



# Rochester Hills

## Minutes

### City Council Regular Meeting

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

*Susan M. Bowyer Ph.D., Kevin S. Brown, Dale A. Hetrick, James Kubicina,  
Stephanie Morita, Mark A. Tisdel 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."*

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Monday, June 6, 2016

7:00 PM

1000 Rochester Hills Drive

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### CALL TO ORDER

*President Tisdel called the Regular Rochester Hills City Council Meeting to order at  
7:03 p.m. Michigan Time.*

### ROLL CALL

**Present** 5 - Susan M. Bowyer, Dale Hetrick, James Kubicina, Stephanie Morita and Mark A. Tisdel

**Absent** 2 - Kevin S. Brown and Thomas W. Wiggins

### Others Present:

*Ed Anzek, Director of Planning and Economic Development  
Bryan Barnett, Mayor  
Tina Barton, City Clerk  
Scott Cope, Director of Building/Ordinance Compliance  
Lisa Cummins, Purchasing Manager  
Paul Davis, City Engineer/Deputy Director of DPS  
Ken Elwert, Director of Parks and Forestry  
Pamela Gordon, Director of Human Resources  
Deborah Hoyle, Financial Analyst  
Pam Lee, City Accountant  
Joshua Morgan, Rochester Hills Government Youth Council Representative  
Sara Roediger, Manager of Planning  
Kim Sabatini, Account Clerk II  
Keith Sawdon, Director of Finance  
Deborah Scully, Senior Purchasing Analyst  
Joe Snyder, Senior Financial Analyst  
John Staran, City Attorney  
Tamara Williams, Chief Assistant to the Mayor*

*Mr. Brown and Mr. Wiggins each provided prior notice that they would not be in  
attendance.*

### PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdel

**Absent** 2 - Brown and Wiggins

## COUNCIL AND YOUTH COMMITTEE REPORTS

### Rochester Hills Government Youth Council (RHGYC):

*Mr. Tisdel introduced Joshua Morgan, RHGYC Representative, and stated that he is a Junior at Oakland Christian School, is the Captain of their football team and is a member of the National Honor Society, carrying a 3.9 grade point average. He noted that Mr. Morgan has been on the RHGYC for one year, and it has been a pleasure serving with him.*

*Mr. Morgan announced that the RHGYC will host its annual 5K Run/Walk on Saturday, June 11, 2016. Registration is open, and individuals can run for \$25.00. Interested individuals may visit the RHGYC's website at [www.rochesterhills.org/youthcouncil](http://www.rochesterhills.org/youthcouncil).*

## RECOGNITIONS

2016-0227 Proclamation in Recognition of the Rochester High School Cheerleading Team

Attachments: [060616 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)  
[Resolution \(Draft\).pdf](#)

*Mayor Barnett stated that the City is honored to recognize the Rochester High School Cheerleading Team as State Champions once again. He introduced Coach Susan Wood, noting that she has coached the team for 35 years and led the team to 18 State Championships. He stated that a sign will be installed on Walton Boulevard to recognize the team's success later this year.*

*Coach Wood expressed her appreciation for recognizing her team. She commented that the team is active in fund raising and philanthropic efforts throughout the year. She noted that they competed twelve times during competitive cheer season and were undefeated this year. She mentioned that the team also earned an Academic All-State Honorable Mention, and are good role models. She commented that they had a fun and successful year. She noted that many of the team members move on in the spring to other sports and were unable to attend this evening. She read the names of those in attendance as Mayor Barnett distributed proclamations to each attending team member. She recognized her assistant coaches, Amber Scott and Katelyn Kapanka.*

*Council congratulated Coach Wood, her assistant coaches, and the cheer team members.*

**Presented.**

**Whereas**, the Rochester Cheer Team completed an unbelievable season, going undefeated and winning the Division 1 State Championship on Friday, March 4, 2016. The Falcons beat out runner-up Grandville, by a score of 792.4 to 790.66. Rochester also won the OAA Red, District, and Regional Champions this season, finishing a perfect 12-0 on the year. This is Rochester's first state title since 2009, and their 18th overall; and

**Whereas**, Cheer Coach Susan Wood has been selected as the 2016 CCCAM Coach of the Year. Susan was selected to receive this honor for her outstanding season and her contributions to both CCCAM and Michigan Competitive Cheer; and

**Whereas**, the City of Rochester Hills is proud to honor and applaud their courage, talent, and skill.

**Now, Therefore, Be It Resolved**, that I, Bryan K. Barnett, Mayor of Rochester Hills, hereby congratulate the Rochester Cheer Team and thank them for their positive impact on our community.

**Be It Further Resolved**, that the Mayor and the City Council of Rochester Hills express our pride in the accomplishments of the following team members:

Susan Wood <b>Head Coach</b>	Amber Scott <b>Assistant Coach</b>	Katelyn Kapanka <b>Assistant Coach</b>
Sydney Asuncion	Kaitlyn Kok	Allison Surinck
Sam Ellison	Gabby Leo	Mattea Sykes
Haven Fowler	Morgan Libby	Katelynn Tokar
Miah Fowler	Megan McMurray	Zy Turner
Fallon Franczyk	Madison Moore	Breonna Weaver
Hope Fryer	Jenny Nguyen	Ashley Wright
Kate Gardner	Adriana Nikaj	Ayanna Wyatt
Elizabeth Ingraham	Julia Rosario	
Caitlin Ketelsen	Arren Simpson	

**2016-0228** Proclamation in Recognition of Keith Sawdon

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Proclamation.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Mayor Barnett** stated that he first met **Keith Sawdon** while on the campaign trail in 1999, and he commented that he has been fortunate to have Mr. Sawdon in various roles over the years, most recently as Finance Director. He commented that Mr. Sawdon is a visionary in his field, and a tremendous leader, guiding the City through the worst recession in history. He pointed out that the City of Rochester Hills is widely-recognized as one of the best financial businesses in Michigan, and he credited Mr. Sawdon and his team members here this evening. He mentioned that Rochester Hills was the first city in Michigan to prepare a three-year budget, has a AAA bond rating, has continually increased its fund balance, and was recognized by Plante & Moran as being in the top two percent of all cities in stability. He stated

*that Mr. Sawdon will be sorely missed and will be the hardest person to replace. He read a proclamation honoring Mr. Sawdon.*

**Mr. Sawdon** stated that it has truly been his privilege and honor to share his expertise with the City. He commented that he and his family grew up in this area. He noted that he works with exceptional people, and is proud of the City's directors. He thanked Council and the Mayor for listening and making the decisions necessary to move the City forward.

He expressed his thanks to his wife, Beth, for her support and understanding over all the years. He noted that when he announced his retirement four months ago, he expressed the desire to help the team understand their personal finances better; and he held personal finance sessions which were wonderfully appreciated.

A video was shown highlighting Mr. Sawdon's career with the City.

**President Tisdell** expressed his gratitude for the help Mr. Sawdon provided to him, noting that staff works many hours to answer questions for Council. He stated that Mr. Sawdon bent over backwards for him, and he appreciated his patience and expertise.

**Vice President Morita** stated that Mr. Sawdon answered all of Council's questions, and noted that it has given her a sense of security in knowing that he served the City with a wealth of knowledge and extreme level of intelligence. She concurred that Mr. Sawdon will be exceptionally hard to replace, and she thanked him for his service to the City.

**Dr. Bowyer** commented that as a newer member, she appreciated his assistance to help her understand the fiscal responsibility that Council carries.

**Mr. Hetrick** stated that he appreciated Mr. Sawdon's patience, and noted that he worked with the Public Safety and Infrastructure Technical Review Committee to arrive at financial solutions and answers to road problems, police and fire issues. He commented that the Committee relied on Mr. Sawdon's expertise to guide it through some very difficult decisions. He stated that the Budget that comes to Council each year is well-scrutinized and well-defined and is viewed with a high degree of confidence.

**Mr. Kubicina** expressed his appreciation to Mr. Sawdon for implementing a three-year budget and a seven-year financial plan. He commented that Mr. Sawdon has been a pioneer in this area. He stated that he knows that Mr. Sawdon is motivated by family and is retiring for the right reasons. He thanked him for his years of service.

**John Staran**, City Attorney, stated that he has known Mr. Sawdon for a long time, and sees him as a consummate professional. He commented that he has enjoyed working with him as a client, colleague and friend, and stated that he will be missed.

**Presented.**

Keith Sawdon is retiring after an exceptional career with the City of Rochester Hills as Finance Director. His leadership and expertise placed him as a leader in municipal finance across the state.

**Whereas**, Keith has over 30 years of Public Finance experience including managing cash and investment portfolios. Prior to joining the City of Rochester Hills, Keith served as the Chief Deputy Treasurer and Investment Administrator for the County of Oakland; and

**Whereas**, Keith was a visionary for Rochester Hills by being the first in the state to implement a multi-year budget. The city's use of multi-year budgeting, coupled with a strong financial forecasting model and robust financial reporting has kept the city on a strong financial footing; and

**Whereas**, During his time as Finance Director, the city received numerous awards for excellence in budgeting and financial reporting. Under Keith's leadership, the city continued to receive the coveted AAA bond rating, saving taxpayers money in the form of reduced interest expense on the bonds that the city issues; and

**Whereas**, Keith served the city on a number of boards, including the Green Space Perpetual Care Trust, Retiree Health Care Trust, Rochester Hills Museum Foundation, and the Economic Development Corporation; and

**Whereas**, In 2013, Keith was recognized as a leader among his peers and was appointed by Governor Rick Snyder to the Pontiac Transition Advisory Board. He has worked diligently with this board to facilitate a smooth transition to local control while providing appropriate guidance and oversight; and

**Whereas**, Keith used his knowledge and influence to better the investment environment across the state of Michigan with the creation and passage of Senate Bill 303. These new investment standards enable Rochester Hills to increase its investment income in the cemetery trust, making the fund more self-sufficient and less dependent on the general fund. Communities all around Michigan who have cemeteries will benefit because Keith led the way to adoption of this needed improvement in law.

**Now, Therefore, Be It Resolved**, that, the Mayor and the City Council of Rochester Hills, on behalf of the Department of Finance and all city employees, hereby congratulate Keith Sawdon and thank him for his unwavering commitment to our residents and community throughout the years.

## PRESENTATIONS

2016-0229 Southeast Michigan Council of Governments (SEMCOG) Regional Update

**Attachments:** [060616 Agenda Summary.pdf](#)

**Kathleen Lomako**, Executive Director, and **Amy Mangus**, Plan Implementation Manager, were in attendance to represent the Southeast Michigan Council of Governments (SEMCOG). They presented an overview of SEMCOG, and updated Council on recent planning activities.

*She noted that Rochester Hills' Delegate to SEMCOG is Mayor Barnett; and as the City is a member organization, any staff or Council Member is welcome to attend its meetings. She noted that the next General Meeting is set for Thursday, June 23, 2016 at 4:30 p.m. in the Port Huron Convention Center.*

*She explained that much of the work of SEMCOG is done by committees and task forces, open to any member to participate. She commented that Tim Pollizzi, Water Resources Coordinator, represents the Rochester Hills on the Water Resources Task Force. She commented that while policy direction occurs at the regional level, implementation of plans occurs at the local level through actions taken by its local members. She stated that committees are engaged in planning intergovernmental activities, and she encouraged anyone interested to review data on SEMCOG's website or contact any of their technical experts. She noted that Stephanie Taylor, Information Officer for SEMCOG, is available at the SEMCOG Information Center at 313-324-3330.*

**Ms. Mangus** highlighted planning activities underway, including the development of a Regional Transportation Plan focusing on roads, transit, and walking, and critical to preserving jobs and the economy. She noted that SEMCOG works closely with Federal Aid committees, sharing much information on traffic safety and pavement concerns.

*She mentioned that recent plans provide direction for the region, including the Southeast Michigan Traffic Safety Plan, a Safe Routes to School Plan, Access to Core Services in Southeast Michigan, and a Bicycle and Pedestrian Plan. She mentioned that the Clinton River Trail Look and Feel Project was a part of the Transportation Alternatives Program, and encompassed \$200,000 to enhance 9.3 miles of the Clinton River Trail with amenities to enhance safety, wayfinding, exhibits, and bike facilities. Partnering for Prosperity develops an Economic Strategy for Southeast Michigan, connecting people and jobs. A Green Infrastructure Vision for Southeast Michigan addresses parks, open spaces, trees, rain gardens, bioswales, and is chaired by Mayor Barnett. The program is assisting Rochester Hills in the development of Riverbend Park and helps review funding options for Department of Natural Resources grant programs.*

**Ms. Lomako** commented that there is much that can be done working together with local governments to advocate for legislative priorities of the region. She noted that SEMCOG has been active in advocating for transportation funding, and is now focusing on increasing revenues for local governments providing funding for local infrastructure and for the Great Lakes.

*She expressed her appreciation for the opportunity to review SEMCOG's activities with Council.*

**Mr. Hetrick** expressed his appreciation for the presentation, and noted that he serves as the City's Alternate to SEMCOG.

**Mr. Kubicina** expressed his thanks, noting that it was a very informative presentation.

**Mayor Barnett** stated that the City works closely with the SEMCOG team. He commented that they do a fantastic job advocating in Lansing and Washington DC.

**Presented.**

**2016-0204** Presentation of the City's Seven-Year Financial Forecast

**Attachments:** [060616 Agenda Summary.pdf](#)  
[7-Year Financial Forecast \(2017-23\).pdf](#)  
[Suppl Presentation.pdf](#)

**Joe Snyder**, Senior Financial Analyst, presented the Seven Year Financial Forecast for Fiscal Years 2017-2023.

*He noted that the Auditor's recent presentation cited a structural surplus, with recurring revenues exceeding recurring expenses, and a significant investment in infrastructure after it had been scaled back during the economic downturn. He pointed out that the City of Rochester Hills is unique as it has no legacy costs, allowing it to focus its structural surplus on its infrastructure.*

*He explained that a seven-year forecast allows the City to better prepare for the future, prevents surprises, and makes the City proactive instead of reactive. The forecast aids in decision making, noting the long-term impacts of decisions and policies. He stressed that the forecast is not intended to be a budget, proposed spending plan, or a policy recommendation to City Council. He pointed out that the projection of revenues, expenditures and fund balances assumes status quo for funding policies. He mentioned that the FY 2016 2nd Quarter Budget Amendment numbers are used.*

*Mr. Snyder reviewed key assumptions for Revenues, noting that a conservative rise overall of 1.5 percent is expected going forward. He highlighted expectations for State Shared Revenue (moving up two percent), Act 51 Gasoline Tax (moving up 2.5 percent) and small increases for interest rates. He noted that the millage rate used keeps the same bottom line as today, or 10.4605.*

*He reviewed projected Expenditures, and he stated that the City is assumed to keep the same number of employees, with salaries increasing at two percent and health care costs rising at nine percent per year. Expectations for inflation are moving from 1.5 percent to two percent per year. The Oakland County Sheriff's Contract is projected to maintain a three percent per year increase. He pointed out that all Capital Projects have been updated with current cost estimates in the forecast.*

*He highlighted the Departmental Forecasts, and he noted that people constitute a large portion of the City's expenditures. He mentioned that the structural surplus is expected to be transferred out to the Local Street Fund to undertake local street reconstruction activities.*

*He reviewed General Fund Fund Balance which has grown considerably since 2008. He pointed out that 2015 included the Police Millage shift, and noted that*

*the Fire Station funding will decrease General Fund Fund Balance for 2015 and 2016.*

*He reviewed Major Road Fund Revenues and Expenditures, noting that the majority of Revenue is from Act 51 money. Expenditures were high due to capital outlays in 2015 and 2016 as there have been a significant number of road projects, and expenditures taper off through the forecast.*

*The Local Street Fund Revenues and Expenditures were reviewed. He stated that using the current forecast assumptions, the Local Street Fund appears able to support an annual Local Street Rehabilitation Program of \$5 million per year. He noted that a 2016 drop in Revenues for Local Streets was the result of a transfer to Fire.*

*Mr. Snyder reviewed the Fire Operating Fund, noting that the forecast includes a Fire Millage Rate of 2.7 mills, which would not provide enough revenue to cover operating expenses after Fiscal Year 2022. He pointed out that the Fire Charter allows a levy up to 3.0 mills, which would generate an additional \$850,000 per year. He stated that by moving the levy to the maximum allowable 3.0 mills, the contributions to the Fire Capital Fund could continue into future years beyond 2022.*

*He noted that the most of the revenue for the Special Police Fund comes from taxes, and 95 percent of the expenses go to fund the Deputies. He commented that this Fund is strong in the short-term and long-term.*

*He reviewed the Water Resources Fund, noting that there is little in the way of dedicated revenue, while expenditures range from \$550,000 to \$600,000 per year. He pointed out that the Fund will run out of money in 2020. He stated that the Public Safety and Infrastructure Technical Review Committee is reviewing options to fund Water Resources activities. Mr. Snyder mentioned that 2021 will be the last year that the OPC Building Debt will be levied. He noted that 2.2 mill is levied, raising approximately \$700,000 per year. He questioned whether this levy could be considered for repurposing to fund Water Resources.*

*He expressed his appreciation for Council's continued support, noting that without it the City would not have been able to manage the economic downturn as successfully.*

**Council Discussion:**

**Vice President Morita** expressed her appreciation to Mr. Sawdon for reviewing some questions that she had. She thanked Mr. Snyder for taking the time in his presentation to address her concerns. She noted her concerns regarding the Water Resources Fund, and the need to incorporate Special Assessment Districts (SAD) into long-term planning. She commented that the Council subcommittee reviewing SADs hoped to present their recommendations soon.

**Dr. Bowyer** commented that it is good to learn of areas that may present problems in the future.



**Mr. Hetrick** expressed his thanks to Mr. Snyder and Mr. Sawdon, noting that the forecast sets the stage for the upcoming budget sessions. He commented that it is good to see that the Capital Improvement Project numbers are up-to-date.

**President Tisdell** stated that historically, Council's expectations have been very well managed based on the information it receives. He noted that he appreciated that revenues are underestimated and expenses are overestimated in the forecasts.

**Mr. Kubicina** thanked Mr. Snyder for his presentation.

**Presented.**

## PUBLIC HEARINGS

2016-0205 2016 2nd Quarter Budget Amendments

**Attachments:** [060616 Agenda Summary.pdf](#)  
[2nd Qtr BA Overview.pdf](#)  
[2nd Qtr BA Account Detail.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Joe Snyder**, Senior Financial Analyst, reviewed the 2nd Quarter Budget Amendments, noting that they propose to increase Total Revenue by \$392,000, and Total Expenses by \$303,000, yielding a net decrease in the use of Fund Balance of \$89,000. He noted that revenues are increasing in part due to increased cable fees and Act 51 Revenue increases. He pointed out that there are no changes to Operating Expenses, with the bulk of change due to Capital Expenditures. He mentioned that Major Roads is decreasing, and Local Streets increasing due to the Norton Lawn and Hickory Lawn projects. He stated that the purchase of new election equipment is deferred to next year. He noted that the Booster Station Construction Phase 2, out of Water and Sewer Capital, is deferred to next year as well. A North Hill Water Main Project is added. In Fleet, 11 vehicles and other equipment is deferred to next year.

**President Tisdell Opened the Public Hearing at 8:34 p.m.**  
**Seeing No Public Comment, President Tisdell Closed the Public Hearing at 8:35 p.m.**

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

Enactment No: RES0124-2016

**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 2016 2nd Quarter Budget Amendments was noticed on May 19, 2016; and

**Whereas**, the proposed FY 2016 2nd Quarter Budget Amendments were available for public viewing beginning on May 27, 2016; and

**Whereas**, at its June 6, 2016 meeting City Council held a Public Hearing on the proposed FY 2016 2nd Quarter Budget Amendments.

**Now, Therefore, Be It Resolved**, that the Rochester Hills City Council hereby approves the following FY 2016 fund totals as amended:

FUND	2016 Current Budget	Net Change	2016 Proposed Budget
Fund 101 - General Fund	25,175,240	20,000	25,195,240
Fund 202 - Major Road Fund	8,350,800	(760,000)	7,590,800
Fund 203 - Local Street Fund	10,298,360	821,000	11,119,360
Fund 206 - Fire Fund	10,113,740	-	10,113,740
Fund 207 - Special Police Fund	9,638,170	-	9,638,170
Fund 213 - RARA Millage Fund	612,250	-	612,250
Fund 214 - Pathway Millage Fund	615,270	-	615,270
Fund 232 - Tree Fund	208,900	2,280	211,180
Fund 244 - Water Resources Fund	1,541,520	-	1,541,520
Fund 265 - OPC Millage Fund	1,068,930	-	1,068,930
Fund 299 - Green Space Millage Fund	2,213,800	-	2,213,800
Fund 313 - Street Improvement Bond - 2001 Series Fund	261,800	-	261,800
Fund 314 - SAD Street Improvement Bond - 2001 Series Fund	288,530	-	288,530
Fund 331 - Drain Debt Fund	202,990	-	202,990
Fund 369 - Older Persons Building Bond Refunding Fund	785,530	-	785,530
Fund 393 - Municipal Building Refunding Bond - 2010 Series Fund	769,350	-	769,350
Fund 394 - Local Street Refunding - 2011 Series Fund	501,020	-	501,020
Fund 402 - Fire Capital Fund	4,660,450	485,310	5,145,760
Fund 403 - Pathway Construction Fund	736,820	99,300	836,120
Fund 420 - Capital Improvement Fund	452,750	(390,000)	62,750
Fund 510 - Sewer Operations	15,155,900	60,100	15,216,000
Fund 530 - Water Operations	17,792,290	31,740	17,824,030
Fund 593 - Water & Sewer Capital Fund	7,883,090	(114,000)	7,769,090
Fund 595 - Water & Sewer Debt Fund	1,558,400	-	1,558,400
Fund 631 - Facilities Fund	16,237,770	263,100	16,500,870
Fund 636 - MIS Fund	3,189,870	-	3,189,870
Fund 661 - Fleet Fund	4,600,810	(215,020)	4,385,790
Fund 677 - Insurance Fund	416,000	-	416,000
Fund 736 - Retiree Health Care Trust	144,940	-	144,940
Fund 752 - Cemetery Perpetual Care Trust	-	-	-
Fund 761 - Green Space Perpetual Care Trust	-	-	-
Fund 843 - Brownfield Redevelopment Fund	-	-	-
Fund 848 - LDFA Fund	337,800	-	337,800
Fund 851 - SmartZone Fund	-	-	-
Fund 870 - Museum Foundation Trust Fund	10,000	-	10,000
Fund 893 - EDC Fund	950	-	950
<b>GRAND TOTAL</b>	<b>145,824,040</b>	<b>303,810</b>	<b>146,127,850</b>

2016-0222 Community Development Block Grant (CDBG) Program Year 2014  
Reprogramming

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Public Hearing Notice.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Deborah Hoyle**, Financial Analyst, stated that the Community Development Block Grant (CDBG) program year runs from July 1 to June 30. She noted that the City will be entering Program Year 2016, and she explained that only two years of funding can be held on the books unused or it will be lost. She stated that extra funding remains in the amount of \$2,593 from 2014 in the Yard Services portion of the program, which could be moved to the Minor Home Repair portion of the program. She pointed out that funds still remain unused from 2015 for Yard Services.

**President Tisdell Opened the Public Hearing at 8:37 p.m.**

**Lee Zendel**, 1575 Dutton Road, stated that by accepting Housing and Urban Development monies in the form of CDBG funding, the City can be forced to comply with Federal Housing Rules from the Affirmatively Furthering Fair Housing Act. He urged Council to set up a subcommittee to study the Act and its potential impact to Rochester Hills.

**Seeing No Further Public Comment, President Tisdell Closed the Public Hearing at 8:39 p.m.**

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

Enactment No: RES0125-2016

**Whereas**, the Fiscal Division is requesting the reprogramming of CDBG funds in the amount of \$2,593.00 from Public Services-Yard Services to Minor Home Repair.

**Whereas**, the City of Rochester Hills has duly advertised and conducted a public hearing on June 6, 2016, for the purpose of receiving public comments regarding the proposed reprogramming of Program Year 2014 Community Development Block Grant funds.

**Resolved**, that at a regular meeting of the City of Rochester Hills City Council, held June 6, 2016, at 1000 Rochester Hills Dr., the reprogramming of Program Year 2014 funds be approved as follows:

**Existing - 2014 Program Year**

Activity Number:	732170
Activity Description:	Public Services - Yard Services
Amount:	\$2,593.00

**Proposed - 2014 Program Year**

Activity Number:	731227
Activity Description:	Minor Home Repair
Amount:	\$2,593.00

**Therefore, Be It Resolved**, that the Fiscal Division of the City of Rochester Hills is hereby authorized to reprogram funding allocations in the amount of \$2,593.00 from Public Services - Yard Services to Minor Home Repair.

## ORDINANCE FOR ADOPTION

**2016-0209** Acceptance for Second Reading and Adoption - An Ordinance to amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify water and sewer rates and fees, repeal conflicting Ordinances, and prescribe a penalty for violations

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Ordinance \(Revised\).pdf](#)  
[051616 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[Water & Sewer Tech Review Resolution.pdf](#)  
[051616 Resolution \(Draft\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Keith Sawdon**, Director of Finance, explained that the Ordinance presented for Second Reading and Adoption reflected a change to incorporate the rates received from the Oakland County Water Resources Commission for the non-residential surcharge, a pass-through cost. He recapped that the overall average residential user, assuming 12 units, will see their bill rise by 5.6 percent, with the flat-rate sewer customer seeing a rise of 4.2 percent.

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdel

**Absent** 2 - Brown and Wiggins

Enactment No: RES0126-2016

**Resolved**, that an Ordinance to amend Sections 54-741 through 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to modify water and sewer rates and fees, repeal conflicting Ordinances, and prescribe a penalty for violations is hereby accepted for Second Reading and Adoption, and shall become effective on Friday, July 1, 2016, following its publication in the Oakland Press on Sunday, June 12, 2016.

## PLANNING AND ECONOMIC DEVELOPMENT

**2007-0221** Request for Approval of the Final Plat - Grace Parc, a 14-lot subdivision on 5.6 acres located north of South Boulevard between Livernois and Rochester Roads, zoned R-4, One-Family Residential; Gwen and Patrick Bismack, Applicants

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Map aerial.pdf](#)  
[050216 Legal Rev.pdf](#)  
[Suppl J Staran email 060216.pdf](#)  
[Final Plat 042816.pdf](#)  
[Memo Anzek 071715.pdf](#)  
[CC Minutes 072913.pdf](#)  
[Minutes PC 071613.pdf](#)  
[072913 Agenda Summary.pdf](#)  
[Extension Letter 062615.pdf](#)  
[FPP Plans.pdf](#)  
[Backup Documentation.pdf](#)  
[Staff Report 071013.pdf](#)  
[Letter Kopson 071613.pdf](#)  
[Site Plans.pdf](#)  
[061812 Agenda Summary.pdf](#)  
[Memo Anzek 060112.pdf](#)  
[Letter Bismack 041112.pdf](#)  
[Minutes PC 060512.pdf](#)  
[071811 Agenda Summary.pdf](#)  
[Letter Bismack 050311.pdf](#)  
[Minutes PC 060711.pdf](#)  
[041210 Agenda Summary.pdf](#)  
[Memo Anzek 06-01-11.pdf](#)  
[Letter Mosher 04-13-11.pdf](#)  
[Minutes PC 2005-2010.pdf](#)  
[Minutes PC 030210 \(draft\).pdf](#)  
[Memo Anzek 022510.pdf](#)  
[Minutes PC 042109.pdf](#)  
[Letter Mancini 041509.pdf](#)  
[041210 Resolution.pdf](#)  
[053008 Agenda Summary.pdf](#)  
[PC Minutes 050608.pdf](#)  
[Letter Mancini 032808.pdf](#)  
[Letter Mosher 021510.pdf](#)  
[Agenda Summary 042507.pdf](#)  
[Resolution 042507.pdf](#)  
[PC Minutes 040307.pdf](#)  
[Letter Mancini 031207.pdf](#)  
[060908 Resolution.pdf](#)  
[PC Minutes 071806.pdf](#)  
[PC Minutes 031505.pdf](#)  
[PC Minutes 021505.pdf](#)  
[PC Minutes 020105.pdf](#)  
[071811 Resolution.pdf](#)  
[061812 Resolution.pdf](#)  
[072913 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Manager of Planning, introduced **Gwen Bismack**, the Applicant and owner of the parcel.

**Ms. Bismack** noted that she and her husband co-own the development, and have started construction of the underground utilities.

**Vice President Morita** stated that the e-mail from City Attorney John Staran indicating his review and approval of the plat should be incorporated into the legislative file record.

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

Enactment No: RES0127-2016

**Resolved**, that the Rochester Hills City Council hereby approves the Final Plat for Grace Parc, a 14-lot subdivision on 5.6 acres located north of South Boulevard between Livernois and Rochester Roads, zoned R-4, One Family Residential, Parcel No.15-34-402-068, Gwen and Patrick Bismack, Applicants, based on the Final Plat dated received by the Planning and Economic Development Department on April 28, 2016 and subject to submittal of all required performance guarantees, fees and other requirements that must be met prior to release of the Mylars and the Clerk's signature in accordance with Engineering Department provisions.

**2015-0492** Request for Acceptance of the Declaration of Restrictions for Grace Parc Subdivision, a 14-lot subdivision on 5.6 acres located north of South Boulevard between Livernois and Rochester Rd.; Gwen and Patrick Bismack, Applicant

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Declarations Restrictions 051316.pdf](#)  
[Map aerial.pdf](#)  
[Email J. Staran 111715.pdf](#)  
[Email Response C. Thurber 053116.pdf](#)  
[Final Plat 042816.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Manager of Planning, stated that the Declaration of Restrictions for Grace Parc were reviewed by the Engineering Department and legal counsel.

**Vice President Morita** questioned the interest rate of 11 percent noted in the restrictions for non-payment of the homeowners' association (HOA) fees.

**Ms. Roediger** responded that the interest rate is the option of the Applicant.

**Grace Bismack**, Applicant, stated that the HOA fee is \$50, and 11 percent of that amount is \$5.50. She noted that the HOA can readjust the rate. She commented that she consulted their legal counsel, who advised them that it was acceptable.

**Vice President Morita** stated that she cannot support approval as that rate is illegal under Michigan statute.

**City Attorney John Staran** stated that if the deed restrictions are otherwise acceptable, Council could consider granting approval subject to verification that the interest rate specified in the restriction does not violate the Michigan Usury Law. He stated that he does not purport to be a usury expert; however, this is something

that caught his eye. He commented that the rate probably does not exceed the maximum interest rate. He pointed out that the question was taken back to the developer's legal counsel; however, he had not spoken to their attorney. He suggested that approval be granted with the caveat that approval be subject to the City receiving verification satisfactory to the City Attorney that interest rate is lawful. If it is determined that a rate of 11 percent does meet the State Law, then no change may be required.

**Vice President Morita** stated that approval with this caveat would be acceptable to her.

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdel

**Absent** 2 - Brown and Wiggins

Enactment No: RES0128-2016

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby accepts the Declaration of Restrictions for Grace Parc Subdivision, a 14-lot subdivision on 5.6 acres, zoned R-4, One Family Residential, Parcel No. 15-34-402-068, located north of South Boulevard between Livernois and Rochester Rd., Gwen and Patrick Bismack, Rochester Hills, Applicant.

**Further Resolved**, that the acceptance is subject to the City receiving verification satisfactory to the City Attorney that the interest rate specified in the Restrictions is lawful.

**Be It Finally Resolved**, that the City Clerk is directed to record the Declaration of Restrictions with the Oakland County Register of Deeds.

**2015-0181** Request for Planned Unit Development (PUD) and Conceptual Site Plan Approval - Sanctuary in the Hills East Condominiums, a proposed 14-unit residential development on 4.57 acres, located east of Sanctuary Blvd., north of South Blvd., zoned R-4 One Family Residential; Dan MacLeish, MacLeish Building, Inc., Applicant

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Concept Plan Staff Report 051716.pdf](#)  
[Map aerial.pdf](#)  
[Suppl HOA Email 060116.pdf](#)  
[Review Comments.pdf](#)  
[EIS.pdf](#)  
[Letter MacLeish 092215.pdf](#)  
[Minutes PC 051716.pdf](#)  
[Minutes PC 051915.pdf](#)  
[SITH Elevation 042816.pdf](#)  
[Other Elevations.pdf](#)  
[Site Plans.pdf](#)  
[Public Hearing Notice-PC.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Manager of Planning, introduced **Dan MacLeish Sr.**, and **Dan MacLeish Jr.**, Applicants. She noted that the proposed Planned Unit

*Development (PUD) consists of 4.57 acres on the east side of Sanctuary Boulevard north of South Boulevard, currently zoned R-4. She stated that 14 dwelling units were proposed, consisting of seven two-unit attached condominium buildings. She pointed out that this is an extension of an existing Consent Judgment, and the PUD is required to allow extension of the project. She commented that this is a two-step process, consisting of a conceptual phase and a final review.*

*She explained that the development consists of one cul-de-sac road off of Sanctuary Boulevard; and she noted that as high quality wetlands exist on the property, a Wetland Permit will be included as a part of the final plan. She stated that a maintenance access drive was proposed to access the detention basin, which would cross high-quality wetlands. She noted that as a part of the site plan review, the maintenance drive would not be approved. She pointed out that as a part of a natural features setback modification, the developer is proposing to construct a boulder retaining wall around the wetland which would serve as a physical barrier for pollutants.*

*She stated that a sidewalk was included by the Planning Commission as a condition of approval. She commented that an e-mail communication is included from the existing Homeowners' Association requesting that sidewalks not be installed, as the current development does not have them; and installing them would be out of character with the existing development.*

*She stated that Council is requested to grant conceptual approval for the overall layout and design, with the actual PUD and permit to be submitted for approval at a later date.*

**Council Discussion:**

**Dr. Bowyer** stated that she was appreciative that ASTI Environmental, the City's Consultant, was able to eliminate the access road to the detention basin. She noted that she met with Rodney Meyer of the existing HOA regarding the need for a sidewalk. She pointed out that the sidewalk would be only on one side of the road.

**Ms. Roediger** responded that the City's Ordinance requiring sidewalks is clear for single-family detached homes; however, it is not as clear for duplexes or attached units.

**Dr. Bowyer** commented that she did not believe the sidewalk was needed; however, the sidewalk to connect the development to the main walkway should be kept.

**Mr. Hetrick** stated that he would agree with approving the request with the sidewalk condition removed.

**Vice President Morita** noted that the sidewalk was discussed at the Planning Commission Meeting and questioned what the result of the discussion was.

**Ms. Roediger** responded that there was some support for the sidewalks.



**Vice President Morita** stated that Council could approve the plan tonight with the conditions as specified by the Planning Commission. She noted that Mr. MacLeish could return to the Planning Commission for additional consideration for removing the sidewalk, and it could be taken out of the conditions at that time.

**Ms. Roediger** stated that it would be beneficial to give the developer some direction on the sidewalk.

**Vice President Morita** commented that it is her recollection that the Planning Commission wanted the sidewalk.

**Mr. MacLeish Sr.** stated that the development is part of a private semi-secluded subdivision. He commented that most of the time four or five people walk down the street together and would rather travel the street than a sidewalk. He mentioned that 95 percent of their customers are seniors and empty-nesters. He pointed out that there is a sidewalk on Sanctuary Boulevard that heads to South Boulevard. He added that widows and widowers do not want individuals walking down the sidewalk on their property that they do not know, and he commented that the HOA must keep any sidewalk cleared and salted. He stated that this is the reason that the current HOA President's e-mail is requesting that the requirement be removed.

**Vice President Morita** noted that the same argument was made at the Planning Commission. She stated that she is hesitant to support that change to the plan at this time.

**Dr. Bowyer** questioned whether the City maintained and salted the sidewalk.

**Ms. Roediger** responded that it is the responsibility of the HOA.

**Vice President Morita** commented that the Planning Commission wanted the sidewalk and it would be presumptuous for Council to remove it.

**Dr. Bowyer** stated that she would move to approve the PUD, noting Council's lack of interest in the sidewalk on the south side of the short cul-de-sac.

**Mayor Barnett** commented that the original staff position suggests that a sidewalk is required because that is the initial requirement on any project. He explained that subsequently, the specifics of a situation are reviewed; and it was noted that some things have changed on this project. He stated that based on conversations and the metrics of the development, Staff is not as adamant about the requirement.

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

**Aye** 4 - Bowyer, Hetrick, Kubicina and Tisdell

**Nay** 1 - Morita

**Absent** 2 - Brown and Wiggins

Enactment No: RES0129-2016

**Resolved**, that the Rochester Hills City Council hereby approves the Planned Unit Development (PUD) and Conceptual Site Plan for Sanctuary in the Hills East Condominiums, City File No. 89-114.2, a proposed 14-unit residential development on 4.57 acres, located east of Sanctuary Blvd., north of South Blvd., zoned R-4 One Family Residential, Parcel Nos. 15-32-476-001, -002, -005, -006, -009, 15-32-477-009, and -016, Dan MacLeish, MacLeish Building, Inc., Applicant, based on plans dated received by the Planning and Economic Development Department on April 13, 2016 with the following findings and conditions:

**Findings:**

1. The proposed PUD Concept plan meets the criteria for use of the Planned Unit Development option.
2. The proposed PUD Concept plan meets the submittal requirements for a PUD concept plan.
3. The proposed development should have a satisfactory and harmonious relationship with the development on-site as well as existing development in the adjacent vicinity.
4. The proposed development is not expected to have an unreasonably detrimental or injurious effect upon the natural characteristics and features of the site or those of the surrounding area.
5. The proposed development provides adequate benefit that would not otherwise be realized including the development of a desired land use to provide diversity in housing options in the City.

**Conditions:**

1. Approval shall only confer the right of the applicant to submit detailed site plans consistent with the layout and at a density not exceeding that shown on the PUD Concept plan.
2. The site plans, including but not limited to landscaping, engineering, tree removal and wetland use/buffer modification plans will meet all applicable City ordinances and requirements while remaining consistent with the PUD Concept layout plan.
3. The architectural quality of building plans submitted with the site plans and PUD Agreement in step 2 of the PUD process will be equal to or better than that approved with the PUD Concept plan.
4. Recommendation by the Planning Commission and approval by City Council of a Wetland Use Permit and submittal of an MDEQ Wetland Permit at Final PUD review, with the plans to address comments from ASTI's letter dated April 27, 2016.
5. Approval of a Tree Removal Permit by Planning Commission at Final PUD review.

6. Recommendation by the Planning Commission and approval by City Council of a PUD Agreement, as approved by the City Attorney, at Final PUD review.
7. Address comments from the Engineering memo dated April 28, 2016 applicable to Final PUD submittal and any minor outstanding staff comments prior to Final Site Condo Plan submittal.
8. The addition of a sidewalk along the south side of the proposed road to connect to the wood chip path.
9. Work with the Engineering Department to find an alternative access to the detention pond that removes the access drive off of Sanctuary Blvd.
10. Approval of the vacation of Grant Rd. by a circuit court order or an agreement to hold the City harmless against any claims which include, but are not limited to an irrevocable letter of credit or bond as determined appropriate by the City, prior to issuance of a Land Improvement Permit.
11. That the purchase of the property shall be consummated prior to commencing any development, including the clearing of trees.
12. Construction traffic shall be restricted to Sanctuary Blvd. and South Boulevard.

**Further Resolved**, that Council does not find that Condition No. 8, the addition of a sidewalk along the south side of the proposed road to connect to the wood chip path, is necessary.

- 2015-0526** Request for Final Site Condominium Plan Approval - Woodland Park Site Condominiums, a proposed 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay; Pulte Land Company, Inc., Applicant

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Staff Report 051716.pdf](#)  
[Map aerial.pdf](#)  
[Review Comments.pdf](#)  
[Final Site Condo Plans.pdf](#)  
[Minutes PC 051716.pdf](#)  
[011116 Agenda Summary.pdf](#)  
[Suppl Presentation 011116.pdf](#)  
[Site Plans.pdf](#)  
[Landscape Plan.pdf](#)  
[Colored Elevations.pdf](#)  
[Prelim. Staff Report 121515.pdf](#)  
[Letter Pulte Neighbor Mtg. 112315.pdf](#)  
[Email Skore 120815.pdf](#)  
[Review Comments.pdf](#)  
[EIS.pdf](#)  
[Minutes PC 121515.pdf](#)  
[011116 Resolution \(Draft\).pdf](#)  
[Resolution \(Draft\).pdf](#)

**Sara Roediger**, Manager of Planning, introduced Joe Skore, representing Pulte Homes. She noted that the development was located at the southwest corner of Hamlin and Livernois. She explained that when the plans were submitted for final review, there had been some small adjustments made to the engineering that increased the impact to the low-quality wetland area by 506 square feet. She commented that the original plan matched all review criteria, and Staff continues to recommend approval.

**Mr. Hetrick** expressed his appreciation to the Applicant for including boulders to preserve the wetland.

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

Enactment No: RES0130-2016

**Resolved**, that the Rochester Hills City Council hereby approves the Final Site Condominium Plan for Woodland Park Site Condominiums, a 48-unit residential development on 23.6 acres, located south of Hamlin and west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-007, -008, -021, -022, part of -001 and 15-28-204-004, based on plans dated received by the Planning and Economic Development Department on May 3, 2016, Pulte Land Company, Applicant, with the following findings and conditions:

**Findings:**

1. Upon compliance with the following conditions, the proposed condominium plan meets all applicable requirements of the zoning ordinance and one-family residential detached condominium.
2. Adequate utilities are available to properly serve the proposed development.

3. The final plan represents a reasonable and acceptable plan for developing the property.
4. The final plan is in conformance with the preliminary plan approved by City Council on January 11, 2016.

**Conditions:**

1. Engineering approval of all permits and agreements prior to issuance of a land improvement permit.
2. Inspection and approval of tree protection and silt fencing by the City prior to issuance of a Land Improvement Permit.
3. Post a landscape and irrigation bond in the amount of \$183,015.00 plus inspection fees, as adjusted as necessary by the City, prior to issuance of a Land Improvement Permit.
4. Payment into the City's Tree Fund in the amount of \$46,648.50 for trees that cannot be replaced on site, prior to issuance of a Land Improvement Permit.
5. Submit an irrigation plan with a note specifying that watering will only occur between the hours of 12:00 a.m. and 5:00 a.m. prior to final approval by staff.
6. Payment of \$9,600 into the tree fund for street trees prior to issuance of a Land Improvement Permit.
7. Compliance with staff's memos with minor comments to be addressed at building permit application and prior to final approval by staff.

**2015-0525** Request for approval of a Revised Wetland Use Permit for impacts up to an additional 509 square feet (previously approved for 14,133 square feet) associated with the construction of Woodland Park Site Condominiums, a proposed 48-unit development on 23.6 acres located south of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay; Pulte Land Company, Inc., Applicant

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Staff Report 051716.pdf](#)  
[Map aerial.pdf](#)  
[ASTI Rev 051116.pdf](#)  
[Final Site Condo Plans.pdf](#)  
[Minutes PC 051716.pdf](#)  
[Public Hearing Notice -PC 051716.pdf](#)  
[011116 Agenda Summary.pdf](#)  
[Suppl Presentation 011116.pdf](#)  
[ASTI Rev 111615.pdf](#)  
[Site Plans.pdf](#)  
[Public Hearing Notice.pdf](#)  
[011116 Resolution \(Draft\).pdf](#)  
[Resolution \(Draft\).pdf](#)

***Sara Roediger, Manager of Planning, noted that the Revised Wetland Permit included some minor adjustments to the original wetland area. She pointed out that the Applicant had taken the recommendations of ASTI Environmental, the City's consultant, and included boulder walls to reduce the impact to the wetlands.***

*Dr. Bowyer expressed her appreciation to the Applicant for adding the extra protection to reduce the impact to the wetlands.*

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

Enactment No: RES0131-2016

**Resolved**, that the Rochester Hills City Council hereby approves the Revised Wetland Use Permit for Woodland Park Site Condominiums, a 48-unit development on 23.6 acres located south of Hamlin, west of Livernois, zoned R-3 One Family Residential with an MR Mixed Residential Overlay, Parcel Nos. 15-28-226-007, -008, -021, -022, part of -001 and 15-28-204-004, based on plans dated received by the Planning and Economic Development Department on May 3, 2016, Pulte Land Company, Applicant, with the following findings and conditions:

**Findings:**

1. The applicant received approval of a Wetland Use Permit from City Council on January 11, 2016 for impacts up to 14,133 square feet and is now requesting approval for an additional 509 square feet identified for work during construction activities.
2. The revised amount was determined during construction plan review and is a nominal amount over what was previously approved.
3. Of the approximately 1.12 acres of City-regulated wetlands on site, the applicant is proposing to impact approximately one-third in total.
4. The wetland areas are of medium to low ecological quality and should not be considered a vital natural resource to the City as determined by the City's Wetland Consultant, ASTI, who recommends approval of the permit.

**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 wetlands areas, prior to issuance of a Land Improvement Permit.
3. That any temporary impact areas be restored to original grade with original soils or equivalent soils and seeded with a City approved wetland seed mix where possible, prior to final approval by staff.

## **PUBLIC COMMENT for Items not on the Agenda**

*Shawna Bootka, 1814 Streamedge, requested that the City intervene to assist in correcting traffic problems on Hamlin Road at the entrance to Streamwood Condominiums. She stated that traffic backs up to the roundabout, and the*

*entire entrance to Streamwood is blocked. She requested that a sign be installed that traffic should not block the entrance to Streamwood to allow traffic to enter and exit.*

## 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.

- 2016-0210** Request for Purchase Authorization - DPS/FLEET: Blanket Purchase Order for new fleet and fire truck tires in the amount not-to-exceed \$35,000.00 through March 31, 2017; The Goodyear Tire and Rubber Company, Akron, OH

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0132-2016

**Resolved**, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for new fleet and fire truck tires to The Goodyear Tire and Rubber Company, Akron, Ohio in the amount not-to-exceed \$35,000.00 through March 31, 2017.

- 2016-0225** Request for Adoption of a Resolution Authorizing the Parks & Forestry Director to be the Agent for the City of Rochester Hills for Oakland County's West Nile Virus Fund Program

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Resolution \(Draft\).pdf](#)

**This Matter was Adopted by Resolution on the Consent Agenda.**

Enactment No: RES0133-2016

**Whereas**, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages, and townships in addressing mosquito control activities; and

**Whereas**, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages, and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding, or focused adult mosquito insecticide spraying in designated community green areas; and

**Whereas**, the City of Rochester Hills, Oakland County, Michigan, has or will incur expenses in connection with mosquito control activities believed to be eligible for reimbursement under Oakland County's West Nile Virus Fund Program;

**Now, Therefore, Be It Resolved**, that the City Council of Rochester Hills authorizes and directs its Parks & Forestry Director, as agent for the City of Rochester Hills, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

## Passed the Consent Agenda

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdell

**Absent** 2 - Brown and Wiggins

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**Mr. Hetrick** congratulated the Rochester High School Cheer Team for their success as State Champions. He noted that PAR Pharmaceuticals donated land to the Older Persons' Commission (OPC), which will allow the OPC to extend their parking lot into the three acres adjacent to their property. He mentioned that he participated in the OPC's 5K benefitting Meals on Wheels. He stated that he will be attending the Southeast Michigan Council of Governments General Assembly on June 23, 2016.

**Mr. Kubicina** stated that he will be at the Rochester Avon Recreation Authority (RARA) tomorrow at 6:00 p.m. in support of the RARA and Rochester Area Youth Assistance Program to sign families up for Camp Safari. He noted that Camp Safari will run from June 20, 2016 to August 12, 2016, from 9:00 a.m. to 2:00 p.m. at Bloomer Park, and is at low cost to camper's families.

**Mayor Barnett** made the following announcements:

- Oakland County Sheriff's Office Deputy Jeff Frye was named Reserve Deputy of the Year. Deputy Derek Myers was named Road Patrol Deputy of the Year. Both are assigned to the Rochester Hills Substation.
- A ten-year-old resident, Jade, was honored for her efforts to help stop a crime.
- Veteran's Memorial Park was the location for the ceremony following the Memorial Day Parade. A thank you goes to the City team, along with recent retired City employee Ed Leafdale, for their considerable work to care for the Park.
- Mayor Barnett and Vice President Morita worked the drive-through at the Tim Horton's on Crooks Road to raise funds for Camp Day. He thanked Ravinder and Anita Saini, owners of the Tim Horton's, for their support to send children to camp.
- A groundbreaking was held for the new JENOPTIK facility on Hamlin Road.
- Paddlepalooza was held on Saturday, June 4, 2016. Eighty-five entrants traveled the Clinton River. The Mayor's Cup this year went to Mayor McDaniel of Auburn Hills.
- The following road projects are ongoing:
  - \* Construction is continuing on South Boulevard, and should be completed by July 1. On July 4, work will move to the intersection of Rochester and Avon Roads.
  - \* Pavement has been installed on Norton Lawn and Hickory Lawn.
  - \* Work is beginning on Brewster Road at Walton Boulevard.
- The Water Quality Report went out to the residents.
- The Rochester Hills Government Youth Council's 5K is this coming Saturday, June 11, 2016 at Bloomer Park.



- *The Festival of the Hills Fireworks event is set for June 29, 2016 at Borden Park. The event uses no taxpayer dollars.*

**President Tisdell** announced that *Christine Wissbrun, Administrative Aide in the Clerk's Department, was named a Finalist for National Public Notary of the Year. Ms. Wissbrun is attending the annual National Notary Association Conference in Anaheim, California, where the winner will be announced Wednesday.*

*He noted that the League of Women Voters will host a Candidate Forum for the 45th District State Representative race on Wednesday, June 15, 2016, at 7:00 p.m., in the City Hall Auditorium.*

*He commented that City Engineer Paul Davis would address public comment regarding traffic concerns on Hamlin Road at Streamwood Condominiums.*

**Ms. Morita** expressed her appreciation to *Allan Schneck, Director of DPS/Engineering, and his staff for being sensitive to the needs of the neighborhood during construction activities. She commented that River Valley residents have concerns regarding power outages and the aging utility infrastructure. She questioned whether the City could address these concerns with DTE Energy.*

**Mayor Barnett** responded that *he would contact the DTE Representative to discuss the outages.*

**Ms. Morita** requested Council schedule a joint meeting with the Planning Commission, stating that *it is important for Council to understand what the Planning Commission looks at and considers. She pointed out that the PAR Pharmaceuticals donation of land to the OPC included a historic barn, noting that it will be a huge asset to the OPC and to the community at large. She mentioned that Tim Horton's efforts to secure donations to send children to camp resulted in 14 children being able to go to an overnight camp.*

**Dr. Bowyer** reminded residents to observe the Water Ordinance and set their sprinklers to water in the overnight hours. *She commented that a spike in usage during the day will drive rates up. She announced that this past Saturday was National Trails Day. The Paint Creek Trailways Commission hosted a garlic mustard pull, to rid the trail from this invasive plant that emits a chemical that inhibits the growth of other plants. She updated Council on the City's efforts to help prevent mosquito bites that could spread West Nile or the Zika virus. She stressed that residents should empty pots and get rid of standing water. She stated that the City is clearing out all catch basins that hold water and are dropping in a briquette that contains a larvicide. She noted that the Parks Department has briquettes available for the community members to pick up. She mentioned that Green Space Stewardship activities were covered in the Hills Herald, noting efforts to remove Phragmites, an invasive species that crowds out cattails and dries up marshes. She expressed her thanks to PAR Pharmaceuticals for donating a portion of their land to the OPC.*

## ATTORNEY'S REPORT

*City Attorney John Staran stated that Council should be aware of a Court of Appeals decision which occurred just before Memorial Day, regarding the controversy surrounding big box stores and decisions out of the Michigan Tax Tribunal which resulted in significantly undervalued properties. He noted a published court decision regarding a Menard's of Escanaba which rather significantly departed from prior Tax Tribunals and suggested a methodology victory for local governments that will assist in combating the concerns of an eroding tax base. He pointed out that the brief was written by Vice President Morita.*

**2016-0226** Adoption of a Resolution to meet in Closed Session on Monday, June 20, 2016 at 6:00 p.m., Michigan Time, at the Rochester Hills Municipal Offices for the purpose of reviewing the terms of a tentative contract agreement between the City of Rochester Hills and the International Association of Fire Fighters (IAFF) Local 3472

**Attachments:** [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** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdel

**Absent** 2 - Brown and Wiggins

Enactment No: RES0134-2016

**Resolved**, that the Rochester Hills City Council hereby agrees to meet in Closed Session, as permitted by State Statute MCLA 15.268, on Monday, June 20, 2016 at 6:00 p.m., Michigan Time, at the Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Rochester Hills, Oakland County, Michigan. The purpose of the Closed Session is to review the terms of a tentative contract agreement between the City of Rochester Hills and the International Association of Fire Fighters (IAFF) Local 3472.

## NEW BUSINESS

**2016-0224** Request for Purchase Authorization - CLERKS: Purchase of Election Voting Booth Equipment in the total cost not-to-exceed \$40,410.00; Miller Consultations and Elections dba ElectionSource, Grand Rapids, MI

**Attachments:** [060616 Agenda Summary.pdf](#)  
[Proposals Summary.pdf](#)  
[Voting Booth Equipment.pdf](#)  
[Resolution \(Draft\).pdf](#)

*City Clerk Tina Barton noted that the City's current voting booths are over 30 years old and were developed for the punch card ballot system. She stated that 200 will be purchased, including lights and storage stands. She explained that she and Deputy Clerk Leanne Scott invited vendors to bring various booths and four senior members of the City's precinct workers were asked to view the various booths and give an opinion of which they thought would be easy to maneuver and set up.*

*She noted that the recommended booths were overwhelmingly the choice of the workers.*

***Vice President Morita** expressed her appreciation for the inclusion of a photograph of the booth.*

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

**Aye** 5 - Bowyer, Hetrick, Kubicina, Morita and Tisdel

**Absent** 2 - Brown and Wiggins

Enactment No: RES0135-2016

**Resolved**, that the Rochester Hills City Council authorizes the purchase of Election Voting Booth Equipment in the total cost not-to-exceed \$40,410.00 to Miller Consultations and Elections dba ElectionSource, Grand Rapids, Michigan.

## ANY OTHER BUSINESS

*It was noted that this is the 72nd Anniversary of the D-Day Invasion.*

*Mayor Barnett expressed his appreciation to Council and those in attendance for their patience with the audio-visual system difficulties experienced tonight.*

## NEXT MEETING DATE

*Closed Session - Monday, June 20, 2016 - 6:00 p.m.; Regular Meeting - Monday, June 20, 2016 - 7:00 p.m.*

## ADJOURNMENT

*There being no further business before Council, President Tisdel adjourned the meeting at 9:53 p.m.*

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

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

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

*Approved as presented at the July 18, 2016 Regular City Council Meeting.*