



Rochester Hills Minutes

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Home Page:
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City Council Regular Meeting

*David J. Blair, Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, Stephanie Morita,
Theresa Mungiola and David Walker*

Vision Statement: *The Community of Choice for Families and Business*

Mission Statement: *"Our mission is to sustain the City of Rochester Hills as the premier community of choice to live, work and raise a family by enhancing our vibrant residential character complemented by an attractive business community."*

Monday, November 16, 2020

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

President Deel called the Regular Rochester Hills City Council Meeting to order at 7:00 p.m. Michigan Time.

ROLL CALL

Present 7 - David Blair, Susan M. Bowyer, Ryan Deel, Dale Hetrick, Stephanie Morita, Theresa Mungiola and David Walker

Others Present:

*Bryan Barnett, Mayor
Dan Christ, City Attorney
Scott Cope, Building/Ordinance/Facilities Director
Numair Haq, Rochester Hills Government Youth Council Representative
Allan Schneck, Public Services Director
Leanne Scott, Deputy Clerk*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungiola and Walker

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC)

President Deel introduced Numair Haq, Rochester Hills Government Youth Council (RHGYC) Representative.

Mr. Haq shared that he is a junior at Rochester Adams High School. He stated that he currently serves as Secretary for the Rochester Hills Government

Youth Council and is the RHGYC Representative on the Liquor License Technical Review Committee. He shared that in the month of November, Youth Council made Cards of Encouragement for every senior citizen that resides at Medilodge Nursing Home. He announced that RHGYC is preparing for their month of giving in December to provide support for the New Day Foundation and Rainbow Connection.

Rochester Avon Recreation Authority (RARA):

Ms. Mungoli reported that the Rochester Avon Recreation Authority (RARA) cancelled some of its activities due to the recent change in COVID-19 restrictions. She encouraged individuals to refer to RARA's website for activity updates and public attendance policies.

Rochester Area Youth Assistance (RAYA):

Ms. Mungoli reported that the Rochester Area Youth Assistance (RAYA) is still meeting on a regular basis. She encouraged families who are in the Rochester Community School District and in need of assistance, to please contact RAYA.

Avondale Youth Assistance (AYA):

Ms. Morita announced that the Avondale Youth Assistance (AYA) is providing additional support to families. She shared that Oakland County Youth Assistance received a substantial grant to provide support to families with food and basic care items. She stated that AYA is also looking into purchasing additional Personal Protection Equipment (PPE) to use in the AYA office. She encouraged families with students in the Avondale School District who are in need of assistance to please contact her at moritas@rochesterhills.org.

Rochester Hills Museum Foundation:

Ms. Morita shared that the Museum Board Foundation will be meeting on Friday, November 20, 2020 to discuss the Museum's Long Range Plan, which will include construction to the Dairy Barn and Equipment Barn.

Southeast Michigan Council of Government (SEMCOG):

Mr. Hetrick stated that he attended the Southeast Michigan Council of Government (SEMCOG) General Assembly Meeting. He shared that as a part of the Walk. Bike. Drive. Safe Campaign SEMCOG has made available bike lights for members of the community. He encouraged individuals who are interested in receiving a bike light to please contact him at hetrickd@rochesterhills.org.

ORDINANCE FOR INTRODUCTION

2020-0396 Request for Acceptance for First Reading - An Ordinance to add Division 4, Portable Generators, to Chapter 70, Article IV of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to regulate the use of portable

Approved as presented at the March 8, 2021 Regular City Council Meeting.

generators for power supply, repeal conflicting Ordinances, and prescribe a penalty for violations

Attachments: [11162020 Agenda Summary.pdf](#)
[11162020 Resolution.pdf](#)
[10192020 Agenda Summary.pdf](#)
[10192020 Ordinance.pdf](#)
[10192020 Resolution.pdf](#)

Scott Cope, Building/Ordinance/Facilities Director, stated that the proposed Ordinance has been revised as noted below to address the concerns expressed by City Council.

- The Ordinance applies only to portable generators, not stationary standby generators.
- A definition of "portable generator" has been added.
- A 2nd paragraph has been added to Sec. 70-2013 to expressly state the regulation does not apply to stationary generators or temporary use of portable generators.
- The Ordinance will allow portable generators to be used to power homes and buildings during a power outage, but not deemed as an acceptable alternative energy source on a permanent basis.

President Deel expressed his appreciation for the staff taking into account City Council's comments and incorporating them into the most recent version of the proposed Ordinance.

Mr. Blair extended his gratitude to Mr. Cope for considering Council's comments. He stated that the revised Ordinance addresses all of his concerns.

Ms. Morita expressed her appreciation for staff's consideration of the suggestions made by Council and for City Attorney Staran sending a draft of the Ordinance prior to the meeting which allowed her to provide additional comments.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0284-2020

Resolved, that an Ordinance to add Division 4, Portable Generators, to Chapter 70, Article IV of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to regulate the use of portable generators for power supply, repeal conflicting Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

PUBLIC COMMENT for Items not on the Agenda

Lori Lubman, Crooks Road, Rochester Hills, Michigan, shared her concerns relative to the investigation of a complaint she filed with the Oakland County Sheriff's Office (OCSO) claiming that she is not getting support from the OCSO.

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.

- 2020-0425** Request for Approval of a Sanitary Sewer Service Agreement between the Charter Township of Shelby, the City of Rochester Hills and Vitaliano and Monica Terracciano for Christenbury Site Condominium-Unit 2

Attachments: [11162020 Agenda Summary.pdf](#)
[Sanitary Sewer Service Agrmt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0271-2020

Resolved, that the Rochester Hills City Council hereby approves the Sanitary Sewer Service Agreement between the Charter Township of Shelby, the City of Rochester Hills and Vitaliano and Monica Terracciano whose address is 19910 Westchester Drive, Clinton Township, MI 48038 for Christenbury Site Condominium-Unit 2, part of parcel numbers 15-01-278-005 and 15-01-278-007.

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

- 2020-0426** Request for Approval of a Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Campus Corners Associates, a Michigan limited partnership, for Campus Corners Outbuilding

Attachments: [11162020 Agenda Summary.pdf](#)
[Storm Maint Agrmt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0272-2020

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Campus Corners Associates, a Michigan limited partnership, whose address is 1334 Maplelawn Drive, Troy, MI 48084, for Campus Corners Outbuilding, Parcel #15-15-101-014.

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

- 2020-0427** Request for Approval of a Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Lake Michigan Credit Union, a State Chartered Credit Union, for Lake Michigan Credit Union

Attachments: [11162020 Agenda Summary.pdf](#)
[Storm Maint Agrmt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0273-2020

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Lake Michigan Credit Union, a State Chartered Credit Union, whose address is PO Box 2848, Grand Rapids, MI 49501, for Lake Michigan Credit Union, Parcel #15-03-451-029.

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

2020-0428 Request for Acceptance of the Water Main Easement granted by Lake Michigan Credit Union, a State Chartered Credit Union, for Lake Michigan Credit Union

Attachments: [11162020 Agenda Summary.pdf](#)
[Water Main Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0274-2020

Resolved, that the Rochester Hills City Council, on behalf of the City of Rochester Hills hereby accepts a Water Main Easement for the construction, operation, maintenance, repair and/or replacement of a water main on, under, through and across land more particularly described as Parcel #15-03-451-029, granted by Lake Michigan Credit Union, a State Chartered Credit Union whose address is PO Box 2848, Grand Rapids, MI 49501, for Lake Michigan Credit Union.

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

Passed the Consent Agenda

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Munglioli and Walker

LEGISLATIVE & ADMINISTRATIVE COMMENTS

President Deel expressed his appreciation to Clerk Barton and the Clerk's Office Staff for a job well done with the November 3rd General Election. He stated that the General Election was a record turnout for absentee voting.

Ms. Munglioli extended her appreciation for Clerk Barton, Deputy Clerk Scott and the Clerk's Office team. She stated that Clerk Barton and her team have the full support from Council for all they have done to ensure every vote was counted. She shared that she had the opportunity to assist with the Receiving Board and witnessed the professionalism of the team. She noted that the City of Rochester Hills can serve as an example to the Country, State, County and residents as to how elections should operate.

Mr. Hetrick stated that Clerk Barton and her team have done exceptional work for every election. He extended his support for Clerk Barton and her team for the

work they did to ensure that every single vote in the City of Rochester Hills was counted.

Vice President Bowyer extended her appreciation to Clerk Barton, Deputy Clerk Scott and the election inspectors for a job well done on Election Day. She shared that she assisted with the Absentee Counting Board and witnessed the transparent process that ensures the integrity of the election. She stated her support for Clerk Barton and everything she has done for elections.

Vice President Bowyer reported the following:

- The City of Rochester Hills completed the 2020 Census with 85 percent of its residents counted for and is ranked fourth in the Nation for response rate.
- She acknowledged Mayor Barnett for his 2020 State of the City Address virtual presentation on November 9, 2020.
- The Transportation Master Plan Workshop Webinar is scheduled for Thursday, January 7, 2021 at 7:00 p.m. and residents are encouraged to participate and share their input.
- She encouraged residents who are interested in serving on a committee, board, or commission, please visit www.rochesterhills.org/cbc to submit a questionnaire.

Mayor Barnett reported the following updates:

- He addressed the public comment made earlier stating that the case was deemed a civil matter after investigation by the Oakland County Special Investigation Unit and the Oakland County Prosecutor's Office.
- He thanked Council Members for assisting in the Election. He extended his appreciation for Clerk Barton and recognized her for facilitating a transparent election process. He stated he has full faith and confidence that votes cast in the City of Rochester Hills were counted appropriately and on time.
- On November 9, 2020 the State of the City Address was presented as a virtual event. He shared that despite the COVID and economic challenges it was important to highlight the positive things happening in the City of Rochester Hills. He expressed his desire to be back in person next year.
- He stated that the Stoney Creek Cougars football team advanced to their first play-off game, with an undefeated season. He extended his congratulations and thanked the Stoney Creek Cougars and Cougar Nation for a fun football season.
- On November 16, 2020, the City of Rochester Hills hosted Erik Qualman, a Rochester High School graduate and best-selling author, who delivered a motivational speech on Focus via Zoom to the business community and City staff. Mayor Barnett shared that he is starting a Speaker's Series, to temporarily take the place of the Mayor's Business Council in order to continue adding value to the business community while operating in the current virtual environment.
- On Friday, November 20, 2020, the Village of Rochester Hills will host a drive-thru Christmas gift drop off in celebration of the City's 36th birthday. Those interested in providing gifts for kids in the community can drop off new, unwrapped gifts to The Village of Rochester Hills located at 104 N.Adams Rd, Rochester Hills, from 10:00 a.m. to 9:00 p.m. The first few hundred people to arrive will get a free cookie from Mel B's Sweets.
- The Sunrise Pinnacle Awards Ceremony took place on November 2, 2020,

organized by the Rochester Regional Chamber of Commerce to honor the accomplishments and contributions of the region's leaders, non-profit organizations and businesses. The following individuals representing the City of Rochester Hills were the 2020 Award Winners: Prefix Corporation, Business of the Year; John Lyman, First Responder of the Year; and Corrin Barnett, Entrepreneur of the Year. - He recognized the City of Rochester Hills for a job well done with the 2020 Census. The City of Rochester Hills finished fourth (4th) in the Nation among cities similar in size. He congratulated the residents and everyone who completed the 2020 Census Survey. - In response to the Michigan Department of Health and Human Services (MDHHS) Epidemic Order, effective Wednesday, November 18, 2020, City Hall proper will be closed to the public with the exception of appointments. Most City business can be conducted online, however, some transactions will need to take place in person. He ensured residents that the City is committed to continuing to deliver outstanding service.

Leanne Scott, Deputy Clerk expressed her appreciation on behalf of Clerk Barton for the kind and thoughtful words expressed by Mayor Barnett and City Council. She thanked the Council for their support and assistance during the Election. She stated the greatest number of election workers were hired and trained to work the November 3rd General Election.

ATTORNEY'S REPORT

City Attorney Dan Christ had nothing to report.

NOMINATIONS/APPOINTMENTS

2020-0415 Request to Confirm the Mayor's reappointment of Robert Justin, Mark Sera and Thomas Turnbull to the Brownfield Redevelopment Authority for a three-year term to expire November 13, 2023

Attachments: [11162020 Agenda Summary.pdf](#)
[Mark Sera CQ.pdf](#)
[Robert Justin CQ.pdf](#)
[Thomas Turnbull CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

Ms. Morita shared that she had the pleasure of serving with Mr. Justin, Mr. Sera and Mr. Turnbull over the last several years and expressed her appreciation for their service and noted that they were instrumental in writing the Brownfield Redevelopment Policy.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungoli and Walker

Enactment No: RES0275-2020

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Robert Justin, Mark Sera and Thomas Turnbull to the Brownfield Redevelopment Authority for a three-year term to expire November 13, 2023.

NEW BUSINESS

- 2020-0438** Request for Purchase Authorization - FACILITIES: Purchase Authorization for the purchase and installation of replacement office furniture at the City's Fire Station #1 in the amount of \$80,070.76; NBS Commercial Interiors, Troy, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[Drawings.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Building/Ordinance/Facilities Director, stated that the proposal for consideration is to purchase new furniture and cabinets for the community risk reduction and administrative areas at Fire Station #1. He explained that the existing furniture is over thirty-two (32) years of age and in need of replacement.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0276-2020

Resolved, that the Rochester Hills City Council hereby authorize the purchase and installation of replacement office furniture at the City's Fire Station #1 to NBS Commercial Interiors, Troy, Michigan in the amount of \$80,070.76.

- 2020-0441** Request for Approval of the Interlocal Agreement between the City of Rochester Hills and the Charter Township of Bloomfield for Plan Review and Inspection Services

Attachments: [11162020 Agenda Summary.pdf](#)
[Bloomfield Interlocal Agreement.pdf](#)
[Resolution \(Draft\).pdf](#)

Scott Cope, Building/Ordinance/Facilities Director, stated that this Interlocal Agreement is related to a mutual aid agreement with the Charter Township of Bloomfield. He explained that the purpose of the Interlocal Agreement is to allow for reciprocal services among the agencies during times of need with respect to plan review and inspection services. He stated that there is a limit to the number of hours services can be exchanged.

President Deel explained that the Interlocal Agreement is very similar to other mutual aid agreements that the City has with other municipalities.

Ms. Mungioli suggested that they continue to keep track of the number of times and hours of service that is being provided and make adjustments if deemed necessary.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0277-2020

Resolved, that the Rochester Hills City Council approves the Interlocal Agreement

between the City of Rochester Hills and Charter Township of Bloomfield for Plan Review and Inspection Services and authorizes the Mayor to execute the agreement on behalf of the City.

- 2020-0420** Request for Purchase Authorization - FLEET: Purchase Authorization for one (1) new John Deere 544L Wheel Loader in the amount of \$172,773.89, one (1) new John Deere 410L Backhoe Loader in the amount of \$118,875.64 and one (1) new John Deere 310SL Backhoe Loader in the amount of \$100,686.23 for a total not-to-exceed purchase price of \$392,335.76; AIS Construction Equipment Corporation, New Hudson, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[JD 310SL Backhoe Loader.pdf](#)
[JD 410L Backhoe Loader.pdf](#)
[JD 544L Wheel Loader.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, requested Council's support for the purchase of three (3) pieces of equipment which are fully depreciated and have been in service past their anticipated replacement age. He explained that they are using the State of Michigan's Extended Purchasing Program, where they will receive a discount of 36.5 percent to 44.4 percent on these purchases.

President Deel reiterated the importance of leveraging a group's purchasing power to receive lower prices on equipment which is being done by using the State of Michigan's Extended Purchasing Program.

Ms. Munglioli requested that in the future, language is included that describes what the equipment is used for. She explained that it is important for residents to understand that this particular purchase is for snow removal and road repair equipment.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Munglioli and Walker

Enactment No: RES0278-2020

Resolved, that the Rochester Hills City Council hereby authorizes the purchase of one (1) new John Deere 544L Wheel Loader in the amount of \$172,773.89, one (1) new John Deere 410L Backhoe Loader in the amount of \$118,875.64 and one (1) new John Deere 310SL Backhoe Loader in the amount of \$100,686.23 for a total not-to-exceed purchase price of \$392,335.76 to AIS Construction Equipment Corporation, New Hudson, Michigan.

- 2020-0421** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for preliminary engineering services for the Hamlin Road Reconstruction Project from Crooks to Adams; Nowak & Fraus Engineers, Pontiac, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[Nowak and Fraus Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated that the Hamlin Road Reconstruction Project is in the Capital Improvement Plan and set to begin next construction season. He explained that the request is to enter into an agreement

with Nowak & Fraus Engineers to allow for plans to be prepared to indicate necessary specifications for solicitation. He stated that having the consultant prepare the plans within the first quarter puts the City in the best position to receive favorable prices for the project.

Vice President Bowyer questioned whether Hamlin Road Reconstruction Project is scheduled to begin after the completion of the apartment complex located at Hamlin and Adams Road.

Mr. Schneck stated that the timing of the two (2) projects may be very similar in terms of delivery. He explained that it may be scheduled so that road construction begins on the east side of the project working its way west. He stated the road will have the necessary pavement design to handle the truck load that is experienced on Hamlin and Adams Roads during and after the reconstruction project.

Vice President Bowyer expressed her concern for the poor condition of the road. She explained that once the road project is complete and construction traffic continues from the apartment complex project it may have a negative impact on the newly constructed road.

Mr. Schneck confirmed that the pavement design includes a traffic component that indicates the type of traffic the road experiences. He explained that it is designed to take the necessary vehicular and construction traffic load that would come from such a development.

Ms. Mungioli shared her past experience with the poor road condition on Walton Blvd. due to the way the concrete was built, and stressed the importance of ensuring that there is no continual damage to Hamlin Road after the reconstruction project is completed. She requested that the City work with the contractor at the apartment complex development to create a schedule to ensure that the major construction is completed prior to the Hamlin Road Project beginning. She suggested that the City take into account the timing of both projects, even if the Hamlin Road Reconstruction Project is postponed in order to ensure the road will not experience further deterioration due to high volumes of construction traffic.

Mr. Schneck explained that the poor road condition on Walton Blvd. is due to the lack of load transfer between slabs. He explained that there will be a proper load transfer and dowel bars will be placed between the slabs so they do not work independently. He stated that when the concrete is placed, core samples are retrieved at various time increments and tested to ensure sufficient design strength and is cured prior to opening the road to traffic.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0279-2020

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order to Nowak & Fraus Engineers, Pontiac, Michigan for preliminary

engineering services for the Hamlin Road Reconstruction Project from Crooks to Adams in the amount not-to-exceed \$289,552.00 and further authorizes the Mayor to execute an agreement on behalf of the City.

- 2020-0423** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for preliminary engineering services for the Auburn Road Rehabilitation Project (Rochester to Culbertson) in the amount not-to-exceed \$273,318.62; Hubbell, Roth & Clark, Inc., Bloomfield Hills, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[HRC Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, stated that although the Auburn Road Rehabilitation Project is planned to begin in 2022, he is requesting to obtain an early start on the design of the project. He explained that this project will investigate widening portions of Auburn Road, specifically in front of the Department of Public Services (DPS) Building, to allow for a continuous left turn lane which will help with traffic capacity and safety. He explained that the project may require some utility relocation; the preliminary engineering services will allow to plan ahead and be in the position to begin the project in 2022. He clarified that the project concept is to allow for a continuous left turn lane, not to widen the road.

Mr. Blair stated the cost seems to be high for preliminary and engineering work and requested clarification as to what is included in the request for \$250,000.00.

Mr. Schneck stated that the cost associated with the engineering services include topography, surveying, and collection of information in an electronic format. He explained that once the information is collected, it is then brought to the design phase for inventory of horizontal and vertical alignment, signage, pavement markings and pavement designs are completed. He stated that the pavement design process includes creating special provisions and specifications to allow for construction and contractor requirements. He noted that there are several components that comprise preparation of a design and specification package.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0280-2020

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for preliminary engineering services for the Auburn Road Rehabilitation Project (Rochester to Culbertson) to Hubbell, Roth & Clark, Inc., in the amount not-to-exceed \$273,318.62 and further authorize the Mayor to execute an agreement on behalf of the City.

- 2020-0439** Request for Acceptance of Grant Award - Grant Proposal through the Michigan Department of Environment, Great Lakes and Energy for a 2021 Grant Program for the Clinton River Bank stabilization project within the Avon Nature Area for water quality enhancements and river restoration and accept the award of this grant in the amount of \$150,000.00; Michigan Department of Environment,

Lakes and Energy, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[Grant Application.pdf](#)
[Resolution \(Draft\).pdf](#)

Council Discussion:

Allan Schneck, Public Services Director, stated that the item before Council is not an award of the grant, but to notify Council of the intention to submit a grant application. He explained that the Michigan Department of Environment, Great Lakes and Energy (EGLE) requires agencies to commit to the delivery of the project, if awarded. He requested that Council recognize that a grant application will be submitted for approval and if awarded, the official grant agreement will come back before Council.

Ms. Mungoli requested that in the future, additional clarification is included in the agenda summary which will allow residents and Council to understand the expenditures and purpose of the request. She noted that in this case, there are no extenuating expenditures on the City's part in order to be able to apply for this grant. She expressed her appreciation to Mr. Schneck for finding ways to improve and address sensitive areas of the environment. She moved the motion in the packet.

Vice President Bowyer questioned the 25 percent match request on the grant in the amount of \$48,750.00 and wondered if it is to be expended from the Department of Public Service (DPS) budget.

Mr. Schneck responded that DPS has spoken with Fiscal and most likely the expenditure will be from the Water Resources Fund 244, but not the entire amount. He explained that the partnership will be made up of grant funding, actual cash and in-kind services to make up the entire 25 percent match.

Ms. Morita stated that she understands the request, but noted that the resolution written in its current form is not asking for authorization to submit the grant application itself. She stated that she is in support of the project, but stressed that the resolution language needs to accurately reflect what is being requested. She recommended that the resolution be modified to read that Council authorizes the submission of the grant application and, if approved, will provide the matching funds as set forth in the packet item along with the first quarter budget amendment.

Mr. Schneck explained that the recommendation is if awarded the grant, Council accepts the grant to the City of Rochester Hills for the construction of Avon Nature Area Clinton River Bank Stabilization Project in the amount of \$150,000.00.

President Deel stated that the explanation provided by Mr. Schneck indicated that the application sought commitment from the City to accept the grant and spend the funds if awarded, prior to submission of grant application. He questioned if the grant packet indicated what language should be reflected in the resolution.

Mr. Schneck stated that there are a number of agencies that award grants and the grant awardee wants to ensure the grant recipient is committed to accepting and fulfilling the grant requirements.

President Deel deferred to City Attorney Christ for direction on the Resolution language.

Dan Christ, City Attorney, stated that the Resolution can be modified in one of two ways. One way is immediately following the resolution language to add: 'in the event that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) grant is awarded, the Rochester Hills City Council shall accept the grant to the City of Rochester Hills for the construction' and the remainder of the resolution remain the same. He stated alternatively, Ms. Morita's suggestion to insert: 'authorizing the submittal of the grant application, recognizing that there will need to be a matching commitment' would also be appropriate..

President Deel requested that Ms. Mungoli amend her motion to reflect the suggested language.

Ms. Mungoli stated that she would like to amend her motion, to insert the words application and acceptance of the award of this grant. She noted that appropriate language from a legal perspective may be needed and will accept what Attorney Christ suggests.

Attorney Christ suggested that it is further added at the end, "with the recognition that there will be a \$50,000 cash and in-kind contribution from the City of Rochester Hills."

President Deel confirmed the amended motion as follows:

Resolved, that the Rochester Hills City Council hereby authorizes the application and acceptance of the grant to the City of Rochester Hills for construction of Avon Nature Area Clinton River Bank Stabilization Project in the amount of \$150,000.00; with the recognition that there will be a \$50,000.00 cash and in-kind contribution from the City of Rochester Hills.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungoli and Walker

Enactment No: RES0281-2020

Resolved, that the Rochester Hills City Council hereby authorizes the application and acceptance of the grant to the City of Rochester Hills for construction of the Avon Nature Area Clinton River Bank Stabilization project in the amount of \$150,000.00 with the recognition that there will be a \$50,000.00 contribution by the City of Rochester Hills.

2020-0440 Request for Purchase Authorization - DPS/ENG: Approval of the Intercounty Drain Agreement between the City and Gibson Intercounty Drain Drainage Board, Lansing, MI, City of Sterling Heights, Sterling Heights, MI, and City of Troy, Troy, Michigan to perform a drainage study over the watercourse between Dequindre and Ryan Roads in Sterling Heights in the amount of \$9,300.00

Attachments: [11162020 Agenda Summary.pdf](#)
[Drainage Study Agrmt.pdf](#)
[Exhibit A to Study Agrmt.pdf](#)
[Resolution \(Draft\).pdf](#)

Allan Schneck, Public Services Director, explained that it has come to their attention that some undesignated sub drains feed to a much larger drainage district, starting in the City of Rochester Hills, traveling through the City of Troy and ending in Sterling Heights. He stated that the proposal is to enter into an agreement and conduct a drainage study to legitimize the designation and ownership of the drain.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0282-2020

Resolved, that the Rochester Hills City Council hereby approves the Intercounty Drain Agreement between the City and Gibson Intercounty Drain Drainage Board, Lansing, MI, City of Sterling Heights, Sterling Heights, MI, and City of Troy, Troy, Michigan to perform a drainage study over the watercourse between Dequindre and Ryan Roads in Sterling Heights and authorizes the City's portion of the payment for the study in the amount of \$9,300.00 and further authorizes the Mayor to execute the Agreement on behalf of the City.

2020-0422 Request for Purchase Authorization - MAYOR: Blanket Purchase Order/Contract for governmental representation and consulting services in the amount not-to-exceed \$54,000.00 for a one-year term to expire November 30, 2021; Midwest Strategy Group of Michigan, Lansing, MI

Attachments: [11162020 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Mayor Barnett introduced Mike Compagnoni, Government Relations and Dave Hodgkins, Government Relations from Midwest Strategy Group. He stated that he and the administration have a strong support of the work they have done over the last several years with the City of Rochester Hills. He explained that often Mr. Compagnoni and Mr. Hodgkins get advance notice of items, providing information to the City before the general public has access to it. He stated that the City benefits from the work they do on its behalf.

Mr. Hodgkins expressed his appreciation to Mayor Barnett and City Council for the opportunity to represent the City of Rochester Hills over the past few years with legislative and policy decisions at a County, State and Federal level.

Mr. Compagnoni and Mr. Hodgkins made the following presentation:

Mr. Compagnoni stated that the following is a synopsis of what Midwest Strategy Group has been working on with the City beyond the day-to-day operations.

- Secured approximately \$700,000.00 Matching Funds for Innovation Hills
- MIThrive Transformational Brownfield: Public Acts 46-50 of 2017
- Good Jobs for Michigan: Public Acts 109-111 of 2017

- Personal Property Tax Millage Offset: Public Acts 247-248 of 2018
- Open Meetings Act: Public Act 228 of 2020
- Preemption Battles
- COVID-19 Updates

Lame Duck

- Session is currently scheduled December 1st through December 17th
 - Potential House and Senate Priorities
 - Public Notice - House Bills 6334-6440
 - Criminal Justice Reform (Decriminalization and Expunction)
 - Worker COVID Protection Clarifications

Next Session

- Senate (did not have election this year)
 - Senate Majority Leader Mike Shirkey (R-Clarklake)
 - Senate Majority Floor Leader Dan Lauwers (R-Brockway Twp.)
 - Senate Minority Leader Jim Ananich (D-Flint)
 - Senate Minority Floor Leader Stephanie Chang (D-Detroit)

New House

- Speaker of the House Jason Wentworth (R-Clare)
- Majority Floor Leader Ben Frederick (R-Owasso)
- Minority Leader Donna Lasinski (D-Scio Twp.)
- Minority Floor Leader Yousef Rabhi (D-Ann Arbor)
- New Chairs and Committees
- Divided Government

January, 2021

- If fortunate enough to continue representing the City of Rochester Hills, we would connect with Mayor Barnett and Department Directors to develop a City Priority Strategy in January.
- The new session always presents new opportunities and challenges.

President Deel expressed his appreciation to Mr. Compagnoni, Mr. Hodgkins and the Midwest Strategy Group. He stated that the Midwest Strategy Group continues to bring value to the City in the way of services and funding. He noted the importance of having the Midwest Strategy Group represent the City of Rochester Hills in Lansing.

Mr. Hetrick acknowledged the outstanding return on investment for the City due to the efforts of Mr. Compagnoni, Mr. Hodgkins and the Midwest Strategy Group.

Vice President Bowyer extended her appreciation for all that the Midwest Strategy Group has done on behalf the City.

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

Aye 7 - Blair, Bowyer, Deel, Hetrick, Morita, Mungioli and Walker

Enactment No: RES0283-2020

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for governmental representation and consulting services to Midwest Strategy Group of Michigan, Lansing, Michigan in the amount not-to-exceed \$54,000.00 for a one-year term to expire November 30, 2021 and further authorizes the Mayor to execute a contract on behalf of the City.

2020-0448 Discussion regarding the proposed resolution to adopt rules for electronic meetings

Attachments: [11162020 Agenda Summary.pdf](#)
[Staran letter 11022020.pdf](#)
[Electronic Meetings Resolution.pdf](#)
[2020-PA-0228.pdf](#)

Dan Christ, City Attorney, stated that the proposed resolution before Council would set forth rules for the implementation of electronic meetings going forward through the end of the year and noted that it tracks closely with the express language of Public Act 228.

President Deel stated that this item is for discussion only. He explained that Council cannot take vote on a Resolution to Amend Council's Rules of Procedure when introduced. He stated a vote will take place at the December 7, 2020 City Council Regular Meeting.

Discussed.

ANY OTHER BUSINESS

Mayor Barnett announced the following:

- Dequindre Road is complete and traffic is flowing through that intersection.
- Two (2) nights ago the City had a significant fire, fortunately the residents were safe most likely due to working smoke detectors. He shared that a GoFund Me page has been established to assist the family who lost their home in the fire. He expressed his appreciation for the Fire Department and reminded residents to make sure their smoke detectors are in working order.

NEXT MEETING DATE

- Regular Meeting - Monday, December 7, 2020

ADJOURNMENT

There being no further business before Council, it was moved by Mungioli and seconded by Blair to adjourn the meeting at 8:55 p.m.

RYAN DEEL, President
Rochester Hills City Council

TINA BARTON, MMC, Clerk
City of Rochester Hills

Approved as presented at the March 8, 2021 Regular City Council Meeting.

SHEILA BROWN
Administrative Secretary
City Clerk's Office

Approved as presented at the March 8, 2021 Regular City Council Meeting.