Anzek, Director of Planning and Economic Development, tomorrow to develop proper documentation of what is expected. She noted that the applicants have been very willing to work with the City and suggested that a condition could be added to the approval that there be adequate bonding to cover the estimated costs of construction, and that Staff will follow up to ensure that this requirement is placed into the PUD agreement.

Ms. Morita stated that Subsection F of the City's Ordinance should be complied with, which states that a means of ensuring that all public improvements are constructed and maintained shall be as contained within the contract. She commented that she would be happy with that type of an amendment to the agreement, or that a condition be placed on the approval to that effect.

Ms. Roediger responded that Staff would have no problem with that. She commented that she is certain that the applicant would have no objection to that addition to the PUD Agreement.

Mr. Nunez and Mr. Polyzois agreed.

Ms. Morita requested that construction timing be addressed.

Ms. Roediger responded that language specifying project timing was overlooked in the draft agreement; and she noted that the Applicant has indicated that they have no problem in specifying a timeframe. She stated that the Ordinance states that infrastructure must be in within a three-year period of the final plan approval. She commented that the Applicant has indicated that they have a waiting list for the 20 sites and are looking to construct not only the infrastructure but get the homes built as soon as the approvals are granted and the ground thaws. She added that the

Applicant indicates that their waiting list is three times the number of homes planned for construction. She commented that she did not believe that the Applicant would have any problem with committing to a timeframe for both infrastructure and dwelling construction.

Ms. Morita questioned whether a two-year timeframe to start construction would be acceptable.

Mr. Polyzois responded that Page 4 of the proposed PUD agreement currently specifies that final plans should be completed within three years of the date of commence of construction.

Ms. Morita stated that this is not in compliance with the Ordinance and noted that this language states that the improvements but not the dwellings depicted in the final PUD shall be completed within 3 years from the date of commencement of construction. She commented that what she is looking for is the date that the Applicant is going to start construction and the date by which construction will be completed.

Mr. Polyzois offered that he could make it conditional upon approval from the Engineering Department; and once the permits are ready to go, he would agree to define a timeframe for commencement and a timeframe of when they expect completion.

President Hooper suggested a reasonable date be specified.

Mr. Polyzois offered May 1, 2015.

President Hooper questioned whether May 1, 2015 would be acceptable.

Ms. Morita suggested that Council be a little more generous and give the Applicant a year to begin construction in the event a difficulty is encountered. She stated that the Applicant would not have to come back and ask for an extension should anything happen.

President Hooper suggested that the Commencement date be specified as May 1, 2015 or within a year of May 1, 2015. He read from the Agreement, noting that it states on that Paragraph 4 on Page 4 that the improvements, but not the dwellings to be located within the Units, depicted on the Final PUD Plans attached shall be complete within three years of the date of commencement of construction.

Ms. Morita pointed out that the paragraph refers to the site improvements; however, it does not state when construction starts, nor does it state when construction must be completed.

President Hooper suggested that May 1, 2015 be listed as a start date.

Mr. Polyzois noted that they are waiting for Engineering's approval.

President Hooper stated that the Agreement would specify that the infrastructure must be completed within three years of May 1, 2015.

Mr. Polyzois stated that he would be in agreement.

President Hooper questioned whether Ms. Morita would like a timeframe included for housing construction as well.

Ms. Morita requested the Applicant provide a target completion date.

President Hooper suggested a reasonable date be included given market conditions.

Mr. Polyzois commented that he expected that he could be out as quickly as one year. He stated that there has been such demand that they will not be able to accommodate everyone on the time schedule that they want. He offered that a three-year timeframe be included for the 20 homes.

Ms. Morita stated that she would be in agreement with including that timeframe.

President Hooper suggested a condition be added to Paragraph 4 of the Agreement for a commencement date of May 1, 2015 for improvements and that the improvements and dwellings depicted on the final PUD plans be completed within three years from the date of commencement of construction.

Ms. Morita questioned where bonding should be referenced.

President Hooper stated that he would suggest that appropriate bonding language be included as a new point 29 in the Agreement.

Mr. Wiggins questioned how a resolution to the residents' concerns regarding the road would be addressed. He commented that it is not included anywhere in the PUD Agreement and he requested a defined date be included or stated more firmly in a resolution.

Ms. Roediger suggested that it be made a condition of the final PUD Plan. She explained that the Planning Commission viewed the concerns as an item separate from the plan that needs to be resolved with these residents regardless of this project. She commented that Staff is willing to work with the residents and with the Applicant and she does not believe that anyone would have an objection to making this a final condition of the PUD site plan.

Mr. Polyzois commented that he did not wish to see his project be impacted by any delay in the process regarding vacating the roadway. He stated that he is in favor of vacating that street and allowing the residents and the City to work out what they have to do to achieve what they want. He noted that he would agree to install a gate at his expense; however, he did not wish to see it tied in with the project.

President Hooper suggested a timeframe of one year from May of 2015 to have this issue resolved.

Ms. Roediger noted the road concerns were not addressed at the Planning Commission level as it was decided to work at the Staff level with the residents and not tie the roadway to the plan. She stated that should Council feel strongly that it should be made a condition of this project moving forward, a condition could be added to the approval that Staff work with the applicant and the residents to find some way to mitigate potential cut through traffic from this development.

Mr. Wiggins stated that he does not wish to hold up the whole project; however, he would like to have a date for a resolution. He commented that he did not wish to see the concerns go on for three years. He suggested a reasonable date be included to arrive at a solution.

Ms. Roediger noted that a condition could be added that the Applicant, Staff and the residents will work together to address the cut through traffic concerns, and she suggested a one-year date from May 1, 2015 to be consistent with that date established for commencement.

Mr. Wiggins was in agreement with including that condition and date.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0002-2015

Resolved, that the Rochester Hills City Council hereby approves the Planned Unit Development (PUD) Agreement for Sanctuary at River's Edge, a 20-unit residential development on 6.19 acres, located north of Avon, east of Livernois and south of Harding, zoned RCD, One-Family Cluster, Parcel No. 15-15-403-010, 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 residents of the community.
5. The proposed PUD plan provides appropriate transition between the existing land uses and the surrounding 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.
3. Based on engineering construction documents, language will be added to a new Paragraph 29 in the PUD Agreement establishing that adequate bonding, as determined by Staff, will be provided to ensure completion of the construction of the private street.
4. Language will be added to Paragraph 4 stating that commencement of construction shall be by May 1, 2015 and clarify that all site improvements and dwellings will be completed within three years of that date.
5. The Applicant will work with City Staff and the adjacent property owners by May 1, 2015, to address concerns regarding cut through traffic from this project.

2014-0498 Request for approval of the Final Site Plans - Sanctuary at River's Edge PUD, a proposed 20-unit residential development on 6.19 acres, located south of Harding, east of Livernois, zoned RCD, One Family Cluster, MJ Ridgepoint, Applicant

Attachments: [011215 Agenda Summary.pdf](#)
[Final Plans.pdf](#)
[Final PUD Staff Report 121214.pdf](#)
[Review Comments 120914.pdf](#)
[Minutes PC 121614.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File 2014-0083.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0003-2015

Resolved, that the Rochester Hills City Council hereby approves the Final Site Plans for Sanctuary at River's Edge PUD, City File No. 14-008, a 20-unit residential development on 6.19 acres, located south of Harding, east of Livernois, north of Avon, zoned RCD, One Family Cluster, Parcel No. 15-15-403-010, MJ Ridgepoint, Applicant, with the following findings and conditions:

Findings:

1. The site plans 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 driveways 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 and adjacent lands.
4. The proposed development does not have an unreasonably detrimental, nor an

injurious, effect upon the natural characteristics and features of the parcel being developed and the larger areas surrounding it.

5. The proposed Final Plans promote the goals and objectives of the Master Plan.

Conditions:

1. Work with the Engineering Department to design and locate the sidewalk within the right-of-way along the south side of Helmand to connect to the proposed off-site trail connection east of the site.
2. Provision of a performance guarantee based on the landscaping cost estimate, as adjusted if necessary by the City, to ensure the proper installation of trees and landscaping. Such guarantee to be provided by the applicant prior to issuance of a Land Improvement Permit.
3. Payment of \$200 per lot into the City's Tree Fund (\$4,000).
4. Address all applicable comments from City departments and outside agency review letters, prior to Final Approval by Staff.

2014-0499 Request for approval of a Wetland Use Permit - Sanctuary at River's Edge PUD, for impacts to approximately 8,317 square feet of wetlands associated with construction of several units and the cul-de-sac Flora Valley Ct., MJ Ridgepoint, Applicant

Attachments: [011215 Agenda Summary.pdf](#)
[120314 ASTI rev.pdf](#)
[PH Notice.pdf](#)
[Resolution \(Draft\).pdf](#)

See Legislative File 2014-0083.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0004-2015

Resolved, that the Rochester Hills City Council hereby approves a Wetland Use Permit for the Sanctuary at River's Edge PUD, for impacts to approximately 8,317 square-feet of wetlands associated with the construction of several units and the cul-de-sac Flora Valley Ct. for a 20-unit residential development on 6.19 acres located east of Livernois, north of Avon, south of Harding, zoned RCD, One-Family Cluster, Parcel No. 15-15-403-010 with the following findings and conditions:

Findings:

1. Of the approximately .21 acres of City-regulated wetlands on site, the applicant is proposing to impact 8,317 square-feet.
2. The wetland areas are of medium to low ecological quality and should not be considered vital natural resources to the City.

Conditions:

1. If required, that the applicant receives all applicable DEQ permits prior to issuance of a Land Improvement Permit.
2. That the applicant provides a detailed soil erosion plan with measures sufficient to ensure ample protection of wetland areas, prior to issuance of a Land Improvement Permit.
3. That ASTI verifies that condition 3.a from its December 3, 2014 letter is addressed, prior to Final Approval by Staff.

PUBLIC COMMENT for Items not on the Agenda

***Scot Beaton**, 655 Bolinger, suggested Public Comment and Legislative and Administrative Comments be moved back to the front of the agenda. He added that Council should also consider returning to Wednesday for their meeting date.*

***Jay Arnold**, 3141 Tamarron, stated that he received notice of the Planning Commission meeting scheduled for tomorrow evening in the mail. He commented that the notice called for questions to be submitted by email ahead of time and questioned why they could not be asked at the meeting.*

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.

2015-0003 Request Purchase Authorization - BLDG: Inter-Local Agreement/Blanket Purchase Order for 2015 Oakland County Household Hazardous Waste (No Haz) Program in the amount not-to-exceed \$40,000.00; Oakland County Waste Resource Management Division, Waterford, MI

Attachments: [011215 Agenda Summary.pdf](#)
[Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0005-2015

Whereas, the northern cities, villages, and townships in Oakland County are committed to protection of the natural environment and preventing toxic materials from entering our waterways and landfill resources; and

Whereas, the improper handling and disposal of toxic and poisonous household chemicals also poses a health risk to our citizens; and

Whereas, recognizing there is a need to provide regular and easily accessible household

hazardous waste collection services to North Oakland County residents; and

Whereas, collection events for household hazardous waste have become widely accepted as the best way to provide citizens with a safe method of disposal of these toxic and poisonous household chemicals, and for the communities to realize the economies of scale, and

Whereas, Oakland County, through its Waste Resource Management Division, has joined these northern Oakland County communities in creating the North Oakland Household Hazardous Waste Consortium (NO HAZ), and

Whereas, the NO HAZ Consortium has developed a household hazardous waste collection program, and

Whereas, a NO HAZ Interlocal Agreement has been drafted to address necessary legal, liability, and responsibility issues for both the County and the participating communities, and identifies Oakland County's role in administering and managing the NO HAZ program, and

Whereas, the NO HAZ Interlocal Agreement establishes a NO HAZ advisory board to assist and advise Oakland County in the development of the NO HAZ program.

Now, Therefore Be It Resolved, that our community, the City of Rochester Hills, hereby approves the attached NO HAZ Interlocal Agreement and authorizes its signature, and

Be It Further Resolved, that we hereby appoint Jack Sage as our official representative to the NO HAZ Advisory Board, to work with the Oakland County Waste Resource Management Division as needed to plan the NO HAZ program for 2015.

Be It Further Resolved, that the Rochester Hills City Council hereby authorizes the Blanket Purchase Order to Oakland County Waste Resource Management Division in the amount not-to-exceed \$40,000.00 for the 2015 Oakland County Household Hazardous Waste (NO HAZ) Program.

Passed the Consent Agenda

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

LEGISLATIVE & ADMINISTRATIVE COMMENTS

*In response to Public Comment, **President Hooper** noted that it is his belief that Planning Department Staff requested that questions for tomorrow evening's Planning Commission meeting be submitted ahead of time to allow the Michigan Department of Environmental Quality (MDEQ) to prepare answers. He commented that no one will be prohibited from asking questions during the meeting; however, if research is required, answers might not be provided at the meeting.*

He expressed his congratulations to Mr. Hetrick for his appointment to the At-Large City Council position.

Mr. Tisdell welcomed Mr. Hetrick.

Mr. Hetrick expressed his appreciation for the kind words and welcome. He confirmed that a primary reason for requesting questions in advance of the Planning Commission meeting is to allow MDEQ representatives to prepare appropriate answers. He noted that Planning Commissioners were also asked to submit questions in advance.

Mr. Kochenderfer welcomed Mr. Hetrick.

Ms. Morita welcomed Mr. Hetrick. She expressed her appreciation to Allan Schneck, Director of DPS/Engineering, for his staff's efforts in clearing the roadways.

Mr. Wiggins congratulated and welcomed Mr. Hetrick.

Mayor Barnett announced that the Friends of the Clinton River Trail would hold a meeting on Tuesday, January 27, 2015, at 7:00 p.m. at the Auburn Hills Library.

He stated that last Friday, Rochester Hills Government Youth Council Member Isabella Tan asked him if the City could do something to honor her classmate, Gage Garmo, who has battled cancer five times. Staff helped produce a video featuring Gage's classmates which has already received 18,000 views. He noted that part of the effort was to get the attention of Gage's hero, Eminem. He stated that Eminem visited Gage yesterday at his home. He explained that the Parks Team opened Borden Park facilities, the DPS Team put together GarmoStrong stickers, and the community showed intangible community spirit to honor this young man. He announced that Gage lost his battle approximately 45 minutes ago. He offered a moment of silence to honor Gage Garmo.

(Recess 7:56 p.m. to 8:03 p.m.)

ATTORNEY'S REPORT

None.

NOMINATIONS/APPOINTMENTS

2014-0585 Request to Amend the Term for the Mayor's appointment of Thomas Neveau to the Advisory Traffic and Safety Board to expire June 30, 2016

Attachments: [011215 Agenda Summary.pdf](#)
[121514 Agenda Summary.pdf](#)
[Neveau, Thomas CQ.pdf](#)
[Pathenos Resignation 111414.pdf](#)
[121514 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0006-2015

Resolved, that the Rochester Hills Council hereby amends the term for the Mayor's appointment of Thomas Neveau to the Advisory Traffic and Safety Board to expire June 30, 2016.

2015-0011 Confirmation of the Mayor's appointment of Steven Fite to the Rochester Hills Museum Foundation to fill the unexpired term of Dr. Rubel Shelly ending December 31, 2015

Attachments: [011215 Agenda Summary.pdf](#)
[Steven Fite CQ.pdf](#)
[Dr. Shelly Resignation.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett noted that Dr. Steven Fite is a neighbor adjacent to the Museum, and is a strong donor who is excited to serve on the Museum Foundation Board. He stated that the City has found a great new addition to the Board.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0007-2015

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's appointment of Steven Fite to the Rochester Hills Museum Foundation to fill the unexpired term of Dr. Rubel Shelly ending December 31, 2015.

NEW BUSINESS

2014-0578 Request for Purchase Authorization - FLEET: Increase to purchase order issued to Red Holman Buick GMC, Westland, MI in the amount of \$2,132.00 for a new not-to-exceed amount of \$250,779.00.

Attachments: [011215 Agenda Summary.pdf](#)
[121514 Agenda Summary.pdf](#)
[Fleet Order Sheet.pdf](#)
[Cars and Trucks for CC 2015.pdf](#)
[GMC Yukon Order Sheet.pdf](#)
[2015 Fire Vehicle Summary.pdf](#)
[121514 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, noted that in December, Council approved several vehicle purchases through the Oakland County Cooperative. He explained that four vehicles identified for purchase had updated pricing for 2015, resulting in an increase of approximately \$533 per vehicle.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0008-2015

Resolved, that the Rochester Hills City Council hereby authorizes the increase to the purchase order to Red Holman Buick GMC, Westland, Michigan in the amount of \$2,132.00 for a new-not-to-exceed purchase cost of \$250,779.00.

2015-0014 Request for Approval of the Interlocal Service Agreement between the City of Rochester Hills and the Charter Township of Orion for Public Works Services

Attachments: [011215 Agenda Summary.pdf](#)
[Interlocal Service Agreement Orion Twp.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Director of DPS/Engineering, explained that the Interlocal Agreement proposed is similar to other agreements the City has with many of its partner communities. He explained that Orion Township contacted the City and expressed interest in being able to share equipment, personnel and/or provide services in a reciprocal manner based on the ability of the City to perform.

Mayor Barnett expressed his appreciation to Mr. Schneck and his team for efforts in working together.

Mr. Hetrick questioned whether the fees are known for each employee.

Mr. Schneck responded that fees are traditionally documented in collective bargaining units. He explained that union-type employees are typically used for these services; if non-union expense is warranted, it would be outlined in wage and classification documents.

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

Aye 6 - Hetrick, Hooper, Kochenderfer, Morita, Tisdell and Wiggins

Absent 1 - Brown

Enactment No: RES0009-2015

Resolved, that the Rochester Hills City Council hereby approves the Interlocal Service Agreement between the City of Rochester Hills and the Charter Township of Orion for Public Works Services and authorizes the Mayor to execute the agreement on behalf of the City.

ANY OTHER BUSINESS

Ms. Morita announced that the Avondale Youth Assistance Volunteer Appreciation Dinner is scheduled for February 3, 2015, at 4:30 p.m., with dinner served at 5:30 p.m. She encouraged Council Members to attend.

NEXT MEETING DATE

Regular Meeting - Monday, January 26, 2015 - 7:00 p.m.

ADJOURNMENT

There being no further business before Council, President Hooper adjourned the meeting at 8:10 p.m.

*GREG HOOPER, President
Rochester Hills City Council*

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

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

Approved as presented at the February 9, 2015 Regular City Council Meeting.