



# Rochester Hills Minutes

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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

## City Council Regular Meeting

*Susan M. Bowyer Ph.D., Ryan Deel, Dale A. Hetrick, James Kubicina,  
Stephanie Morita, Mark A. Tisdel, and David Walker*

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

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

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Monday, September 23, 2019

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 7:04 p.m. Michigan Time.*

### ROLL CALL

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

### Others Present

*Bryan Barnett, Mayor  
Tina Barton, City Clerk  
Alan Buckenmeyer, Parks Manager  
Sean Canto, Fire Chief / Emergency Services Director  
Scott Cope, Building / Ordinance / Facilities Director  
Paul Davis, Deputy Public Services Director / City Engineer  
Matt Einheuser, Natural Resources Manager  
Ken Elwert, Parks & Natural Resources Director  
Pam Gordon, Human Resources Director  
Captain Michael Johnson, Oakland County Sheriff's Office  
Kevin Krajewski, Information Systems Director  
Zoe Pizzuti, RHGYC Representative  
Sara Roediger, Planning & Economic Development Director  
Allan Schneck, Public Services Director  
Joe Snyder, Chief Financial Officer  
Laurie Taylor, Assessing Director*

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

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

Approved as presented at the March 16, 2020 Regular City Council Meeting.

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

## COUNCIL AND YOUTH COMMITTEE REPORTS

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

*Mr. Deel* introduced, **Zoe Pizzuti**, RHGYC Representative

**Ms. Pizzuti** stated she is a senior at Rochester Adams High School, and this is her 4th year on the Youth Council. She reported the RHGYC's first meeting of the year was held at the DPS facility where the members learned about the services DPS provides to the community, along with the technology they use to do so. She thanked Mr. Schneck for his informative and entertaining presentation. Ms. Pizzuti reported the RHGYC served at two community events over the weekend: Fleece and Thank You at Stoney Creek and the Brookside Way half-marathon. She announced the next meeting is on October 14th at 6:00 p.m. at City Hall.

### Paint Creek Trailways Commission:

**Dr. Bowyer** reported the bridge between Silverbell and Dutton Roads is completed but that section of the Trail is closed this week for resurfacing. She explained the resurfacing project, which is expected to be finished by December, will require rolling closures of one-mile sections of the Trail. For updates on the project visit <http://paintcreektrail.org> or the Paint Creek Trail Facebook page.

### Green Space Advisory Committee:

**Dr. Bowyer** announced the next Second Saturday Hike is on October 12th at 10:00 a.m. Participants should meet in front of City Hall for a hike of the Avon Nature Area, located behind City Hall.

### Older Persons' Commission (OPC):

**Mr. Kubicina** announced the 50+ Expo, which will focus on healthy living, on Wednesday, October 2nd, 9:00 a.m. - 1:00 p.m. The free event includes 75 community vendors, flu shots, blood pressure testing, balance testing, raffles and giveaways.

**Mr. Kubicina** shared photos and anecdotes from the OPC picnic at Bloomer Park. He announced that Dianne Bubnar, Program Director, is retiring in December.

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

**Mr. Deel** shared photos and highlights of the meeting at DPS, the Fleece and Thank You event, and the Brookside Way event at which the RHGYC members manned a water station.

## ORDINANCE FOR INTRODUCTION

- 2019-0419** Request for Acceptance for First Reading - An Ordinance to Amend Chapter 126, Article III, Tree Conservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to update and modify regulations, to repeal conflicting ordinances, and to prescribe a penalty for violations

**Attachments:** [100719 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[092319 Agenda Summary.pdf](#)  
[092319 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Ken Elwert**, Parks and Natural Resources Director, explained the proposed Forestry Code is the result of a year-long process which included meetings, input and approvals from Sara Roediger, Planning & Economic Development Director, Kristen Kapelanski, Planning Manager, the Planning Commission and City Attorney Staran. The three main purposes of this Ordinance are to increase the percentage of preserved trees within the community, incentivize protection of the larger trees, and to incorporate all residential, commercial, and industrial areas.

**Vice President Morita** reported the Planning Commission comprehensively reviewed the proposed ordinance several times and used the wide variety of professional perspectives on the Commission to recommend many changes. She commended staff and recognized Mr. Elwert, the Planning Commission, and City Attorney Staran for their work on the ordinance.

**Dr. Bowyer** thanked staff and the Planning Commission for trying to preserve larger trees in the community. Mr. Elwert confirmed for Dr. Bowyer the Bebb Oak tree on Livernois is classified as a landmark tree.

### Accepted for First Reading by Resolution.

Enactment No: RES0052-2020

**Resolved**, that an Ordinance to Amend Chapter 126, Article III, Tree Conservation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to update and modify regulations, to repeal conflicting ordinances, and to prescribe a penalty for violations is hereby Accepted for First Reading.

- 2019-0418** Request for Acceptance for First Reading - An Ordinance to Add New Article IV, Green Space, to Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define terms and establish designated properties as Green Spaces, prescribe rules and regulations for the use of Green Spaces, prohibit or restrict specified activities, repeal conflicting or inconsistent Ordinances, and prescribe a penalty for violation

**Attachments:** [100719 Agenda Summary.pdf](#)  
[Ordinance.pdf](#)  
[092319 Agenda Summary.pdf](#)  
[092319 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Ken Elwert**, Parks and Natural Resources Director explained existing ordinances did not specifically address the City's green space properties which lead to the need for the proposed ordinance to protect and preserve the properties and to identify acceptable and unacceptable uses.

**Dr. Bowyer** emphasized the need to protect wildlife in the green spaces.

#### **Accepted for First Reading by Resolution.**

Enactment No: RES0053-2020

**Resolved**, that the Ordinance to Add New Article IV, Green Space, to Chapter 74, Parks and Recreation, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to define terms and establish designated properties as Green Spaces, prescribe rules and regulations for the use of Green Spaces, prohibit or restrict specified activities, repeal conflicting or inconsistent Ordinances, and prescribe a penalty for violations is hereby Accepted for First Reading.

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

**Lee Zendel, 1575 Dutton Rd.**, reported he investigated how much revenue SOCRRA receives from recycled glass. Based on SOCRRA's income statements and proposed budget, he discovered SOCRRA receives no revenue from the sale of glass and in return expects to spend \$146,000 for glass recycling. Mr. Zendel said he confirmed this with Jeff McKeen, SOCRRA General Manager. Mr. Zendel suggested SOCRRA should have its communities stop putting glass in with recyclables.

**Patricia Thorner, 450 Thornridge Dr.**, presented documentation on drainage issues between her neighbor's property at 460 Thornridge and her property. She asserted the neighbor's construction of a pool changed the grade between the properties resulting in an increase in drainage velocity in violation of the Michigan Drainage Law Code, the applicable provision of which was upheld by the Michigan Appellate Court in *Wiggins v City of Burton*. She asked the City Council members to review the documentation and short video she submitted.

## **CONSENT AGENDA**

All matters under Consent Agenda are considered to be routine and will be enacted by one motion, without discussion. If any Council Member or Citizen requests discussion of an item, it will be removed from Consent Agenda for separate discussion.

**2019-0427** Approval of Minutes - City Council Regular Meeting - May 6, 2019

**Attachments:** [CC Regular Meeting Minutes 050619.pdf](#)  
[Resolution \(Draft\).pdf](#)

Enactment No: RES0283-2019

**Resolved**, that the Minutes of a Rochester Hills City Council Regular Meeting held on May 6, 2019 be approved as presented.

- 2019-0420** Request for Approval of Fireworks Display Permit Application for the United States Conference of Mayors (USCM) Leadership event to be held at Meadow Brook Hall on Friday, October 4, 2019

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Fire Dept Memo.pdf](#)  
[Rochester Hills Site.pdf](#)  
[Rochester Hills FOTC Permit Application.pdf](#)  
[Rochester Hills Meadow Brook Pyrotechnic Application.pdf](#)  
[Wolverine BATFE License.pdf](#)  
[Insurance Documents.pdf](#)  
[Safety Data Sheets for Division 1.3G Explosive.pdf](#)  
[Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0284-2019

**Whereas**, Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan has been selected to do the fireworks display at the USCM Leadership event and the cost of the display is being covered through event sponsorships; and

**Whereas**, Wolverine Fireworks Display, Inc. has provided the necessary insurance with the City of Rochester Hills named as also insured; and

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

**Therefore, Be It Resolved**, that the Rochester Hills City Council does hereby approve a permit for Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan to provide a fireworks display for the USCM Leadership event at Meadow Brook Hall on Friday, October 4, 2019.

- 2019-0417** Request for Approval of the 2020 Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way

**Attachments:** [092319 Agenda Summary.pdf](#)  
[MDOT Annual Permit 090319.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0285-2019

**Resolved Whereas**, the City of Rochester Hills hereinafter referred to as the "GOVERNMENTAL AGENCY" periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for permits, hereinafter referred to as "PERMIT," to construct, operate, use and /or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations; within and adjacent to its corporate limits;

Now therefore, in consideration of the DEPARTMENT granting such PERMIT the

GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY will be solely as for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation, construction, operation and/or maintenance of the GOVERNMENTAL AGENCY's facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
7. This indemnification resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

**Be It Further Resolved**, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Allan E. Schneck, P.E. - DPS Director  
Paul M. Davis, P.E. - City Engineer/Deputy Director  
Paul G. Shumejko, P.E., PTOE -Transportation Engineering Manager  
Tracey A. Balint P.E. -Public Utilities Engineering Manager

- 2018-0288** Request for Purchase Authorization - DPS/ENG: Increase to the Cost Participation Agreement between the Board of Commissioners (BOARD) for the County of Oakland and the City of Rochester Hills for Preliminary Engineering Services for Livernois Road from Avon Road to Walton Boulevard in the amount of \$10,970.51 for a new not-to-exceed amount of \$144,470.51; Road Commission for Oakland County, Beverly Hills, MI

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Livernois Rd PE Final Invoice.pdf](#)  
[071618 Agenda Summary.pdf](#)  
[Agreement.pdf](#)  
[Preliminary Eng Services Proposal.pdf](#)  
[071618 Resolution.pdf](#)  
[Resolution \(Draft\).pdf](#)

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

Enactment No: RES0286-2019

**Resolved**, that the Rochester Hills City Council hereby approves an increase to the Cost Participation Agreement between the City of Rochester Hills and the Board of Commissioners (BOARD) for the County of Oakland for Preliminary Engineering Services for Livernois Road from Avon Road to Walton Boulevard in the amount of \$10,970.51 for a new not-to-exceed amount of \$144,470.51.

## Passed the Consent Agenda

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

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

## The following Consent Agenda Item was discussed and adopted by separate Motion:

- 2019-0415** Request for Approval to Add Delinquent Charges to the 2019 Winter Tax Roll

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

**Vice President Morita** expressed concern about the list of delinquent charges for solid waste stating she was contacted by residents over the summer experiencing issues with trash hauling billing from the City's contractor, GFL. She noted 1,066 of the total 2,195 delinquent charges on the list are for solid waste. She felt the percentage was higher than usual and wondered if the delinquent solid waste payments were the result of an error by GFL. She requested in the future the list be available to City Council before the meeting.

**Joe Snyder**, Chief Financial Officer, explained his department noticed a larger than usual number of property parcels on the solid waste delinquency list and addressed their concerns with GFL. Mr. Snyder reported GFL changed their billing platform and the autopay option on account numbers did not transition to the new system. Mr. Snyder noted his office sent a complimentary notice to each property on the delinquent list asking them to address the issue with GFL. Between the time the notice was sent and the current delinquency list was printed, the number of properties on the list had been reduced to a number consistent with the lists of 2016 and 2017.

**Vice President Morita** requested the City delay submitting the solid waste delinquency list to Oakland County for inclusion on the tax rolls in order to contact the residents on the list and give them a chance to clear up the issue with GFL. She had also heard from residents that they are being charged extra fees.

**Dr. Bowyer** relayed that she has also heard from many residents experiencing billing issues with GFL. She said she is uncomfortable turning those delinquent accounts over to Oakland County at this time. She also noted many residents have said their bills contain extra charges.

**Mr. Snyder** reported that the submission of delinquent accounts to Oakland County can be delayed while the City sends out an additional notice to the residents still listed as being delinquent on their solid waste account.

**President Tisdell** questioned whether the list of delinquencies, minus solid waste, could be submitted to Oakland County for inclusion on the tax roll.

**Mr. Snyder** concurred.

**Mayor Barnett** addressed the concerns raised over GFL billing by stating the following:

- Residents having trouble addressing their billing with GFL may call the Mayor's office at 248-656-4664.
- By contract, GFL has assigned a phone number dedicated solely to the residents of Rochester Hills.
- His office calls the dedicated phone number weekly to monitor wait times which have been 2-6 minutes over past 60-90 days.
- GFL cannot levy charges that are not included in the contract with the City. He noted some credit card companies charge their users a processing fee, but that fee is not coming from GFL.
- Expectations as to the outcome of the notification process should be realistic because the number of delinquent trash hauling accounts presented to City



*Council tonight is less than what has been seen in the last four of five years.*

**President Tisdell** clarified the City Council wants to be certain no one is on the list due to issues not of their own making.

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

**Aye** 6 - Bowyer, Deel, Hetrick, Morita, Tisdell and Walker

**Nay** 1 - Kubicina

Enactment No: RES0311-2019

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

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

<u>Roll/Fund</u>	<u>Total</u>	<u>Ordinance</u>
Delinquent W/S Charges Water/Sewer Fund	\$1,109,518.63	Ch. 102-92.(b)
Delinquent Weed Control General Fund	\$6,449.45	Ch. 84-17.(c).(5)
Delinquent SAD Local Street Fund	\$5,022.53	Ch. 90-114.(b)
Delinquent Costs Incurred Sidewalk Replacement Local Roads	\$415.00	Ch. 94-143.(b)(2)
Delinquent False Alarms Special Police Fund	\$8,422.50	Ch. 42-65.(f)(2)
Delinquent Solid Waste Collection GFL Environmental USA Inc.	\$187,630.45	Ch. 86-103.(4) and .(5)

## LEGISLATIVE & ADMINISTRATIVE COMMENTS

**President Tisdell**, responding to the Public Comment from Lee Zendel, stating the advantage of the City's current contract directly with SOCRRA is that it gives the City a direct line of communication. He explained that the use of Michigan sources for recycling was an important part of negotiation of the current contract, and issues related to recycling revenues will continue to be an important part of future contract negotiations.

**President Tisdell**, addressing the situation relayed by Patricia Thorner, pointing out that City staff has visited the property to assess the situation, and that both City Attorney Staran and Mayor Barnett are in possession of the documentation provided by Ms. Thorner, as is Mayor Barnett. He indicated the City will make sure that state, county and local ordinances, rules and regulations are being followed.

**Dr. Bowyer** reported that a Guinness World Record for most no-sew fleece blankets made at one event was set on Saturday, September 21, 2019 at Rochester Stoney Creek High. Noting the goal of Fleece and Thank You is to provide comfort for hospitalized children, she reported the crowd of 1,316 made 2,016 no-sew fleece blankets in less than 8 hours. Dr. Bowyer thanked Fleece and Thank You and its partners, Applied Fitness Solutions & HealthQuest Physical Therapy.

**She** reported on her participation in the Brookside Way 10K Run/Walk on Sunday at Oakland University/Meadowbrook and noted proceeds from the event support programs that encourage healthy and active lifestyles.

**Dr. Bowyer** announced the following events:

- The Neighborhood House Scare Away Hunger 5K Run/Walk on Sunday, October 20th at 3:00 p.m., with fun events from 2:00-5:00 p.m. at Rochester University. Proceeds provide food, clothing, emergency financial assistance and self-sufficiency to neighbors in need.
- The Second Saturday Hike on October 12th at 10:00 a.m. Participants should meet in front of City Hall for a hike of the Avon Nature Area, located behind City Hall.
- The Stone Wall Pumpkin Festival on Saturday, October 12th at the Museum at Van Hoosen Farm. There will be pumpkin carving and activities from 10:00 a.m. until 4:00 p.m., and the pumpkin lighting will take place from 7:00 p.m. until 9:00 p.m. Activities during the day include food, pumpkin bowling, Stoney Creek High School Drum line, a Rochester Hills Fire Truck, an outdoor exhibit of scarecrows, and more. The museum hopes to exceed its record of 1,011 pumpkins lighted at one time.

**She** directed residents to [www.rochesterhills.org/outdoor](http://www.rochesterhills.org/outdoor) <<http://www.rochesterhills.org/outdoor>> for a list of upcoming Outdoor Engagement activities.

**Mr. Deel** thanked Ms. Thorner for sharing her concerns with the City Council. He concurred with President Tisdell that City staff will do what is within its power to enforce applicable laws and rules.

**Mr. Hetrick** reported he sat on a 5th Grade Government Forum at Deerfield Elementary, where the students asked questions about roads, their cost, and about the responsibilities of City Council.

**Mr. Kubicina** commented it is the first day of fall, and the Lions are still undefeated.

**Mr. Walker** reported on new businesses in the community:

- TreeRunner Adventure Park at Oakland University on the southwest corner of University and Adams. The Park is a forested area containing a rope climbing course.
- Yoga Planet Studio on the northwest corner of Adams and University.
- The Robot Garage off Hamlin, which is a makerspace that teaches

*engineering and robotics to children.*

**Mayor Barnett** commented on the following:

- *Responding to Ms. Thorner he noted that Tim Pollizzi, as well as other staff members from the Engineering and Building departments have visited the property to gather information and will follow through to make sure decisions are fair and equitable. He indicated he will keep the City Council and Ms. Thorner apprised. On Wednesday, September 25th the League of Women Voters will hold a candidate debate in the City Hall auditorium at 7:00 p.m.*
- *He presented an educational piece on the road millage being proposed on the ballot. He explained that three road millages are expiring and the proposal asks voters to continue one millage at the same amount as the total of the expiring millages.*
- *The City received two grants in the past two weeks: \$564,000 from the Ralph C. Wilson Foundation for barrier-free, accessible playground equipment at Innovation Hills; and just under \$1.6 million in a SAFER grant to provide eight additional firefighters to the City's Fire Department. He thanked Representatives Slotkin and Webber for their support of the SAFER grant.*
- *He shared photographs of his time in Washington D.C. meeting with Kelly Ann Conway, the President's Director of Domestic Policy, a bi-partisan group of mayors, and many notable senators regarding background checks for gun purchases.*
- *He shared photographs of the Senior Picnic and thanked the Parks team for having the grounds in great shape.*
- *He reported on this year's Blessings in a Backpack event which the Mayor's office supports. The program has supported the Rochester Hills community for 12 years providing backpacks with food for its students.*
- *He voiced his ongoing support for The Brooksie Way event which was a significant contributor to Innovation Hills. He recognized the frustration of residents inconvenienced by the event and noted the City's efforts to minimize inconvenience to the extent possible. He expressed appreciation for the patience of the City's residents. This year's event drew 5,500 runners and an estimated 9,000 spectators.*
- *He thanked the City Council for approving the use of fireworks at an upcoming U.S. Conference of Mayors event being co-hosted by the City of Rochester Hills and the City of Detroit. He noted all costs of the event are being covered by fundraising efforts undertaken outside of his duties and work hours at City Hall.*

## **ATTORNEY'S REPORT**

*City Attorney John Staran had nothing to report.*

## **NEW BUSINESS**

- 2019-0407** Request for Purchase Authorization - BUILDING/FACILITIES: Blanket Purchase Order/Contract for the construction of the Innovation Hills Ranger's Building in the amount of \$120,000.00 with a 10% project contingency in the

\$12,000.00 for a total not-to-exceed cost of \$132,000.00; Dave's Contracting, Inc., Dearborn, MI

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Proposal Summary.pdf](#)  
[SUPPL Ranger Bld Drawings.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Scott Cope**, Director Building/Facilities/Ordinance, explained that the Ranger's Building will be used as a base of operations for Innovation Hill's staff, to store equipment and supplies, and as a work area for performing minor repairs and equipment maintenance. He noted the cost is below the budgeted \$150,000.

**Dr. Bowyer** stated she opposed the building as designed because it does not fit into the innovative concept of the park. She explained the garage will be seen by visitors as they enter and exit the park and stressed that it should fit into the innovative environment being developed in the park. She suggested a design that incorporates green elements such as solar panels.

**Ken Elwert**, Parks and Natural Resources Director, noted the intent has been to stay within budget and to spend more money on the interactive elements visitors will encounter. He commented it is difficult to make a maintenance shed look like anything other than a maintenance shed but agreed changes could be made with an increased budget.

**Vice President Morita** agreed with Dr. Bowyer and suggested better finishes such as a metal roof. She noted the importance of the shed lasting without needing repairs such as roof replacement in 20 years. She stated the investment in making the building less industrial and more fitting into the theme of the park would be wise.

**Mr. Cope** indicated the architect may be able to suggest ways to improve the look. He stated the Purchasing Department would need to rebid the project rather than award the bid and amend the plans. He noted additional architectural design fees will be incurred.

**Mayor Barnett** commented the idea has been to put as many dollars as possible into innovation within the park itself but commended the Council for feeling strongly about design aspects matching the innovative vision for the park. He said the building would be redesigned with an eye on both vision and cost and would be brought back before the Council for consideration. He noted the delay will mean the building will probably not be constructed until the spring.

#### **Postponed.**

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for the construction of the Innovation Hills Ranger's Building to Dave's Contracting, Inc., Dearborn, Michigan in the amount of \$120,000.00 with a 10% project contingency in the amount of \$12,000.00 for a total not-to-exceed cost of \$132,000.00 and further authorizes the Mayor to execute a contract on behalf of the City.

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

of a written agreement acceptable to the City.

- 2019-0412** Request for Purchase Authorization - BUILDING/FACILITIES: Blanket Purchase Order/Contract for pre-construction services and preparation of a guaranteed maximum price proposal for the Van Hoosen Farm Dairy Barn Roof Reconstruction Project in the amount not-to-exceed \$35,402.00; The George W. Auch Company, Pontiac, MI

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Auch Proposal.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Scott Cope**, Director Building/Facilities/Ordinance, noted they are requesting authorization for preconstruction services for both the museum equipment barn and the dairy barn roof replacement. He indicated the projects are being combined because of their proximity and will be happening nearly at the same time.

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

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

Enactment No: RES0279-2019

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for pre-construction services and preparation of a guaranteed maximum price proposal for the Van Hoosen Farm Dairy Barn Roof Reconstruction Project to The George W. Auch Company, Pontiac, Michigan in the amount not-to-exceed \$35,402.00 and further authorizes the Mayor to execute a contract on behalf of the City.

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

- 2019-0411** Request for Purchase Authorization - BUILDING/FACILITIES: Blanket Purchase Order/Contract for Architectural/Engineering Services for the development of schematic design drawings, construction drawings, specifications and construction administration for the Van Hoosen Farm Dairy Barn Roof Reconstruction Project in the amount not-to-exceed \$262,473.75; H2A Architects, Davison, MI

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Proposal Letter 082919.pdf](#)  
[Service Fee Agreement 083019.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Scott Cope**, Director Building/Ordinance/Facilities, explained this is the first phase of the roof replacement project.

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

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

Enactment No: RES0280-2019

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

order/contract for Architectural/Engineering Services for the development of schematic design drawings, construction drawings, specifications and construction administration for the Van Hoosen Farm Dairy Barn Roof Reconstruction Project to H2A Architects, Davison, Michigan in the amount not-to-exceed \$262,473.75 and further authorizes the Mayor to execute the contract on behalf of the City.

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

**2019-0416** Request to Adopt the Amended Engineering Design Standards and Detail Sheets for pathway, water main, sanitary sewer and storm sewer construction

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Cover Sheet.pdf](#)  
[Table of Contents.pdf](#)  
[Chapter 1 General Requirements & Submittals.pdf](#)  
[Chapter 2 Water Distribution System.pdf](#)  
[Chapter 3 Sanitary Sewer System.pdf](#)  
[Chapter 4 Stormwater Management.pdf](#)  
[Chapter 5 Grading.pdf](#)  
[Chapter 6 Roads.pdf](#)  
[Chapter 7 Widening Lanes.pdf](#)  
[Chapter 8 Driveway Approaches & Drainage Ditches.pdf](#)  
[Chapter 9 Sidewalks.pdf](#)  
[Chapter 10 Pathways.pdf](#)  
[Chapter 11 Soil Erosion & Sedimentation.pdf](#)  
[Sanitary Sewer 011019.pdf](#)  
[Storm Sewer 011019.pdf](#)  
[Water Main 011019.pdf](#)  
[HMA Pathway Construction Extensions Reloc.pdf](#)  
[Pathway Const at Drive.pdf](#)  
[Path Overlay.pdf](#)  
[Path over MH.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Paul Davis**, City Engineer/Deputy Public Services Director, explained the last formal update of engineering design standards happened 11 years ago and since then many areas have been identified that warrant revision. He noted the revisions were reviewed internally by the Public Service and Planning Departments.

**Vice President Morita** expressed her appreciation for being provided with a red-lined version.

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

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

Enactment No: RES0281-2019

**Whereas**, the Department of Public Services recommends that the City Council approve the revised updates to the City engineering standards and detail sheets for pathway, water main, sanitary sewer and storm sewer construction.

**Resolved**, that the Rochester Hills City Council, on behalf of the City of Rochester Hills, hereby approves the revised updates to the City engineering standards and detail sheets for pathway, water main, sanitary sewer and storm sewer construction.

- 2019-0401** Request for Purchase Authorization - CLERKS: Blanket Purchase Order/Contract for citywide Records Storage Services and Digital Imaging Services in the amount not-to-exceed \$100,000.00 through August 31, 2021; Primary Vendor: Royal Oak Storage, Royal Oak, MI; Secondary Vendor: Leonard Brothers Data Management, Ferndale, MI

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

**Tina Barton**, City Clerk, explained the City previously contracted with Docustore, Inc. for records management but when the company was acquired by Iron Mountain the level of service became unsatisfactory. She noted that negotiations with Iron Mountain over a two-year period proved unsuccessful resulting in the Clerk's Department seeking a better solution.

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

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

Enactment No: RES0282-2019

**Resolved**, that the Rochester Hills City Council hereby authorizes a blanket purchase order/contract for citywide records storage services and digital imaging services to Royal Oak Storage, Royal Oak, Michigan as the primary vendor and Leonard Brothers Data Management, Ferndale, Michigan as the secondary vendor in the amount not-to-exceed \$100,000.00 through August 31, 2021 and further authorizes the Mayor to execute a contract on behalf of the City.

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

- 2019-0421** Request for Approval to exempt the City of Rochester Hills from the requirements of Public Act 152 of 2011 for benefit plan year 2020

**Attachments:** [092319 Agenda Summary.pdf](#)  
[Hard Caps.pdf](#)  
[Cost Summary.pdf](#)  
[Budget Analysis.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Pamela Gordon**, Human Resources Director, presented the request for continued support to opt-out of mandated employee medical plan contribution minimums established under Michigan's Public Act 152. She explained the City has opted-out since the inception of the legislation, and costs continue to fall within City Council's targeted constraints for cost increases. She further noted in 2020, the costs to the City for healthcare will not exceed the 5% cap set by City Council in 2013, for healthcare cost increases.

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

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

Enactment No: RES0288-2019

**Whereas**, Public Act 152 mandates specified health care premium contributions by City employees unless the governing body elects to exempt employees by a two-thirds majority vote; and

**Whereas**, City medical plan premiums will be below the proposed 7.5% budgeted increase for 2020 and below the 5% annual target first established by City Council in 2013;

**Resolved**, City Council authorizes that the City of Rochester Hills shall continue to be exempt from the requirements of Public Act 152 of 2011 for the 2020 plan year.

**2019-0408** Request for Approval of the 2019-2020 Police School Liaison Program between the Rochester Community School District, the City of Rochester, Oakland Township, and the City of Rochester Hills

**Attachments:** [092319 Agenda Summary.pdf](#)  
[2019-20 Pol Liaison Calc.pdf](#)  
[Resolution \(Draft\).pdf](#)

**Joe Snyder**, Chief Financial Officer, explained that the total cost for the 2019-2020 Police School Liaison Program is estimated at \$608,856, 25 percent of which, by agreement, is paid by Rochester Community Schools. He noted the remaining program costs are split according to school population counts among Oakland Township, the City of Rochester, and the City of Rochester Hills. The City of Rochester Hills' contribution will be \$283,151. He indicated the increase over last year's program is \$438, or 0.15 percent and noted the costs are included in the City's current and proposed budgets.

**Captain Michael Johnson, Oakland County Sheriff's Office**, stated the program has been time-tested over 40 years, involves three deputies and two Rochester Hills control officers, and provides a great opportunity for law enforcement to be pro-actively involved in connecting with students in a positive manner.

**Mr. Kubicina** praised the program and shared that his children spoke positively of the program when they were in school.

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

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

Enactment No: RES0278-2019

**Resolved**, that the City of Rochester Hills City Council hereby approves the Police Liaison 2019/2020 (school year) budget in the amount of \$608,856, of which as a participating party, the City of Rochester Hills' contribution is \$283,151 as presented,

**Be It Further Resolved**, that the Mayor is authorized to execute the documentation on behalf of the City.

**2019-0346** Adoption of the Fiscal Year 2020 Budget

Approved as presented at the March 16, 2020 Regular City Council Meeting.



**Attachments:** [081919 Agenda Summary.pdf](#)  
[081919 Budget Presentation Schedule.pdf](#)  
[Suppl Budget Overview.pdf](#)  
[2020-2022 CC Budget Questions City.pdf](#)  
[081219 Agenda Summary.pdf](#)  
[081219 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, recapped the comprehensive budget development process and requested formal approval of the Fiscal Year 2020 proposed budget.

**Mayor Barnett** praised the City's budget process as transparent with opportunities for input from the public. He stated the support of the City's residents is indicative that staff and City Council as a team understand what the residents want and have earned their trust. He characterized the City's budget process as the gold standard in the State of Michigan and commended Mr. Snyder and his team for their work.

**Mr. Deel** thanked all members of the team for their work.

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

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

Enactment No: RES0050-2020

**Whereas**, in accordance with the provisions of Public Act 2 of 1968, Public Act 621 of 1978, the Uniform Budgeting and Accounting Act for Local Government, the Special Appropriations Act pursuant to PA 493 of 2000, and Section III of the Charter for the City of Rochester Hills, the Mayor as the Chief Executive Officer prepared the proposed budget for the ensuing year and submitted it to the Council at its first meeting in August; and

**Whereas**, at its August 12, 2019 meeting City Council acknowledged receipt from the Mayor of the Proposed Fiscal Year 2020 Budget Plan and set a Public Hearing to be held September 9, 2019 at 7:00 p.m. to solicit comments on the proposed budget plan from the public; and

**Whereas**, at its September 9, 2019 meeting City Council held said Public Hearing on the proposed budget plan and the related millage rates to defray the Fiscal Year 2020 proposed budget expenditures; and

**Whereas**, subsequent to the City Council's review and comments, the Mayor adjusted the original proposed budget; and

**Resolved**, the following list of funds sets forth the general appropriations for the City and adopts the following City Budgets for Fiscal Year 2020.

**Be It Further Resolved**, the Mayor is hereby authorized to administratively adjust the operating budget line items up to \$25,000 per event, but in no case may total expenditures of a particular fund exceed that which is appropriated by the City Council without a budget amendment. Adjustments from capital accounts and fund balances shall be made only by further action of the City Council.

### Adoption of the FY 2020 Annual Appropriation Budget(s) for the City of Rochester Hills, Michigan

Fund 101 – General Fund	\$ 25,874,860
Fund 202 – Major Road Fund	9,298,600
Fund 203 – Local Street Fund	11,356,580
Fund 206 – Fire Fund	11,954,280
Fund 207 – Special Police Fund	9,969,840
Fund 213 – RARA Millage Fund	683,470
Fund 214 – Pathway Millage Fund	657,250
Fund 226 - Solid Waste Fund	662,200
Fund 232 – Tree Fund	164,000
Fund 244 – Water Resources Fund	680,790
Fund 265 – OPC Millage Fund	1,193,310
Fund 299 – Green Space Millage Fund	306,290
Fund 331 – Drain Debt Fund	208,880
Fund 369 – Older Persons Building Bond Refunding Fund	748,170
Fund 393 – Municipal Building Refunding Bond – 2010 Series Fu	830,850
Fund 402 – Fire Capital Fund	2,423,500
Fund 403 – Pathway Construction Fund	408,000
Fund 420 – Capital Improvement Fund	7,111,500
Fund 510 – Sewer Operations	16,613,500
Fund 530 – Water Operations	20,501,790
Fund 593 – Water & Sewer Capital Fund	17,837,940
Fund 595 – Water & Sewer Debt Fund	1,405,580
Fund 631 – Facilities Fund	15,847,610
Fund 636 – MIS Fund	3,681,670
Fund 661 – Fleet Fund	6,226,590
Fund 677 – Insurance Fund	415,000
Fund 736 – Retiree Health Care Trust	179,180
Fund 752 – Cemetery Perpetual Care Fund	-
Fund 760 - Green Space Perpetual Care Fund	305,200
Fund 843 – Brownfield Redevelopment Fund - Madison Park	-
Fund 844 - Browfield Redevelopment Fund - Legacy	180,320
Fund 848 – LDFA Fund	318,070
Fund 870 - Museum Foundation Trust Fund	100
Total	<b>\$ 168,044,920</b>

**2019-0375** Approval of the Fiscal Year 2020 Older Persons' Commission Budget

**Attachments:** [081919 Budget Presentation Schedule.pdf](#)  
[Suppl OPC 2020 Budget Presentation.pdf](#)  
[Suppl OPC Presentation.pdf](#)  
[OPC 2020-2022 Proposed Budget Package.pdf](#)  
[2020-2022 CC Budget Questions OPC.pdf](#)  
[081219 Agenda Summary.pdf](#)  
[081219 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, explained the Older Persons' Commission (OPC) Board adopted the proposed budget in July and presented it to City Council on August 12, 2019. He stated that City Council held a workshop on the budget on August 19th and a public hearing on September 9th. He requested approval of the OPC budget as presented.

**City Attorney Staran** opined it was not necessary for the City Council members who sit on the OPC's governing board to abstain from voting as he does not view it as a conflict of interest.

**Vice President Morita** commended Tim Soave, OPC Director of Finance, for modernizing and advancing the OPC's financial processes and noted OPC now has a Capital Improvement Plan and prepares a multiple year budget. She commented that the budgeting standard practiced by City Council is positively impacting other organizations.

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

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

Enactment No: RES0048-2020

**Whereas**, at its August 12, 2019 meeting City Council acknowledged receipt of the Proposed Fiscal Year 2020 OPC Budget Plan and set a Public Hearing to be held September 9, 2019 at 7:00 p.m. to solicit comments on the proposed OPC budget plan from the public; and

**Whereas**, at its September 9, 2019 meeting City Council held said Public Hearing on the proposed OPC budget plan; and

**Resolved**, that the Rochester Hills City Council hereby approves the Older Persons' Commission Budget for Fiscal Year 2020 in the amount of \$4,665,100.

**2019-0376** Approval of the Fiscal Year 2020 Rochester Avon Recreation Authority Budget

**Attachments:** [081919 Budget Presentation Schedule.pdf](#)  
[RARA 2020-2022 Proposed Budget Package.pdf](#)  
[Suppl RARA 2020 Budget Presentation.pdf](#)  
[2020-2022 CC Budget Questions RARA.pdf](#)  
[081219 Agenda Summary.pdf](#)  
[081219 Resolution.pdf](#)

**Joe Snyder**, Chief Financial Officer, explained that the Rochester Avon Recreation Authority (RARA) Board adopted a three-year budget in July, and presented it to City Council on August 12th. He stated that City Council held a workshop on the budget on August 19th and a public hearing on September 9th. He requested approval of the RARA budget as presented.

**Mr. Deel** thanked Mr. Snyder for his work with RARA.

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

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

Enactment No: RES0049-2020

**Whereas**, at its August 12, 2019 meeting City Council acknowledged receipt of the Proposed Fiscal Year 2020 RARA Budget Plan and set a Public Hearing to be held September 9, 2019 at 7:00 p.m. to solicit comments on the proposed RARA budget plan from the public; and

**Whereas**, at its September 9, 2019 meeting City Council held said Public Hearing on the proposed RARA budget plan; and

**Resolved**, that the Rochester Hills City Council hereby approves the Rochester Avon Recreation Authority Budget for Fiscal Year 2020 in the amount of \$2,592,090.

## **ANY OTHER BUSINESS**

### **NEXT MEETING DATE**

*Regular Meeting - Monday, October 7, 2019 - 7:00 p.m.*

### **ADJOURNMENT**

*There being no further business before Council, it was moved by Morita and seconded by Bowyer to adjourn the meeting at 8:57 p.m.*

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*RYAN DEEL, President  
Rochester Hills City Council*

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

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

*Approved as presented at the March 16, 2020 Regular City Council Meeting.*