



Rochester Hills

Minutes - Draft

City Council Regular Meeting

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

David J. Blair, Jason Carlock, Ryan Deel, Carol Morlan, Theresa Mungiola, Marvie Neubauer 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, June 24, 2024

7:00 PM

1000 Rochester Hills Drive

CALL TO ORDER

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

ROLL CALL

Present 6 - David Blair, Jason Carlock, Carol Morlan, Theresa Mungiola, Marvie Neubauer and David Walker

Absent 1 - Ryan Deel

Others Present:

*Bryan Barnett, Mayor
Dan Christ, City Attorney
Ken Elwert, Parks & Natural Resources Director
Bill Fritz, Public Services Director
Chris McLeod, Planning Manager
Sara Roediger, Planning & Economic Development Director
Leanne Scott, City Clerk
Joe Snyder, Chief Financial Officer*

PLEDGE OF ALLEGIANCE

Vice President Walker commented that in light of the recent events in our community, he asked Mayor Barnett to say a few words.

Mayor Barnett began with an update on the recent splash pad shooting. He described the horrific event where a lone gunman fired 36 rounds into a crowded area, detailing the rapid response from first responders and the community. He indicated the victims ranged from age 4 to 78, with several still in serious condition. He stressed that the perpetrator was quickly identified and found deceased at his home, which contained numerous weapons. He highlighted the community's overwhelming support, including outreach from national leaders and mayors across the country. He also expressed frustration at malicious online activity, such as malware distribution and fraudulent fundraising attempts, that sought to exploit the tragedy. Despite these challenges, he emphasized the community's resilience

and the ongoing efforts to support the victims and their families, including fundraising and direct assistance. He praised the collaborative efforts of city departments and community members, stating that their response would define the City more than the act of violence itself.

Mayor Barnett also shared the devastating news of the death of Oakland County Sheriff Deputy Brad Reckling, who was killed in the line of duty while investigating an auto theft. He noted that Deputy Reckling, who previously served at the Rochester Hills Substation, leaves behind a young family. He stated the City is offering support to his family and coordinating efforts to honor his memory, including funeral arrangements and financial assistance. He concluded by requesting a moment of silence for Deputy Reckling and his family.

APPROVAL OF AGENDA

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

Aye 6 - Blair, Carlock, Morlan, Munglioli, Neubauer and Walker

Absent 1 - Deel

COUNCIL AND YOUTH COMMITTEE REPORTS

Rochester Hills Government Youth Council (RHGYC):

Vice President Walker introduced RHGYC Representative, **Kishyo Giri**.

Ms. Giri shared that she will be a sophomore this Fall at Stoney Creek High School and that this is her first year serving on the Youth Council, and she also sits on the Cemetery Citizens Advisory Committee. She reported that they have just completed the first round of interviews for the 2024/2025 Youth Council members, and that the RHGYC will be participating in the Festival of the Hills this Wednesday.

Ms. Munglioli acknowledged the community's resilience following the splash pad shooting, recognizing the swift efforts of first responders and community organizers. She commented on how residents demonstrated their support not only through words but also through action. She shared that community members organized events to support a local business, Brain Freeze, which had been negatively impacted by the incident, showing a commitment to the economic well-being of their neighbors. She announced that 'Brooklands Strong' merchandise is being sold, at no taxpayer expense, by residents wanting to raise money to help those affected by this tragic incident. She also addressed concerns raised by parents about safety at summer camps in the wake of the shooting, emphasizing that RARA sent out communication assuring parents that they will be taking necessary precautions while ensuring the children experience a wonderful time. She highlighted the mental health services that are currently available and will continue to be available for those who may experience delayed emotional

reactions due to the trauma.

She recognized the high public attendance at the Adams Road PEL Study meeting. She extended her thanks to Sara Roediger, Planning & Economic Development Director, along with her staff and the consultants for organizing this event.

Older Persons' Commission Social and Activity Center (OPC):

Ms. Mungioli reported that the OPC Summer Soirée took place on Friday, June 21st. She commented that this was another great event where the community came together to support an organization.

She noted the construction on Walton Boulevard was completed earlier than expected and congratulated Mr. Fritz for his part in making that happen.

Ms. Neubauer expressed her gratitude for the community's support following the recent tragedies, including the mass shooting at the splash pad and the death of Deputy Reckling while serving in the line of duty. She highlighted the importance of unity and healing, and thanked Mayor Barnett and the City Council for their leadership and support. She recalled that during the Gulf War in the early 1990s, many people tied a yellow ribbon around a tree to symbolize support for American troops and hope for their safe return. She stated that she wants to wrap the City in City-colored ribbons to show love and support for the victims upon their discharge from the hospital. She mentioned that ribbons and t-shirts are being made available, with all proceeds going to the victims' families. She clarified that no tax dollars were used for this purpose. She extended her thanks to all of the churches and organizations that have volunteered and extended their services, as well as to all of the First Responders.

Rochester/Auburn Hills Community Coalition:

Ms. Neubauer announced that a mental health fair, "Peace, Love, and Me," is scheduled for July 28th, from 1-4 p.m. at Van Hoosen Farm, targeting middle and high school students.

ORDINANCE FOR INTRODUCTION

- 2024-0289** Acceptance for First Reading - an Ordinance to Amend Sections 126-327, 126-362 and 126-369 of Chapter 126, Natural Resources, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to Provide Authority to Director of Parks and Natural Resources to Modify and Reduce Minimum Preservation Percentage and Approve Tree Removal Permits in Limited Circumstances for Work Plans for Assessment, Monitoring, and Remediation of Environmental issues Concerning Property within Approved Areas Eligible for Reimbursement under Michigan Department of Environment, Great Lakes, and Energy (EGLE) Grant 2023-2540 or Subrecipient Grant, and to Repeal Conflicting or Inconsistent Ordinances

Attachments: [071524 Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[062424 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[062424 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning & Economic Development Director, and **Ken Elwert**, Parks & Natural Resources Director, were present.

Mr. Elwert stated this amendment will streamline the tree permit process, but still allow checks and balances, on the four elements specifically and only related to the EGLE Grant process. He noted that there was a typo in the documentation supplied in the agenda packet and stated that every place that refers to the EGLE grant process, it should say 2023 and not 2024, as it has already occurred. He commented that it will be corrected for the Second Reading. He explained that this will allow the Parks Director, and his team, in cases where it is appropriate, to reduce the tree preservation amount on these projects and to eliminate the waiver process.

He stated that a waiver is necessary to expedite the process of addressing contaminated properties. He explained that obtaining a waiver, rather than going through the standard process, could save approximately 30 days which is crucial because there are time constraints related to grant funding. He emphasized that addressing contaminated soil often involves removing trees, as these are frequently present on such sites. He noted that the waiver does not eliminate the requirement for tree replacements; developers will still be obligated to conduct a tree survey and replace removed trees according to City code. He assured the Council that plans will be carefully reviewed to ensure that the removal of trees is not excessive and is limited to only the areas necessary for soil assessment and remediation.

Ms. Mungoli requested confirmation of her understanding that if we have 500 acres of property over near School Road and we only get applications for 200 acres to be cleaned up, it is only those 200 acres that have trees that could be removed, nothing on the other 300 acres would be considered.

Mr. Elwert stated that she was correct. He noted that it would be very specific to the project and the project size that is submitted, not the whole parcel.

Ms. Mungoli inquired whether the City is still asking them to contribute money to the tree fund so trees can be planted in other parts of the city, if not on that property itself.

Mr. Elwert responded yes.

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

Aye 6 - Blair, Carlock, Morlan, Mungoli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0205-2024

Resolved, that the Rochester Hills City Council hereby accepts for First Reading an Ordinance to Amend Sections 126-327, 126-362 and 126-369 of Chapter 126, Natural Resources, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to provide authority to Director of Parks and Natural Resources to Modify and Reduce Minimum Preservation Percentage and Approve Tree Removal Permits in Limited Circumstances for Work Plans for Assessment, Monitoring, and Remediation of Environmental issues Concerning Property within Approved Areas Eligible for Reimbursement under Michigan Department of Environment, Great Lakes, and Energy (EGLE) Grant 2023-2540 or Subrecipient Grant, and to Repeal Conflicting or Inconsistent Ordinances.

ORDINANCE FOR ADOPTION

(Mr. Blair exited at 7:38 p.m.)

Present 5 - Jason Carlock, Carol Morlan, Theresa Munglioli, Marvie Neubauer and David Walker

Absent 2 - David Blair and Ryan Deel

2024-0273 Request for Acceptance for Second Reading - An Ordinance to Amend Sections 138-5.100 and 138-5.101 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to add conditions as to when reduced residential side yard setbacks are permitted and establish a maximum building height on existing lots of less than 60 feet in width; and would allow the Planning Commission to consider a reduction in the required rear yard setback for nonresidential properties in the Highway Business District when the property adjoins another nonresidential district, and to ensure consistency across various ordinance sections; to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations

Attachments: [062424 Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[061024 Agenda Summary.pdf](#)
[Ordinance 052124.pdf](#)
[Memo McLeod 052124.pdf](#)
[Memo McLeod 041024.pdf](#)
[Minutes PC 052124 \(Draft\).pdf](#)
[Minutes PC 0416245 \(Draft\).pdf](#)
[Public Hearing Notice.pdf](#)
[061024 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Chris McLeod, Planning Manager, stated these provisions relate to modifications for smaller lot sizes, ensuring that side yard setback reductions do not occur side-by-side to prevent houses from being too close, and limiting building height to prevent excessively large houses on these smaller lots. He explained that this also addresses a cleanup issue in the Highway Business District, granting the Planning Commission the authority to modify rear yard requirements where appropriate, particularly when abutting other non-residential districts.

A motion was made by Carlock, seconded by Morlan, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

Aye 5 - Carlock, Morlan, Mungioli, Neubauer and Walker

Absent 2 - Blair and Deel

Enactment No: RES0190-2024

Resolved, that an Ordinance to Amend Sections 138-5.100 and 138-5.101 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to add conditions as to when reduced residential side yard setbacks are permitted and establish a maximum building height on existing lots of less than 60 feet in width; and would allow the Planning Commission to consider a reduction in the required rear yard setback for nonresidential properties in the Highway Business District when the property adjoins another nonresidential district, and to ensure consistency across various ordinance sections; to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations is hereby Accepted for Second Reading and Adoption and shall become effective Monday, July 1, 2024 following its publication in the Oakland Press on June 30, 2024.

(Mr. Blair re-entered at 7:41 p.m.)

Present 6 - David Blair, Jason Carlock, Carol Morlan, Theresa Mungioli, Marvie Neubauer and David Walker

Absent 1 - Ryan Deel

2024-0291

Request to Accept for Second Reading - An Ordinance to Amend Sections 134-5, 134-6 and 134-9 of Article III of Chapter 134 - Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow signage on properties with approved plans, to allow illuminated signage on second floors when facing a major thoroughfare, to allow temporary signage on construction fence screening and to ensure consistency across various ordinance sections, to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations

Attachments: [062424 Agenda Summary.pdf](#)
[Ordinance \(Revised\).pdf](#)
[061024 Agenda Summary.pdf](#)
[Ordinance.pdf](#)
[061024 Resolution.pdf](#)
[Resolution \(Draft\).pdf](#)

Chris McLeod, Planning Manager, outlined changes to the City's Sign Ordinance. He explained that a provision was added to allow sites without a certificate of occupancy to have monument signage, consistent with other businesses in the City. He noted that illuminated signage will now be allowed on the second floor of non-residential buildings in mixed-use districts, specifically when not adjacent to or across from a residential use. He continued that new developments can use decorative screening fencing with approved messaging related to the development or the City.

A motion was made by Blair, seconded by Carlock, that this matter be Accepted for Second Reading and Adoption by Resolution. The motion carried by the following vote:

Aye 6 - Blair, Carlock, Morlan, Mungioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0191-2024

Resolved, that an Ordinance to Amend Sections 134-5, 134-6 and 134-9 of Article III of Chapter 134 - Signs, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, to allow signage on properties with approved plans, to allow illuminated signage on second floors when facing a major thoroughfare, to allow temporary signage on construction fence screening and to ensure consistency across various ordinance sections, to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations, is hereby Accepted for Second Reading and Adoption and shall become effective Monday, July 1, 2024 following its publication in the Oakland Press on June 30, 2024.

PLANNING AND ECONOMIC DEVELOPMENT

- 2023-0373** Request for Conditional Use Approval to operate a car wash within the CB Community Business District for the proposed construction of a new Clean Express Car Wash located at 10 E. Auburn Rd., on the south side of Auburn Rd., east of Rochester Rd., zoned CB Community Business District with an FB Flex Business Overlay, Clean Express Auto Wash, LLC, c/o Mannik & Smith Group, Inc., Applicant

Attachments: [062424 Agenda Summary.pdf](#)
[Proposed Offsite Improvements Option A 061424.pdf](#)
[Proposed Offsite Improvements Option B 061424.pdf](#)
[Draft PC Minutes 052124.pdf](#)
[Staff Report 052124.pdf](#)
[Reviewed Plans Pt 1 052124.pdf](#)
[Reviewed Plans Pt 2 052124.pdf](#)
[Reviewed Plans Pt 3 052124.pdf](#)
[Mannik Smith Group Letter 050724.pdf](#)
[Meijer Representative Letter 050924.pdf](#)
[Culvers Representative Email 041924.pdf](#)
[Notice of Public Hearing 052124.pdf](#)
[PC Minutes 031924.pdf](#)
[SUPPL Traffic Circulation Diagram 031924.pdf](#)
[SUPPL Corrected Public Comment 031924.pdf](#)
[Staff Report 031924.pdf](#)
[Reviewed Plans Pt. 1 030424.pdf](#)
[Reviewed Plans Pt. 2 030424.pdf](#)
[WWRP Letter 030624.pdf](#)
[Public Comment March 2024.pdf](#)
[Notice of Public Hearing 031924.pdf](#)
[CC Minutes 100923.pdf](#)
[Approved PC Minutes 091923.pdf](#)
[100923 Agenda Summary.pdf](#)
[EIS Update 092923.pdf](#)
[Draft PC Minutes 091923.pdf](#)
[Staff Report 091923.pdf](#)
[Mannik Smith Letter 082823.pdf](#)
[Reviewed Plans Pt. 1 091923.pdf](#)
[Reviewed Plans Pt. 2 091923.pdf](#)
[Reviewed Plans Pt. 3 091923.pdf](#)
[Draft PC Minutes 081523.pdf](#)
[Staff Report 081523.pdf](#)
[Reviewed Plans Pt. 1 081523.pdf](#)
[Reviewed Plans Pt. 2 081523.pdf](#)
[Applicant's Letter 071823.pdf](#)
[Development Application.pdf](#)
[Environmental Impact Statement.pdf](#)
[WRC Letter 122122.pdf](#)
[Notice of Public Hearing 091923.pdf](#)
[Notice of Public Hearing 081523.pdf](#)
[100923 Resolution.pdf](#)
[Supp Proposed Offsite Improvements Option C 062424.pdf](#)
[Resolution \(Draft\).pdf](#)

Chris McLeod, Planning Manager, **John Gaber**, Attorney for the applicant, **Jacob Rilett**, Project Engineer, Mannik and Smith, and **Dennis Miller**, DMC Real Estate Advisors, were present.

Chris McLeod, Planning Manager, stated that last year both the Planning Commission and City Council approved the overall site for the Clean Express Car Wash at the southeast corner of Auburn and Rochester Road. He explained that due to some unforeseen circumstances, such that Meijer Corporation decided that they did not want to grant full access to the driveway that was going to be located on the south side of the Clean Express site, the site plan for Clean Express had to

change slightly and that really changed the overall traffic patterns.

He stated that the Planning Commission recommended approval for the conditional use and site plan. He noted that a key condition involves the interaction between the Culver's and Clean Express sites, specifically addressing the reopened cross-connection between the two. He mentioned that the connection to Culver's was initially left out of the site plan, and Clean Express had previously allowed this disconnect.

Mr. McLeod *discussed the site plan changes affecting traffic flow between Culver's and Clean Express, explaining that without the Culver's connection, westbound Auburn Road traffic would be forced to enter the Meijer site, pass through Culver's, and then access Clean Express. He pointed out that eastbound Auburn Road traffic can enter Clean Express. He noted that normally this is a restricted driveway; right turn in and right turn out, no left turns out, no left turns in. He highlighted in order to mitigate this, Clean Express will use a one-way connection to Culver's and has adjusted its Auburn Road access to discourage eastbound traffic into Meijer. He stated the Clean Express driveway is also being converted to a one-way exit onto the Meijer site, addressing Meijer's concern about on-site traffic stacking.*

He stated the Planning Commission has approved the conditional use and site plan, contingent on Culver's and Clean Express agreeing on site improvements. He noted the proposed changes, detailed in the submitted plans, include driveway modifications, increased stacking areas, and speed bumps on the Culver's site to manage traffic flow. He mentioned that a third, more recent proposal with further modifications is also anticipated.

Mr. McLeod *reported that Clean Express was expected to provide an update at the meeting regarding proposed site improvements to be mutually agreed upon with Culver's. He noted that these proposals, prompted by discussions and correspondence, involve modifications to the driveway location, increased stacking areas, and changes to the drive-through lane. He commented that both the first and second proposals include speed bumps within the Culver's site to reduce traffic speed. He reiterated that a third option with further modifications is also anticipated. He shared that the Planning Commission has recommended approval of the conditional use and has approved the site plan, pending this agreement.*

Mr. John Gaber *explained that when Culvers was approved 2016, there was a requirement from the city that there be a cross access easement between these two sites. He noted that was included on the site plan and Culver's actually executed and recorded that cross access easement agreement. He continued that the cross-access easement between Culver's and the Stone Shop parcel (Clean Express), established in 2016, legally grants the latter a 24-foot perpetual non-exclusive easement over Culver's parking lot for vehicle ingress and egress. He commented that despite this legal right, Clean Express aims to collaborate with Culver's to find a mutually beneficial solution. He emphasized that the easement agreement is very clear, but they want to be good neighbors.*

He continued on stating that Meijer granted cross-access to Clean Express, but later withdrew ingress permission due to concerns about traffic stacking onto their inner drive lanes. He noted that this change in position, following approval by Council, was attributed to a personnel change at Meijer. He explained that Clean Express is now proposing a one-way entrance from Culver's to manage traffic flow, believing it will benefit Culver's by diverting traffic from their Auburn Road exit. He suggested that this will be more efficient for traffic coming from the east and going west, and that traffic from the north, south, and west can use the Auburn Road entrance.

Mr. Gabor stated that Clean Express has presented three options (A, B, and C) to Culver's, with Option C being the preferred solution. He noted that Option C aims to improve safety for Culver's employees delivering food to waiting vehicles and minimize traffic conflicts for vehicles exiting onto the Clean Express site. He noted that Option C was developed based on feedback from Culver's, and was delivered to the City today. He commented that Clean Express is seeking approval of the plan conceptually, with further details to be worked out in collaboration with Culver's and the City review.

Mr. Rilett presented a revised site plan addressing prior concerns about increased traffic impacting the adjacent Culver's site. He stated that initially, a two-way connection was proposed, but after receiving feedback from the Planning Commission, this was modified to a one-way lane leading into the applicant's site, which is supported by a traffic memo indicating no increase in traffic leaving Culver's drive-through onto Auburn Road. He addressed safety concerns regarding Culver's employees, who currently cross traffic to deliver food, noting the revised plan reconfigures the parking layout to maximize waiting spaces north of Culver's, minimizing employee traffic crossings, and includes two speed bumps to slow incoming traffic. He continued that this reconfiguration involves relocating the patio area to the northwest side, while maintaining the existing total parking count for Culver's.

Mr. Gaber stated they are requesting City Council approval of the revised site plan as recommended by the Planning Commission, with the exception of the condition regarding the plan itself. He proposed tying the approval to the concept plan presented, committing to all pavement improvements and collaboration with Culvers and City staff to ensure optimal design for the safe and efficient operation of Culver's, stating it would be a win-win for both parties.

Public Comment:

Mr. Richard Bosler, 399 Daylily Drive, expressed strong opposition to the proposed car wash at the Stone Shop location, citing existing traffic congestion in the Auburn and Rochester Road area. He argued that adding a car wash, especially near Culver's, would exacerbate traffic issues and questioned how allowing another car wash, when there are already two others less than a mile from this one, aligns with the City's 2025 Master Plan. He suggested alternative uses for the site, such as green space. He raised concerns about overall development in the area, including planned retail and office spaces, and their impact on traffic and emergency services. He criticized the Planning Commission's approval of the car

wash, highlighting concerns from police and fire professionals, and urged the City Council to review the Planning Commission meeting and conduct a site visit. He also raised safety concerns about Culver's site design, specifically the limited access for emergency vehicles and the placement of picnic tables near the drive-through, questioning how the site passed initial approvals. He suggested that drive-throughs should have more than one exit, and expressed concern about emergency vehicle access in general.

Council Discussion:

Ms. Neubauer commented that she is the Council member who sits on the Planning Commission and as such, stated that she is very familiar with the discussion that has taken place at the Planning Commission. She questioned whether Option C, that is being presented this evening, was based on the owner of Culver's comments to the car wash.

Mr. Rilett responded that it was and stated that they had sent them both proposals A and B, the main difference between the two being the existing monument sign. He noted that the sign's current location is non-compliant due to setback requirements and explained that relocating it to a compliant position presented challenges: a variance for a nine-foot sign in a ten-foot greenbelt was deemed unfeasible, and moving it to the northeast corner was problematic due to visibility issues and underground utilities, making it cost-ineffective. He stated that Option A, which kept the sign in its existing location, was deemed unsatisfactory by the owners of Culver's. He continued that is why Option C was developed, maximizing waiting space to minimize employee runners crossing traffic, while retaining the existing sign location.

Ms. Neubauer noted that the new location for the fire hydrant was discussed at the Planning Commission and questioned whether that was found to be permissible and in compliance with both the Fire Department and the City as it pertains to Option C.

Mr. Rilett explained that moving the fire hydrant would be a last resort option, intended only if the City deems the proposed parking changes for Culver's insufficient. He noted that their plan includes adding three striped spaces and removing three patio spaces, maintaining the existing parking count. He commented that while moving the fire hydrant is doable, it would be significantly more expensive than the other site improvements.

Ms. Neubauer inquired whether Clean Express is willing to do all of the improvements presented on the Culver site at their own expense.

Mr. Rilett responded yes, with the exception of relocating the fire hydrant, if necessary, due to the cost associated with doing so.

Ms. Neubauer referenced a recorded easement from 2017 and confirmed that all involved had notice of the easement. She read number 2 as listed on the easement, "The above described easement shall burden the owner's parcel and benefit the Stone Shop parcel and shall appurtenant to and run with the land and

be binding upon heirs, assignees, successors and interest or title to the owner's parcel and to the Stone Shop parcel." She expressed concern about the repeated changes in proposed agreements after Planning Commission meetings, and asked how the City Council would ensure the current proposed changes are implemented and executed according to a set timeline, and that Culver's will agree to the proposed timeline.

Mr. Gaber clarified that he can only speak for Clean Express, and suggested hearing from the owner's of Culver's regarding their position on the proposed improvements. He expressed confidence that both parties are committed to working cooperatively, ensuring efficient and safe operation of both sites. He acknowledged that details like staging and City input need to be finalized, and asserted that both parties aim to complete the improvements quickly and efficiently.

Ms. Neubauer proposed establishing a timeline to ensure both parties continue to act in good faith and follow through on the proposed changes. She acknowledged the collaborative spirit but emphasized the need for concrete action. She questioned how much time would be needed to implement the changes and how much time the owners of Culver's would require to accommodate them.

Mr. Gaber highlighted that the City's involvement and stated that the approval process significantly impacts the timeline. He mentioned that Clean Express and the owners of Culver's could quickly finalize plans between themselves; however, the City's review and approval process add an unknown duration. He suggested that Mr. McLeod could provide insight into the City's review timeline, including potential multiple review cycles.

Mr. McLeod stated that plan approvals would take approximately ten business days per review, aiming for a total of twenty business days for two reviews. He clarified that while plan approval is relatively quick, the construction timeline is more complex. He continued that it depends on the coordination between Clean Express and Culver's, as Culver's operational needs might restrict construction schedules. He emphasized that the actual construction timeline is ultimately determined by the two private parties' ability to coordinate their schedules, not by the City's review process.

Ms. Neubauer emphasized that the application is technically Clean Express's responsibility, despite their collaborative efforts with Culver's. She proposed a solution involving a timeline with specific deadlines for both the applicant's construction and Culver's cooperation, backed by a bond to ensure compliance. She stated her primary concern was the implementation of the plan, not the City's review timeline or the initial agreement, but the concrete execution of the agreed-upon improvements. She stressed the need to ensure that the construction happens without unduly burdening Culver's operations, while still maintaining a firm timeline for completion.

Mr. Gaber clarified that the improvements on the Culver's site are intended to be completed concurrently with the construction of the Clean Express site. He mentioned that this approach allows for flexibility in scheduling, enabling

coordination with Culver's. He noted that utilizing the same contractors for both sites facilitates efficient execution of the pavement work.

Ms. Neubauer inquired what the proposed time was for the construction of Clean Express.

Mr. Miller stated construction would be complete within six months after receiving final approval from the City.

Ms. Neubauer moved the motion adding two additional conditions: the construction referred to in proposal C will move forward, and that Culver's and Clean Express will complete the modifications within six months after approvals are received from the City.

Ms. Morlan inquired whether after learning that Meijer was no longer going to grant full access to the driveway that was on the south side of the Clean Express site, if the applicant had explored working with Culver's on some sort of entrance in the back spots of their site.

Mr. Rilett explained that relocating their building to the west side of the site would negatively impact traffic flow. He stated that they had explored this option previously and found it problematic. He pointed out that moving the building would cause traffic overlap at their site's entrance and exacerbate the existing congestion at Culver's exit onto Meijer Drive, as vehicles would attempt to merge into already congested stacking lanes.

Mr. Gaber clarified that the current site plan, with the car wash tunnel positioned as it is, was a direct result of a request from the Planning Commission. Initially, the car wash tunnel was located on the west side, but the Planning Commission asked for it to be flipped to its current configuration due to traffic concerns.

Ms. Morlan questioned if traffic from the Culver's drive-through will be exiting, utilizing the same exit, at the same time as the people from the car wash will be exiting.

Mr. Rilett responded yes and explained that there will be a stop sign installed at that connection point. He also mentioned that the car wash has an automatic stop system to prevent backups. He commented that due to the one-way exit and the proximity to the Auburn-Rochester intersection, along with the lack of significant upstream traffic, they anticipate minimal backup at that location. He emphasized that the analysis they did supported this conclusion.

Ms. Morlan raised concerns about potential traffic conflicts arising from the proposed car wash location. She highlighted the possibility of vehicles exiting the Culver's drive-through and those driving into the car wash having to cross paths, creating congestion. She pointed out the risk of vehicles navigating Culver's parking lot to access the car wash interfering with vehicles exiting parking spaces or the drive-through.

Mr. Gaber clarified that is the only ingress point to Culver's. He stated that is how everyone enters the Culver site regardless if they plan to utilize the drive-through

or dine-in. He explained that under the proposed configuration, people could exit onto Auburn Road.

Ms. Morlan expressed strong concerns about the proposed development's impact on traffic, believing it will create detrimental traffic patterns, confusion, and safety hazards in the surrounding area. She stated she would vote against the proposal due to these traffic-related concerns.

Ms. Mungoli acknowledged Ms. Neubauer's proposed condition but expressed concern that it would not guarantee Culver's cooperation. She highlighted the possibility of Culver's rejecting the plan and obstructing progress. She questioned how to ensure Culver's cooperation and facilitate Clean Wash's execution of the proposal.

Mr. Gabor stated he was uncomfortable speaking for the owners of Culver's and suggested that they explain their position directly. He stressed the fact that there is a recorded easement agreement that he believes gives them the legal right to cross access. He implied they could enforce this right if necessary, providing leverage to ensure cooperation and prevent delays in their city approval process.

Ms. Mungoli referenced the possibility of another cross connection piece with the neighboring oil change business if they ever change hands, and inquired if thought has been given to creating a sub road to Auburn Road between the different properties there.

Mr. McLeod stated it is best practice to try to interconnect parking lots in order to improve traffic flow between sites, reduce reliance on the main roadway and minimize potential traffic conflicts. He emphasized that the proposed site plan should be evaluated for its functionality as a standalone development, independent of the proposed improvements to Culver's. He further stated that while the cross-connection is legally enforceable, the improvements to Culver's are not, and their completion is not guaranteed. He suggested that the City Council should consider the Culver's improvements as a potential bonus, rather than a necessary component of the site plan's functionality, as they cannot compel Culver's to implement them.

Ms. Mungoli questioned if the site plan stands on its own without the cross connection.

He shared that the primary concern, raised during previous Planning Commission and City Council discussions, revolves around the traffic flow and maneuverability of the proposed site. He clarified that while the legal right to the cross-connection is established, the conditional use approval hinges on whether the resulting traffic patterns are safe and functional. He stated that the City Council's review should focus on whether the proposed site plan meets the conditional use standards, specifically regarding potential hazards or negative impacts on surrounding sites. He commented if the site meets these standards, approval is appropriate.

Ms. Mungiola emphasized the City's commitment to safety, highlighting its inclusion as the top objective in the City's strategic plan. They pointed out that several conditional use standards, such as preventing detrimental or hazardous impacts and ensuring access for essential public services like police and fire, directly relate to safety. The speaker stressed that the proposed business should be viable independently of Culver's cooperation.

Mr. Gaber responded by reiterating their belief that the site plan functions independently of the Culver's improvements, but that those improvements would enhance safety and efficiency. He emphasized that the one-way cross-access would alleviate the traffic bottleneck at the Culver's exit into Meijer, improving traffic flow. He also argued that the proposed waiting area in Option C would reduce potential conflicts between waiting vehicles and runners, enhancing safety. He expressed difficulty understanding why Culver's would oppose these improvements, given that they are being financed by the applicant and offer clear benefits to Culver's. He reiterated that the proposal is a win-win situation.

Ms. Mungiola inquired as to what other types of businesses could go in there that might have a lower traffic volume than a car wash.

Mr. McLeod stated general retail would likely have a more consistent traffic flow, while car washes tend to experience peak traffic times, particularly on weekend mornings. He emphasized that traffic patterns are influenced by site layout, including parking and maneuvering lanes. He agreed that the proposed changes would benefit the sites if implemented collaboratively; however, he reiterated that the City Council must evaluate the site's functionality and safety independently of the Culver's improvements, acknowledging that cooperation is not guaranteed.

Ms. Mungiola emphasized that the cross-connection access is a pre-existing easement, independent of the current development proposal. She commented that Culver's will inevitably have to accommodate neighboring businesses, and that the current proposal may represent the most favorable outcome for their staff and customers. She acknowledged that the car wash's traffic volume may fluctuate, but reiterated that Culver's will be legally obligated to acknowledge and accommodate the cross-connection easement regardless of who occupies the neighboring lot.

Mr. McLeod confirmed that the cross-connection easement was part of Culver's site plan approval in 2016/2017; therefore, any future development on the adjacent site, whether by Clean Express or another entity, will likely necessitate that connection. He also mentioned that a year prior, when conditions were different, Clean Express was willing to forgo the connection, but was forced to reconsider due to issues with the Meijer connection, which lacked a similar easement. He emphasized that the existence of the easement brings the cross-connection issue back before the Council.

Mr. Carlock expressed concern about a specific area in Option C's layout. He highlighted the potential for traffic conflicts due to car wash customers entering, Culver's drive-through customers exiting, and parked vehicles backing out

towards the Meijer entrance. He suggested careful consideration of road markings and communication with Culver's ownership to mitigate potential safety hazards in that area.

Ms. Morlan referenced the original proposal and inquired under that proposal if there was any potential for something going in at the other end of the parking lot, or whether the easement required it to be by Auburn Road.

Mr. McLeod explained that the proposed development's site plan has undergone several revisions. He noted that initially, the building was situated on the west side with cross-connections to both the east and west, but the Planning Commission requested a flip to improve traffic flow, particularly for vehicles entering the site. He continued that after this change, Culver's expressed a desire to avoid the cross-connection, which Clean Express initially agreed to, resulting in the site plan's initial approval. He pointed out, however, subsequent denial of a full connection by Meijer, only allowing an exit, forced Clean Express to reinstate the cross-connection to accommodate westbound traffic.

Mr. Gaber clarified that the cross-access easement is legally defined with a specific location, as indicated by dotted lines on the site diagram, and must be adhered to as per the recorded easement agreement.

A motion was made by Neubauer, seconded by Mungioli, that this matter be Adopted by Amended Resolution to include two additional conditions: Condition E which includes the New Concept Plan C, and Condition F within the six month timeline from approvals to completion. The motion carried by the following vote:

Aye 4 - Blair, Carlock, Neubauer and Walker

Nay 2 - Morlan and Mungioli

Absent 1 - Deel

Enactment No: RES0192-2024

Resolved, that the Rochester Hills City Council hereby approves the **amended Conditional Use** for a car wash facility at 10 E. Auburn, on Parcel No. 70-15-35-100-003, based on plans received by the Planning Department on April 17, 2024, with the following findings.

Findings

- A. The use will promote the intent and purpose of the Zoning Ordinance.
- B. The site has been designed and is proposed to be operated, maintained, and managed so as to be compatible, harmonious, and appropriate in appearance with the existing and planned character of the general vicinity, adjacent uses of land, and the capacity of public services and facilities affected by the use.
- C. The proposal will have a positive impact on the community as a whole and the surrounding area by further offering additional car cleaning options along with additional job opportunities.
- D. The proposed development is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, water and sewer, drainage ways, and refuse disposal.
- E. The proposed development, with the revised driveway and cross connection configurations, will not be detrimental, hazardous, or disturbing to existing or future neighboring land uses, persons, property, or the public welfare.
- F. The proposal will not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

Conditions

- A. The use shall remain consistent with the facts and information presented to the City as a part of the applicant's application and at the public hearing.
- B. If, in the determination of City staff, the intensity of the operation changes or increases, in terms of traffic, queuing, noise, hours, lighting, odor, or other aspects that may cause adverse off-site impact, City staff may require and order the conditional use approval to be remanded to the Planning Commission and City Council as necessary for re-examination of the conditional use approval and conditions for possible revocation, modification or supplementation.
- C. Submit for Staff review revised plans showing the straightened northern curb line of the drive-through to allow for additional parking spaces on the Culver's property, and to relocate the existing hydrant and ground sign as necessary, at the applicant's expense, as approved by Culver's and City Staff.
- D. Adding speed bumps on the Culver's property at the applicant's expense, as approved by Culver's and City Staff.
- E. Inclusion of the Proposed Offsite Improvements Option C.
- F. Culvers and Clean Express Car Wash will complete the modifications within the six month timeline from approvals to completion.

2024-0313 Request for Approval of the EGLE Brownfield Grant Work Plan for 3514 S. Livernois Rd.

Attachments: [062424 Agenda Summary.pdf](#)
[Work Plan 061124.pdf](#)
[Phase II ESA.pdf](#)
[Phase I ESA Pt. 1.pdf](#)
[Phase I ESA Pt. 2.pdf](#)
[Phase I ESA Pt. 3.pdf](#)
[Phase I ESA Pt. 4.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning & Economic Development Director, and **Tom Wackerman**, ASTI Environmental, were present.

Ms. Roediger announced that the City has developed its first two remediation work plans for contaminated City-owned green spaces, utilizing grant funding. She mentioned the first site, known as the Ruby green space, requires the removal of approximately 90 tons of contaminated soil, an eligible expense under the grant. She noted the remediation is expected to cost just under \$50,000 and be completed within the next few months.

Mr. Wackerman explained that a pre-development investigation of the Ruby green space, funded by a grant, revealed contamination near a former basement storage tank, indicated by a blue square on the provided visual. He commented that while 55-gallon drums were initially found on the north end, those areas were not contaminated. He stated the remediation will be a focused "hotspot" removal, involving delineation, excavation, verification sampling, and backfilling. He continued that the majority of the site has already been cleared, except for the contaminated area, which was worked around. He emphasized that all remediation plans would be presented to the Council for transparency.

Ms. Mungioni thanked Ms. Roediger and Mr. Wackerman for their detailed information regarding the remediation plans. She expressed satisfaction that the contaminated area would be cleaned up, ensuring the safety of future green space users.

Ms. Morlan confirmed that the trees are being removed because the root balls are also contaminated.

Mr. Wackerman concurred and commented they also need to be removed in order to get to the dirt.

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

Aye 6 - Blair, Carlock, Morlan, Mungioni, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0193-2024

Resolved, that the Rochester Hills City Council hereby approves the EGLE Brownfield Grant Work Plan for 3514 S. Livernois Rd.

2024-0314 Request for Approval of the EGLE Brownfield Grant Work Plan for 3001 W. Auburn Rd.

Attachments: [062424 Agenda Summary.pdf](#)
[Work Plan 022624.pdf](#)
[Additional Subsurface Investigation.pdf](#)
[Limited Phase II ESA.pdf](#)
[Phase I ESA Pt. 1.pdf](#)
[Phase I ESA Pt. 2.pdf](#)
[Resolution \(Draft\).pdf](#)

Sara Roediger, Planning & Economic Development Director, and **Tom Wackerman**, ASTI Environmental, were present.

Ms. Roediger introduced the second remediation project, located at the Auburn Road open space, which had a contaminated area discovered after its purchase, prompting the City to install a barrier fence. She stated this remediation is significantly larger, involving the removal of nearly a thousand tons of contaminated soil at a cost of just under \$175,000. She confirmed that this cleanup can be completed in the Fall and will be fully covered by the EGLE Grant.

Mr. Wackerman added both properties will have a sign that says it is being funded by the grant with EGLE's logo and the city's logo on it.

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

Aye 6 - Blair, Carlock, Morlan, Mungioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0194-2024

Resolved, that the Rochester Hills City Council hereby approves the EGLE Brownfield Grant Work Plan for 3001 W. Auburn Rd.

PUBLIC COMMENT for Items not on the Agenda

None.

(Ms. Neubauer exited at 8:50 p.m.)

Present 5 - David Blair, Jason Carlock, Carol Morlan, Theresa Mungioli and David Walker

Absent 2 - Ryan Deel and Marvie Neubauer

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.

2024-0297 Request for Purchase Authorization - FLEET: Blanket Purchase Order for Freightliner Heavy Duty Truck Parts in the amount of \$90,000.00 through June 30, 2027; Wolverine Freightliner Eastside, Mt. Clemens, MI

Attachments: [062424 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0195-2024

Resolved, that the Rochester Hills City Council hereby authorizes a Blanket Purchase Order for the purchase of Freightliner heavy duty truck parts to Wolverine Freightliner Eastside, Mt. Clements, Michigan in the amount of \$90,000.00 through June 30, 2027.

- 2024-0304** Request for Approval - DPS/ENG: Request for Approval of a five-year extension of AT&T's METRO Act permit for the use of CITY rights-of-way for telecommunications for a term to end on August 31, 2029; AT&T Pontiac, Michigan

Attachments: [062424 Agenda Summary.pdf](#)
[2024 Permit Extension Letter.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0196-2024

Resolved, the Rochester Hills City Council approves AT&T's application for a five-year extension of the METRO Act Permit to end on August 31, 2029.

Further Resolved, the City Council authorizes the Mayor to sign the five-year permit extension and to undertake any and all other necessary and appropriate action in furtherance thereof.

- 2024-0308** Request for Acceptance of the Water Main Easement granted by Huntington National Bank, a national banking association, for Huntington National Bank

Attachments: [062424 Agenda Summary.pdf](#)
[Location Map.pdf](#)
[Water Main Easement.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0197-2024

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 #15-17-102-033, granted by Huntington national Bank, a national banking association, whose address is 5555 Cleveland Avenue, Columbus, OH 43231, for Huntington National Bank.

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

- 2024-0309** Request for Approval of a Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Huntington National Bank, a national banking association, for Huntington National Bank

Attachments: [062424 Agenda Summary.pdf](#)
[Storm Water Maintenance Agrmnt.pdf](#)
[Resolution \(Draft\).pdf](#)

This Matter was Adopted by Resolution on the Consent Agenda.

Enactment No: RES0198-2024

Resolved, that the Rochester Hills City Council hereby approves the Storm Water Detention System Maintenance Agreement between the City of Rochester Hills and Huntington National Bank, a national banking association, whose address is 5555 Cleveland Avenue, Columbus, OH 43231, for Huntington National Bank, Parcel #15-17-102-033.

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

Passed the Consent Agenda

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

Aye 5 - Blair, Carlock, Morlan, Mungioli and Walker

Absent 2 - Deel and Neubauer

(Ms. Neubauer re-entered at 8:53 p.m.)

Present 6 - David Blair, Jason Carlock, Carol Morlan, Theresa Mungioli, Marvie Neubauer and David Walker

Absent 1 - Ryan Deel

LEGISLATIVE & ADMINISTRATIVE COMMENTS

Mr. Blair stated that in the wake of recent tragedies, it is more important than ever that we come together as a community whenever we can. He shared that this past Saturday he attended the 'Pride in the Park' event held in the City of Rochester. He described it as an inclusive and welcoming community gathering. He noted the presence of various community groups, vendors, and individuals, including church groups, Dutton Farm, and DC Novelty Eats. He expressed his appreciation for the event and the opportunity to celebrate the community's positive qualities.

Ms. Mungioli shared that a number of residents have reached out and she thanked the Mayor and his administration for addressing complaints and providing updates to residents as to the unexpected changes to the City's waste hauler. She requested that someone reach out to Mr. Bosler to address the comments he made under the Clean Express car wash item this evening.

Mayor Barnett provided the following updates:

He announced that GFL has sold the City's waste hauling contract to Priority

Waste. There have been a number of challenges with trash pick due to a high number of employee call-ins (40-55 per day) due to heat and uncertainty about the future. The city has been in constant communication with GFL and Priority Waste to address the issues. Effort is being made to keep residents informed through the City's Facebook page. The transition to Priority Waste will be next week, with most service details remaining the same. Priority Waste's new technology will provide more detailed data on pickups.

The League of Women Voters (LWV) Candidates' Forum for State Representative - District 55 - representing Rochester Hills is running on all of the City's stations, as well as the website.

The Festival of the Hills will be taking place in 48 hours and promises, once again, to be a really great show. He noted that this will be part of the healing process for many in our community.

Wabash Park (formerly Purple Park) is now open. He invited everyone to come check it out.

Adams Road Corridor Community Update Meeting took place on June 17th.

There were 160 people in attendance. The discussion data is currently being reviewed.

He provided the following road construction updates:

Barclay Circle project is ahead of schedule.

Walton Road project opened two months ahead of schedule, a significant achievement.

Remaining cleanup and sign installation to be completed for Walton Road.

ATTORNEY'S REPORT

City Attorney Dan Christ had nothing to report.

NOMINATIONS/APPOINTMENTS

2024-0312 Request to Confirm the Mayor's Reappointment of Terry Schafer to the Advisory Traffic and Safety Board for a three-year term to expire June 30, 2027

Attachments: [062424 Agenda Summary.pdf](#)
[Schafer CQ.pdf](#)
[Resolution \(Draft\).pdf](#)

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

Aye 6 - Blair, Carlock, Morlan, Munglioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0199-2024

Resolved, that the Rochester Hills City Council hereby confirms the Mayor's reappointment of Terry Schafer to the Advisory Traffic and Safety Board for a three-year term to expire June 30, 2027.

NEW BUSINESS

- 2024-0311** Request for Purchase Authorization - DPS/ENG: Contract/Blanket Purchase Order for the installation of sanitary sewer along the south side of Hamlin Road and across Hamlin Road to Innovation Hills in the amount of \$678,940.00 with a 10% project contingency in the amount of \$67,894.00 for a total not-to-exceed project amount of \$746,834.00; Superior Excavating, Auburn Hills, MI

Attachments: [062424 Agenda Summary.pdf](#)
[Bid Tab.pdf](#)
[Proposal.pdf](#)
[Resolution \(Draft\).pdf](#)

Bill Fritz, Public Services Director, stated this is for the new restroom facility that will be under construction soon. He commented that Superior Excavating was the lowest responsible bidder and noted that they are also the City's contracted vendor for water main and sewer repairs. He highlighted that a change order to the existing contract was requested to include the installation of a fire hydrant at the restroom facility location.

Ms. Munglioli shared that although this looks to be a little over budget, she was informed that the City has other projects that came in under budget which will allow us to absorb the cost increase on this item.

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

Aye 6 - Blair, Carlock, Morlan, Munglioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0200-2024

Resolved, that the Rochester Hills City Council hereby authorizes a contract/blanket purchase order for the installation of sanitary sewer along the south side of Hamlin Road and across Hamlin Road to Innovation Hills to Superior Excavating, Auburn Hills, Michigan in the amount of \$678,940.00 with a 10% project contingency in the amount of \$67,894.00 for a total not-to-exceed project amount of \$746,834.00 and further authorizes the Procurement Manager to execute an agreement on behalf of the City.

Resolved, that the City Council authorizes an amendment to the agreement, that includes additional scope for the installation of a hydrant near the location of the new restroom building in Innovation Hills, in which the amount to perform this work is included in the requested contract total.

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.

- 2024-0310** Request for Purchase Authorization - HUMAN RESOURCES: Blanket Purchase Order for the renewal of a two-year subscription, including software support and maintenance for the City's cloud-based applicant tracking, performance management, and learning management systems in the amount of \$81,000.00 through October 30, 2025; Governmentjobs.com, Inc., DBA

NEOGOV, El Segundo, CA

Attachments: [062424 Agenda Summary.pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, shared that he was filling in for Brooke Insana, Human Resources Director, as she was away attending a conference. He stated this request is for the renewal of a two-year subscription to NEOGOV software solution. He explained NEOGOV is utilized for applicant tracking, performance reviews, performance management, as well as various learning management systems.

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

Aye 6 - Blair, Carlock, Morlan, Munglioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0201-2024

Resolved, that the Rochester Hills City Council hereby authorizes a blanket purchase order for the renewal of a two-year subscription, including software support and maintenance for the City's cloud-based applicant tracking, performance management, and learning management systems to Governmentjobs.com, Inc., DBA NEOGOV, El Segundo, California through October 30, 2025.

2024-0305 Request for Adoption of the Governmental Fund Balance Reserve Policy

Attachments: [062424 Agenda Summary.pdf](#)
[Governmental Fund Balance Reserve Policy \[Redline\].pdf](#)
[Governmental Fund Balance Reserve Policy \[Clean\].pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated that the City's Governmental Fund Balance Policy, initially approved in June 2018 and implemented in the 2019 budget, has been in effect for over five years. He noted in order to be aligned with City Council's 2024 fiscal management objectives, staff conducted a review of the policy's efficiency and effectiveness, referencing best practices from the Government Finance Officers Association (GFOA), peer communities, auditor input, and the City of Rochester Hills' unique financial structure. He shared that the Strategic Planning and Policy Technical Review Committee met on May 20th and June 10th, to review and discuss this policy and through thoughtful and productive discussion ultimately resulted in a recommended updated policy. He stated this proposed policy clearly and transparently aims to strategically manage prudent fund balance reserves moving forward.

He shared the City's current fund balance policy targets 70-80% of annual operating expenditures for the General Fund and 20-25% for other operational funds. He noted that Capital funds maintain a minimum 25% balance. He commented that while the existing policy has functioned well, the committee recommends adjusting the General Fund target to 25-35%, based on a GFOA risk assessment. He explained this assessment evaluated risks like extreme events, revenue and expenditure stability, debt leverage, liquidity, fund dependencies, growth, and capital project dependency, concluding that a lower General Fund balance is appropriate. He shared that this new policy would go into effect as part

of the upcoming 2025 to 2027 budget process, moving from the 80% level in 2024 down to the 35% level over those three years. He continued that the proposed change, over three years, would free up approximately \$12 million for the Capital Improvement Fund, accelerating planned projects, particularly park redevelopment, from being completed in 10 to 20 years, to six to eight years. He stressed the policy change will not affect the City's millage rate, and due to the City's conservative budgeting practices, a fund balance within 40-45% is likely expected to be maintained despite the new target.

Vice President Walker shared that he, Ms. Mungiola, and President Deel serve on the Strategic Planning and Policy Technical Review Committee and noted that they have been discussing this topic for quite some time. He stated the City's current General Fund balance is significantly higher than the policy target, at 117%, prompting a review to ensure taxpayer dollars are being utilized effectively rather than accumulated. He commented that the timing of this review, aligned with recent audit findings and data analysis, supports a planned three-year reduction to a more manageable fund balance level. He commended Mr. Snyder for the work he has done to arrive at this outcome.

Ms. Mungiola expressed her gratitude to Mr. Snyder for his thorough work and clear explanation of the proposed fund balance policy change. She emphasized the comfort provided by the three-year implementation plan, which allows for adjustments if needed, without jeopardizing the City's financial stability. She also highlighted the City's conservative budgeting practices, ensuring continued financial prudence, and noted the policy's timely implementation, which will allow department directors to incorporate the changes into the upcoming budget workshop.

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

Aye 6 - Blair, Carlock, Morlan, Mungiola, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0202-2024

Whereas, sound financial management policies and practices are of vital importance in maintaining and strengthening the long-term financial future of the City of Rochester Hills.

Whereas, Governmental Fund Balance Reserves are to be accumulated and maintained to provide stability and flexibility, and to respond to unexpected challenges and/or opportunities in order to help the City achieve its primary goals.

Whereas, the Governmental Fund Balance Reserve Policy establishes the desired funding levels under normal operating conditions that the City of Rochester Hills will strive to maintain in various governmental fund balance reserves, the specific conditions under which the reserves may be used, and how the reserves may be funded.

Resolved, that the Rochester Hills City Council hereby adopts the Governmental Fund Balance Reserve Policy as presented.

(general liability, motor vehicle physical damage, property and crime coverage) pool contributions/costs, legal defense and risk management consulting in the amount not to exceed \$478,498; Michigan Municipal Risk Management Authority, Livonia, MI

Attachments: [102124 Agenda Summary.pdf](#)
[Coverage Amendment.pdf](#)
[062424 Agenda Summary.pdf](#)
[MMRMA Coverage Proposal \(2024-25\).pdf](#)
[Renewal Premium and Net Asset Distributions \(2015-2025\).pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, stated this request is for the renewal of the City's insurance policy with the Michigan Municipal Risk Management Authority (MMRMA) for \$478,498, representing a 6.4% increase. He shared that the MMRMA provides various services, and Rochester Hills has been a member since 1985. He explained that due to this long-term membership, the City will receive a net asset distribution of \$264,644 upon renewal, effectively reducing the net insurance cost to \$213,854.

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

Aye 6 - Blair, Carlock, Morlan, Mungioli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0289-2024

Resolved, that the City of Rochester Hills City Council hereby authorizes a Blanket Purchase Order/contribution to the Michigan Municipal Risk Management Authority (MMRMA) of Livonia, Michigan, for general liability, motor vehicle physical damage, property and crime coverage, pool contributions, stop loss coverage, SIR (self-insured retention) fund replenishment, and risk management consulting in the amount not-to-exceed \$478,498 for the period of July 1, 2024 through July 1, 2025.

2024-0236 Strategic Planning and Policy Review Committee's Recommendation of the City Council's Goals and Objectives for the Fiscal Years covering 2025-2027

Attachments: [062424 Agenda Summary.pdf](#)
[2024-0236 City Council Goals & Objectives \(2025\) \[Red-Lined Version\].pdf](#)
[2024-0236 City Council Goals & Objectives \(2025\) \[Clean Version\].pdf](#)
[Resolution \(Draft\).pdf](#)

Joe Snyder, Chief Financial Officer, presented the proposed City Council Strategic Goals and Objectives for fiscal year 2025. He commented that Strategic Planning and Policy Technical Review Committee, comprised of President Deel, Vice President Walker, and Ms. Mungioli, convened on May 10th, May 20th, and June 10th to meticulously review, discuss, and evaluate the proposed strategic goals and objectives for the upcoming fiscal year 2025. He noted that this process is crucial as it provides essential feedback and direction to City staff, guiding the administration's strategic development of the 2025-2027 budget. He stated this budget acts as a multi-year action plan, outlining specific steps to achieve the Council's outlined goals and objectives. He emphasized the significance of this collaborative effort, noting that it solidifies a positive working relationship between the Council and Administration. He continued that it ensures alignment on future City priorities and provides clear "marching orders" for the upcoming three-year

budget plan. He expressed gratitude on behalf of the Administration for the Committee's dedication and thorough review.

Vice President Walker commented that the Strategic Planning Committee, met to review and refine the City's strategic goals and objectives. He stated this process provides a high-level framework for City direction, allowing for necessary adjustments. He shared that the Committee focused on tweaking and refining existing goals, and incorporating new objectives such as environmental cleanup initiatives. He stated this review initiates the annual budgeting process, ensuring alignment between the Council's vision and the Administration's implementation.

Ms. Mungoli clarified that the revisions to the strategic goals and objectives primarily involved "wordsmithing," focusing on updating verbs to reflect current actions, such as shifting from "study" to "execute." She emphasized committing to the implementation of the master plan and ensuring budget allocation for planned activities in 2025. She noted the Committee also incorporated collaborative efforts, like the EGLE Grant and inter-municipal cooperation, to acknowledge and encourage partnerships. She pointed out that the redlined version of the document highlights these changes, demonstrating that the updates aimed to reflect the City's current status and intentions without fundamentally altering the overall goals.

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

Aye 6 - Blair, Carlock, Morlan, Mungoli, Neubauer and Walker

Absent 1 - Deel

Enactment No: RES0204-2024

Resolved, that the Rochester Hills City Council establish the following as its Fiscal Year 2025 Goals and Objectives:

GOAL: PUBLIC SAFETY

Protect the residents, businesses, and visitors of Rochester Hills by providing high quality public safety.

Objective: Continue to examine current levels of police service for effectiveness and efficiency.

Objective: Continue to monitor Fire's Funding Structure to ensure long-term viability.

Objective: Continue to implement the Fire Department Strategic Plan.

GOAL: FISCAL MANAGEMENT

Establish policies for fiscal responsibility that ensure short and long-term prosperity through effective fiscal planning and efficient management of taxpayer assets.

Objective: Continue the policy of conservatively forecasting revenues, expenses, and critical factors for the next seven years on a rolling basis. Continue long-term strategic analysis of the years beyond.

Objective: Continue to adopt a three-year budget plan.

Objective: Monitor the efficiency and effectiveness of the City's internal financial controls to provide proper safeguarding of the City's assets.

Objective: Review the efficiency and effectiveness of the City's Governmental Fund Balance Policy, to ensure fiscal responsibility.

GOAL: INFRASTRUCTURE MANAGEMENT

Provide reliable, safe, and effective infrastructure (roadways, utilities, buildings, etc...) throughout the City.

Objective: Review the condition of existing City infrastructure to ensure it is safe and aesthetically pleasing, to optimize administrative efficiency and to preserve City-owned assets so that our residents, businesses, and employees feel valued.

Objective: Continue to maintain clean and reliable water service throughout the City.

Objective: Continue neighborhood storm water education programs (including HOA leadership).

Objective: Continue sump pump discharge inspection program (sanitary vs. storm drain).

Objective: Continue cross connection education and enforcement program.

GOAL: EFFECTIVE GOVERNANCE

Provide clear policy direction to Administration for the execution of City programs and services to ensure the efficient use of taxpayer funds.

Objective: Encourage administration to identify grants and/or opportunities to share project costs with other agencies.

Objective: Ensure the safety and security of our Information Technology (Management Information Systems).

Objective: Promote cooperative purchases with other communities, i.e. MITN.

Objective: Explore opportunities for new public/private partnerships, collaborative efforts with other municipalities, and possibilities for consolidation of City services.

Objective: Continue to annually review and update the Emergency Operating Plan by staff and City Council.

Objective: Implement a Strategic Plan for Information Technology (Management Information Systems).

GOAL: RECREATION, PARKS, CULTURAL

Preserve the City of Rochester Hills' natural resources and recreational character.

Objective: Implement components of the Parks Strategic Plan.

Objective: Continue maintenance programs and the acquisition of Green Space and natural feature City owned property.

Objective: Conduct and implement components of a Grounds Maintenance Management Study, determining appropriate service levels and effective use of resources by function Citywide.

GOAL: COMMUNITY / NEIGHBORHOODS

Protect the family-oriented community from adverse events and conditions by strategic planning and proactive management in all aspects of municipal governance.

Objective: Maintain a comprehensive notification system, including social media, to alert residents of emergency situations and other information.

Objective: Maintain and improve relationships with homeowner associations/neighborhoods to further neighborhood stability to make the community a better place to live.

Objective: Continue to implement code enforcement/blight ordinance effectively to preserve existing neighborhoods.

Objective: Continue to evaluate and make recommendation(s) to reduce the adverse impact of wildlife population in the City, and educate HOA leadership and homeowners.

Objective: Maintain an accurate database of HOA leadership and points of contact, including new developments.

GOAL: ECONOMIC / TAX BASE

Retain investment, maintain the tax and employment base, support redevelopment, and

uphold high property values in the City.

Objective: Continue to attract and retain businesses. This includes businesses that focus on R&D, High-Tech, and other types of businesses, including small businesses.

Objective: Continue to enforce policies and ordinances for the maintenance of existing residential and commercial buildings.

Objective: Implement components of the City Master Plan.

GOAL: CITY WORKFORCE

Attract and retain qualified, responsive, and innovative workforce.

Objective: Continue to offer competitive compensation and benefit programs.

Objective: Encourage and support training and continuing education to retain and maximize talent.

Objective: Use social media and other targeted outlets to attract best prospects, including diverse candidates.

Objective: Build a pipeline of skilled workers through proactive partnerships and internship programs.

Objective: Provide diversity, equity, and inclusion in the hiring and promotion process, and within the City's workforce culture.

GOAL: COMMUNITY TRUST & PARTICIPATION

Promote effective communication between City Council, administration, residents, businesses, and visitors so that decisions reflect the community's desires and expectations.

Objective: Utilize technology to further enhance communication with residents, and allow for online delivery of certain services including but not limited to social media and the City website

Objective: Maintain and improve openness and transparency in conducting City business by way of cable broadcast and web cast of City Council meetings, and accessibility to City documents.

Objective: Acknowledge and promote diversity, equity, and inclusion.

Objective: Continue notification of new developments to ensure that neighboring property owners are advised.

Objective: Continue the policy of bi-annual public input via a community survey.

Objective: Involve youth in leadership growth and in the development of City's future by way of encouraging their participation on the Rochester Hills Government Youth Council.

GOAL: ENVIRONMENT

Promote conservation of water, electricity, etc.

Objective: Support green operational initiatives and resource efficiencies.

Objective: Review potential for the expansion of green programs within the City, and encourage vendor participation.

Objective: Continue education on and enforcement of the City's Automatic Irrigation Systems ordinance.

Objective: Continue to invest in alternative energy infrastructure.

Objective: Support the execution of the EGLE Grant and support additional environmental clean-up to provide a safe and clean environment for our residents & businesses.

ANY OTHER BUSINESS

NEXT MEETING DATE City Council Regular Meeting - July 15, 2024 – 7:00 p.m.

ADJOURNMENT

There being no further business before Council, it was moved by Carlock and seconded by Neubauer to adjourn the meeting at 9:37 p.m.

RYAN DEEL, President
Rochester Hills City Council

LEANNE SCOTT, MMC, Clerk
City of Rochester Hills

Complete proceedings recorded in the Official Minutes Book on file in the office of the City Clerk and by this reference is made a part hereof.